

**CITY OF MINOT**  
**ZONING ORDINANCE STEERING COMMITTEE**

Meeting Minutes  
July 8, 2020  
2:00 pm – 4:00 pm  
Council Chambers, City Hall, 515 2<sup>nd</sup> Ave., SW

**I. ATTENDANCE AND ROLL CALL**

Committee: Rolly Ackerman, Tyler Neether, Tom Ross, Rustin Roteliuk, Pat Graner,  
Tim Baumann (by phone)  
Absent: Gloria Larsgaard  
City Staff: Brian Billingsley, Community & Economic Development Director  
Lance Lang, Principal Planner  
Emily Huettl, Assistant City Engineer  
Consultant: Scott Harmstead, SRF  
Guests: Dan Ternes (Sign Dzyn)  
Craig Johnson (Signs Today)  
Brad Feldman (Indigo Signworks)  
Ric Tollefsen (Indigo Signworks- by phone)  
Steve Hoffart (Indigo Signworks – by phone)  
Jordan Kazima, Knock Out Design  
Josh Wolsky

Rolly Ackerman called the meeting to order at 2:00 pm.

**II. APPROVAL OF MINUTES**

Motion by Neether to approve June 24, 2020 minutes, second by Graner. ayes: all, nays: none.  
Absent: Larsgaard

**Motion carries**

**III. REVIEW AND APPROVAL OF AGENDA**

Motion by Neether to approve July 08, 2020 Agenda, second by Graner. ayes: all, nays: none.  
Absent: Larsgaard

**Motion carries**

**IV. INTRODUCTION OF GUESTS.**

Chairman Ackerman thanked the committee for their perseverance, the public attendees for their input, and city staff for their organization and professionalism. He stated that the committee's progress has gone smoothly. Ackerman then asked Mr. Billingsley to proceed.

**V. CHAPTER 22 (SIGNS)**

Billingsley recognized Scott Harmstead the lead consultant for his input, leadership, and the time he has spent in updating the zoning ordinance. He said that he estimates the contract the City has with SRF will expire in September. Billingsley told the Committee that they will address the sign chapter during this meeting, and during the next meeting, the committee will wrap up sign chapter and start landscaping. After the contract for this project is exhausted, staff will continue to meet with the committee to wrap up the remaining chapters. We need to be efficient and make this chapter work for everyone.

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Start where we left off last meeting with **Section 22-8.**

Harmstead asked Lang about the YMCA. Lang said YMCA had contacted the City a couple years ago wanting to have a second sign for messages, either manual or digital, to advertise upcoming events, dates, etc. The property is zoned R1, Single-Family Residential so they could not do it and the YMCA did not want to rezone to commercial.

Harmstead said this section deals with public uses on residential zoned properties and sets forth some thresholds such as maximum sign size 70 square feet. Lang said the YMCA is not really a public institution; rather it is a non-profit. Harmstead said if the use could not fit within the regulations in 22-8 the use will need to rezone. The committee did not make any changes.

**Section 22-9. Off-Premise Sign Regulations**

Billboards. Changes were made to billboards in 2016. Emily noted “M3” reference throughout needs to be changed to “OP” Office Park.

Tollefsen asked about billboards advertising the business on the lot they are located or on-premise advertising. The only one in town is the Pringle Law Firm with the billboard sign right above their office. On-premise advertising is not allowed on billboards. A billboard is usually 672 square feet in area. This would be a unfair advantage when on premise signs are otherwise limited to 150 square feet. Lang said when Culvers was looking at the site they developed there is an existing billboard located there. They wanted to know if they could use it for Culvers advertising. The answer is no. Harmstead said the definition of “Off-Premise Advertising Sign” is meant to reflect this.

**Section 22-10. Temporary Signs**

45-day limit for maximum of two times per year and supposed to be limited to special events, grand openings, etc. Harmstead mentioned the Gilbert vs. Reed case law that prohibits regulation of content on signs. Only commercial versus non-commercial content can be regulated.

Neether brought up temporary signs on construction sites. The issue of truck trailers being used as temporary signs was raised, which is not allowed in any district. This does not apply to commercial vehicles with company graphics on the vehicle. Table E limits temporary signs to two signs per property with two faces per sign. A question was asked about how long future construction signs could be up? The committee agreed 45 days is not going to work for active construction or future construction signs. Harmstead to review construction related signs.

Harmstead said the problem with temp signs is enforcement. Limited to 45 days, two times per year and Either need to add personnel to insure enforcement or a good public complaint system to report violations. Lang said the sign companies probably watch each other closely.

A-frame signs are prevalent downtown, even outside of downtown which are illegal. People tend to leave them out 24/7, supposed to be 45 days, two times per year. Also, Paragraph A. 4. states sandwich board signs can be out any time during business hours of operation so they should be put away otherwise. Huettl suggested that A-frame signs should be allowed in C2, General Commercial, P, Public as well as C3/CBD (downtown Minot). The committee concurred.

**C. Non-commercial signs.**

This section covers political campaign signs and realty signs. Wolsky said the current code does not allow election signs to go up until 30 days prior to election. It used to be 66 days prior to filing. In reality

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signs go up much earlier and must be removed no later than 14 days after the election. Harmstead to look into these time limits.

The committee discussed if permits should be required for temporary signs. The city should develop a tracking system if they are allowed for a certain number of days. Feldman suggested a reporting system where the sign companies provide a monthly report tracking all of their temporary signs. It would make enforcement easier. Wolsky suggested the sign company have their ID on each sign. Harmstead will look into these matters.

**Section 22-11. Digital Sign Regulations**

No changes proposed.

At this time, Ackerman wanted to share comments from the Downtown Business Association.

- 22-5. A. 5. Most downtown signs project into the right-of-way since the buildings are on the property line. Can encroachment be handled administratively instead of requiring approval from CC? Billingsley to discuss with Engineering Department.
- 22-5. A. 10. Roof mounted signs are prohibited. Ackerman asked why we prohibit roof signs. Souris River Brewing got a variance. Existing signs are non-conforming. Billingsley said that it is common most jurisdictions around the country do not allow roof signs due to weight restrictions. Lang concurred, no roof signs allowed in his experience. Weight, wind load, aesthetics. Neether wants to explore. Downtown only? Billingsley wants to discuss with Building Official.
- Table E. How will billboards be addressed downtown? Billingsley replied that existing billboards are grandfathered and new billboards are not allowed.
- Table G. Maximum sign area for wall signs and for projecting signs. Two-sided sign interpretation. Would a 5 x 5 sign be 25 or 50 square feet? Staff replied it is 25 square feet and the second face "free." One structure equals two signs. Ackerman suggested we add a note to the table to clarify.

**Public District Signage.**

Should temporary signs follow C2 or CBD standards? CBD more restrictive and the committee does not want C2 regulations to apply in the CBD. Wolsky suggested the P signs should be regulated by their environs, eg. along Broadway follow C2, but should be more restricted in a residential neighborhood. Harmstead will give it some thought.

Lang asked about "Premise Identification Sign" which is defined but no where else is it addressed. Harmstead said it is covered under 22-5. B. Exempt Signs. h. "Subdivision identification signs under fifty (50) square feet." If a person wants more than fifty square feet, a variance is required.

Neether asked why the limitation of two sign faces? Could you have three or even four? Billingsley suggested that it would make sense to allow an odd shaped parcel of land additional faces. Harmstead to investigate.

**Chapter 30. Administrative Procedures.**

Added "Master Sign Plan" and procedures, which is new to Minot. If a person wants to go beyond the regulations in Chapter 22, it has to be appealed to Planning Commission. Time limitation of three years to complete signage after approval. The Committee agreed to change the timeframe to five years and add language that the sign progress will be re-evaluated at the end of five years. The committee also suggested staff remove "Null and void" wording.

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**Section G. Modifications.**

Billingsley wants to add definitive descriptions of what is minor and major modifications to the master plan. He suggested a major modification would be increase the sign of a sign or adding more signs. The Committee agreed.

The Committee went back to beginning of Chapter 22 and reviewed the second draft:

**Section 22-2. Sign Permits and Plans.**

**B. Master Sign Plan**

1. Discussion on the wording “The Planning Department encourages a Master Sign Plan...” Do we want to require or encourage? At the last meeting, the Committee decided to use the words “strongly encourage”. Neether questioned the wording. Should it be required or not required?

Harmstead said if a developer wants more signs than what the sign code allows in day to day application, a Sign Master Plan is one way to justify the overall package, but it should be reserved for large projects, campuses, etc. The other alternative would be a variance, and perhaps the variance would be the way to go for smaller projects, but staff is trying to get away from variances.

Lang suggested adding language like “in lieu of a variance” or “otherwise a variance will be required to exceed allowable sign thresholds” at the end of the sentence.

**Section 22-3. Planning Department Authority**

**B. Sign Modifications in Planned Unit Developments**

1. Heuttl wants to add PUD along with C4.

The end of first sentence does not read well. “by way of an approved PUD Development Plan” should be moved forward in the sentence; “that may have gained approval of sign sizes, quantities and locations as a result of approval of a specific PUD Development Plan which signs would not otherwise been approved.” or something like that.

**Section 22-4. Definitions**

**A. Sign-Related Terminology**

4. Billboard. Huettl questioned if definition should also include non-static and non-digital.

9. Definition added for “Changeable Copy Signs.”

12. Changed Electronic Sign to Digital Sign or Digital Billboard.

24. Sign Area

b. “Background panels” added. Tollefson does not think the background panel should be included in determining the size of the sign. It has no copy, is a carrier for the letters and often is the only way to get wiring and electric components to the sign. Harmstead said this is because we want to avoid huge monument signs, but Lang said there is already a maximum height requirement for monument signs. The Background panel comes into play for wall signs. Ackerman and Wolsky feel that the background

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is part of the sign. The committee decided not to change this, but Indigo Signworks is going to send some examples to Billingsley to review.

**B. Sign Type Definitions**

4. Temporary Sign. c. Blade Sign.  
Huettl wants to add "Feather Signs" to the definitions.

Sign photographs.

Replace the Buffalo Wild Wings example with a better example of a directional sign, maybe with directional arrows, or copy that says "Exit" or "Enter" etc.

**Section 22-5. Prohibited and Exempt Signs (All districts):**

**A. Prohibited Signs**

11. Signs on motorized vehicles. Harmstead said usually prohibited. Ternes said customers are asking about these, what do we tell them? Tell them they are prohibited. Keep this language in the ordinance except remove the word "motorized", so it will read "Signs on vehicles...".

**B. Exempt Signs**

i. Attached and detached will both be maximum of six (6) square feet. Wolsky asked how this might affect the wayfinding signs. Locations are approved, but design of individual signs is forthcoming.

**F. District Requirements for Detached On-Premise Permanent Signs**

Change "M3" to "OP."

Under "Notes" (b) - 75' maximum height if sign faces a "principal" arterial road and if outside City limits. This will include Hwy. 83 Bypass.

Baumgartner wanted the group to discuss secondary cabinets. Regulations are not consistent in the current ordinance. Secondary cabinets are not addressed in the table. Currently, the secondary cabinet can be 80% of the size of the primary cabinet, so a 150 square foot primary cabinet will allow a 120 square foot secondary cabinet. Lang said if the maximum area of a pole sign is 150 square feet another 120 square feet is quite a bonus. These provisions do not apply to wall signs or monument signs. The Committee suggested adding another note to the table regarding secondary cabinets. Lang will ask Baumgartner for clarification on how he has interpreted this provision.

**VI.** Next meeting to be held on Wednesday, July 22, 2020 at 8:00 a.m. at City Hall, Council Chambers

**VII.** Adjournment 3:59 pm.