

REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION WAS HELD ON January 17, 2017 AT WILLISTON CITY HALL, 22 E. BROADWAY, WILLISTON, ND.

Chairman Aafedt called the meeting to order at 5:30pm. Roll Call was taken. A quorum was present.

MEMBERS PRESENT: Boyeff, Hansen, Bauer, Christensen, Maristuen, Aafedt.

MEMBERS ABSENT: Long

OTHERS PRESENT: Kent Jarcik, Planning Director; Rachel Laqua, Principal Planner; Josephine Ching, Staff Planner; Christine Edwards, P&Z Office Manager; Bob Hanson, City Engineer; Jordon Evert, Assistant City Attorney.

DISPOSITION OF MINUTES:

- Minutes were approved for December 19, 2016 regular meeting.

MOTION BY MARISTUEN, SECOND BY HANSEN to approve minutes as presented.
CARRIED ON VOICE CALL. (unanimous)

COMMUNICATION:

- A yearly update of cases opened in 2016 was given to the Commission by Laqua.

PUBLIC HEARINGS:

- NONE

COMMITTEE REPORT: (Presented at the end of the meeting)

- A. Nominations for the year 2017 Chairman, Vice-Chair and 2nd Vice Chair were presented by Commissioner Christensen, representing himself and Commissioner Long as the Nominations Committee, were made as follows:
- Chairman – Cynthia Aafedt
 - Vice-Chairman – Jon Maristuen
 - 2nd Vice-Chairman – Donna Hansen

Commissioner Aafedt asked if there were any other nominations; none were given.

MOTION BY BOYEFF, SECOND BY BAUER to cease nominations and appoint the Chair positions as nominated. CARRIED ON VOICE CALL (unanimous)

UNFINISHED BUSINESS:

- B. NONE

NEW BUSINESS:

A. Sign Master Plan Policy presented by Principal Planner, Rachel Laqua.

Ordinance 1028 created the ability for a landowner to apply for a Sign Master Plan. This sign master plan is described as follows:

An applicant may submit a sign master plan detailing the size, location and design of all signs on the site. The sign master plan shall contain specific standards for consistency among all signs on the lots affected by the plan. Criteria for a common signage designation include but are not limited to color scheme, lettering or graphic style, lighting, location of each sign on the buildings or lots, sign material, sign proportions, and cumulative sign display areas and heights of all signs. All owners within the sign plan area shall be required to sign a document waiving any rights to individual freestanding monopole signs in exchange for signage on the shared business center identification signs.

Business center identification sign master plans must also show that the signage is proportional to the buildings/center, and must show the proposed signage in relation to the street and property. Sign master plans must show that proposed signage is proportional to the scale of the development and the street. These requirements must show that the sign master plan meets modern commercial design standards.

Business center identification signs are only allowed with a sign master plan, and shall be limited to one per major business center entrance, located on an arterial or highway, no more than 45 feet high and 400 feet square, and one per minor business center entrance, or business center entrance on a collector or local street, no more than 25 feet high and 200 feet square.

Sign master plans must be reviewed by Planning & Zoning Commission.

Sign master plans may also be used for campus properties in residential zones.

The sign master plan allows the flexibility for large sites to determine where signage is needed and appropriate, and what best fits the need of the development. However, the Planning and Zoning Commission must also determine that the proposed signage is appropriate for the area, development type, and surrounding neighbors. To increase understanding between landowners and the Commission, the following guidelines are recommended:

1. Large Business Center Identification signs may be no more than 400 feet square and 45 feet tall on main highway corridors such as Hwy 2/85 between 32nd St W and Hwy 85 (4 mile corner). This is specifically codified in the sign master plan section of Ordinance 1028. On smaller arterials or collectors, these signs should reflect their proximity to the street and their relation to surrounding buildings and may not need to be as large. As noted in the ordinance, minor business center entrances should be no more than 25 feet high and 200 feet square.
2. In large lot industrial areas, a maximum of 10' high monument sign on an individual lot has been appropriate for past developments. 8' high monument signs may be more appropriate for smaller industrial lots. (this was not allowed in the prior sign ordinance)
3. In commercial areas, individual monument signs should reflect the standards laid out for apartments, being no more than 8' high on arterial roads and no more than 6' tall on any local or collector road.

**(Laqua stated that this was codified in Ordinance 1028 for apartments but not for Commercial zones.)

4. Any proposed wall signage should be in line with the allowable amount of signage in Ordinance 1028, which allows 2 square feet of signage per 1 foot of building frontage.

If a landowner is proposing something that is larger than the non-codified proposed guidelines, detailed renderings that accurately portray the size of the sign to the building may be required to evaluate the proposal.

An applicant developing a sign master plan agreement will be required to record said agreement against all lots in the subdivision, binding future heirs and assigns to said agreement. **(Laqua said that the North Star project for example had recorded a Sign Master Plan with their plat and development documents.)

Aafedt asked if this was discussed at Ad Hoc and if there were any issues with it then. Laqua said it was discussed. Maristuen asked about sign sizes and technology as it relates to the needs and concerns of sign companies as has been discussed in prior sign meetings and whether this policy takes those things into account? Laqua stated that the sign master plan statement in Ordinance 1028 is very broad to allow the City to be flexible with any of those kinds of changes and updates. The Sign Master Plan Policy as presented is easier to bring back to the Commission for changes as technology updates than the entire ordinance would be. Maristuen and Hansen briefly discussed some of the issues brought to the Commission last fall by sign companies believing that Williston's proposals were vastly less than allowed by other towns. Laqua reminded the Commission the towns looked at by the City staff in preparing Ordinance 1028 used modern signage in an area that had been recently updated and were new and broad based. She stated that the Master Sign Policy however is just for subdivision use. Bauer stated that all those questions were addressed in meetings with sign companies prior to the passage of the sign ordinance by the City Commission.

MOTION BY CHRISTENSEN, SECOND BY HANSEN to approve the Sign Master Plan Policy as presented. **DISCUSSION: City Engineer Hanson questioned the location given section (1) stating that first of all the highway can be called either Hwy 2 or Hwy 85 but no longer Hwy 2/85 and asked Laqua if she meant to say 32nd Ave. West. Laqua stated that she did mean 32nd Ave. West and would correct that in the final Policy. Commissioner Aafedt asked if that was necessary in the Policy at all. Laqua said she put it in purely as an example. Aafedt suggested it be removed all together. MOTION BY MARISTUEN, SECOND BY HANSEN to remove and replace the previous motion for approval. Carried on Voice Call (unanimous).

MOTION BY CHRISTENSEN, SECOND BY HANSEN to approve the Sign Master Plan Policy as presented, removing the example address from section (1). AYES: Hansen, Boyeff, Christensen, Bauer, Maristuen, Aafedt. NAYS: None. ABSENT/NOT VOTING: Long. ABSTAINED: None.

B. Request for a for a Sign Master Plan for the Iron Point Park Subdivision, City of Williston – IP West Williston West 71, LLC/Indigo Sign Works

Commissioner Aafedt introduced this item of New Business (as above) and asked Ching to present. Ching stated that the applicant requests a sign master plan for Iron Point Subdivision located west of town, west of Schlumberger and east of McCody Concrete. This will be the first time that the sign master plan policy laid out in Ordinance 1028 will be used.

The Iron Point sign master plan proposes to have an oversize monument sign that is approximately 305 square feet and 26.79 feet high located on the south/east corner of Lot 1, Block 1. The plan also proposes to have a 10 feet tall, 60 square foot monument sign at each individual lot.

Ching said that staff would use previous examples of interior signage to make a recommendation on the proposed interior signage. In a retail commercial zone, the proposed interior signs may not be appropriate since they may be too large to be directly along a mixed commercial or residential arterial or local street. Ordinance 1028 only allows 6 feet high signs on local and collector streets and 8 feet high signs on arterial streets for apartment monument signs. Ching states that the proposed sign seems to be appropriate since it is to be placed on large industrial lots. A good example of an industrial monument sign would be the GE sign located in the Bakken Industrial Park. The GE sign is 7'3" tall and 9'4.1" wide. The proposed interior signs will be about the same width, but about 3 feet taller.

At the January 3, 2016, ad hoc meeting, the applicant explained that the proposed individual monument sign (60 square feet and 10 feet tall) was the maximum size and height of the signs that would be allowed on individual lots, and is proposed for one of the larger lots in the subdivision, which has a longer frontage (Lot 1R, Block 2). Smaller monument signs may be placed on the smaller lots so they would be more proportional to the lot frontage and building size.

It was also discussed at the ad hoc meeting that all future wall signs within the subdivision will be in accordance with the current sign code, which allows 2 square feet of signage per 1 foot of building frontage.

The City Engineer commented at the ad hoc meeting that there is a possibility the proposed oversize sign is located on an existing Rural Water Main that parallels the Highway ROW line. Ching told Commissioners that staff received the final plat for Iron Point Subdivision from the applicant which shows a 30 feet wide water easement running along the south side of Lot 1, Block 1. The proposed oversize sign will have to be located at least 30 feet away from the south property line due to the location of the water easement. The applicant will also need to call for locates to ensure that the sign is clear of the water line.

Laqua stated that this policy was discussed at the ad hoc committee meeting held on January 3, 2017, but that no real discussion was had and there were no staff comments.

City Engineer Hanson asked if this approval was for all subsequent signs in the park or if they will come forward individually in the future. Laqua said that they will need to go through the Building Department sign permitting process for approval.

MOTION BY MARISTUEN, SECOND BY HANSEN, to approve the Sign Master Plan for Iron Point Park Subdivision based on Ordinance 1028 and the Sign Master Plan Policy. AYES: Hansen, Boyeff, Christensen, Bauer, Maristuen, Aafedt. NAYS: None. ABSENT/NOT VOTING: Long. ABSTAINED: None.

C. Vacation of a portion of 40' Public Road Access Easement lying adjacent to, and along the east property line of Sublot #8, Section 35, T155N, R101W (running along Hwy 2/85 in front of the Harley Davidson Shop) - Countryside Investments, LLP

Commissioner Aafedt introduced this item of New Business (as above) and asked Laqua to present. Laqua stated that the applicant is requesting to vacate a 40' wide easement that runs along the east side of Sublot 8 in Section 35, T155N R101 W, which provides access to Ken Heen's property to the

south of Sublot 8. The easement was granted by a plat, and needs to go through this vacation process in order to be vacated.

Laqua said that the applicant will provide an access easement through the west side of the property to allow continued access to the Heen property to the south. This new easement will remain in place until 6th Avenue is built or other access is provided to that property. The property vacated by the easement will become part of Sublot 8.

This item is a review by the Planning and Zoning Commission, with a public hearing at the City Commission.

There was no discussion on this item at the January 3, 2017, Ad Hoc meeting that impacts the vacation procedure.

CONDITIONS REQUIRED FOR APPROVAL:

1. Public hearing and approval at City Commission on January 24, 2017.

Commissioner Aafedt asked if the Heen's were ok with this proposal. Laqua stated that they have been part of the negotiations and have already signed the vacation and new access easement documents.

Commissioner Boyeff asked for more clarification as to where this easements runs to. Laqua said that this easement continues through the Heen property and the new easement will run across the back of the Harley Davidson property so it will achieve that continued access. Boyeff asked about the 47' and 33' easements shown on the plat. Laqua explained those are existing easements that have been on the plat. City Engineer Hanson explained that the 47' foot easement sits on Sublot 8 and the other on the north property. Boyeff then asked about all the lines shown on the west side of this plat. Laqua said it would be future proposed 6th Ave. W. Boyeff asked if it was already proposed and platted and if it were a 40' easement. Hanson said it is an access and water and sewer intended for a future road. He said that Kermit and Kenneth Heen did not want to provide the City a road easement at the time this was platted but did give a water and sewer easement with the understanding it could be converted to a road easement when and if that time ever came. Boyeff asked if the new easement to the Heen property is indicated on this document. Laqua stated it is shown on a separate easement document between the parties that does not involve the City. She stated that the easement has been signed by all parties and is in the City's possession and will be recorded with this easement vacation.

Commissioners Boyeff and Christensen stated that the road already exists to the end of Sublot 8 and questioned the need for an access easement. City Engineer Hanson stated that the road he is talking about does not exist, there is an access trail through there for jet trucks for sewer clean out and is further west than the one currently used to access the parking lot of the Harley Davidson store. Laqua pulled up an aerial of Sublot 8 and showed the scar trail Hanson referred to and where the new easement would be. Boyeff asked how the Heen's currently access the property to the south; Hanson stated they access it from the west. Boyeff asked if the 40' easement that is being requested to be vacated now is even used at this time to and Hanson stated it is not. Again Laqua stated that all parties have signed and agreed to the vacation and new easement.

MOTION BY MARISTUEN, SECOND BY HANSEN to recommend approval of a vacation of a portion of a 40" Public Road Access Easement lying adjacent to and along the east property line of Sublot #8, Section 35, T155N, R101W. AYES: Hansen, Boyeff, Christensen, Bauer, Maristuen, Aafedt. NAYS: None. ABSENT/NOT VOTING: Long. ABSTAINED: None.

DATE OF UPCOMING SPECIAL MEETING: February 16, 2017, Williston ARC

DATE OF NEXT REGULAR MEETING: February 21, 2017

MEETING ADJOURNED.



Kent Jarcik, Williston Planning Director

**APPENDIX TO THE JANUARY 17, 2017, PLANNING AND ZONING
COMMISSION MEETING MINUTES.**

1. Special Permitted Use granted for the approval of a Sign Master Plan for the Iron Point Park Subdivision in the SW1/4, Section 20, T154N, R101W, City of Williston.