

JOURNAL OF COMMISSION WORK SESSION
February 16, 2016

City Commission Work Session
Civic Center, Gibson Room 212

Mayor Kelly presiding

CALL TO ORDER: 5:30 p.m.

CITY COMMISSION MEMBERS PRESENT: Bob Kelly, Bill Bronson, Bob Jones, Fred Burow and Tracy Houck.

STAFF PRESENT: City Manager and Deputy City Manager; City Attorney; Directors of Fiscal Services, Planning and Community Development and Public Works; Police Chief; and the City Clerk and Deputy City Clerk.

**** *Action Minutes of the Great Falls City Commission. Please refer to the audio/video recording of this meeting for additional detail.* ****

1. PUBLIC COMMENT

There were no comments from the public

2. INTRODUCTION AND UPDATE FROM NEIGHBORHOOD COUNCIL # 2

Mayor Kelly reported that the northern boundary of Neighborhood Council 2 is the Northwest Bypass, the southern is the Sun River, the eastern is the Missouri River, and the western is the City limit line. He introduced Brittany Olson, Chair of NC 2.

Chairperson Olson discussed area concerns of the council: parked vehicles for sale on 6th Street SW, and the Boys & Girls Club buses and vans parked on 6th Street SW, making it hard to see around. Officer Kimmet checked into both concerns and followed up with her today; trucks from the Blue Sky Towing business running all night and blocking driveways. Planning and Community Development staff looked into those concerns and will follow up with her; and, she reported that petitions concerning the Holman building were turned in to Patty Cadwell for City consideration. She commented that it seems the issues she mentioned involve codes that are unenforceable. She inquired if there was a possibility that someone would be reviewing the codes. She also noted a new trespassing law that went into effect October 1, 2015, concerning landlords/tenants.

Chairperson Olson also reported that improvements have been made to St. Joseph Church and Parish Center and council member Mike McCoy worked with the City and NorthWestern Energy to install two new lights on the street near West Kiwanis Park.

Chairperson Olson reported that the other members of the council are: Michael McCoy, Shyla Patera, Sue Ann Strickland and Albert Ferderer. Council 2 meets the second Wednesday of every month at 7 pm in the West Elementary School library.

Mayor Kelly referred Chairperson Olson to Planning and Community Development Director

Craig Raymond to discuss the codes. He further noted that the Commission is aware of the problem the income property owners and managers have with the current law that was traditionally a civil matter of having tenant disputes into a criminal matter. The law that they are referring to now is slightly flawed. There is some dispute as to how effective the new wording is on that law and hope it will be brought back to the drawing board.

Commissioner Bronson encouraged neighbors to complain if the peaceful enjoyment of their neighborhood is being taken advantage of. He further noted that at some point he thinks they will need to look at all of the code enforcement to determine if the codes are being addressed in the most efficient and expeditious way, or do they need to look more at a civil enforcement type. He is starting to work on some ideas.

Commissioner Houck inquired what type of information should get reported when neighbors call in.

Director Raymond responded that the best thing to do is fill out a Citizen Complaint form available in the Planning and Community Development Office or on the City's website to lodge the complaint and get the process started. Pictures are also helpful, but that is something the Code Enforcement Officer does on a regular basis.

3. SIGN CODE UPDATE

Planning and Community Development Director Craig Raymond provided a public comment summary handout and he discussed the following PowerPoint slides:




Sign Code Purpose

- Provide aesthetically pleasing appearance of the community
- Provide adequate business identification & advertising communication
- Improve Great Falls' image by eliminating sign clutter
- Encourage signage of a scale and character consistent with building, site, streetscape and neighborhood
- Ensure protection of pedestrians and motorists from distractions and obstructions of improperly-placed signs



Background

- Current Sign Code was adopted in 2003 after an extensive process which included numerous stakeholders
- By and large, the current sign code is a good document
- Zoning map/sign code revisions in 2005 did create some unintended issues with signs, creating non-conforming signs throughout the city
- Recent Supreme Court decisions indicate we need some changes to our code
- Some provisions are creating considerable concern in the business community



Recommendations

- TECHNOLOGY
 - Acknowledge that new technology exists (LED)
 - Provides standards that will allow it's use and encourage a safer environment



Recommendations

- LEGAL ISSUES
 - *Reed vs. Town of Gilbert- Code needs to not discriminate based on "message" of the sign. Signs such as ideological, political or even temporary event signs should generally be consistent*
 - *Casinos are not allowed free-standing pole signs in any zoning district whereas any other business or "message" in commercial districts are allowed*



Recommendations

- RESIDENTIAL SIGNS
 - Prohibit illuminated signs in Residential Zoning Districts
 - Remove sign standards for C-1 and M-1 zoning districts from the residential section and move to a new section providing some additional flexibility for these areas while still reflecting their commercial/residential transitional nature



Recommendations

- RESIDENTIAL SIGNS
 - Revise Home Occupation sign regulations to be consistent with other signs such as real-estate or political signs (area, height and location) This also amends OCCGF 5.2.220 (k)
 - Allow other temporary yard signs without permit including event advertising etc...

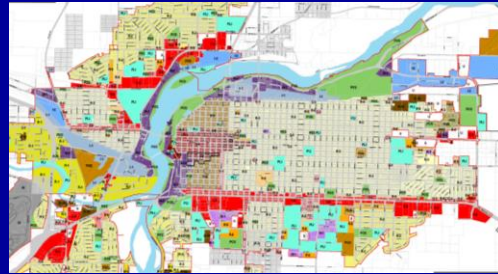


C-1, C-5, M-1, Central Business, PLI and POS

- 17.60.4.015 Neighborhood commercial, Central business periphery, Mixed use, Public lands and institutional and Parks and Open Space districts.
- The following on-premise signs are authorized for approved commercial uses in neighborhood commercial zoning district (C-1), central business periphery zoning district (C-5), mixed use zoning district (M-1), public lands and institutional zoning district (PLI) and parks and open space zoning district (POS), subject to issuance of a sign permit.
- Maximum sign allocation for each commercial premise under this section equals the standard wall signage allocation plus two hundred (200) square feet maximum freestanding signage. Previous limit was 32 square feet total



C-1, C-5, M-1, Central Business, PLI and POS



Recommendations

- COMMERCIAL SIGNS
 - Better define sandwich board signs and where they are permitted (sidewalks 8' and greater)
 - Prohibit permanent signs on PUBLIC property such as right of ways. Eliminate the Boulevard Encroachment Permit process for signs except within the C-4 district
 - Clarify language dealing with large frontage or corner properties and when/how they may be allowed to have a second free-standing sign



Recommendations

- Sandwich Board Signs:
 - F. Sandwich board signs. Temporary sandwich board signs may be placed on public property within properties with commercial land uses. Such signs must be placed a minimum of twelve (12) feet from the back of the curb except in districts with sidewalks in excess of eight (8) feet in width. Sandwich board sign must be placed so that the middle third of the sidewalk is clear. A minimum of five (5) feet of sidewalk width must be unobstructed. (See Exhibit 60-12 of this chapter.)
 - 1. Sandwich board signs are limited to one (1) sign per business frontage and must conform to the following design standards:

Sandwich Board Signs (Cont.)

- a. Each sign may have a maximum of two (2) faces, not to exceed an aggregate total of twelve (12) square feet per sign. (See Exhibit 60-12 of this chapter.)
- b. Each sign must be secured in place by no less than two (2) weights of not less than ten (10) pounds each.
- c. The permit fee for each sandwich board sign shall be established by City Commission resolution.
2. Sandwich board signs must be placed adjacent to or upon the permit-holding premises, may only be displayed during business hours of the advertised business and must be removed during all other times.
3. Sandwich board signs may not be illuminated or energized.
4. The sign permit may be revoked at any time for lack of adequate maintenance or safety in accordance with 17.60.7.090. The sandwich board sign will be removed by the sign owner upon notice of permit revocation. If not removed, the City may remove the sign. The sign owner may reclaim the sign within ten (10) working days of the removal. After such time, the sign may be destroyed.



Free Standing Signs

- B. Freestanding signs including pole signs, monument signs and low-profile signs. (See Exhibit 60-8 and Exhibit 60-11 of this chapter.)
- 1. ~~One (1) freestanding sign per premise street frontage.~~ A perimeter separation of two hundred fifty (250) feet is required between any two (2) freestanding signs on each premise. ~~No more than two (2) signs are allowed per premise.~~
- 2. A maximum area of one (1) square foot per linear foot of premise frontage facing one (1) street or avenue is allowed. A maximum of two hundred (200) square feet of total freestanding signage per premise is allowed.
- 3. Height limit is twenty-five (25) feet above finished grade of the lot or twenty-five (25) feet above the centerline of the public right-of-way, measured at right angle of the roadway within one hundred (100) feet of the sign.



Recommendations

- OFF-PREMISE SIGNS (Billboards)
- No significant changes recommended at this time



Recommendations

- DESIGN AND CONSTRUCTION
- Modifications to reflect current technology and eliminate obsolete language
- Include changes to reflect current State Building Code and standards



Recommendations

- OWNER ERECTED SIGNS
- 17.60.7.030 Owner-erected sign permit.
- ~~Business~~ ~~Owner~~ owner-erected signs may not be electrical. A business owner must obtain a permit for an owner-erected sign for the following unless the sign is exempt under section 17.60.2.020:
- A. A freestanding sign no larger than **thirty two (32) twelve (12)** square feet and no taller than **six (6)** feet above grade .
- B. A wall sign that does not project over public right-of-way and is no larger than **thirty two (32) square feet twelve (12)**.
- C. A temporary sign of non-rigid material or a sandwich board sign.



Recommendations

- NON-CONFORMING SIGNS
- Eliminate provisions requiring all non-conforming signs to come into compliance by December 31, 2015
- Provide new provisions whereby non-conforming signs may be allowed to continue but with limitations on what can be done to them before being required to be brought into compliance
 - Re-face can be permitted
 - Re-wire can be permitted
 - If structural alterations are performed, entire sign shall comply



Non-Conforming Signs

- **NON-CONFORMING BILLBOARD SIGNS**
 - Eliminate provision requiring all non-conforming billboards to come into compliance by December 31, 2015
 - Provide other requirements for compliance when structural modifications are being proposed



Fee Recommendations

- Eliminated redundant or outdated fees which were no longer in use, such as the "Sign Electrician/Journeyman Certificate"
- Increase initial Sign Electrician Certificate from \$100 to \$150
- Added a electrical sign inspection fee (\$38.78)
- Added a sign re-face permit fee (fixed fee \$65.90)



Public Comments/Participation

- 2 Public meetings with draft of changes available
- Meetings were well attended
- For the most part the recommended changes were well received
- All comments were considered and some prompted further changes to the code
- 2 More "public hearings" will be conducted at Planning board and City Commission



Next Steps

- Bring to Planning Board for recommendation March 8, 2016
- Bring to City Commission for public hearing and adoption
 - 1st Reading April 5, 2016
 - Commission action May 3, 2016

People can contact the Planning and Community Development Department to inquire if their sign is in conformance.

Commissioner Houck inquired if there were a lot of illuminated signs currently in the residential area.

Director Raymond responded the ones that exist today are considered existing, non-conforming. If significant changes are made to the cabinet or structurally the sign would be required to come into conformance at that time.

Mayor Kelly inquired if there was a code addressing out of business signs that are eyesores.

Director Raymond responded that when the business is vacated the message on the sign is supposed to be removed. There are provisions in the code for dilapidated or unsafe signs.

Director Raymond noted that the current version of the proposed changes is available on the City's website.

Commissioner Bronson requested that the current code language versus proposed changes be prepared in a side-by-side document with explanations.

4. DISCUSSION OF POTENTIAL UPCOMING WORK SESSION TOPICS

City Manager Greg Doyon reported that the work session topics for the March 1st meeting are the CDBG Action Plan and multi sports fees. The annual utility rate review will be presented on March 15th.

He inquired if the Commission had any questions regarding the pending topics, or wish to add or remove any topics. No new topics were discussed, but Deputy Manager Jennifer Reichelt noted that Tonya Houston with the Board of Health requested to present an update at a work session in the May timeframe.

ADJOURN

There being no further discussion, Mayor Kelly adjourned the informal work session of February 16, 2016 at 6:24 p.m.