

ORDINANCE NO. 05-5353

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE BILLINGS, MONTANA CITY CODE BE AMENDED BY REVISING SECTION 27-703, 27 -705(a), 27-705(b) and 27-707(b); CITY SIGN CODE DEFINITIONS, SIGNS PERMITTED AND EXEMPT SIGNS, ADOPT THE REVISIONS AS AN AMENDMENT TO THE ZONING REGULATIONS AND SET A TIME PERIOD FOR THE REGULATION TO BE EFFECTIVE.

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

Section 1. RECITALS. *Title 76, Chapter 2, Part 3, MCA, and Section 27-1502, BMCC, provide for amendment to the City Zoning Regulations from time to time. The Board of Planning initiated the amendment to the City Zoning Regulations and the City Zoning Commission and staff have reviewed the proposed zoning regulations hereinafter described. The recommendations of the Zoning Commission and staff have been submitted to the City Council, and the City Council, in due deliberation, has considered the proposed amendments to the City Zoning Regulations.*

Section 2. DESCRIPTION. The interim zoning regulation shall apply to all land within the City Of Billings.

Section 3. That the Billings, Montana City Code be amended by revising Section 27-703 to add a new definition to read as follows:
SEC. 27-703. DEFINITIONS.

The following words and phrases, when used in this article, shall have the meanings respectively ascribed to them:

Neighborhood Watch sign: Neighborhood Watch is a national program based upon the idea that community members can prevent or help deter crimes in their neighborhoods. The Neighborhood Watch program is administered by local law enforcement. A Neighborhood Watch sign is a sign obtained through the local law enforcement agency that is posted on property within a residential or public zoning district.

Section 4. That the Billings, Montana City Code be amended by revising Section 27-705(a) and 27-705(b) to add language to read as follows:
SEC. 27-705. SIGNS PERMITTED IN ZONING DISTRICTS OF CITY.

(a) *Residential zones.* Within any residential zone, signs or residential nameplates are permitted as follows:

- (1) For each single-family home or duplex house, one (1) residential nameplate not exceeding a combined sign area of two (2) square feet for each occupancy. The nameplate shall not be subject to the permit requirements of

this article. Commercial nameplates shall not be permitted in residential zones;

- (2) For multiple-family uses, rooming and boarding houses, one (1) identification sign for each developed parcel, not exceeding twelve (12) square feet in sign area;
- (3) Identification signs, bulletin boards, and other similar structures for governmental agencies which may be regulated by the city are subject to approval thereof by the sign administrator;
- (4) All signs, except for neighborhood identification signs provided in subsection (6) and (7) below, shall be placed flat against a building or designed as part of an architectural feature thereof;
- (5) No sign shall block any means of egress or any window;
- (6) For a neighborhood or tract, two (2) identification signs per tract entrance. A sign, masonry wall, landscaping and other similar materials or features may be combined to form a display for neighborhood or tract identification, provided that the legend of such sign or display shall consist only of the neighborhood, tract, or developer's name and logo. No sign or structure shall exceed thirty-two (32) square feet in size nor be over eight (8) feet in height as established from the street grade and must be located a minimum of five (5) feet behind all property lines.
- (7) For each developed parcel within a residential zone, one (1) Neighborhood Watch sign may be posted for each street frontage. The total area of all Neighborhood Watch signs on a developed parcel will not exceed sixteen (16) square feet in sign area.

(b) *Residential professional and public zones.* Within these zones, signs are permitted as follows:

- (1) One (1) identification sign or commercial nameplate for each developed parcel not to exceed a total of thirty-two (32) square feet in sign area for all displays;
- (2) Signs shall be placed flat against a building or designed as part of an architectural feature thereof. Signs may also be detached if they do not exceed a height of eight (8) feet. Detached signs must be located a minimum of five (5) feet behind all property lines;
- (3) No height limit is specified for signs placed flat against the wall of a building or for other attached signs provided all other provisions of this article are complied with;
- (4) Each occupancy within the developed parcel may have an individual nameplate not exceeding four (4) square feet;
- (5) 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 (b) shall apply to each frontage.

(6) For each developed parcel within a residential professional or public zone, one (1) Neighborhood Watch sign may be posted for each street frontage. The total area of all Neighborhood Watch signs on a developed parcel will not exceed sixteen (16) square feet in sign area.

Section 5. That the Billings, Montana City Code be amended by revising Section 27-707 to add language to read as follows:
SEC. 27-707(b). EXCEPTIONS AND EXEMPTIONS.

(b) *Exempt signs:*

(14) Neighborhood Watch signs. Neighborhood Watch signs may be posted on property within residential, residential professional and public zoning districts provided that the total area of all Neighborhood Watch signs on a developed parcel do not exceed sixteen (16) square feet in sign area. Neighborhood Watch signs shall be posted on private property and may be placed flat against the wall of a building or detached if they do not exceed 8 feet in height and are placed one (1) foot behind all property lines. A detached Neighborhood Watch sign must not exceed thirty-six (36) inches in height if it is placed within a clear vision area at the intersection of streets, streets and alleys or streets and driveways. Please see Section 27-615 and 27-618 of the Unified Zoning Regulations for the definition and illustration of clear vision areas at intersections.

Section 6. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 7. 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.

Section 8. EFFECTIVE DATE. This ordinance shall be effective from and after final passage and as provided by law.

PASSED by the City Council on first reading November 28, 2005.

PASSED, ADOPTED AND APPROVED on second reading December 12, 2005.

CITY OF BILLINGS:

BY: _____
Charles F. Tooley, Mayor

ATTEST:

BY: _____
Marita Herold, CMC/AAE, City Clerk

ZC#771 – Amending City Sign Code