

SECTION 15 - GENERAL REGULATIONS

A. Parking and Loading Regulations:

All parking hereafter constructed or maintained shall conform with the provisions of this SECTION and any other Ordinances or Regulations of Faribault County.

1. Minimum Size Regulations:

Each parking space shall contain a minimum area of not less than three hundred (300) square feet, including access drives, a width of not less than nine (9) feet and a depth of not less than twenty (20) feet. Each parking space shall be sufficient to meet the requirements for each use and shall provide adequate space for storage and maneuvering of the vehicles they are designed to serve.

2. Reduction and Use of Parking and Loading Space:

On-site parking facilities existing at the effective date of this ordinance shall not subsequently be reduced to an amount less than that required under this ordinance for a similar new building or use. On-site parking facilities provided to comply with the provisions of this ordinance shall not subsequently be reduced below the requirements of this ordinance. Such required parking or loading space shall not be used for storage of goods or for storage of vehicles that are inoperable or for sale or rent.

3. Computing Requirements

In computing the number of such parking spaces required, the following rules shall govern:

- a. Floor space shall mean the gross floor area of the specific use.
- b. Where fractional spaces result, the parking spaces required shall be construed to be the nearest whole number.
- c. The parking space requirement for a use not specifically mentioned herein shall be the same as required for a use of similar nature, as determined by the Board of County Commissioners and the County Planning Commission.

4. Yards:

On-site storage parking spaces, loading spaces and facilities shall be in addition to the front yard, side yard and rear yard regulations for the zoned district in which parking is located, except that:

- a. In any of the AGRICULTURE or RESIDENCE DISTRICTS, a maximum of two (2) automobiles may be parked in front yards, and four (4) in rear yards.

- b. In a B-1 HIGHWAY SERVICE BUSINESS DISTRICT, no parking or loading space shall be located within ten (10) feet of any property line that abuts a road or highway right of way, or any RESIDENCE DISTRICT.
- c. In a B-2 GENERAL BUSINESS DISTRICT, no parking or loading space shall be located within ten (10) feet of any highway right of way.
- d. In a I-1 LIGHT INDUSTRY DISTRICT and I-2 HEAVY INDUSTRY DISTRICT, no parking or loading space shall be located within ten (10) feet of any property line that abuts a highway right of way line, or any RESIDENCE DISTRICT, except for railroad loading areas.

5. Screening and Landscaping

All open automobile parking areas containing more than four (4) parking spaces shall be effectively screened on each side adjoining or fronting on any property situated in a RESIDENCE DISTRICT or any institutional premises by a wall, fence, or densely planted compact hedge not less than four (4) feet in height. However, the County Board of Commissioners may waive this requirement if the closest point of such parking area is at least seventy-five (75) feet from the nearest residential or institutional property line. The screening and landscaping plan shall show plant materials, bed location, and other necessary information.

6. Access:

- a. Parking and loading areas shall have proper access from a public right of way.
- b. The number and width of access drives shall be so located as to minimize traffic congestion and abnormal traffic hazards.
- c. Vehicular access to business or industrial uses across property in any RESIDENCE DISTRICT shall be prohibited.

7. Location of Parking Facilities:

Acquired off-street parking space shall be provided on the same lot as the principal building or use, except as follows in subsection 8.

8. Combined Facilities:

Combined or joint parking facilities may be provided for one (1) or more buildings or uses in B-1 and B-2 BUSINESS DISTRICTS and in I-1 and I-2 INDUSTRIAL DISTRICTS, provided that the total number of spaces shall equal the sum of the requirements for each building or use.

9. Construction and Maintenance:
- a. In B-1 and B-2 BUSINESS DISTRICTS and in I-1 and I-2 INDUSTRIAL DISTRICTS, parking areas and access drives shall be covered with a dust-free all weather surface with proper surface drainage, as required by the County Engineer.
 - b. The operator of the principal building or use shall maintain parking and loading areas, access drives and yard areas in a neat and adequate manner.

10. Lighting:

Lighting shall be reflected away from the public right of way and nearby or adjacent RESIDENCE DISTRICTS.

11. Required Site Plan:

Any application for a building permit shall include a site plan or plot plan drawn to scale and dimensions, showing on-site parking and loading space to be provided in compliance with this ordinance.

12. Application of Parking and Loading Regulations:

Parking and loading regulations shall apply to all buildings and uses of land established after the effective date of this ordinance.

13. Required Number of On-site Parking spaces:

On-site parking areas of sufficient size to provide parking for patrons, customers, suppliers, visitors and employees shall be provided on the premises of each use. The minimum number of required on-site parking spaces for the following uses shall be as follows:

- a. One (1) Family Dwelling - One (1) parking space. No garage shall be converted into living space unless other acceptable on-site parking is provided.
- b. Manufactured Home - One (1) parking space per manufactured home.
- c. Hospital, Convalescent or Nursing Home - One (1) parking space for each four (4) beds for which accommodations are offered, plus one (1) parking space for each employee on the major shift.
- d. Churches - One (1) parking space for each four (4) seats, based on the design capacity of the main seating area.
- e. Public Senior High School or Private High School - One (1) parking space for each classroom, plus one (1) parking space for each ten (10) students, based upon design capacity.

- f. Public Elementary, Junior High School or Similar Private School - Two (2) parking spaces for each classroom.
- g. Municipal Administration Buildings, Community Center, Public Library, Museum, Art Gallery, Post Office and other Public Service Buildings – Ten (10) parking spaces, plus one (1) parking space for each five hundred (500) square feet of floor area in the principal structure.
- h. Golf Course, Golf Club House, Country Club, Swimming Club, Tennis Club, Public Swimming Pool - Twenty (20) spaces, plus one (1) space for each five hundred (500) square feet of floor area in the principal structure.
- i. Professional Offices, Medical and Dental Clinics and Animal Hospital – four (4) parking spaces, plus one (1) parking space for each five hundred (500) square feet of floor area over one thousand (1,000) square feet of floor area.
- j. Office Buildings - Ten (10) parking spaces, plus one(1) parking space for each five hundred (500) square feet of floor area over one thousand (1,000) square feet of floor area.
- k. Automobile Service Station - Four (4) parking spaces, plus two (2) parking spaces for each service stall; such parking spaces should be in addition to parking space required for gas pump areas.
- l. Auto Sales, Trailer Sales, Marine and Boat Sales, Implement Sales, Garden Supply Store, Building Materials Sale, Auto Repair - Six (6) parking spaces, plus one (1) space for each five hundred (500) square feet of floor area over one thousand (1,000) square feet.
- m. Bowling Alley - Five (5) parking spaces for each bowling lane.
- n. Drive-in Restaurant - Twenty (20) parking spaces or one (1) space for each twenty (20) square feet of floor area, whichever is greater.
- o. Motel or Motor Hotel - One (1) parking space for each rental room or suite.
- p. Miniature Golf Course, Archery Range or Golf Driving Range - Ten (10) parking spaces.
- q. Assembly or Exhibition Hall, Auditorium, Theater or Sports Arena – One (1) parking space for each four (4) seats, based upon design capacity.
- r. Restaurant, Cafe, Nightclub, Tavern or Bar - One (1) parking space for each seventy-five (75) square feet of customer floor area.
- s. Retail Stores and Service Establishments - One (1) parking space for each one hundred (100) square feet of floor area, plus one (1) space for each employee on the major shift or one (1) off-street parking space for

each three hundred fifty (350) square feet of gross floor area within the building, whichever is greater.

- t. Research, Experimental or Testing Stations - One (1) parking space for each employee on the major shift or one (1) off-street parking space for each five hundred (500) square feet of gross floor area within the building, whichever is greater.
- u. Storage, Wholesale, or Warehouse Establishments - One (1) parking space for each two (2) employees on the major shift or one (1) space for each two thousand (2,000) square feet of floor area, whichever is larger, plus one (1) space for each company motor vehicle when customarily kept on the premises.
- v. Manufacturing or Processing Plant - One (1) off-street parking space for each two (2) employees on the major shift or one (1) off street parking space for each one thousand (1,000) square feet of gross floor area within the building, whichever is greater, plus one (1) space for each company motor vehicle when customarily kept on the premises.

14. Required Number of On-Site Loading Spaces:

The minimum number of off-street loading and unloading spaces are as follows:

- a. Retail Stores, Service Establishments and Office Buildings – One (1) space for the first ten thousand (10,000) square feet of gross floor area and one (1) space for each additional fifty thousand (50,000) square feet of gross floor area.
- b. Hospitals, Rest Homes, Nursing Homes, etc. - One (1) space plus one (1) additional space for each ten thousand (10,000) square feet of gross floor area.
- c. Restaurants - One (1) space for each structure over ten thousand (10,000) square feet of gross floor area.
- d. Manufacturing, Fabrication, Warehousing, Storing, etc. - One space for each thirty thousand (30,000) square feet of gross floor area.

B. Sign Regulations:

1. Purpose

This SECTION is established to protect and promote health, safety, general welfare and order within Faribault County through the establishment of comprehensive and uniform standards, regulations and procedures governing the type, numbers, size, structure, location, height, lighting, erection, use or display of devices, signs or symbols serving as a visual communications media to persons situated within or upon public rights of way or private properties. The provisions of this SECTION are intended to encourage opportunity for effective,

aesthetically compatible, and orderly communications by reducing confusion and hazards resulting from unnecessary or indiscriminate use of communication facilities. Hereafter, no sign shall be erected, constructed, altered or modified except as regulated by the provisions of this SECTION.

2. Definitions

The following terms, for purposes of this SECTION, shall have the meaning stated herein:

- a. Advertising (off premise) Signs: A billboard, poster panel, painted bulletin board, or other communicative device which is used to advertise products, goods, or services which are not exclusively related to the premise on which the sign is located.
- b. Address Sign: A sign communicating street address only, whether written or in numerical form.
- c. Alteration: Refers to any major alteration to a sign but shall not include routine maintenance, painting or change of copy of an existing sign.
- d. Architectural Projection: Any projection which is not intended for occupancy and which extends beyond the face of an exterior wall of a building, but shall not include signs.
- e. Area Identification Sign: A free-standing sign which identifies a subdivision, a multiple residential complex consisting of three (3) or more structures, a shopping center consisting of three (3) or more separate business concerns, an industrial area, an office complex consisting of three (3) or more structures or any combination of the above.
- f. Awning: A temporary hood or cover which projects from the wall of a building, and of a type which can be retracted, folded or collapsed against the face of a supporting building.
- g. Banners: Attention getting devices which resemble flags and are of a paper, cloth or plastic-like consistency.
- h. Bench Signs: A sign which is painted on or affixed to a bench such as at a bus stop.
- i. Business Sign: Any-sign which identifies a business or group of businesses, either retail or wholesale, or any sign which identifies a profession or is used in the identification or promotion of any principal commodity or service, including entertainment, offered or sold upon the premise where such sign is located.
- j. Campaign Sign: A temporary sign promoting the candidacy of a person running for a governmental office, or promoting an issue to be voted on at a governmental election.

- k. Canopy Sign: Any message or identification which is affixed to a projection or extension of a building or structure; erected in such a manner as to provide a shelter or cover over the approach to any entrance of a store, building or place of assembly. Canopy signs are primarily intended to hold changeable copy.
- l. Construction Sign: A sign placed at a construction site identifying the project or the name of the architect, engineer, contractor, financier or other involved parties.
- m. Directional Signs: A sign erected on public or private property which bears the address and name of business, institution, church, or other use or activity plus directional arrows or information on location.
- n. Flashing Sign: An illuminated sign upon which the artificial light is not kept constant in terms of intensity or color at all times when the sign is illuminated. Excluded are time and temperature signs.
- o. Free-standing Sign: Any stationary or portable, self-supported sign not affixed to any other structures.
- p. Governmental Sign: A sign which is erected by a governmental unit.
- q. Illuminated Sign: Any sign which is lighted by an artificial light source either directed upon it or illuminated from an interior source.
- r. Information Sign: Any sign giving information to employees, visitors or delivery vehicles, but containing no advertising or identification.
- s. Institutional Sign: A sign or bulletin board which identifies the name and other characteristics of a public or private institution on the site where the sign is located.
- t. Integral Sign: A sign carrying the name of a building, its date of erection, monumental citations, commemorative tablets and the like carved into stone, concrete or similar material made of bronze, aluminum or other permanent type of construction and made an integral part of the structure.
- u. Marquee Sign: (See Canopy Sign).
- v. Name Plate: A sign indicating the name and address of a building or the name of an occupant thereof and the practice of a permitted occupation therein.
- w. Non-conforming Signs: A sign which lawfully existed at the time of the passage of this ordinance or amendment thereto but which does not conform with the regulations of this ordinance.
- x. Parapet: A low wall which is located on a roof of a building.

- y. Portable Sign: A sign so designated as to be movable from one location to another and which is not permanently attached to the ground, sales display device, or structure.
- z. Projecting Sign: A sign other than a wall sign, which is affixed to a building and which extends in a perpendicular manner from the building wall.
- aa. Real Estate Sign: A business sign placed upon a property advertising that particular property for sale, or for rent or lease.
- bb. Roof Line: The uppermost line of the roof of a building, or in the case of an extended facade, the uppermost height of said facade.
- cc. Roof Sign: Any sign which is erected, constructed or attached wholly or in part upon the roof of a building and which projects completely above the parapet wall.
- dd. Rotating Sign: A sign which revolves or rotates on its axis by mechanical means.
- ee. Sign: The use of any works, numerals, pictures, figures, devices or trademarks by which anything is made known such as are used to show an individual, firm, profession or business and are visible to the general public.
- ff. Sign Area: That area within the marginal lines of the surface which bears the advertisement or, in the case of messages, figures or symbols attached directly to the part of a building; that area which is included in the smallest connecting geometric figures which can be made to circumscribe the message, figure or symbol displayed thereon. Only changeable copy areas of marquee or canopies shall be considered in determining the total sign area.
- gg. Sign, maximum height of: The vertical distance measured from the base of the sign to the top of such a sign. An average grade will be taken on irregular terrain.
- hh. Sign, minimum height of: The vertical distance measured from the base of the sign to the top of such a sign. An average grade will be taken on irregular terrain.
- ii. Sign, privilege: A sign which advertises a major product or brand name and which the name of the establishment is incidental or clearly subordinate to the product advertised.
- jj. Sign Structure: The supports, uprights, bracing and framework for a sign including the sign area.
- kk. Temporary Sign: Any sign which is erected or displayed for a specified period of time.

- ll. Wall Sign: A sign which is affixed to the exterior wall or mansard roof of a building and which is parallel to the building.
 - mm. Wall Graphics: A sign which is painted directly on an exterior wall surface.
 - nn. Window Sign: A sign affixed to or inside of a window in view of the general public. This does not include merchandise on display.
3. General Sign Provisions
- a. Hazardous Signs: No sign permitted by this subdivision shall, by reason of its location, lighting, size, color or intensity, create a hazard to the safe, efficient movement of vehicular or pedestrian traffic. No private sign shall contain words which might be construed as traffic controls, such as "stop", "caution", "warning", etc., unless such sign is intended to direct traffic within the premises.
 - b. Sign Maintenance: All signs and sign structures shall be properly maintained and kept in a safe, orderly condition. In addition, all parts and supports shall be properly painted. Any sign or sign structure which is rotted, unsafe, deteriorated, defaced, or otherwise altered, shall be repainted, repaired, or replaced by the licensee, owner, or agent of the owner of the property upon which the sign is located, upon written notice by the county.
 - c. Interference: No sign, nor any guys, stay or attachment thereto shall be erected, placed or maintained by any person on rocks, fences or trees; nor in such a manner as to interfere with the effective use of fire fighting equipment or personnel, or any electric light, power, telephone, telegraph or TV cable wire or supports thereof.
 - d. Signs within Right of Way: No signs other than governmental signs shall be erected or temporarily placed within any public right of way except as may be specifically provided herein.
 - e. Temporary Signs: The temporary use of portable or moveable signs, search lights, banners, pendants and similar devices shall be allowed in excess of and in addition to the sign limitations of this SECTION for continuous periods of thirty (30) consecutive days. No business proprietor shall be allowed more than three (3) such periods in any twelve (12) month period. If any such temporary signage brings the total signage of the premises to more than one hundred twenty percent (120%) of permissible permanent signage otherwise allowed under this ordinance on the premises in question, such temporary signage shall require a conditional use permit. This SECTION shall not apply to the use of temporary window signs.
 - f. Clearance: All signs located over public right of way or any public or private access route (sidewalk, mall, etc.) shall be located a minimum of twelve (12) feet above grade level.

- g. Display of Information: All signs shall display in a conspicuous manner the permit number and such information required by law.
- h. Safe Ingress and Egress: No sign or sign structure shall be erected or maintained so as to prevent or deter free ingress and egress from any door, window or fire escape. No sign or sign structure shall be attached to a standpipe or fire escape.
- i. Signs Required by Law: All signs required by law shall be permitted in all districts.
- j. Back to Back Signs: If a freestanding sign or sign structure is constructed so that the faces are not back to back the angle shall not exceed thirty (30) degrees. If the angle is greater than thirty (30) degrees, the total area of both sides added together shall be the calculated area. Back to back signs (when less than 30 degrees) shall be considered as one (1) sign when debited against the total number of signs permitted on a zoning lot.
- k. Roof Signs: Roof signs shall not be permitted except for a business sign that is attached to the parapet wall and extending above the building height except where no alternative is available as determined by the Planning Commission.
- l. Obsolete Signs: Obsolete signs or signs which advertise an activity, business product or service which is no longer produced or conducted on the premises shall be removed within ninety (90) days from date of vacancy. Owner shall have ninety (90) days from date of vacancy to remove any such sign.
- m. Projecting Signs: No projecting sign may extend more than eighteen (18) inches from the face of the building over a public right of way except that marquees or canopies may extend within two (2) feet of the curb line.
- n. Illumination: All externally illuminated signs shall be constructed so as to direct the source of light away from adjacent properties.
- o. Flashing or Intermittently Lighted Signs: Notwithstanding paragraphs n. and q. of General Sign Provisions, all flashing, revolving and intermittently lighted signs are prohibited. Animated signs with approved intensity and location will require a Conditional Use Permit.
- p. Double Frontage: Lots having frontage on two streets or on a street and an alley shall be permitted to provide the maximum number and square footage of signs on each of the opposite ends of said lot, provided however, that not more than the maximum number of square footage of signs per frontage may be viewed simultaneously.
- q. Permit Required: No sign except permitted signs as identified herein shall be erected, altered, constructed or modified without first receiving a valid sign permit from the county.

- r. Sign Permit Application: The application for a sign permit shall contain such information as may be deemed necessary for the proper enforcement of this SECTION.
- s. Permit Fees: The County Board of Commissioners may from time to time set fees for sign permits.
- t. Privilege Sign: Not more than one (1) privilege sign per zoning lot is allowed in any district.

4. Permitted Signs

The following signs are allowed without a permit but shall comply with all other applicable provisions of this SECTION.

- a. Government Signs: Signs of a public, non-commercial nature to include safety signs, danger signs, trespassing signs, traffic signs, signs indicating scenic or historical points of interest, memorial plaques and the like, when signs are erected by or on order of a public officer or employee in the performance of official duty.
- b. Director Signs: A wall sign which identifies the business, owners, manager, or resident occupant and sets forth the occupation or other address information but contains no advertising. There may be one (1) directory sign per zoning lot not to exceed two (2) square feet per business or resident occupant. Home occupations may display a directory sign.
- c. Directional and Parking signs (on site): On-site directional and parking signs intended to facilitate the movement of vehicles and pedestrians upon which the sign is located. Signs shall not exceed six (6) square feet.
- d. Integral Signs: Names on buildings, date of construction, commemorative tablets and the like, which are of the building or structure.
- e. Campaign Signs: Signs or posters announcing the candidate seeking political office, advertising political issues or the data pertinent thereto, not exceeding four (4) square feet in the Residential and Agricultural Districts nor eighteen (18) square feet in the Commercial and Industrial Districts. Every campaign sign must contain the name and address of person responsible for such sign and that person is responsible for its removal. These signs shall remain for no longer that forty-five (45) days prior and ten (10) days after the election for which they were intended. All signs shall be confined to private property and shall not be attached to trees, utility poles or rocks.
- f. Holiday Sign: Signs or displays which contain or depict messages pertaining to a national or state holiday and no other material. Such signs may be displayed for a period not exceeding thirty (30) days.
- g. Construction Signs: A non-illuminated sign announcing the names of architects, engineers, contractors, future use, and other individuals or

firms involved with the construction, alteration or repair of a building (but not including any advertisement of any product). Such signs shall be confined to the site of the construction, alteration or repair and shall be removed within two (2) years of the date of issuance of the first building permit or when the particular project is completed, whichever is sooner. One sign shall be permitted for each major street the project abuts. No sign may exceed twenty (20) square feet in the agricultural and residential Districts or fifty (50) square feet in all other districts.

- h. Real Estate Sign: Any on-premise sign announcing the owner, manager, realtor or other person directly involved in the sale or rental of the property. In the case of sale, signs shall be removed within ten (10) days after the sale. Signs shall not measure more than four (4) square feet in the R-1, R-2 and R-3 districts nor more than twenty (20) square feet in the other districts. There may be only one sign per frontage of the property.
- i. Bench Signs: Signs painted on benches or rest stop shelters. Such signs shall not exceed thirty (30) square feet.
- j. Community identification signs which are located within two miles of the community and do not exceed seven hundred fifty (750) square feet. "Community" means a county, town, or home rule charter or statutory city. Prior to the erection of a community sign, the community must:
 - 1) obtain approval from the governing body of the community.
 - 2) consult with local road authorities on placement and location of the sign;
 - 3) obtain the consent of the owner of the land on which the sign is to be erected; and
 - 4) advertising on sign is prohibited.

5. Permitted Signs Exempted:

Permitted signs as regulated herein shall not be debited against the total number of square footage of signs permitted on a zoning lot.

6. District Regulations

- a. Signs in All Districts: The following sign types shall be regulated or prohibited in zoning districts pursuant to the size, height, number, and similar regulatory provisions contained in this Ordinance.
 - 1. Wall signs
 - 2. Projecting signs
 - 3. Illuminated signs
 - 4. Free standing signs
 - 5. Marquee or canopy signs

- b. Signs in the A-1 SHORELAND AGRICULTURE and A-2 GENERAL AGRICULTURAL; R-1 RURAL RESIDENCE; R-2 SHORELAND RESIDENTIAL; and R-3 MANUFACTURED HOME PARK DISTRICTS:

No sign shall be erected or maintained in the AGRICULTURAL OR RESIDENTIAL ZONING DISTRICTS, except the following:

1. Permitted Signs: Permitted signs as regulated by Subdivision 4 of this SECTION.
2. Area Identification: One (1) free standing sign of not more than ninety-six (96) square feet in area and not higher than twelve (12) feet above grade.
3. Temporary signs: Temporary signs as regulated by Subdivision 3-5 of this SECTION.
4. Institutional Signs: Two (2) signs of which one (1) may be free standing, but not higher than twelve (12) feet and the single or combined surface area shall not exceed thirty (30) square feet.
5. Home Occupation Signs.
6. Agricultural Products Sign: Signs indicating that the proprietor of a farm is a dealer in seed, fertilizer and other agricultural products only when such dealership is incidental to the primary agricultural business of the farm.

- c. Signs in B-1 HIGHWAY SERVICE and B-2 GENERAL BUSINESS DISTRICT:

No sign shall be erected or maintained in the B-1 HIGHWAY SERVICE BUSINESS DISTRICT or B-2 GENERAL BUSINESS DISTRICT except the following:

1. Permitted Signs: Signs as regulated in subdivision 4 of this SECTION.
2. Business Signs: The gross area in square feet of all business signs on a zoning lot shall not exceed two (2) times the lineal feet of frontage of such zoning lot, except that no sign shall have a sign area in excess of two hundred fifty (250) square feet per zoning lot. In the case of a zoning lot having more than one frontage, the frontage designated by the mailing address shall be used. The total number of business signs on the zoning lot shall not exceed four (4) in number of which not more than two (2) shall be free standing. No signs shall exceed thirty (30) feet in height in a B-1 and forty-five (45) feet in a B-2 zone.
3. Advertising (off premise) Signs: Advertising (off premise) signs as regulated by Subdivision 8 of this SECTION.

d. Signs in I-1 LIGHT INDUSTRIAL DISTRICT and I-2 HEAVY INDUSTRIAL DISTRICT:

No sign shall be erected or maintained in the I-1 LIGHT INDUSTRIAL DISTRICT or I-2 HEAVY INDUSTRIAL DISTRICT, except the following:

1. Permitted Signs: Signs as regulated in subdivision 4 of this SECTION.
2. Business Signs: The gross area in square feet of all business signs on a zoning lot shall not exceed two (2) times the lineal feet of frontage on such zoning lot. In the case of a zoning lot having more than one (1) frontage, the frontage designated by the mailing address shall be used. The total number of business signs on the zoning lot shall not exceed three (3) in number of which not more than two (2) shall be free standing. No single business sign area shall exceed two hundred (200) square feet. The total business sign area on the zoning lot shall not exceed four hundred (400) square feet. No signs shall exceed thirty (30) feet in height.
3. Advertising Signs: As regulated in Subdivision 8 of this SECTION.

7. Signs - Shopping Centers

The total square footage of signs in a shopping center may not exceed the amount allowable for the zoning lot. Adjustments for each business may be made, provided that a sign plan for the entire shopping center is approved by the County Board of Commissioners prior to the initiation of construction.

8. Advertising (off-premise) Signs

Off premise signs may be erected on ground or wall locations (but not roof locations) in the B-1, B-2, I-1 and I-2 zones only, subject to the following regulations:

- a. Spacing: Off premise Signs on the same street facing the same traffic flow shall not be placed closer together than three hundred (300) feet.
- b. Double Face Signs: Off-premise signs can be double faced and each side shall be considered as facing traffic flowing in the opposite direction.
- c. Size, Height, and Length: In all zones in which off-premise signs are permitted, such signs shall not exceed seven hundred fifty (750) square feet in total area including all faces, except on back-to-back signs, nor shall the height exceed the permitted height of other free standing signs in the zone the sign is located. No off-premise sign shall exceed fifty-five (55) feet in length.
- d. Setbacks: No part of any off-premise sign shall be closer to any street line than the front line of any building within ten (10) feet, or the established building line, whichever is less.
- e. Exclusionary Areas: No off-premise sign shall be erected or maintained:

1. Within five hundred (500) feet of any park.
2. Within one hundred (100) feet of any residential zone, church, school or playground.

9. Provisions Governing Non-conforming Signs

A legal non-conforming sign may not be:

- a. Changed to another non-conforming sign.
- b. Structurally altered except to bring into compliance with the provisions of this SECTION.
- c. Expanded.
- d. Reestablished after its discontinuance for ninety (90) days.

10. Non-Conforming Sign Maintenance and Repair

Nothing in this ordinance shall be construed as relieving the owner or user of a legal non-conforming sign or owner of the property on which the legal non-conforming sign is located from the provisions of this Ordinance regarding safety, maintenance and repair of signs. Provided, however, that any repainting, cleaning, and other normal maintenance or repair of the sign or sign structure shall not modify the sign structure or copy in any way which makes it more non-conforming or the sign shall lose its legal non-conforming status.

11. Change of Ownership

If any property or business changes ownership, all structural sign changes on that property shall be in conformance with the requirement of this SECTION.

Amortization

Non-conforming signs shall be removed or brought into conformity with this SECTION within five (5) years from the date of the enactment of this ordinance.

13. Construction Standards and Inspection

- a. Construction Standards: The design and construction standards as set forth in Chapter 4, of the 1976 Edition of the Uniform Sign Code as amended from time to time are hereby adopted.
- b. Inspection: All signs for which a permit is required shall be subject to inspection by the Faribault County Zoning Administrator (FCZA). Any official of the county may enter upon any property or premises to ascertain whether the provisions of this ordinance are being obeyed. Such entrance shall be made during business hours unless an emergency exists. The county shall order the removal of any sign that is not maintained in accordance with the maintenance provisions of this

SECTION. Notice shall be given to the county of any change in sign user, sign owner or owner of the property on which the sign is located.

C. Individual Sewage Treatment Systems (Repealed 12/18/2012)

- ~~1. Installation, alteration, extension, or repair of Individual Sewage Treatment Systems (ISTS) in Faribault County shall comply with this ordinance.~~
- ~~2. Construction standards for ISTS shall comply with Minnesota Statutes 115.55 and the Minnesota Pollution Control Agency Rules Chapter 7080 and appendixes, as amended, hereby adopted by reference.~~
- ~~3. Disposal of all material pumped from ISTS shall comply with the rules and regulations of the MPCA and federal regulations 40 CFR 503 and appendixes amended, hereby adopted by reference.~~
- ~~4. No person, partnership, firm, or corporation shall engage in the business of installation, alteration, extension, inspection, design, pumping or repair of ISTS without MPCA certification, or as exempted (under part 7080.0700, subpart 1), and a Faribault County ISTS permit. Permit fees shall be established by the Faribault County Board of Commissioners of Commissioners.~~
- ~~5. Prior to any installation or construction or repair, a site evaluation, including items such as soil borings, setbacks and any others as required by Minnesota Chapter 7080, shall be conducted by one or more licensed Designer I or Designer II installers selected by the property owner prior to any ISTS construction activity or construction development of any new lot shall be submitted to the FCZA. Original site evaluation information forms will be on file and maintained in the FCZA office, and will serve as the initial construction design. All site changes to the original site evaluation must receive approval by the FCZA office or staff who must be a licensed Designer I or inspector,~~
- ~~6. Following receipt of notice of intent to inspect by the FCZA, a landowner or occupant of the property on which an ISTS is located shall allow the FCZA access to the property at reasonable times for the purpose of inspection.~~
- ~~7. Following receipt of notice from the FCZA that an ISTS is non-conforming, the landowner on whose property the ISTS is located shall be responsible to bring it into conformance.~~
- ~~8. Following receipt of notice of noncompliance that an ISTS is non-conforming or the system poses an imminent threat to public health or safety, within thirty (30) days, the landowner shall apply for a permit to bring it into conformance from the FCZA. Installation by a licensed installer and final inspection must be completed by the FCZA or licensed inspector and must be completed within ten (10) months.~~

9. ~~Following receipt of an ISTS permit application, the FCZA shall review the application, and either grant or deny preliminary approval.~~
10. ~~Before construction on an ISTS begins, the landowner shall give the FCZA notice in order to allow inspection during construction.~~
11. ~~Following completion of construction, but prior to covering the ISTS, the installer shall give the FCZA notice in order to allow inspection for final approval. If the FCZA is unable to be at the site within twenty four (24) hours of the normal work day, the licensed installer is responsible to take pictures of the septic tank, dropboxes, drainfield lines and other critical items along with a detailed drawing with measurements and setbacks prior to backfilling of the excavation~~
12. ~~Following receipt of notice of completion of construction, the FCZA shall inspect the ISTS, and either grant or deny final approval. A notice of noncompliance or a certificate of compliance and final inspection report along with the final drawing provided by the licensed installer who constructed the system will be sent to the property owner within thirty (30) days from the inspection.~~
13. ~~Covering an ISTS without notice to the FCZA, which prevents inspection and final approval, subjects the installer to a demand by the FCZA for excavation of the ISTS at the expense of the installer.~~
14. ~~An ISTS shall require a compliance inspection when any one of the following conditions occur:
 - a. ~~Any time that any zoning permit is applied for in shoreland zones.~~
 - b. ~~Any time the FCZA deems appropriate such as upon receiving a complaint or other information of a system failure.~~
 - c. ~~Addition of a bedroom on the property, or a variance request to an existing system.~~~~
15. ~~Failure to comply with the provision of this ordinance subjects an ISTS to summary action by the FCZA to achieve conformance at the expense of the landowner.~~
16. ~~Failure to comply with a provision of this ordinance is a misdemeanor.~~

D. Extraction of Materials and Minerals, Open Pits and Impounding of Water.

All excavations, extraction of materials and minerals, open pits and impounding of waters hereafter established or enlarged shall conform with the provisions of this SECTION and any other ordinance or regulations of Faribault County.

1. Definitions:

Excavations, as used in this SECTION, shall mean any artificial excavation of the earth, within the county dug, excavated or made by the removal from the natural surface of the earth of sod, soil, sand, gravel, stone or other matter or made by tunneling or breaking or undermining the surface of the earth. Excavations not exceeding fifty (50) square feet of surface area and two (2) feet in depth and agricultural, and public utility excavations are exempted, provided that nothing in this SECTION shall be construed to exempt public utilities from the necessity of obtaining a building permit for the construction of any underground storage facility.

2. Application:

Application for a conditional use permit for the extraction of minerals, open pits and impounding of waters shall be made in such form, and the applicant shall furnish such information, as shall be required by the Board of County Commissioners, and among other things shall state:

- a. His true name and address.
- b. A full description of the location of the land where the pit or excavation is or is to be or where the impounded waters are to be maintained and also full description of the location on such land of the pit, excavation or impounded waters.
- c. When required by the State of Minnesota, an approval by the State to impound such waters or make such excavations as described in the application.
- d. The purpose of the pit or excavation or the quantity of water impounded.
- e. The highways, roads or other public ways in the county upon and along which any material for removal is to be hauled or carried.
- f. The estimated time when building or removing will begin and be completed.

For any operation with a life expectancy of fifteen (15) years or less, the application shall contain a description of planned after-use of affected areas and the nature and extent of reclamation. A detailed reclamation map drawn at a scale of 1" = 100' or larger shall be provided designating which parts of the land shall be reclaimed for forest, pasture, crop, homesite, recreational, industrial, or other uses including food, shelter and ground cover for wildlife. The reclamation plan and map shall contain:

- a. Proposed contours after any proposed filling.
- b. Depth of restored topsoil if restoration is proposed.
- c. Type of fill, if fill is proposed.

- d. Type of planting or reforestation. Planting shall be in accordance with the desires of the property owner. If natural vegetation is proposed, it shall be so stated.
- e. Estimated progress and completion dates. Reclamation activities shall progress on a phased basis, that is, for every ten (10) acres of additional mining operations, the previous, exhausted ten (10) acres must be reclaimed.

In the event the operator finds the characteristics of the mining area to be different than what was previously determined, changes may be made in the original reclamation plan by mutual consent of the operator and the County Planning Agency. Such change shall preserve, as substantially as possible, the original reclamation plan, and shall also provide for the previously unknown variables.

A written statement containing an explanation of the character of the site to be mined and of the character of the surrounding territory; an explanation of the reclamation plan; and an explanation of the schedule of development which shall include phase development. If a development schedule cannot feasibly be prepared, it shall be so stated and written reasons submitted.

The FCZA shall determine whether the requirements of filing a reclamation plan have been met. Applications which propose no reclamation and reuse of an area shall be submitted to the Planning Commission accompanied by a report by the Planning Staff concerning the desirability of such reuse. The County Board of Commissioners shall have the ultimate authority to require a revised reclamation plan and reuse.

3. Filing of Map, Plat:

The Board of County Commissioners may require a map or plat of the proposed pit or excavation to be made showing the confines or limits thereof, together with the proposed depth thereof at different parts thereof. A similar map or plat may be required in regard to the proposed container for the impounded waters.

4. Conditions of Permit:

The FCZA, as a prerequisite to the granting of a permit or after a permit has been granted, may require the applicant to whom such permit issues or the owner or uses of the property on which the open pit or excavation or impounded waters are located, to provide or construct any or all of the following:

- a. Properly fence any pit or excavation.
- b. Slope the banks and otherwise properly guard and keep any pit or excavation in such condition as not to be dangerous from caving or sliding banks.
- c. Properly drain, fill or level any pit or excavation, after created, so as to make the same safe and healthful as the board shall determine.

- d. Keep any pit, excavation or impounded waters within the limits for which the particular permit is granted.
- e. Remove excavated material from any pit or excavation, away from the premises, upon and along such highways, streets, or other public ways as the board shall order and direct; and
- f. Provide, for the purpose of retaining impounded waters, a container of sufficient strength and durability and maintain such container in safe and proper condition.

5. Mining Operation Requirements

Each person, firm, or corporation to whom a mining operation permit is issued may engage in mining upon lands described in the permit, subject to the following regulations:

- a. The mining operations shall be conducted in compliance with the laws of the State of Minnesota and the Federal Government, especially as related to safety standards, and ordinances and resolutions of Faribault County, as amended from time to time, and in compliance with and furtherance of the approved reclamation plan for the affected land.
- b. Clearing of the mining site shall conform to the development and reclamation plan whenever possible. Existing trees and shrubs shall remain in their natural state and not be prematurely stripped.
- c. Adequate planting, fencing or berming shall be provided along all public roads adjacent to the property involved, sufficient to screen the operation from public view.
- d. Ingress and egress access points from or onto any road or highway shall be clearly indicated, and only those indicated access points shall be utilized. All access points must be approved by the appropriate Highway Agency having jurisdiction, and shall preferably be located so as to avoid the routing of vehicles to and from the mining operation over streets that primarily serve abutting residential development. Precautions must be taken to minimize the deposit of dirt and mined material from trucks onto the public roads or highways.
- e. Trucks used in hauling materials from the site of excavation shall be loaded in such manner as to minimize spillage onto public highways. Any spillage resulting from overloading or from adhering to truck tires shall be removed at regular intervals.
- f. The amount of overburden to be removed shall not be in excess of that required to undertake operations in an economically feasible manner. Less than ten (10) acres shall be considered economically feasible. Development toward the final plan shall be carried on as excavation progresses. Where ground cover or other planting is indicated on

approved plan, such planting shall be made in areas where excavation is completed and land is not being used for material storage.

6. Bond May Be Required:

The Board of County Commissioners may require either the applicant or the owner or user of the property on which the open pit or excavation or impounded waters are located to post a bond, in such form and sum as the board shall determine, with sufficient surety running to the county, conditioned to pay the county the extraordinary cost and expense of repairing, from time to time, any highways, streets or other public ways where such repair work is made necessary by the special burden resulting from hauling and travel, in removing materials for any pit, excavation or impounded waters, the amount of such cost and expense to be determined by the county engineer, and conditioned further to comply with all requirements of this SECTION and to pay any expense the county may incur by reason of doing anything required to be done by any applicant to whom a building permit is issued.

E. Performance Standards

It is the intent of this SECTION to provide that uses of land and buildings in ALL CLASSES OF BUSINESS AND INDUSTRY DISTRICTS shall be established and maintained with proper appearance from streets and adjoining properties and to provide that each permitted use shall be a good neighbor to adjoining properties by the control of the following:

1. Standards:

- a. Landscaping: All required yards shall be open landscaped and green areas or be left in a natural state. If any yards are to be landscaped, they shall be landscaped attractively with lawn, trees, shrubs, etc. Any areas left in a natural state shall be properly maintained in a sightly and well-kept condition. Yards adjoining any of the CLASSES OF RESIDENCE DISTRICTS shall be landscaped with buffer planting screens. Plans of such screens shall be submitted for approval as part of the site plan and installed prior to commencement of operation.
- b. Noise: Noise shall be measured on any property line of the tract on which the operation is located. Noise shall be muffled so as not to become objectionable due to intermittence, beat frequency, shrillness or intensity, except noises from agricultural sources.
- c. Odors: Odors from any use hereafter begun shall not be discernible at the property line to a greater degree than odors from plants for the manufacture or fabrication of books, textile weaves, electronic equipment or other plants in which operations do not result in greater degree of odors. Detailed plans for the prevention of odors crossing property lines may be required before the issuance of a building permit, except odors from agricultural sources.
- d. Glare: Glare, whether direct or reflected, such as from floodlights or high temperature processes, and as differentiated from general illumination, shall not be visible beyond any property line.

- e. Exterior Lighting: Any lights used for exterior illumination shall direct light away from adjoining properties.
- f. Vibration: Vibration shall not be discernable at any property line to the human sense of feeling for three (3) minutes or more duration in any one (1) hour.
- g. Smoke: Any use established, enlarged, or remodeled after the effective date of this ordinance shall be so operated to meet the minimum requirements of, the MPCA for the emission of smoke or other particulate matter.
- h. Hazard: Every operation shall be carried on with reasonable precautions against fire and explosion hazards.
- i. Toxic or Noxious Substances: Any use established shall be so operated as not to discharge across the boundaries of the lot or through percolation into subsoil beyond the boundaries of the lot wherein such use is located, toxic or noxious matter in such concentration as to be detrimental to or endanger the public health, safety, comfort or welfare, or cause injury or damage to property or business.
- j. Explosives: Any use requiring the storage, utilization, or manufacturing of products which could decompose by deterioration shall be located not less than four hundred (400) feet from the RESIDENCE DISTRICT line.

2. Compliance:

In order to insure compliance with the performance standards set forth above, the Board of County Commissioners may require the owner or operator of any permitted or conditional use to have made such investigations and tests as may be required to show adherence to the performance standards. Such investigation and tests as are required to be made shall be carried out by an independent testing organization as may be selected by the county.

F. Additional Requirements, Exceptions and Modifications

1. Height Regulations:

- a. Where the average slope of a lot is greater than one (1) foot rise or fall in seven (7) feet of horizontal distance from the established street elevation at the property line, one (1) story in addition to the number permitted in the District in which the lot is situated shall be permitted on the downhill side of any building.
- b. Height limitations set forth elsewhere in this ordinance may be increased by one hundred (100) percent when applied to the following:
 - 1. Monuments
 - 2. Flag poles
 - 3. Windmills

- c. Height limitations set forth elsewhere in this ordinance may be increased with no limitation where applied to the following:
 1. Church spires, belfries or domes which do not contain usable space.
 2. Water towers
 3. Chimneys or smokestacks
 4. Radio or television transmitting towers
 5. Grain elevators
 6. Essential service structures

2. Yard Regulations:

Measurements shall be taken from the nearest point of the wall of a building to the lot line in question, subject to the following qualifications:

- a. Cornices, canopies or caves may extend into the required front yard a distance not exceeding four (4) feet, six (6) inches.
- b. Fire escapes may extend into the required front yard a distance not exceeding four (4) feet six (6) inches.
- c. A landing place or uncovered porch may extend into the required front yard a distance not exceeding six (6) feet, if the landing place or porch has its floor no higher than the entrance floor of the building. An open railing no higher than three (3) feet six (6) inches may be placed around such place.
- d. The above enumerated architectural features may also extend into any side or rear yard to the same extent, except that no porch, terrace or outside stairway shall project into the required side yard entrance.
- e. A wall, fence or hedge not exceeding five (5) feet in height may occupy part of the required front, side or rear yard, except on corner lots no wall, fence or hedge shall be located so as to create a traffic hazard through creation of a visual obstruction.
- f. On double frontage lots, the required front yard shall be provided on both streets.
- g. The required front yard of a corner lot shall not contain any wall, fence or other structure, tree, shrub, or other growth which may cause danger to traffic on a road or public road by obscuring the view.

- h. The required front yard of a corner lot shall be unobstructed above a height of three (3) feet in a triangular area, two (2) sides of which are the lines running along the side road lines between the road intersection and a point fifty (50) feet from the intersection, and the third side of which is the line between the latter two points.

3. Storage of Materials

In all CLASSES OF BUSINESS DISTRICTS and all CLASSES OF INDUSTRY DISTRICTS open storage of materials in any required front or side yard shall be prohibited. Any other outside storage shall be located or screened so as not to be visible from any of the CLASSES OF RESIDENCE DISTRICTS.

4. Area Regulations

No lot shall be so reduced that the area of the lot or dimensions of the open spaces shall be smaller than herein prescribed.

5. Accessory Uses:

The following accessory uses, in addition to those herein before specified, shall be permitted in any RESIDENCE DISTRICT, if the accessory uses do not alter the character of the premises in respect to their use for the purposes permitted in the District.

- a. The operation of necessary facilities and equipment in connection with schools, colleges, universities, hospitals and other institutions permitted in the DISTRICT.
- b. Recreation, refreshment and service buildings in public parks and playgrounds.
- c. Fallout shelters

6. Accessory Buildings

- a. In case an accessory building is attached to the main building, it shall be made structurally a part of the main building and shall comply in all respects with the requirements of this ordinance applicable to the main building. An accessory building shall not be closer than five (5) feet to the main building, except as otherwise provided in this ordinance.
- b. A detached accessory building shall not be located in any required front yard.
- c. A detached accessory building not over one (1) story and not exceeding twelve (12) feet in height shall occupy not more than thirty percent (30%) of the area of any rear yard, providing further that no detached accessory building shall be located within ten (10) feet of any rear lot line.

G. Permits and Information Filing Requirements for Essential Services

1. Since some essential and transmission services, as defined by this ordinance, may have an effect upon urbanizing areas of the county, county land uses, county highway locations, and county parks and recreation areas, the proposed location of major essential service structures and all transmission services in any zoning district shall be filed with the FCZA prior to the commencement of any condemnation action or construction by the owner.
2. Transmission services such as high voltage (35 KV or greater) electrical power or bulk gas or fuel being transferred from station to station and not intended for enroute consumption not located within County Highway or County State Aid Highway rights of way shall follow the following procedures:
 - a. The owner shall file with the FCZA such maps indicating the location, alignment, and type of service proposed as shall be requested.
 - b. If deemed necessary, maps and accompanying data on location and alignment of transmission service may be submitted to the Faribault County Planning Commission for review, and recommendations regarding the relationship to urban growth, land uses, highways and recreation and park areas.
 - c. Following such review, the County Planning Commission shall make a report of its findings and recommendations on the proposed transmission services and shall file such report with the County Board of Commissioners.
 - d. Upon receipt of the report of the County Planning Commission on the planned essential transmission services, the Board of County Commissioners shall consider the maps and accompanying data and shall indicate to the owner its approval or modifications considered desirable under this ordinance.
 - e. Recognizing a need for timely and adequate service by owners of essential service, the county shall act upon all information filing within forty five (45) days of receipt by the FCZA. Failure to act within such time shall constitute approval.

Essential services to be located within any County Highway or County State Aid Highway rights of way shall make an application for a permit under the following procedure:

- a. The applicant shall file with the county engineer, on forms supplied by the county, an application for such permit accompanied by maps indicating the location, alignment and type of service proposed.
- b. The application and accompanying data shall be reviewed by the county engineer, and the county engineer may issue the permit after determining that the application is acceptable and in the best interest of the county.
- c. The county engineer may require in conjunction with the issuance of such permit that:

1. The applicant submit as-built drawing of the essential service after construction.
 2. The applicant construct the essential service to take into consideration contemplated widening, re-grading, or relocation of a County Highway or County State Aid Highway, providing that the County owns such additional right of way.
- d. Recognizing the need for adequate and timely service by owners of essential services, the county engineer shall act upon all information filings or permit applications within five (5) working days. Failure to act within five (5) working days shall constitute approval.
4. No filing shall be necessary to maintain, reconstruct or relocate existing lines or facilities where the general line and configuration thereof remain essentially the same. Emergency work otherwise requiring a permit or filing may be accomplished provided such applications or filings are made as soon thereafter as possible.

H. ~~Feedlot Standards (Repealed 12/18/2012)~~

- ~~1. Feedlots shall be in conformance with the county/state feedlot permit process and requirements.~~
- ~~2. Feedlots shall not be located within one-half (1/2) mile of a municipality unless the affected municipality has given approval.~~
- ~~3. Feedlots over one thousand (1,000) AUs shall not be located within six hundred sixty (660) feet of any residence structure or within six hundred sixty (660) feet of any business or industrial district and shall not be located within one-half (1/2) mile of a concentration of ten (10) dwelling units located on ten (10) or less acres.~~