

**MINUTES OF THE MEETING
OF THE
GREAT FALLS PLANNING ADVISORY BOARD/ZONING COMMISSION
March 8, 2016**

CALL TO ORDER

The regular meeting of the Great Falls Planning Advisory Board/Zoning Commission was called to order by Chair Nate Weisenburger at 3:00 p.m. in the Commission Chambers of the Civic Center.

ROLL CALL & ATTENDANCE

Planning Board Members present:

Nate Weisenburger, Chair
Scot Davis, Vice Chair
Anthony Houtz
Keith Nelson
Cheryl Patton
Sophia Sparklin
Mark Striepe

Planning Board Members absent:

Peter Fontana
Michael Wedekind

Planning Staff Members present:

Craig Raymond, Director P&CD
Charlie Sheets, Development Review Coordinator
Erin Borland, Planner I
Connie Rosas, Sr. Administrative Assistant

Other Staff present:

Sara Sexe, City Attorney

Mr. Raymond affirmed a quorum of the Board was present.

MINUTES

Action Minutes of the Planning Advisory Board/Zoning Commission. Please refer to the audio/video recording of this meeting for additional detail.

Chair Weisenburger asked if there were any comments or corrections to the minutes of the regular meeting held on January 26, 2016. Seeing none, the minutes were approved as submitted.

BOARD ACTIONS REQUIRING PUBLIC HEARING

Proposed Amendments to the City Sign Code and other Land Development Code Revisions Pertaining to Signs

Craig Raymond, Director of Planning and Community Development, presented the staff report for the proposed amendments to the City Sign Code and other Land Development Code revisions pertaining to signs. Mr. Raymond said staff has been working on the proposed edits for awhile, particularly since there was a December 31, 2015 deadline for existing nonconforming signs in the City to come into compliance with the current sign code. There were one or two primary issues that staff wanted to address with existing code, which was adopted in 2003, as well as other more common issues.

Mr. Raymond reviewed information on the purpose of the Sign Code as provided in the staff report, which includes providing an aesthetically pleasing appearance of the community, providing adequate business identification and advertising, eliminating sign clutter, encouraging signage that is consistent with streetscapes and neighborhoods, and protecting motorists and pedestrians from distractions and obstructions of improperly placed signs. He reviewed information on the background of the current sign code and unintended issues created by zoning map/sign code revisions in 2005. In addition, recent Supreme Court decisions indicate a need to make some changes to the code, and some provisions create considerable concern in the business community.

Staff recognizes that new technology now exists for signage. There are also legal issues relating to consistency in applying the code and the proposed amendments would create more consistency. For instance, in Great Falls, it is inconsistent that casinos are not allowed free standing signs, whereas all other businesses are allowed them. Mr. Raymond reviewed various proposed changes and staff's reasons for these amendments to the Sign Code as provided in the staff report.

Staff conducted two public meetings with a draft of the proposed amendments. Mr. Raymond said the meetings were well attended and for the most part, the recommended changes were well received. All comments were considered and some prompted further proposed changes to the Sign Code. Two additional "public hearings" will be conducted regarding these proposed changes: one at this current Planning Advisory Board meeting, as this is a public hearing agenda item; and if approved by the Planning Advisory Board, another at the City Commission meeting in which this item will appear on the agenda.

PUBLIC QUESTION AND ANSWER SESSION

Lola Galloway, 310 6th Street South, asked if there are any zoning changes being proposed with the changes to the Sign Code. Mr. Raymond said there are not. Ms. Galloway stated she owns the Dairy Queen at Fox Farm Road. Mr. Raymond said her business situation relates to the zoning of that area, and staff is considering a rezone in that area to reflect the current mix of businesses, which would provide for greater flexibility with signage. He gave a brief overview of what the rezoning process might look like.

Ms. Patton said it appears with these proposed changes that projecting signs will not be allowed except for downtown. Mr. Raymond clarified that projecting signs except for downtown would be

prohibited if they interfere with public right-of-way. Ms. Patton asked for further clarification on how these would be allowed. Mr. Sheets explained that projecting signs in locations other than downtown generally project onto private property and therefore are not prohibited and will be handled by staff just like free standing signs.

Curt Wike, for North 40 Outfitters, 5109 Alaska Trail, asked if, relating to sandwich boards, Subsection F.17.60.3.010 in the Sign Code applied only to public property, which Mr. Sheets said it did. Mr. Wike asked if Subsections A and E of that same code section would apply to a business not abutted to public property. Mr. Raymond said sandwich board signs in this situation are allowed a total of 64 square feet, however many signs that may include. A permit for each sign is required on an annual basis. Mr. Wike asked about why the discretionary clause was removed for administrative authority under Article 9 of the proposed amendments. Mr. Raymond said that in the past, use of discretion caused more issues with businesses and code enforcement. Mr. Wike then asked if there is a grandfather provision with the proposed changes, and Mr. Raymond said it will remain more or less as previously, because even grandfathered signs have to come into compliance when modified.

Mark Rothwell, 1117 7th Street South, asked for clarification on temporary banners, and Mr. Sheets said a total of 64 square feet will be allowed for temporary banners and there can be more than one if they total no more than 64 square feet altogether. He said staff will clarify the wording in the Sign Code. Mr. Rothwell asked about the proposal that signs must come into compliance if the sign cabinet is changed. Mr. Raymond said the intent of the code is that ultimately, the goal is for signs to come into compliance, but there is still some flexibility with the face of the sign.

Ms. Sparklin asked for elaboration on areas in the code which are more lenient. Mr. Raymond said the majority of issues were zoned in 2005 as the C-1 district. Some of those areas are along 9th Street South, and there are significant buildings and businesses in that district, for instance, which are limited to 32 square feet of signage. Considering the size of these businesses, staff felt that should be expanded to 200 square feet.

Curt Wike, North 40 Outfitters, 5109 Alaska Trail, asked if sandwich boards were included in the 300 square foot limit for commercial businesses greater than 50,000 square feet. Mr. Sheets said no they were not included, as sandwich boards are classified as temporary signage.

Mr. Houtz noted a section of the sign code that names the facilities specifically as opposed to stating their function, and asked if a facility that was not included in that list but in the same category would be restricted differently because they were not specifically named. Mr. Raymond said they will make an amendment to the Code to make sure it will be applied consistently to all similar type facilities. There was also discussion on education and worship facility signs in residential neighborhoods.

Mr. Weisenburger asked if commercial buildings with multiple tenants are treated differently in different zones, specifically residential and commercial zones. Mr. Raymond said it is up to the building owner to allocate that signage to respective tenants in all zones, but the signage limits do vary from one zoning district to another.

Rebecca Scott, 2819 7th Avenue South, expressed concerns about LED lighting on 10th Avenue South, and the signage being invasive and distracting. Mr. Sheets said reader boards are allowed in the code, and there are some restrictions to the advertisements, but to police all

signs everyday on messages and content proves difficult. If there is an intense light on a sign that does bother or endanger a driver, the police department needs to be notified, and they will then contact the P&CD Department, who will investigate.

PUBLIC COMMENT

Jeff Thill, 600 25th Street North, said he is a small business owner employing two people and has been in business for 18 years. Recently he had to relocate to a C-1 zoning district, but due to the current landscaping and setback regulations, he is unable to put a sign up for his business that can be seen. Mr. Raymond said setback regulations from the distance of the curb are there because the business owner does not own that property; in Mr. Thill's case, it is a public right-of-way, and signs are limited on public property. He could choose to have a sandwich board. Mr. Thill said it was very unprofessional for his line of business to have a sandwich board; he feels like he is stuck and asked for suggestions from the department. Mr. Raymond asked that he leave his information and the department will review it and get back to him.

Curt Wike, North 40 Outfitters, 5109 Alaska Trail, asked the Zoning Commission to give some thought to amending the code so that a commercial premise over 50,000 square feet can have more allowed square footage for temporary signage. Mr. Nelson clarified with Mr. Raymond that interior temporary signage on the business owner's property is limited to 64 square feet. Ms. Sparklin asked what why there were not quotas to distribute temporary signage according to size of the building. Mr. Raymond said the idea was to keep it as simple as possible, and Mr. Sheets added there are 6,000 properties with frontage and therefore 6,000 different sign combinations, and every property is unique, but Mr. Wike's point is well taken. There was more discussion on North 40 Outfitter's location and the uniqueness of that location having two frontages, but the inability to have additional temporary signage.

Jeff Thill, 600 25th Street North, clarified that if wanted to have multiple sandwich boards on the street in front of his property, he could. Mr. Raymond said yes, up to 64 square feet. Mr. Sheets clarified for the Board that Mr. Thill's property was rezoned in 2005 and is a legal nonconforming structure for which there are no provisions in the code for. He said with the mature trees on the property as well, his property is uniquely difficult for signage.

Lola Galloway, representing Dairy Queen on 310 6th Street South, said they currently have a 40 foot sign, and it is old, faded and unattractive, but they do not want to replace the sign as the new limit is only 25 feet. She said they compete against other businesses to attract business from the highway, and they will keep their old sign if it means maintaining the height. She requested the Board take into consideration amending the height restriction.

Mark Rothwell, 1117 7th Street South, suggested considering allowing a cabinet change as opposed to a full sign change.

BOARD DISCUSSION AND ACTION

Mr. Nelson asked if it was possible to make some further amendments to the Sign Code, and have it come back to the Board at the next meeting before they approve it. Mr. Raymond said yes, and he asked that the Board specify the changes they would like to see.

Mr. Striepe asked if there was a reason that commercial buildings greater than 50,000 square feet weren't allowed more temporary sign square footage, and Mr. Raymond said no, and he would be happy to look further into it. There was more discussion on the limits of temporary signage on private property, and keeping things aesthetically pleasing.

There was more discussion on height limits for signs, the possible studies on the benefits of shorter signs, and the fact the code does not limit a business's ability to comply with franchise guidelines.

Chair Weisenburger closed the public hearing.

MOTION: That the Planning Advisory Board/Zoning Commission return the proposed Title 17, Chapter 20 Land Use and Title 17, Chapter 60 Sign Code Amendments back to City staff to make changes to section 17.60.2.010 item J, section 17.60.4.060 labeling multiple facilities, and section 17.60.4.050 adding additional temporary signage for a total of 120 square feet for institutions exceeding 50,000 square feet.

Made by: Mr. Nelson
Second: Mr. Davis

VOTE: All being in favor, the motion passed.

COMMUNICATIONS

Next Meeting Agenda – Tuesday, March 22, 2016

- None

Project Status:

- None

Petitions & Applications Received:

- Brownstone Apartments (Division Rd & Smelter Ave NW) – Annexation & Zoning

Mr. Raymond said this is the same developer who developed the Talus Apartments. Mr. Nelson asked if it would be a similar development to Talus, and Mr. Raymond said there are some minor design variations, and the possibility of having three bedroom apartments, which Talus does not have. There was discussion on the time frame of the project, and the effect on nearby schools.

PUBLIC COMMENT

Mr. Nelson asked if the apartments on 36th Avenue NE are holding off on finalizing the sidewalk due to the roadway. Mr. Raymond said yes, and they have bonded for those improvements.

Ms. Patton complimented staff on the changes for the Sign Code and said they were well thought out. There was discussion on the original Sign Code that took three years to complete, which Ms. Patton helped draft, and the difficulties faced in putting it together.

ADJOURNMENT

There being no further business, Chair Weisenburger adjourned the meeting at 4:31 p.m.

CHAIRMAN

SECRETARY