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Blaine Zoning Ordinance

28.01 – Zoning districts.

RD – 105th Avenue Redevelopment District

30.90 – 105th Avenue Redevelopment District (RD)

30.901 - Definitions.

Definitions listed apply only to this district. If something is not defined in this section the definition in the City Code shall apply.

Brew pub - A brewer who holds one or more retail on-sale licenses and who manufactures fewer than 3,500 barrels of malt liquor in a year, at any one licensed premises, the entire production of which is solely for consumption on tap on any licensed premises owned by the brewer, or for off-sale from those licensed premises as permitted by state statute.

Brewer – is a person or entity who manufactures malt liquor for sale.

Brewer taproom - An area on the premises of a brewery or on the premises adjacent to a brewery owned by the brewer in which the brewer sells or otherwise provides exclusively malt liquor produced by the brewer for consumption within the brewer taproom.

Brewery - A facility that brews malt liquor for distribution off site.

Cocktail room – on-sale of distilled liquor or wine produced for consumption on the premises owned by the distillery.

Distillery – a place or establishment where strong alcoholic drinks are produced by the process of distilling.

Farmers market – a food market at which local farmers sell fruit and vegetables and often meat, cheese and bakery products directly to consumers.

Live entertainment - An activity performed in person by one (1) or more individuals for the purpose to amuse or interest an audience including, but not limited to bands and disc jockeys.

Market – a place where buyers and sellers can meet to facilitate the exchange or transaction of goods and services.

Microdistillery – a place or establishment where strong alcoholic drinks are produced by the process of distilling in small quantities usually done in a single batch.

Professional office uses: Those commercial activities that take place in office buildings, where goods are not produced, sold, or repaired does not include medical or clinics.

Spa – a business that offers at least two out of three types of treatments: massage, skin care or other services like body wraps and scrubs.

30.902 -Intent

The intent of the redevelopment district is to promote development and redevelopment consistent with the master plan for the 105th Avenue Redevelopment Area by encouraging residential uses in conjunction with commercial and expanded recreational activities to create an entertainment district. To create greater flexibility in land uses, and at the same time protect the interest of surrounding properties in the following ways:

- a) By promoting a planned environment for integrated commercial uses which feature design continuity. A development shall reflect a common theme using compatible architectural design and consistency in signage, landscaping and lighting.
- b) By encouraging a more creative approach in development, that will result in quality living environments through innovative design and aesthetic controls.
- c) By providing for mixed-use development(s) that are carefully planned to promote efficient use of land, parking, and open space.
- d) By providing enhanced oversight through site plan approvals to ensure compatibility of mixed uses and consistency with the approved master plan.
- e) By encouraging pedestrian access.

- f) By allowing flexibility in setback and height restrictions.
- g) By ensuring high standards of site design, architectural design, building materials and landscape design are achieved through design guidelines and approvals.
- h) By providing the means for greater creativity and flexibility in environmental design than is provided under the strict application of the Blaine Zoning Ordinance and Subdivision Ordinance, while, at the same time, preserving the health, safety, order, convenience, prosperity, and general welfare of the City of Blaine.

30.903 - Development Procedure

- a) All new buildings and additions require site plan approval through the Planning Commission and City Council.
- b) A development agreement is required as part of the development approval and shall address, at a minimum, approved site and building design criteria, approved sign locations and design criteria, construction phasing, parking, cash escrow and/or letter of credit for construction of on-site and off-site improvements generated by the development.
- c) All buildings are subject to and must meet the design guidelines for the district.
- d) The district shall be governed by and maintained through an owner's association which will provide maintenance on sidewalks, private streets, landscaping, snow removal, trash removal and parking for the district.

30.904 - Permitted Uses

- a) Art galleries and studios.
- b) Bakery.
- c) Candy or ice cream shops.
- d) Coffee shop.
- e) Delicatessen stores.
- f) Entertainment -Such as live music
- g) General Retail.
- h) Market under 5,000 square feet.
- i) Multi-family Residential
 - (1) Multi-level multiple unit (apartments).
 - (2) Townhomes.
- j) Professional office not including medical or clinics.
- k) Restaurants
 - (1) Class I.

- (2) Class II under 3,000 square feet without drive-thru.

30.905 - Conditional Uses

All land uses listed below shall be reviewed and approved pursuant to the Conditional Use Permit procedures in Section 27.04 of the zoning code.

- a) Brewer tap room as associated with and on the same site as a licensed brewery.
- b) Buildings over 50 feet in height.
- c) Farmers market.
- d) Hotel with or without banquet/convention space.
- e) Indoor/outdoor recreation -Such as driving range, sports field, axe throwing, bowling, not including fitness uses.
- f) Licensed cocktail room with and on the same site as a licensed distillery/micro distillery or winery.
- g) More than one principal building on one lot.
- h) Outdoor seating/dining.
- i) Rooftop signage
- j) Shared or off-site parking.
- k) Spa as defined in this ordinance.
- l) Structured parking including parking ramps.

30.906 - Prohibited Use

- a) Auto Sales -indoor or outdoor sales.
- b) Automobile Repair.
- c) Car Washes.
- d) Daycare.
- e) Drive-thru facilities.
- f) Fitness centers including yoga and gyms.
- g) Gas/convenience stores.
- h) Outdoor storage.
- i) Pawn shops.
- j) Self-storage/mini storage.
- k) Tobacco/vape shop.
- l) Any uses not listed as permitted, or conditional.

30.907 - Residential Standards

- a) Setbacks -a consistent street edge must be maintained at the right-of-way line along all street frontages. Street edge elements may consist of the principal

building, landscaping, or a combination of these elements. Exceptions may include: property is adjacent to a water feature, surface parking or other instances the City Council deems appropriate.

- b) *Building Height* -Minimum of 2 stories. There shall be no height limitations, provided all buildings are in compliance with Federal Aviation Administration regulations. Any building over 50 feet requires a Conditional Use Permit, with a maximum height of 150 feet.
- c) *Sidewalks* – required along all public and private streets. The location and alignment of new sidewalks shall connect directly to existing sidewalk network.
- d) *Mechanical equipment* – All mechanical equipment shall be screened and properly maintained with material similar to the material used on the main structure. Screened mechanical equipment shall not be located in the front or street side yards.
- e) *Trash Enclosure* - Refuse facilities shall be located only in the side yards or rear yards when feasible. Refuse facilities may be located in the front yard subject to approval of the Zoning Administrator. Such facilities shall be constructed of masonry materials such as brick or textured block in colors compatible with the principal structure. Such facilities shall have solid gates.

30.908 - Residential Parking

- a) Minimum spaces required: 1.5 spaces per unit for multi-unit building minimum of one underground. Townhouse 2 garage spaces per unit.
- b) Parking areas shall have access to a public alley or street. Driveways shall be located to minimize interference with traffic movement. Parking will be reviewed as part of the site plan a parking analysis is required as part of the review.

(1) Surface Parking

- (aa) Parking lots shall be located to the rear of the buildings, or side yards if a rear location is not feasible.
- (bb) When parking areas abut the street, the sidewalk edge must be delineated with landscaping, architectural fencing (meeting design guidelines) or other decorative features

30.909 - Architectural Control Residential

At least fifty percent (50%) of all exterior wall finishes on any building shall be comprised of a combination of at least three (3) of the following materials with all

materials present on each elevation. All buildings must meet and be consistent with design guidelines.

- a) Brick.
- b) Natural or cultured stone.
- c) Glass.
- d) Stucco or EIFS
- e) Cementous siding.
- f) Architectural metal.
- g) Integrally colored rock faced block.
- h) The remaining portion of all exterior wall finishes shall be comprised of any combination of decorative, rock faced concrete block and textured concrete panels, or other comparable or superior materials as approved by the zoning administrator. All materials subject to Zoning Administrator approval.
- i) Building articulation elements shall be provided at a maximum average spacing of 40 feet.
- j) Flat roof lines are encouraged.
- k) Facade articulation shall be provided through any of the following elements:
 - (1) A projecting bay, entry vestibule, or recess extending from the ground level through the second floor.
 - (2) A ground-level recess.
 - (3) A change in the rhythm of windows at the ground level and second floor, combined with a change of parapet height or material.
- l) All buildings shall provide ground floor windows along facades, parks, plazas or other public outdoor spaces. Darkly tinted windows or windows that block two-way visibility are prohibited.

(1) Awnings

- a) An awning may project over the public sidewalk provided that it is at least 8 feet above grade and does not project more than 2/3 the width of the public sidewalk as measured from the building.
- b) Awnings must be constructed of durable, water repellent material such as canvas or metal. Plastic or fiberglass are not permitted.
- c) Backlit or illuminated awnings are not permitted.
- d) Retractable or fixed awnings may be used.
- e) Awnings shall not extend across multiple buildings. Long expanses of awnings should be broken into segments that reflect the door or window openings located beneath.
- f) Awning colors and materials shall complement the building façade.

- g) Signage on awnings is permitted on the end panel or valance only. Lettering size shall be proportional to the space available as approved by the Zoning Administrator.
- h) Awnings and canopies deteriorate over time; regular maintenance and replacement is required If material shows signs of wear, including but not limited to fraying, fading, or physical damage to the awning.
- i) Awnings should be part of the site plan review and receive approval. Any encroachments over public right-of-way shall be approved by the City Council prior to construction.

30.910 - Commercial Standards

- a) Setbacks -a consistent street edge must be maintained at the right-of-way line along all street frontages. Street edge elements may consist of the principal building, landscaping, outdoor seating, or a combination of these elements. Exceptions may include: property is adjacent to a water feature, surface parking or other instances the City Council deems appropriate.
- b) Building Height - All buildings shall be in compliance with Federal Aviation Administration regulations. Any building over 50 feet, with a maximum height of 150 feet, requires a Conditional Use Permit.
- c) Sidewalks – required along all public and private streets. The location and alignment of new sidewalks shall connect directly to existing sidewalk network.
- d) Mechanical Equipment – All mechanical equipment shall be screened and properly maintained with material similar to the material used on the main structure. Screened mechanical equipment shall not be located in the front or street side yards.
- e) Trash Enclosure - Refuse facilities shall be located only in the side yards or rear yards when feasible. Refuse facilities may be located in the front yard subject to approval of the Zoning Administrator. Such facilities shall be constructed of masonry materials such as brick or textured block in colors compatible with the principal structure. Such facilities shall have solid gates.
- f) Outdoor Display - Outside display area is limited to a maximum of thirty percent (30%) of the width of a building frontage and is not to exceed a total of one hundred fifty (150) square feet of area for buildings under 40,000 square feet and not to exceed 400 square feet for buildings larger than 40,000 square feet. Building frontage is defined as the dimension or width of a store front occupied by the retailer establishing the outside display. For purposes of this ordinance a frontage must contain a public or customer entrance or exit and no space is allowed more than two (2) frontages.

- (1) Outside display to be located immediately adjacent to and within the dimensions of the building frontage and shall not extend from the front building edge more than fifty (50) inches.
- (2) Outside display shall not exceed a height of sixty (60) inches.
- (3) Vending machines or cabinets for items such as beverages, ice and propane are not permitted.
- (4) Outside display shall not be located so as to block pedestrian walkways, doorways, parking stalls, drive aisles (including access for emergency services). Thirty-six (36) inches is the minimum width required to maintain pedestrian access.
- (5) Outside display to be maintained in an orderly and attractive manner that does not detract from the image of the community or adjacent businesses.
- (6) Outside display should be a representation of the products sold on site, not a storage area for inventory on pallets.
- (7) Products shall be able to be sold from the display.

30.911 - Commercial Parking

Parking – Parking areas shall have access to a public alley or street. Driveways shall be located to minimize interference with traffic movement. Parking will be reviewed as part of the site plan a parking analysis is required as part of the review. On street parking, parking structure, and shared parking are encouraged.

a) Surface Parking

- (1) Parking lots when feasible should be located to the rear of the buildings, or side yard.
- (2) When parking areas abut the street, the sidewalk edge must be delineated with landscaping, architectural fencing (meeting design guidelines) or other decorative features.

b) Parking Structure

- (1) Parking structures shall be appropriately located and behind the rear of the building when practical.
- (2) Parking structures abutting any public street or walkway shall be compatible with the materials and architectural style of surrounding buildings.
- (3) Parking structures shall be designed so that vehicles are not visible from the sidewalk and the only opening at the street level are those to accommodate vehicle ingress and egress

- (4) Snow storage areas shall not be located in the front or side yard abutting a street. If storage is not accommodated onsite it should be hauled out.
- c) Shared Parking
 - (1) A conditional use permit may be granted for one or more businesses to provide the required off-street parking facilities by joint use of one or more sites where the total number of spaces provided are less than the sum of the total required for each business should they provide them separately.
 - (2) Conditions required for shared parking
 - (aa) The building or use for which application is being made to utilize off-street parking facilities provided by another building or use shall be located within 800 feet of such parking facilities.
 - (bb) The application shall demonstrate there is no substantial conflict in using shared facilities through a professional parking analysis.
 - (cc) Shared parking facilities shall record with the County an irrevocable covenant running with the land. A certified copy of the recorded agreement shall be provided to the Zoning Administrator prior to issuance of a building permit.
- d) Off-Site Parking - Any off-site parking which is used to meet the requirements below shall be a conditional use
 - (1) Reasonable access from the off-site parking facilities to the use being served shall be provided.
 - (2) An agreement or lease shall be approved as part of the conditional use permit. The agreement/lease shall specify the total number and location of parking spaces under contract.
- e) The off-street parking requirements shall be established by the Zoning Administrator based upon the characteristics and functional similarities between uses including, but not limited to: the size of building, type of use, number of employees, expected volume and turnover of customer traffic, and expected frequency and number of delivery or service vehicles. For structures containing multiple uses, each shall be calculated separately. The requirements may be revised upward or downward by the City Council as part of an application for a Conditional Use Permit based on verifiable information pertaining to parking.
 - (1) Approved parking spaces must be located on the same lot as the principal use, unless shared parking or off-site parking is approved for the use.

- f) Parking Analysis Requirements - A parking analysis is required when a new building is proposed on a site, for tenant improvements or when a more intense use is proposed in an existing building. The parking analysis is to be prepared by a professional who has knowledge and experience with parking needs and assessments. The analysis should consist of the following information:
- (1) A site plan of the property identifying where the proposed project is located, showing all existing uses/tenant spaces and all existing parking space locations.
 - (2) Parking analysis matrix that includes (1) names of all existing/proposed uses with tenant address; (2) each tenants total building square footage existing and proposed (3) lists dining and seating counts for restaurant, bar, brewery, cocktail room and coffee shop uses; and (4) lists an accurate total number of all existing parking spaces on-site.
 - (3) Proposed parking layout and number of stalls for the development.
 - (4) Floor plan layouts may be required to determine relevant seating areas and other-relevant square-footage areas.
 - (5) Parking adequacy should be determined prior to making major financial and legal commitments related to the property. In some cases, insufficient on-site parking may prevent the proposed project/use from being permitted

30.912- Outdoor seating and service of food and beverages

- a) The use shall not be located in the interior or rear yard if the use is adjacent to a parcel that is occupied by a residential use. This will not apply if the first floor of the building located on the adjacent parcel is not occupied by a residential use or if a residential use is located above the principal use.
- b) Additional parking will not be required if the outdoor seating area does not exceed 500 square feet or 10% of the gross floor area of the principal use, whichever is less. Parking will be required at the same rate as the principal use for that portion of outdoor seating area in excess of 500 square feet or 10% of the gross building area, whichever is less.

30.913 - Architectural Control Commercial

At least seventy five percent (75%) of all exterior wall finishes on any building shall be comprised of a combination of at least three (3) of the following materials with all materials present on each elevation. All buildings must meet and be consistent with design guidelines.

- a) Brick.

- b) Natural or cultured stone.
- c) Glass.
- d) Stucco
- e) Cementous siding.
- f) Architectural metal.
- g) Integrally colored rock faced block.
- h) The remaining portion of all exterior wall finishes shall be comprised of any combination of decorative, rock faced concrete block and other comparable or superior materials as approved by the zoning administrator. All materials subject to Zoning Administrator approval.
- i) All buildings to incorporate four-sided design.
- j) Franchises or national chains with standardized architecture and signage shall comply with the standards contained in this section. Aggressive and bright signage must be altered and scaled down to meet the intentions of these standards.
- k) Building articulation elements shall be provided at a maximum average spacing of 40 feet.
- l) Façade articulation shall be provided through any of the following elements:
 - (1) A projecting bay, entry vestibule, or recess extending from the ground level through the second floor.
 - (2) A ground-level recess.
 - (3) A change in the rhythm of windows at the ground level and second floor, combined with a change of parapet height or material.
- m) All buildings shall have at least one customer entrance facing an abutting public or private street, rather than just the parking area. A building may have more than one entrance. Customer entrances shall be open to the public during business hours.
- n) Main building entrances shall be architecturally emphasized and visible from the street by utilizing design features such as awnings, pillars, special building materials or architectural details.
- o) All buildings shall provide ground floor windows along facades, parks, plazas or other public outdoor spaces. Darkly tinted windows or windows that block two-way visibility are prohibited.

(1) Awnings

- a) An awning may project over the public sidewalk provided that it is at least 8 feet above grade and does not project more than 2/3 the width of the public sidewalk as measured from the building.
- b) Awnings must be constructed of durable, water repellent material such as canvas or metal. Plastic or fiberglass are not permitted.

- c) Backlit or illuminating awnings are not permitted.
- d) Retractable or fixed awnings may be used.
- e) Awnings shall not extend across multiple storefronts and/or multiple buildings. Long expanses of awnings should be broken into segments that reflect the door or window openings located beneath.
- f) Awning colors and materials shall complement the building façade.
- g) Signage on awnings is permitted on the end panel or valance only. Lettering size shall be proportional to the space available as approved by the Zoning Administrator.
- h) Awnings and canopies deteriorate over time; regular maintenance and replacement is required if material shows signs of wear, including but not limited to fraying, fading, or physical damage to the awning.
- i) Awnings should be part of the site plan review and receive approval. Any encroachments over public right-of-way shall be approved by the City Council prior to construction.

30.914 - District Landscaping

The use of window boxes, hanging flower baskets, or other seasonal landscaping is encouraged. Window boxes, hanging plants and planters should be near entrances.

- a) The periphery of all parking lots shall be well landscaped along the public right-of-way to maintain an edge that contains low shrubs, street trees, decorative fencing (per design guidelines) or a combination of these elements.
- b) Trees, shrubs, groundcover, and perennial plantings shall be required at the base of a parking structure. Perimeter planters may be required around the upper-level decks of the parking structure, particularly when facing a public right-of-way.
- c) Sodding and ground cover. All open areas of any site not occupied by building, parking, or storage, shall be sodded over four (4) inches of topsoil. Exceptions to this are as follows:
 - (1) Seeding over four (4) inches of topsoil of future expansion areas as shown on approved plans.
 - (2) Undisturbed areas containing existing natural vegetation which can be maintained free of foreign and noxious materials.
 - (3) Areas designated as open space for future expansion area properly planted and maintained with grass.
- d) Slopes and berms:

- (1) Final slope grade steeper than the ratio of 3:1 will not be permitted without special approval or treatment, such as terracing or retaining walls.
 - (2) Berming used to provide required screening of parking lots and other open areas shall not have a slope to exceed 3:1.
- e) Use of Landscaping for Screening:
 - (1) Where natural materials, such as trees are approved in lieu of the required screening by means of walls or fences, density and species of planting shall be such to achieve opaqueness year-round.
 - (2) Landscaping may be permitted in utility and drainage easements or road right-of-way with the approval of the Zoning Administrator.

30.915 - District Lighting

Any lighting used to illuminate off-street parking and driving areas, signs, or structures shall, consist of downcast style fixtures with a concealed or shielded light source to prevent glare or spill to adjacent right-of-way or properties.

- a) Pole-mounted lighting shall not have pole heights exceeding 20 feet.
- b) No light or combination of lights, including illuminated signs, that cast light upon a public street shall exceed one (1) foot-candle meter reading as measured at the edge of roadway. No light or combination of lights that cast light upon a residentially zoned property shall exceed .4 foot-candle meter reading as measured at the residential property line. All measurements shall be made after dark at the property line or edge of roadway. The City may limit the hours of operation of outdoor lighting if it is deemed necessary by the City to reduce impacts on the surrounding neighborhood.
- c) Light fixtures shall be consistent with design guidelines.

30.916 - District Signage

The following sign standards apply only to this district if not regulated in this section, Chapter 34 of the City Code shall apply. All signage must meet and be consistent with design guidelines.

In addition to the signs allowed without a permit pursuant to Chapter 34, two signs are allowed per business. The two allowed signs must be one wall sign and either a three-dimensional sign, projecting sign or awning sign.

- a) All signs shall adhere to the following design standards:
 - (1) Use simple sign shapes to complement the architecture of the building.
 - (2) Signs shall not obscure architectural features of buildings, including window or door openings.

- (3) Sign shall be used to display the primary name of the business only.
- (4) Use only one line of lettering, if possible.
- (5) Only one sign containing the business name or graphic logo shall be permitted per street facing side. Projecting signs are allowed in addition to the one sign allowed facing the street. Use simple, bold lettering with sufficient contrast between the lettering and the background.

b) Sign Lighting

- (1) Indirect incandescent lighting shall be permitted.
- (2) Place spotlights discreetly to shield from pedestrians and vehicular traffic.
- (3) Neon signage may be used if approved as part of the overall sign plan.
- (4) Wall signs. Wall signs shall meet the following requirements:
- (5) The total building signage may have an aggregate area not exceeding one square foot for each foot of building face parallel or substantially parallel to a street lot line with a maximum of 150 square feet.
- (6) It must not project more than 12 inches from the wall to which the sign is affixed.
- (7) Where a principal building is devoted to two or more permitted uses, the operator of each use may install a wall sign for its use consistent with a building sign plan approved by the City. The total gross signage for the entire building may not exceed one square foot for each foot of the building face parallel, or substantially parallel, to a street lot line with a maximum of 25 square feet per business.

c) Multi-Tenant Wall Signs

- (1) Design the sign plan to emphasize the whole width and geometry of the building and individual storefronts and tenant spaces.
- (2) Placement of individual tenant signs shall be coordinated to achieve a unified signage appearance in sign heights, widths, depths, coloring and lettering sizing.
- (3) Signs shall use a common lettering style and color scheme.
- (4) A sign shall not span across different buildings.

d) Monument Signs

- (1) The area of a monument sign may not exceed 15 square feet.
- (2) A monument sign may be located in a required yard but must be pedestrian in scale and does not block architecture features, including window and door openings.

(3) A monument sign may not project higher than five feet, as measured from the base of the sign or grade of the nearest roadway, whichever height is less.

(4) Signs shall use a common lettering style and color scheme.

e) *Awning Signs*

(1) Signage on awnings is permitted on the end panel or valance only. Lettering size shall be proportional to the space available as approved by the Zoning Administrator.

(2) The gross surface area of an awning or canopy sign may not exceed 50 percent of the gross surface area of the smallest face of the awning or canopy to which the sign is affixed.

f) *Projecting Signs*

(1) The total area of a projecting sign may not exceed six square feet.

(2) It must be easily visible from the sidewalk and not be a hazard to pedestrians.

(3) The bottom of the sign and bracket must be at least eight feet above sidewalk grade.

(4) Projecting signs shall generally be oriented to visibility by pedestrians and small in size so that they do not obscure other signs.

(5) No part of any sign shall be placed higher than the height of the sills of the second story windows of a multi-story building.

(6) The mounting bracket for a projecting sign shall be a black metal material and designed as a decorative element of the sign that is complementary of the building's architectural style.

g) *Roof signs*

(1) One roof sign shall be permitted for each building, but no roof sign shall be permitted for a building exceeding 80 feet in height. Individual letter signs only and shall be six feet or less in height and shall not exceed 100 square feet.

(2) The roof signage can be in combination with wall signage but both signs shall not exceed the overall sign square footage allotment for the building. A conditional use permit is required.

h) *Sandwich Board Signage*

(1) Definition. "Sandwich board signs" are freestanding signs that advertise items or specials that are available from the business and which have no

more than twenty percent of the total area for such a sign utilized for business identification.

(2) Display Standards.

- (aa) Sign size and types of signs. Signs may not exceed a width of two feet and a height of three feet. The signs shall be either an A-Frame style or poster style sign that is attached to a frame and a base.
- (bb) Sign placement. Sandwich board sidewalk signs shall be placed only within the boundaries of the applicable business - street frontage. The sign may be placed on the edge of the sidewalk that is furthest from the street and closest to the business. The sign cannot be placed on property that is adjacent to the street side of the sidewalk. Further, the sandwich board sign shall be positioned so that it will not:
- (cc) Reduce the sidewalk clearance below a width of thirty-six inches;
- (dd) Impede any line of sight for motorists at vehicular public right-of-way intersections, as determined by the City Engineer; or
- (ee) Interfere with persons entering or exiting parked cars.
- (ff) Sandwich board signs may not be displayed from vehicles parked in front of or adjacent to the businesses, whether on public or private property.
- (gg) Stabilization. The sign shall be stabilized so as to withstand wind gusts or shall be removed during windy conditions.
- (hh) Sign elements. Signs shall be designed to incorporate the colors and other architectural features of the building in front of which they are to be placed. (A white sign background and/or white framing is acceptable in any situation.) Signs made of plywood, pressboard, or paper products shall not be permitted; signs made of polyethylene, metal, burnished wood, or other materials having a natural appearance shall be permitted. Finishes shall be of high quality and durable.
- (ii) Display time and removal. Sandwich board signs may be displayed from the time that the business opens until the time that the business closes. The sandwich board sign shall be removed at the close of each business day.
- (jj) Advertising. Advertising on both sides is permitted.
- (kk) Illumination. The sandwich board sign shall not be illuminated.
- (ll) Attachments. Nothing shall be attached to the sandwich board sign and shall have nothing attached to it such as balloons or streamers.

(3) No Signs in the Public Right-of-way. A sandwich board sign shall not be placed in the public right-of-way.

i) Prohibited Signage

- (1) Signs that, by reason of position, shape or color, would interfere with the proper function of a traffic sign or signal.
- (2) Signs within a public right-of-way , except for signs installed by governmental subdivisions.
- (3) Signs within an easement, except for signs installed by governmental subdivisions or approved by the holder of the easement.
- (4) Signs that resemble any official marker erected by a governmental agency or that displays such words as "Stop" or "Danger", which are not erected by legal authority.
- (5) Flashing signs, including indoor signs, which are visible from the public streets.
- (6) With the exception of search lights, which may be approved in conjunction with an administrative permit as provided in Section 34.13 of this ordinance, no rotating beam, beacon of flashing illumination shall be used in conjunction with any display.
- (7) Sign or sign structures that obstruct any window, door, fire escape, stairway or opening intended to provide ingress or egress for any building structure.
- (8) Banners, balloons, and stringers, unless approved in conjunction with an administrative permit, as provided in Section 34.13 of City Code.
- (9) Sign posters, that are tacked or posted on trees, fences, utility posts, or other such supports.
- (10) Portable signs with the exception of sandwich boards.
- (11) Billboards
- (12) All other signs not expressly permitted by this ordinance.
- (13) Signs placed on or affixed to vehicles and/or trailers which are parked on a public right-of-way, public property, or private property so as to be visible from a public right-of-way where the apparent purpose is to advertise a product or direct people to a business or activity located on the same or nearby property.
- (14) Signs which have become rotted, unsafe or unsightly.
- (15) Signs for citywide community events, sponsored by government or non-profit organizations unless approved in conjunction with an administrative permit, as provided in Section 34.13 of city code.

- j) Other signage may be considered if meeting the design guidelines and are approved as part of the site plan.

Code of Ordinances

Sec. 6-33. – Definitions.

Cocktail room – on-sale of distilled liquor or wine produced for consumption on the premises owned by the distiller or winery.

Distillery – a place or establishment where strong alcoholic drinks are produced by the process of distilling.

Microdistillery – a place or establishment where strong alcoholic drinks are produced by the process of distilling in small quantities usually done in a single batch.

Sec. 6-38. - Kinds of liquor licenses.

~~(10) Small brewer off-sale license may be issued, with the approval of the commissioner of public safety, to a licensee that holds a small brewer license to sell growlers or 750 milliliter bottles of the malt liquor produced on the licensed premises, subject to the conditions outlined in [section 6-53](#). The fee for such a license shall be set by city council and shall be in compliance with state statute. Brewer off-sale malt liquor licenses may also be issued, with approval of the commissioner, to a holder of a brewer's license under Minn. Stat. § 340A.301, subd. 6(c), (i) or (j) and meeting the criteria established by Minn. Stat. § 340A.29 as may be amended from time to time. The amount of malt liquor sold at off-sale under this license may not exceed 128 ounces per customer per day. Off-sale of malt liquor shall be limited to the legal hours for off-sale at exclusive liquor stores in the jurisdiction in which the brewer is located, and the malt liquor sold off-sale must be removed from the premises before the applicable off-sale closing time at exclusive liquor stores. Packaging of malt liquor for off-sale under this license must comply with the provisions of Minnesota Rules, parts 7515.1080 to 7515.1120.~~

(14) Cocktail room license may be issued, with the approval of the commissioner of public safety, to a distillery for the on-sale of distilled liquor produced by the distiller for consumption on the premises of or adjacent to one distillery location owned by the distiller.

(15) Distillery off-sale license may be issued, with the approval of the commissioner of public safety, to a microdistillery for off-sale of spirits in quantities, packaging, and hours as allowed by Statute.