

**Day/Date: Tuesday, February 13, 2024**

**Time: 5:00 P.M.**

**Location: Council Chambers City Hall**

**PLEASE NOTE DATE & TIME**

## **PLANNING COMMISSION**

### **AGENDA**

#### **Commission Members**

Averill  
Nelson

Lee  
Reiersen

Lindberg  
Shaffer

Lorenson  
Sjoberg

Narverud

1. APPROVE AGENDA:

Motion by \_\_\_\_\_ Sec. by \_\_\_\_\_ To \_\_\_\_\_

2. MINUTES OF JANUARY 9, 2024 MEETING – SEE ENCLOSED:

Motion by \_\_\_\_\_ Sec. by \_\_\_\_\_ To \_\_\_\_\_

3. COUNCIL ACTIONS:

- NONE

4. 2023 PLANNING COMMISSION ACTIONS & BUILDING PERMIT SUMMARY:

- SUMMARY

5. AMENDMENT TO EXCLUDED SIGN ORDINANCE SECTION 152.087 (B):

- CURRENT CITY CODE
- PROPOSED LANGUAGE CHANGE

6. AMENDMENT TO GENERAL BUSINESS DISTRICT C-2 YARD REQUIREMENTS ORDINANCE SECTION 152.095 (D) (3):

- CURRENT CITY CODE
- PROPOSED LANGUAGE CHANGE

7. AMENDMENT TO CITY CODE SECTION 152.095 (F)(6)(G) FREESTANDING BUSINESS SIGN REQUIREMENTS IN DOWNTOWN FRINGE DISTRICT C-4:

- CURRENT CITY CODE
- PROPOSED LANGUAGE CHANGE

8. OTHER

- AGENDA PACKET PREFERENCE – MAIL OR ELECTRONIC?
- POSSIBLE COMPLETE STREETS ORDINANCE/COUNCIL RESOLUTION

9. ADJOURNMENT:

Motion by \_\_\_\_\_ Sec. by \_\_\_\_\_ To \_\_\_\_\_

**PLANNING COMMISSION**  
**January 9, 2024 Meeting Minutes**

Pursuant to due call and notice, the Thief River Falls Planning Commission met in the Thief River Falls City Council Chambers on Tuesday, January 9, 2024, at 5:00 P.M. Board Members present: Averill, Narverud, Nelson, Reiersen, Shaffer, Sjoberg.

Absent: Lee, Lindberg

Others present: Sparby, Baker.

**APPROVE AGENDA:**

Sjoberg called the January 9, 2024, Planning Commission meeting to order. Reiersen approved the agenda; Narverud seconded the motion.

**APPROVE MINUTES OF NOVEMBER 14, 2023 MEETING:**

Narverud made a motion to approve the November 14, 2023, Planning Commission meeting minutes. Averill seconded the motion, which was carried unanimously.

**APPROVE MINUTES OF DECEMBER 12, 2023 MEETING:**

Narverud made a motion to approve the December 12, 2023, Planning Commission meeting minutes. Averill seconded the motion, which was carried unanimously.

**DISCUSSION ON CHALLENGER ELEMENTARY SCHOOL SIGN:**

At the request of the Planning Commission, Sparby reviewed the sign ordinance and concluded that the Challenger Elementary sign would be considered legal per section 152.087 EXCLUDED SIGNS - section B states that “signs of a duly constituted governmental body, including traffic signs or similar regulatory devices, or warnings at railroad crossings are excluded.”

This is interpreted to mean that the current concrete sign at Challenger Elementary School should not have to be removed. Delray will present a language change at the next Planning Commission meeting to clarify the City Code language as it pertains to Governmental entities.

**SIGN SETBACKS IN C-2 (FRONTAGE ROADS) DISCUSSION:**

Signs follow accessory setback requirements in Code 152.031. However, in 152.095 along a frontage road the sign setback is stated as 6 feet from the interior edge of the frontage road. In a case where the commercial business is along a state highway and there is no frontage road, it gets confusing on allowable placement. The question is should it be six feet from the right-of-way in any case or 6 feet from the interior edge of the frontage road? In the past we have enforced six feet from the right-of-way. The recommendation is “free standing signs shall be set back a minimum of six feet from the lot line, road right-of-way, or where adjacent to a frontage road, six feet from the interior edge of the frontage road.” Delray will draft up some language to review at the next Planning Commission meeting.

**OTHER:**

Due to the passing of Mike Parker, there is an open seat at the Planning Commission. Baker will check to see if there is anything on the city website letting the public know there is an open seat. There is an online application. Sparby & Narverud will make sure it is announced at the next City Council.

**ADJOURNMENT:**

Shaffer made a motion to adjourn the meeting at 5:42 P.M. Nelson seconded the motion, which carried.

## 2023 Planning Commission Hearings & Actions

Hearing/Meeting Date	Council Resolution	2022 Planning Commission Hearings/Actions	Type of Action
1/10/2023	Resolution No. 01-29-23	H & H Properties Conditional Use Permit (114 4 <sup>th</sup> St E)	Conditional Use
2/14/2023	Resolution No. 03-64-23	Buffer Strip Amendment	Code Change
6/13/2023	Resolution No. 06-132-23	Northern Pride Variance	Variance
6/13/2023	Resolution No. 06-131-22	F4 LLC Conditional Use Permit (Curve Car Wash Buffer)	Conditional Use
8/8/2023	Resolution No. 08-178-23	Kraig & Dayna Melvie Conditional Use Permit	Conditional Use
10/10/2023	Resolution No. 10-233-23	UPS Conditional Use Permit	Conditional Use
10/10/2023	Resolution No. 10-234-23	RISE Adult Day Care Conditional Use Permit	Conditional Use
10/10/2023	Resolution No. 11-246-23	ODC Rezoning Request	Rezoning
11/14/2023	Resolution No. 11-253-23	Replating Greenwood Cemetery First Addition	Replating
11/14/2023	Resolution No. 11-267-23	Solar Energy City Code Change	Code Change

## 2023 Building Permit Information

### Commercial Property

- 2 New Construction Permits (Commercial)
  - New Airport Hangar - \$13,581,000 Project Valuation
  - Future Pizza Ranch - \$3,000,000 Project Valuation
- 44 Permits for Commercial Property Remodels/Repair/Alterations

### Residential Property

- New Construction - 2 Permits for new homes
- 122 Permit for Residential Property Remodels/Repair/Alterations

### Other Permits

- 16 Connection Permits (Repair/Replace water or sewer)
- 80 Mechanical Permits (New A/C or new furnace)
- 21 Plumbing Permits
- 2 Fire Permits

# Current City Code

**§ 152.087 EXCLUDED SIGNS.**

The following shall be deemed to be excluded from the definition of "sign" as it applies to this Subchapter:

- (A) Signs on the inside of windows and doors, provided they are not flashing signs;
- (B) Signs of a duly constituted governmental body, including traffic signs or similar regulatory devices, legal devices, or warnings at railroad crossings;
- (C) Publicly-owned memorial tablets or signs;
- (D) Signs required to be maintained by law or governmental order rule or regulation, provided that they do not exceed 48 square feet in sign surface area;
- (E) Signs displayed for the direction or convenience of the public, including signs which identify restrooms, location of public telephones, or public pedestrian entrances. The total sign surface area shall not exceed six square feet per sign on any premises and shall not contain any advertising or the name of the occupant or use;
- (F) Signs, provided that they do not exceed 48 square feet in sign surface area, relating to active construction projects;
- (G) Rummage or yard sale signs, provided that no person shall attach the signs to street name posts, traffic control signs posts, trees, or utility poles in or along any street right-of-way within the City and that no person shall attach the sign to any building, fence or wall, or other property of another person without having first obtained the consent of the owner of the property. The maximum time limit for display of the signs is five days in any 30 day period. The signs shall not exceed three square feet in sign surface area;
- (H) Gasoline price signs, provided they are attached to sign structure for other permitted signs or to pump island canopies and provided the total sign surface area of all such signs is equal to or less than the following for the applicable zoning district.

<u>Zoning District</u>	<u>Total Maximum Sign Surface Area in Square Feet</u>
C-1 Neighborhood Business District	6
C-2 General Business District	40
C-3 Central Business District	20
C-4 Downtown Fringe District	12

# Proposed Change

## ORDINANCE NO. 129, 3rd SERIES

AN ORDINANCE OF THE CITY OF THIEF RIVER FALLS, MINNESOTA, AMENDING CITY CODE CHAPTER 152 ENTITLED "ZONING CODE" BY AMENDING SECTION 152.087, (B) "EXCLUDED SIGNS", AND ADOPTING BY REFERENCE CITY CODE CHAPTER 10, WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS.

THE CITY COUNCIL OF THIEF RIVER FALLS ORDAINS:

Section 1. City Code Chapter 152.087 "B" is hereby amended to read as follows:

**152.087. EXCLUDED SIGNS.**

The following shall be deemed to be excluded from the definition of "sign" as it applies to this Subchapter:

**(B) Traffic signs or similar regulatory devices, legal devices, or warnings at railroad crossings of a duly constituted governmental body. All other signs of a duly constituted governmental body not excluded herein shall be subject to a conditional use permit.**

Section 2. City Code Chapter 10 entitled "General Provisions" and Section 152.998 entitled "Violation" are hereby adopted in their entirety, by reference, as though repeated verbatim herein.

Section 3. This ordinance shall be in force and effect from and after its passage, approval, and publication.

Passed by the City Council of Thief River Falls, Minnesota, on the \_\_th day of March, 2024, by majority vote.

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Mayor

ATTEST:

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Angela Philipp  
City Administrator

(a) More than one adjoining business may be combined to obtain the required frontage for a freestanding sign, if the adjoining businesses jointly use the sign.

(b) The maximum distance the sign surface area may project over public rights-of-way shall be eight feet but may not extend over traveled streets.

(c) Freestanding signs located in a parking lot or adjacent to a driveway shall be surrounded by a landscaped or planted area five feet in all directions from the base of the sign.

(d) Where premises used for commercial or industrial use are within 100 feet of Residential or Agricultural Districts, freestanding signs located in that commercial or industrial use shall not exceed 25 feet in height. A freestanding sign must be set back from the lot line the same distance as structures in any Residential or Agricultural District facing the same public street and within 100 feet of the sign. This provision affects only freestanding signs on commercial and industrial premises on the same block and on the same street as a Residential or Agricultural District.

(3) **Yard requirements.** All signs, except directional and temporary signs, shall be subject to the same setback and yard requirements as all other permitted accessory uses. In the case of a corner lot, all signs, except directional and temporary signs, shall abide by the front yard setback for both sides abutting a public street. All directional, temporary, and freestanding signs shall be set back a minimum of six feet from the lot line or, where adjacent to a frontage street, six feet from the interior edge of the frontage street.

(4) **Height limitations.** No attached sign shall exceed eight feet in height nor shall any attached sign extend higher than the roof line. (Ord. No. 104, 3<sup>rd</sup> Series – adopted 03/6/18)

(5) **Canopy, marquee, and suspended signs.** Signs suspended from the bottom of a canopy or marquee shall not exceed 30 square feet of sign surface area. The bottom of the suspended signs shall be a minimum vertical distance of eight feet from the ground surface. Canopies and marquees, whether signed or not, and suspended signs shall be a minimum horizontal distance of two feet from the street pavement.

(6) **Special sign regulations.**

(a) Freestanding identification signs whose sole purpose is to display the name of the City shall be permitted adjacent to arterial streets in accordance with this Chapter.

(b) Public service banners suspended over arterial streets may exceed the 24 square feet maximum sign surface area indicated in the table but shall not exceed 48 square feet.

(c) In addition to signage permitted in Subsections (a) and (b) above, gasoline service stations may place lettering and/or logos on pump island canopies. Regardless of the number of pump island canopies on the site, no more than three canopy faces may be signed. The maximum sign surface area of this signage shall not exceed 75 square feet for each canopy face. These signs shall not protrude above or below the canopy.

# Proposed Change

## ORDINANCE NO. 129, 3rd SERIES

AN ORDINANCE OF THE CITY OF THIEF RIVER FALLS, MINNESOTA, AMENDING CITY CODE CHAPTER 152 ENTITLED "ZONING CODE" BY AMENDING SECTION 152.095, PERFORMANCE STANDARDS IN ZONING DISTRICTS, (D) (3) "GENERAL BUSINESS DISTRICT C-2, YARD REQUIREMENTS", AND ADOPTING BY REFERENCE CITY CODE CHAPTER 10, WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS.

THE CITY COUNCIL OF THIEF RIVER FALLS ORDAINS:

Section 1. City Code Chapter 152.095 (D) (3) is hereby amended to read as follows:

152.095 (D) General Business District (C-2). The following shall apply in General Business Districts.

(3) Yard requirements. All signs, except directional and temporary signs, shall be subject to the same setback and yard requirements as all other permitted accessory uses. In the case of a corner lot, all signs, except directional and temporary signs, shall abide by the front yard setback for both sides abutting a public street. All directional, temporary, and freestanding signs shall be set back a minimum of six feet from the lot line, road right of way, or where adjacent to a frontage street, six feet from the interior edge of the frontage street, whichever distance is further.

Section 2. City Code Chapter 10 entitled "General Provisions" and Section 152.998

entitled "Violation" are hereby adopted in their entirety, by reference, as though repeated verbatim herein.

Section 3. This ordinance shall be in force and effect from and after its passage, approval, and publication.

Passed by the City Council of Thief River Falls, Minnesota, on the \_\_th day of March, 2024, by majority vote.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Angela Philipp  
City Administrator



(4) **Height limitations.** No attached sign shall exceed eight feet in height nor shall any attached sign extend higher than one foot below the roof line.

(5) **Canopy, marquee, and suspended signs.** Within the C-3 District, signs suspended from the bottom of a canopy or marquee shall not exceed 15 square feet of sign surface area. The bottom of the suspended signs shall be a minimum vertical distance of eight feet from the ground surface. Canopies and marquees, whether signed or not, and suspended signs shall be a minimum horizontal distance of two feet from the traveled street.

(6) **Special sign regulations.**

(a) Public service banners suspended over arterial streets may exceed the 24 square feet maximum sign surface area indicated in the table but shall not exceed 48 square feet.

(b) In addition to signage permitted in Subsection (a), gasoline service stations may place lettering and/or logos on pump island canopies. Regardless of the number of pump island canopies on the site, no more than three canopy faces may be signed. The maximum sign surface area of this signage shall not exceed 75 square feet for each canopy face. These signs shall not protrude above or below the canopy.

**(F) Downtown Fringe District (C-4).** The following shall apply in the Downtown Fringe District.

<i>Permitted Signs</i>	<i>Permit Required</i>	<i>Maximum Sign Surface Area in Square Feet</i>
Business	Yes	50
Directional	No	4
Identification	Yes	50
Public service	Yes	24
Real estate	No	20
Temporary	Yes	32

(1) **Business sign requirements.** Except as provided below, within the C-4 Districts, only one attached wall sign, or two wall signs if on a corner lot, shall be permitted, and the sign(s) shall not project more than 18 inches from the face of the wall.

(2) **Yard requirements.** All signs, except directional, temporary, and freestanding signs, shall be subject to the same setback and yard requirements as all other permitted accessory uses. All directional, temporary, freestanding, and identification signs shall be set back a minimum of four feet from the lot line.

(3) **Height limitation.** Except for freestanding business signs, no sign shall exceed eight feet in height nor shall any attached sign extend higher than one foot below the roofline.

(4) **Special sign regulations.** Public service banners suspended over arterial streets may exceed the 24 square feet maximum sign surface area indicated in the table but shall not exceed 48 square feet.

(5) **Identification signs.**

(a) Identification signs shall be limited to one per principal entrance.

(b) Freestanding identification signs shall be landscaped around the base of the sign.

(6) **Freestanding business sign requirements.**

(a) Only one freestanding sign is permitted per business.

(b) A business must have a minimum frontage of 75 feet in order to have a freestanding business sign. More than one adjoining business may be combined to obtain the required frontage for a freestanding business sign, if the adjoining businesses jointly use the sign.

(c) The maximum sign surface area shall be 50 square feet.

(d) The maximum sign height shall be 16 feet.

(e) The vertical distance between the ground surface and the bottom of the sign surface area shall be not less than nine feet.

(f) The maximum distance the sign surface area may project over public rights-of-way shall be eight feet but may not extend over traveled streets.

(g) The sign post shall be set back not less than two feet from the lot line.

# Proposed Change

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AN ORDINANCE OF THE CITY OF THIEF RIVER FALLS, MINNESOTA, AMENDING CITY CODE CHAPTER 152 ENTITLED "ZONING CODE" BY AMENDING SECTION 152.095, PERFORMANCE STANDARDS IN ZONING DISTRICTS, (F) (6) (g) "DOWNTOWN FRINGE DISTRICT C-4, FREESTANDING BUSINESS SIGN REQUIREMENTS", AND ADOPTING BY REFERENCE CITY CODE CHAPTER 10, WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS.

THE CITY COUNCIL OF THIEF RIVER FALLS ORDAINS:

Section 1. City Code Chapter 152.095 (F) (6) (g) is hereby amended to read as follows:

152.095 PERFORMANCE STANDARDS IN ZONING DISTRICTS.

(F) Downtown Fringe District (C-4). The following shall apply in the Downtown Fringe Districts.

(6) Freestanding business sign requirements.

(g) All directional, temporary, and freestanding signs shall be set back a minimum of six feet from the lot line, road right of way, or where adjacent to a frontage street, six feet from the interior edge of the frontage street, whichever distance is further.

Section 2. City Code Chapter 10 entitled "General Provisions" and Section 152.998 entitled "Violation" are hereby adopted in their entirety, by reference, as though repeated verbatim herein.

Section 3. This ordinance shall be in force and effect from and after its passage, approval, and publication.

Passed by the City Council of Thief River Falls, Minnesota, on the \_\_th day of March, 2024, by majority vote.

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Mayor

ATTEST:

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Angela Philipp  
City Administrator