

Day/Date: Tuesday, March 12, 2024

Time: 5:00 P.M.

Location: Council Chambers City Hall

PLEASE NOTE DATE & TIME

PLANNING COMMISSION

AGENDA

Commission Members

Averill	Lee	Lindberg	Lorenson	Narverud
Nelson	Reiersen	Shaffer	Sjoberg	

1. APPROVE AGENDA:

Motion by _____ Sec. by _____ To _____

2. MINUTES OF FEBRUARY 13, 2024 MEETING – SEE ENCLOSED:

Motion by _____ Sec. by _____ To _____

3. COUNCIL ACTIONS:

- NONE

4. HEARING TO AMEND CITY CODE 152.087 (B) EXCLUDED SIGNS:

- CHAIRMAN OPENS THE HEARING
- RCA
- HEARING NOTICE
- CURRENT CITY CODE
- PROPOSED CHANGE
- CALL FOR PUBLIC COMMENT
- CHAIRMAN CLOSSES THE HEARING
- PLANNING COMMISSION DISCUSSION

6. HEARING TO AMEND CITY CODE 152.095 (D) (3): GENERAL BUSINESS DISTRICT (C-2) YARD REQUIREMENTS:

- CHAIRMAN OPENS THE HEARING
- RCA
- HEARING NOTICE
- CURRENT CITY CODE
- PROPOSED LANGUAGE CHANGE
- CALL FOR PUBLIC COMMENT
- CHAIRMAN CLOSSES THE HEARING
- PLANNING COMMISSION DISCUSSION

7. AMENDMENT TO CITY CODE SECTION 152.095 (F)(6)(G) FREESTANDING BUSINESS SIGN REQUIREMENTS IN DOWNTOWN FRINGE DISTRICT C-4:
- NO CHANGES RECOMMENDED

8. OTHER

9. ADJOURNMENT:

Motion by _____ Sec. by _____ To _____

PLANNING COMMISSION
February 13, 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, February 13, 2024, at 5:00 P.M. Board Members present: Averill, Lee, Lindberg, Lorensen, Narverud, Nelson, Shaffer, Sjoberg.

Absent: Reiersen

Others present: Sparby, Baker.

APPROVE AGENDA:

Sjoberg called the February 13, 2024, Planning Commission meeting to order. Lee approved the agenda; Nelson seconded the motion.

APPROVE MINUTES OF JANUARY 9, 2024, MEETING:

Averill made a motion to approve the January 9, 2024, Planning Commission meeting minutes. Shaffer seconded the motion, which was carried unanimously.

2023 PLANNING COMMISSION & BUILDING PERMIT SUMMARY:

The Planning Commission reviewed the summary of action items that were discussed in 2023 which included Conditional Use Permits, Code Changes, Rezonings, Comprehensive Plan Amendments, Building Permits etc.

This will be done yearly to be reviewed in January.

AMENDMENT TO EXCLUDED SIGN ORDINANCE SECTION 152.087 (B):

The Planning Commission reviewed the proposed language change for City Code 152.087 (B). The current city code states, "Signs of duly constituted governmental body, including traffic signs or similar regulatory devices, legal devices, or warnings at railroad crossings are excluded."

The proposed language change states: "Traffic signs or similar regulatory devices, legal devices, or warnings at railroad crossings of a duly constituted governmental body are excluded. All other signs of a duly constituted governmental body not excluded herein shall be subject to a conditional use permit.

Narverud made a motion to call for a public hearing on the proposed language change at the March 12th Planning Commission meeting. Lindberg seconded.

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

The Planning Commission reviewed the proposed language change for City Code 152.095 (D) (3).

The current city code states:

"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."

The proposed language change states:

"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.

Lee made a motion to call for a public hearing on the proposed language change at the March 12th Planning Commission meeting. Averill seconded.

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

The Planning Commission reviewed the proposed language change for City Code 152.095 (F)(6)(G).

The current city code states:

“The signpost shall be set back not less than two feet from the lot line.”

The proposed city code states:

“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.” After discussion and a review by Sparby, no amendments will be made.

OTHER:

Baker asked the commission if they preferred getting the meeting agenda packet in the mail or if they would like it emailed. The commission agreed that they liked receiving the packet by mail.

Baker stated that he is looking into creating a complete street policy. A complete street policy is an approach to planning, designing, building, operating, and maintaining streets that enables safe access for all people who need to use them, including pedestrians & cyclists, motorists and transit riders of all ages and abilities.

ADJOURNMENT:

Nelson made a motion to adjourn the meeting at 5:45 P.M. Lee seconded the motion, which carried.



City of Thief River Falls

ECONOMIC / COMMUNITY DEVELOPMENT DIRECTOR

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Request for Council Action

DATE: March 19, 2024

SUBJECT: Amendment to City Code Chapter 152.087.2 Excluded Signs of a governmental body.

RECOMMENDATION: It is respectfully requested that the Council consider the following Planning Commission recommendation:

Motion to: Approve an amendment to City Code Chapter 152.087 EXCLUDED SIGNS, Subsection (2):

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. And adopting by reference City Code Chapter 10, which, among other things, contain penalty provisions.

BACKGROUND: While researching a concern about the old brick sign at the Challenger School, it was discovered that under Sec. 152.087 – EXCLUDED SIGNS, our current ordinance reads as follows:

Sec. 152.087. - Excluded signs.

The following shall be deemed to be excluded from the definition of *sign* as it applies to this subchapter:
2. Signs of a duly constituted governmental body, including traffic signs or similar regulatory devices, legal devices, or warnings at railroad crossings;

A Public Hearing was held on March 12, 2024, at the Planning and Zoning Commission Meeting and recommended to Council for Approval of the above amendment to City Code Chapter 152.087.2

KEY ISSUES: As it currently reads, signs of a duly constituted governmental body are excluded from our sign ordinance. This allows any governmental unit located in the city proper to erect any sign of their choosing, with no limitations to size, height, or how it is lit. The proposed language change would still allow traffic signs or similar regulatory devices, legal devices, or warnings at railroad crossings to be excluded, but would require all other signs of a governmental body to be subject to a conditional use permit. Complicating this change is a formatting (renumbering/lettering of subsections) change to the current City Ordinances when they were uploaded to MUNI CODE, which occurred after the process to change this ordinance began.

FINANCIAL CONSIDERATIONS: None

LEGAL CONSIDERATION: None

DEPARTMENT/RESPONSIBLE PERSON: Richard Baker, Economic/Community Development Director

Encl: (3)

**NOTICE OF HEARING
PLANNING COMMISSION
CITY OF THIEF RIVER FALLS**

Notice is hereby given, pursuant to Chapter 152 of the Thief River Falls City Code, that the Planning Commission recommends:

An amendment to City Code Chapter 152.087 EXCLUDED SIGNS, Subsection (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. And adopting by reference City Code Chapter 10, which, among other things, contain penalty provisions.

Notice is further given that the Planning Commission will conduct a hearing on the amendments at 5:00 p.m. on Tuesday, November 14, 2023, in the City Council Chambers, 405 3rd Street East, Thief River Falls, MN. All persons wishing to comment on the amendments will have the option to be heard at that time. Persons who wish to submit written comments prior to the Hearing or who have questions should address them to the office of the Zoning Administrator, City Hall, P.O. Box 528, Thief River Falls, MN 56701, or telephone 218-681-8506.

If you have a disability and need accommodation in order to attend this hearing, please contact the Zoning Administrator at the above address or phone number.

Dated this 23rd day of October 2024

CITY OF THIEF RIVER FALLS

/s/ Richard L. Baker
Zoning Administrator

Published in the Wednesday, February 28th edition of The Times.

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.

Mayor

ATTEST:

Angela Philipp
City Administrator



City of Thief River Falls

ECONOMIC / COMMUNITY DEVELOPMENT DIRECTOR

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Request for Council Action

DATE: March 19, 2024

SUBJECT: Amendment to C-2 Yard Setback Requirements. City Code 152.095.4C

RECOMMENDATION: It is respectfully requested that the Council consider the following Planning Commission recommendation:

Motion to: Approve An amendment to City Code Chapter 152.095, Performance standards in zoning districts, Subsection (4) (C) General Business District (C-2) 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 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. And adopting by reference City Code Chapter 10, which, among other things, contain penalty provisions.

BACKGROUND: The previous City Planner, Mark Borseth, left a list of things he felt the Planning & Zoning Commission should address in current City Ordinances, one of these being to clarify the sign setback distance along frontage roads as currently they could be measured from either the lot line, or the interior edge of the frontage street. The proposed change will hopefully clarify and standardize this setback.

A Public Hearing was held on March 12, 2024, at the Planning and Zoning Commission Meeting and recommended to Council for Approval.

KEY ISSUES: The proposed changes are the addition of the words "road right of way" to line five (5) and the words "whichever distance is further" was added to line 6 of the revised recommended ordinance proposed above. Complicating this change is a formatting (renumbering/lettering of subsections) change to the current City Ordinances when they were uploaded to MUNI CODE, which occurred after the process to change this ordinance began.

FINANCIAL CONSIDERATIONS: None

LEGAL CONSIDERATION: None

DEPARTMENT/RESPONSIBLE PERSON: Richard Baker, Economic/Community Development Director

Encl: (3)

**NOTICE OF HEARING
PLANNING COMMISSION
CITY OF THIEF RIVER FALLS**

Notice is hereby given, pursuant to Chapter 152 of the Thief River Falls City Code, that the Planning Commission recommends:

An amendment to City Code Chapter 152.095, Subsection (D) (3) General Business District (C-2) 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 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. And adopting by reference City Code Chapter 10, which, among other things, contain penalty provisions.

Notice is further given that the Planning Commission will conduct a hearing on the amendment at 5:00 p.m. on Tuesday, March 12, 2024, in the City Council Chambers, 405 3rd Street East, Thief River Falls, MN. All persons wishing to comment on the amendment will have the option to be heard at that time. Persons who wish to submit written comments prior to the Hearing or who have questions should address them to the office of the Zoning Administrator, City Hall, P.O. Box 528, Thief River Falls, MN 56701, or telephone 218-681-8506.

If you have a disability and need accommodation in order to attend this hearing, please contact the Zoning Administrator at the above address or phone number.

Dated this 23rd day of February 2024

CITY OF THIEF RIVER FALLS

/s/ Richard L. Baker
Zoning Administrator

Published in the Wednesday, February 28th edition of The Times.

(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, 3rd 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