

ORDINANCE NO. 07-5437

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE BILLINGS, MONTANA CITY CODE BE AMENDED BY REVISING SECTIONS 27-705(C); CLARIFYING THE EXISTING COMMERCIAL SIGN REGULATIONS WITH REVISIONS TO THE CENTRAL BUSINESS DISTRICT SIGN REGULATIONS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

Section 1. That Section 27-705(c) of the Billings, Montana City Code be amended so that such section shall read as follows:

- ~~(c) Community commercial, neighborhood commercial, neighborhood commercial limited, controlled industrial, heavy industrial, highway commercial, and Central Business District. Within these zones, signs are permitted as follows:~~
- ~~(1) One (1) free-standing sign indicating only the name and nature of the occupancy for each developed parcel not to exceed three (3) square feet of sign area for each lineal foot of street frontage abutting the developed portion of the parcel, provided that:~~
- ~~a. Where a developed parcel has in excess of three hundred (300) feet of street frontage, one (1) additional free-standing sign may be erected for each additional three hundred (300) feet of street frontage in excess of the first three hundred (300) feet of street frontage abutting the developed portion of the parcel; Signs will be permitted as follows:~~

TABLE INSET:

Frontage Feet-	Signs
0-600-	1 free-standing sign-
601-900-	2 free-standing signs-
901-1200-	3 free-standing signs-
Over 1200-	3 free-standing signs plus, 1 additional sign for each 300 lineal street frontage feet over 1200 frontage feet-

- ~~b. Where a developed parcel is permitted to have more than one (1) free-standing sign under this article, the distance between the free-standing signs on each parcel shall be not less than one hundred fifty (150) frontage feet;~~

- ~~c. The sign must be located five (5) feet behind all property lines except:~~
- ~~(i) If the bottom of the structure is twelve (12) feet or higher above the establish grade, then the sign structure may be located up to one (1) foot behind the property line; or~~
 - ~~(ii) If the sign is in the Central Business District, then the sign structure can be located up to the property line.~~
- ~~d. No free-standing sign shall exceed the height of thirty (30) feet except free-standing signs in the highway commercial zone and within the interstate corridor which shall not exceed the height of fifty (50) feet. No sign shall exceed one hundred seventy-five (175) square feet in sign area except for a parcel's first free-standing sign located within the interstate corridor which shall not exceed four hundred forty (440) square feet in sign area. Any additional free-standing sign authorized on a parcel shall not exceed one hundred seventy-five (175) square feet in sign area. One (1) measured side of the display shall compose the square footage;~~
- ~~e. If a free-standing sign projects over a private vehicular driveway or parking lot aisle, the minimum clearance between the bottom of the sign and the ground shall be seventeen (17) feet;~~
- ~~f. No rotating free-standing sign shall rotate at a rate faster than six (6) revolutions per minute or have a minimum clearance lower than nine (9) feet between the bottom of the sign and the ground;~~
- ~~g. When a developed parcel fronts on more than one (1) public right-of-way or street, excluding alleys and serviceways, the above provisions of subsection (c) shall apply to each frontage.~~
- ~~(2) One (1) wall or one (1) canopy sign and four (4) architectural blade signs indicating only the name and nature of the occupancy for each occupancy within the developed parcel as follows:~~
- ~~a. No sign shall exceed a total area of three (3) square feet of copy sign area for each lineal foot of building frontage of each occupancy except buildings over two (2) stories shall be allowed an additional one (1) square foot of copy for each lineal foot of building frontage of each occupancy. The allowable sign area shall be reduced by the sign area for each wall sign installed over any primary public entrances pursuant to subsection (3) below;~~

- ~~_____ b. If such occupancy is on a corner, one (1) wall sign or one (1) canopy sign will be permitted for each frontage face;~~
- ~~_____ c. A permitted wall sign(s) can be transferred from one wall to another wall provided the number of signs remain within the permitted number of signs and within allowable sign area;~~
- ~~_____ d. No wall or canopy signs shall project into the public right-of-way, except
 - ~~(i) In the Central Business District, wall signs may project eighteen (18) inches over the right-of-way, subject to a minimum height limit of nine (9) feet from the sidewalk; and~~
 - ~~(ii) In the Central Business District, canopy signs may project up to two (2) feet to a vertical line from the curb face over the right-of-way.~~~~
- ~~_____ e. If the building includes a canopy, each tenant will be permitted one (1) under canopy sign per public entrance in lieu of the wall or canopy sign. Any signs attached to the underside of a canopy shall be perpendicular to the wall face of the building and shall not have a copy area greater than four (4) square feet or have a clearance lower than of eight (8) feet from the sidewalk.~~
- ~~_____ (3) One (1) roof sign, in lieu of the wall or canopy sign authorized in section 27-705(c)(2) above, indicating only the name and nature of the occupancy for each developed parcel as follows:
 - ~~_____ a. The sign shall not extend above the highest plane of the roof;~~
 - ~~_____ b. The supports, anchors, or braces for the roof sign shall be enclosed so that they are not visible from the street or other public or private property; and~~
 - ~~_____ c. The sign is designed similar to a wall sign or projecting sign, and designed to look like part of the building or roof structure, rather than something suspended from or standing on the building.~~~~
- ~~_____ (4) One (1) wall sign for each "primary public entrance" of the business indicating only name of the occupancy within the developed parcel provided:
 - ~~_____ a. The combined sign area of all signs over all primary public entrances does not exceed the sign area of one allowable wall sign; and~~~~

- b. ~~No wall or canopy signs shall project into the public right-of-way, except in the Central Business District wall signs may project eighteen (18) inches over the right-of-way, subject to a minimum height limit of nine (9) feet from the sidewalk.~~

C. Permitted Signs: Community Commercial, Neighborhood Commercial, Highway Commercial, Controlled Industrial, Heavy Industrial, Central Business District

1. Freestanding Signs:

	<u>Number of Signs Permitted</u>	<u>Sign Area Permitted</u>	<u>Maximum Square Footage Per Sign</u>	<u>Maximum Height</u>	<u>Minimum Setbacks from all Property Lines</u>
<u>Freestanding Signs</u>	<u>One (1) per street frontage</u> <u>**</u>	<u>3 square feet per lineal foot of street frontage</u>	<u>175 square feet per side</u>	<u>30 feet</u>	<u>5 feet*</u>
<u>Freestanding Signs</u> <u>Central Business District Only</u>	<u>One (1) per street frontage</u> <u>**</u>	<u>3 square feet per lineal foot of street frontage</u>	<u>175 square feet per side</u>	<u>30 feet</u>	<u>0 feet for sign face</u>

* If the bottom of the sign face is twelve (12) feet or higher above the established grade, then the sign support structure may be located up to one (1) foot behind the property line.

** Where a developed property abuts more than 300 lineal feet of street frontage, one (1) additional free-standing may be erected for each additional 300 feet of street frontage. Where a developed parcel has frontage on more than one (1) public right-of-way or street, excluding alleys, driveways, and service ways the provisions of this subsection shall apply to each street frontage, as follows:

<u>Street Frontage</u>	<u>Number of Signs Permitted</u>
<u>0—599 feet</u>	<u>1 free-standing sign</u>
<u>600—900 feet</u>	<u>2 free-standing signs</u>
<u>901—1200 feet</u>	<u>3 free-standing signs</u>
<u>Over 1200 feet</u>	<u>3 free-standing signs, plus 1 additional sign for each 300 lineal street frontage feet over 1200 frontage feet</u>

- (a) Distance between signs. For properties where more than one (1) freestanding sign is permitted, the distance between freestanding signs shall be a minimum of 150 feet;

- (b) Sign height. No free-standing sign shall exceed the height of thirty (30) feet except free-standing signs in the highway commercial zone and within the interstate right-of-way which shall not exceed the height of fifty (50) feet.
- (i) If a free-standing sign projects over a private vehicular driveway or parking lot aisle, the minimum clearance of 17 feet shall be maintained between the bottom of the sign edge and the established grade of the site;
- (ii) Rotating freestanding signs shall have a minimum clearance of nine (9) feet between the bottom of the sign edge and established grade of the site. Rotating, free-standing signs shall maintain no more than six (6) revolutions per minute.
- (c) Sign location For any off-premises signs located within 660 feet of an interstate or state controlled highway, street, or road right-of-way, a copy of the Montana Department of Transportation (MDT) permit shall be required and submitted with the City of Billings permit application in accordance with Section 18.6.211, Administrative Rules of Montana (ARM).

2. Wall, Canopy, or Projecting Signs:

Wall, canopy, projecting signs, roof signs or any combination thereof, indicating the name and nature of the occupancy for each occupancy located on a property is permitted, provided that they do not exceed the maximum square footage permitted.

	<u>Sign Area Permitted</u>	<u>Minimum Height</u>	<u>Minimum Setbacks from all Property Lines</u>
<u>Wall Sign</u>	<u>3 square feet per lineal foot of building frontage</u>	<u>N/A</u>	<u>0 feet</u>
<u>Canopy or Projecting Signs</u>	<u>3 square feet per lineal foot of building frontage</u>	<u>9 feet from approved grade</u>	<u>0 feet</u>
<u>Canopy or Projecting Signs</u> <u>Central Business District Only</u>	<u>3 square feet per lineal foot of building frontage</u>	<u>9 feet from approved grade</u>	<u>Maximum projection of 2/3 of the sidewalk*</u>
<u>Under Awning or Canopy Signs for Buildings with Awnings or Canopies over the Right-of-Way</u> <u>Central Business District Only</u>	<u>3 square feet per lineal foot of building frontage</u>	<u>8 feet from approved grade</u>	<u>Maximum Projection of 2/3 of the sidewalk*</u>

<u>Roof Sign</u> <u>One permitted in lieu</u> <u>of a wall sign</u>	<u>3 square feet per</u> <u>lineal foot of</u> <u>building frontage*</u>	<u>N/A</u>	<u>N/A</u>
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*An encroachment permit shall be obtained from the City Engineering Department for any projecting or canopy sign that encroaches into the public right-of-way

** Primary entrance signs shall indicate only the name of the occupancy. The allowable sign area shall be reduced for each wall sign installed over any primary public entrance.

(b) Roof signs shall not extend above the highest plane of the roof.

(i) The supports, anchors, or braces for the roof sign shall be enclosed so that they are not visible from the street or other public or private property.

(ii) Signs shall be similar to a wall sign or projecting sign, and designed to look like part of the building or roof structure, rather than something suspended from or standing on the building.

Section 2. EFFECTIVE DATE. This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

Section 3. REPEALER. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

Section 4. SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

PASSED by the City Council on first reading this 9th day of October, 2007.

PASSED, ADOPTED and APPROVED on second reading this 22nd day of October, 2007.

CITY OF BILLINGS

By _____
Ron Tussing, Mayor

ATTEST:

By _____
Cari Martin, City Clerk

ZC#820 Amending Section 27-705(C)