

## ORDINANCE NO. 06-5365

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE BILLINGS, MONTANA CITY CODE BE AMENDED BY REVISING SECTION 27-706 (d); CITY SIGN CODE SPECIAL CIRCUMSTANCE 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 zoning regulation shall apply to all land within Medical Corridor and South 27<sup>th</sup> Street Corridor as described in Section 27-801 and Section 27-905 in the Billings, Montana City Code.*

**Section 3.** *That the Billings, Montana City Code be amended by revising Section 27-706(d) to delete certain language and add new language definition to read as follows:*

SEC. 27-706. SPECIAL CIRCUMSTANCE SIGNS.

(d) *Medical Corridor and South 27th Street Corridor signs.*

1) ~~Statement of special purpose. This section acknowledges the architectural visual concerns associated with the Billings Medical Corridor Permit Zoning District as set forth in Article 27-900, as well as the South 27th Street Corridor Zoning District as set forth in Article 27-800. This section further recognizes the needs and benefits of limited sign standards that will adequately serve the uses in these zoning districts and those who utilize their services, and at the same time, recognizes the need to protect the remaining residential areas within, adjacent and surrounding these zoning districts from the intrusion of unsightly, excessive and confusing sign usage. In addition, this section further acknowledges that the development trends in the Billings Medical Corridor Permit Zoning District are to build, develop and expand into "campus" like patterns, thereby developing in definable areas beyond the normal city block and it recognizes the uniqueness of this extended arrangement and location of medical services provided in a multitude of buildings, or one building encompassing two (2) or more block area.~~

a. Medical Corridor. The Billings Medical Corridor Permit Zoning District as set forth in Article 27-900 (the "Medical Corridor") is a unique, distinct and separately identifiable area of the City of Billings. Over time, a majority of the Medical Corridor has developed a campus environment that is separate and distinct from the surrounding area. The large scale buildings, the complexities of the medical campuses, the needs and abilities of those seeking medical and emergency services, and the diversification of services offered within the Medical Corridor create a need for flexibility in establishing clear way-finding and informational signage. Accordingly, this special Medical Corridor sign code is adopted to facilitate, enhance, encourage and promote the following purposes:

- (i) To facilitate and foster complementary uses servicing the healthcare community, including hospitals, clinics, medical office buildings, laboratories, and related or supporting uses;
- (ii) To promote a unique, attractive and distinctive healthcare campus environment with limited retail uses;
- (iii) To encourage creativity and continuity in design, quality, and the character of new signage;
- (iv) To anticipate and recognize the needs of patients and visitors in the Medical Corridor;
- (v) To safeguard and enhance property values, and to protect public and private investment in the Medical Corridor;
- (vi) To promote those qualities in the visual environment which bring economic value to the community;
- (vii) To encourage the design of signs that are in harmony with the principal activities and structures that they serve and that are compatible with the overall healthcare campus environment;
- (viii) To alleviate the burdens of complex compliance and enforcement responsibilities; and
- (ix) To promote the public safety, welfare, convenience and enjoyment of travel and the free flow of traffic within the Medical Corridor.

The Medical Corridor is primarily occupied by regional healthcare providers that draw patients and visitors from a multi-state region. The Medical Corridor sign code recognizes that patients and visitors to the Medical Corridor need to be able to easily and conveniently locate, identify, and find their way to hospitals, medical groups, clinics, medial departments, laboratories, physicians, and other healthcare points of interest.

The primary purpose of the Medical Corridor is healthcare, with very limited retail uses. Accordingly, the Medical Corridor sign code recognizes that the primary purpose of signs in the Medical Corridor is not for retail purposes, yet retains historical restrictions for retail establishments within the Medical Corridor.

The caliber of the development of the medical campuses within the Medical Corridor over time has demonstrated a commitment to maintaining architecturally sound and aesthetically pleasing signage, as well as uniform appearance of signage within parcels under common ownership. Healthcare and healthcare providers are constantly evolving and changing. One of the express purposes of the Medical Corridor sign code is to provide healthcare providers with flexibility with respect to both way-finding and informational signage.

b. South 27<sup>th</sup> Street Corridor. This section acknowledges the architectural visual concerns associated with the South 27<sup>th</sup> Street Corridor Zoning District as set forth in Article 27-800. This section further recognizes the needs and benefits of limited sign standards that will adequately serve the uses in this zoning district and those who utilize their services, and at the same time, recognizes the need to protect the remaining residential areas within, adjacent and surrounding these zoning districts from the intrusion of unsightly, excessive and confusing sign usage.

(2) Healthcare Purposes Sign Definition. As used within this section, the term *Healthcare Purposes Sign* shall mean any sign located in the Medical Corridor (excluding prohibited signs) that:

- a. identifies a hospital, clinic, medical building, healthcare facility, emergency room, trauma center, healthcare provider or Ancillary Healthcare Service (as defined herein below), and/or associated parking areas located in the Medical Corridor; or
- b. provides direction to a hospital, clinic, medical building, healthcare facility, emergency room, trauma center, healthcare provider or Ancillary Healthcare Service, and/or associated parking areas located in the Medical Corridor.

For the purposes of this definition, the phrase "Ancillary Healthcare Service" shall not include restaurants, hotels, motels, churches, and gas stations.

(3) Except as provided in subsection (4) below, (2) Within the Medical Corridor and the South 27<sup>th</sup> Street Corridor, signs are permitted per developed parcel as follows:

- a. Two (2) monument type signs, provided the two (2) monument signs are located on separate public street frontages and located at least one hundred (100) lineal frontage feet apart, measured along property line, as follows:

- i. One (1) main identification free-standing sign not exceeding forty (40) square feet in sign area nor be over twelve (12) feet in height;
- ii. One (1) secondary identification free-standing sign not exceeding thirty-two (32) square feet in sign area nor be over eight (8) feet in height.
- b. One (1) identification wall sign placed flat against a building or designed as part of an architectural feature for each public street frontage for each developed parcel not to exceed fifty (50) square feet in sign area.
- c. Free-standing directory signs shall not exceed eight (8) square feet in sign area nor be over five (5) feet in height. Wall directory signs shall not exceed eight (8) square feet in sign area.
- d. ~~On-premise medical campus signs for properties located in the medical corridor. All signs related to the medical services located in the same medical campus shall be considered on-premise signs.~~

(4) Healthcare Purposes Signs Permitted

a. Except for those signs specifically prohibited by Section 5 below, all Healthcare Purposes Signs shall be permitted in all portions of the Medical Corridor except for the area west of North 30<sup>th</sup> Street.

b. Emergency Room and Trauma Center Signs. All Emergency Room and Trauma Center signs shall be permitted in the Medical Corridor as Healthcare Purposes Signs.

(5) Prohibited Signs and Lighting. The following signs and lighting shall be prohibited in the Medical Corridor:

- a. Strobe lights;
- b. Searchlights;
- c. Balloon signs;
- d. Portable signs;
- e. Flashing neon signs;
- f. Third party signs;
- g. Billboards;
- h. Flashing incandescent lamps;
- i. Vehicles used as signs (provided that this provision shall not be construed as prohibiting the identification of a healthcare services entity or provider);
- j. Signs projecting into Rights-of-Way;
- k. Window signs;
- l. Signs exceeding 20 (twenty) feet in height;

- m. Signs exceeding 175 square feet of area:
- n. Signs which by coloring, shape, wording or location resemble or conflict with traffic control signs or devices:
- o. Signs that create a safety hazard for pedestrian or vehicular traffic:
- p. Signs attached to or placed on a motor vehicle or trailer parked on public or private property, provided that this provision shall not be construed as prohibiting the identification of a firm or its product on a vehicle operating during the normal course of business:
- q. Any electronic reader board sign or animated sign that is otherwise prohibited by the City of Billings Sign Code.
- r. Wall signs which, individually or collectively, cover more than 25% of the surface area of any wall. The surface area of a wall shall be determined by measuring the building height and multiplying it by the length of the wall, without deduction for doors and windows.

**Section 4. REPEALER.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section 5. 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 6. 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 March 27, 2006.

PASSED, ADOPTED AND APPROVED on second reading April 10, 2006.

CITY OF BILLINGS:

BY: \_\_\_\_\_  
Ron Tussing, Mayor

ATTEST:

BY: \_\_\_\_\_  
Marita Herold, CMC/AEE, City Clerk