

CITY OF GILLETTE PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING
City Council Chambers ~ City Hall
April 9, 2019

PRESENT

Commission Members Present: Chairman Jim Nielsen, Vice-Chair Cindy Reardon, Ted Jerred, Brenda Green, and Trevor Matson..

Commission Members Absent: Sheryl Martin and Jennifer Tuomela.

Staff Present: Annie Mayfield, Planning and GIS Manager; Clark Sanders, Planner; Meredith Duvall, Planner; and Jill McCarty, Senior Administrative Assistant.

CALL TO ORDER

Chairman Nielsen called the meeting to order at 7:00 p.m.

APPROVAL OF THE MINUTES

A motion was made by Vice-Chair Reardon to approve the pre-meeting workshop minutes, and the regular meeting minutes of the City Planning Commission Meeting of February 26, 2019. Brenda Green seconded the motion. Motion carried 5/0.

19.011ZA-ZONING
TEXT AMENDMENT-
Billboard Signs

The applicant, Target Sign Company, is requesting a zoning text amendment to amend Section 16. Definitions (sss) (1), Section 10.f.(1).(g); Section 10.f.(1), and Exhibit 10-2 of the Sign Regulations.

In February 2016 the applicant applied for and received a zoning permit to construct a tri-face billboard sign at the corner of Westover Road and 4-J Road. Due to delays in the manufacturing of the product the zoning and building permit expired.

In March of 2017 the applicant re-applied for a zoning permit. The March 14, 2017 zoning application was granted with the following conditions:

1. *The total combined advertisement square feet (area) shall not exceed 680 sf for all conventional billboards and electronic graphic display signs to be located on this structure in accordance with Section 10.f.(1)(g) of the City Zoning Ordinance. The total, combined area of all advertisement panels as proposed is 900 sf on the plans submitted. Please reduce the advertisement area accordingly.*
2. *The electronic graphic display sign panel shall not exceed 340 sf in total area.*
3. *Based on the configuration of this structure, only one electronic graphic display panel is allowed in accordance with Section 10.f.(1)(l)(10) of the City Zoning Ordinance.*

The permit applicant, in a written statement, indicated "I reserve the right to apply for a variance on the sq footage total."

Conditions were placed upon the March 2017 permit to ensure the billboard met the provisions of the ordinance as written.

In May of 2017 the applicant was required by staff to remove

advertising from one face of the tri-face billboard as it violated the terms of the permit by exceeding the maximum advertising size requirement by 220 square feet. Since that time the billboard has remained without advertising on one of the three faces of the billboard.

In November of 2017 the applicant applied for a zoning text amendment to amend the zoning regulations and allow for up to 1360 square feet of advertising on all billboards with more than two (2) advertising faces which are not back to back. This request would allow for the existing tri-face billboards to be 453 square feet in size which is 153 square feet per face larger.

Staff was unable to support the substantial increase in size however, working with the applicant, created an ordinance that allowed for the existing tri-face billboards to come into compliance and operate with 900 square feet of advertising space. The case was approved by the Planning Commission with a 7-0 vote on December 26, 2017. The Public Hearing and First Reading of the Ordinance failed with a 2-4 vote on February 6, 2018.

In 2018, the City initiated and annexed the Country Club Island Annexation which incorporated a 900-square foot tri-face sign at the corner of Boxelder and Butler Spaeth Road, accepting the billboard as is.

This application, submitted by the same owner, is once again seeking to allow the tri-face billboards to maintain the 900 square feet of advertising space as they currently exist and allow for future placement of tri-face billboards in limited areas throughout the City. These limited areas are in Agricultural Zones, Industrial Zones, and if within 250 of the Interstate right-of-way they are permitted in C-1, C-3, and C-O Districts. Further restrictions apply when a digital billboard is used for advertising space. Digital billboards require a 2000-foot separation in every direction no matter the jurisdictional boundaries.

The applicant is requesting the following zoning text amendment:

- Amend Section 16. DEFINITIONS (sss) (1) to include the following:

(b) Tri-Face Billboards: a Billboard with three (3) advertising faces supported by 1 or more uprights, poles or braces in or upon the ground, and not attached to any building.

(c) Billboards shall not exceed a maximum of 3 advertising faces.

- Amend Section 10.f.(1).(g) to include the following:
 1. ***See Section 10.f.(1).(m) for Tri-Face Billboard Measurement limits and 10.g for further billboard measurement guidance.***
- Amend Section 10.f.(1) to include the following:

(m) Tri-Face Billboards: Tri-Face Billboards shall be permitted with the same spacing and placement requirements as all other billboards as listed in Section 10. The total advertising area of a tri-face billboard shall not exceed 900 square feet. Per Section 10.f.(1).(l).(10), one (1) Electronic Graphic Display (maximum of 340 square feet of advertising space) shall be allowed as part of a tri-face billboard's total advertising area.

As well, the applicant is requesting to Amend Exhibit 10-2.

Chairman Nielsen asked if there were any questions or comments on the case from the Commission or the public. Jonathan Musser from Target Sign Company was present and said he was available for any questions the Commission may have. Vice-Chair Reardon asked Mr. Musser how many additional 3-sided signs his company had plans to place within the city. Mr. Musser said there were no plans for any additional signs, only for the current 3-sided sign to be used for its intended purpose.

Ted Jerred asked staff for further information on if there is a required 2,000 ft of separation between billboards. Clark Sanders said currently the standard is 150 ft between billboard signs on the opposite sides of the street if they are not digital signs. Ted Jerred asked if the wording could be considered being changed to increase the required distance for 3-sided billboards, and Clark said it could. Mr. Musser said with the current wording of the Zoning Ordinance he interpreted a 3-sided billboard as being restricted to a smaller display area than a 2-sided billboard.

Vice-Chair Reardon made a motion to amend the proposed zoning text amendment to include wording for 3-sided billboards to be placed 2,000 lineal feet apart from each other. Ted Jerred seconded the motion. All were in favor and the motion carried 5/0.

There being no further comments or questions, a vote was taken to approve the case as amended. Motion carried 5/0.

OLD BUSINESS

None

NEW BUSINESS

Clark Sanders said there were no cases for the April 23, 2019, meeting and it will be canceled. There will be a meeting on May 14, 2019.

ADJOURNMENT

The meeting adjourned at 7:20 p.m.

Minutes taken and prepared by Jill McCarty, Senior Administrative Assistant.