



COMMUNITY DEVELOPMENT DEPARTMENT

DATE: May 15, 2018
FROM: Carl D. Hokenstad, AICP, Director of Community Development
ITEM: Section 4-04-09(15) – Ordinance Text Amendment

REQUEST

The Community Development Department – Planning Division is initiating an ordinance amendment to allow administrative review and approval for signs in the downtown zoning districts.

Please place this item on the May 22, 2018 City Commission meeting agenda and the June 12, 2018 City Commission meeting agenda.

BACKGROUND INFORMATION

This ordinance amendment addresses the applicable provisions in Title 4, but changes to Title 14 are also required and are being forwarded for action at the same meetings.

RECOMMENDED CITY COMMISSION ACTION

May 22nd meeting of the Board of City Commissioners – consider the request for the zoning ordinance text amendment as outlined in Ordinance 6333 and call for a public hearing on this item for the June 12th meeting of the Board of City Commissioners.

June 12th meeting of the Board of City Commissioners – hold a public hearing on the zoning ordinance text amendment as outlined in Ordinance 6333 and take final action on this request.

STAFF CONTACT INFORMATION

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CITY OF BISMARCK
Ordinance No. 6333

<i>First Reading</i>	_____
<i>Second Reading</i>	_____
<i>Final Passage and Adoption</i>	_____
<i>Publication Date</i>	_____

AN ORDINANCE TO AMEND AND RE-ENACT SECTION 4-04-09 OF THE BISMARCK CODE OF ORDINANCES (REV.) RELATING TO SPECIFIC PROVISIONS FOR DOWNTOWN.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA:

Section 1. Amendment. Section 4-04-09 of the City of Bismarck Code of Ordinances (1986 Rev.) relating to Specific Provisions for the Downtown is hereby amended and re-enacted to read as follows:

4-04-09. Specific Provisions for Downtown. The downtown is described as those areas located within the DC - Downtown Core and DF - Downtown Fringe zoning districts. Unless otherwise specified, the following provisions apply to the entire downtown area.

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15. All signs within the DC - Downtown Core and DF - Downtown Fringe zoning districts shall be subject to the City's downtown design review procedures in accordance with the provisions of Sections 14-04-21.1(4) and 14-04-21.2(4) of this Code of Ordinances.

a. Any application for a sign permit shall be forwarded to the Downtown Design Review Committee for their review within thirty (30) days of the application submittal. The City's Downtown Design Review Committee may delegate sign permit application review and approval to the Building Official.

b. The Downtown Design Review Committee may waive any provision of this section, or impose additional requirements, as a condition of any design approval. Any such deviation shall be recorded in the minutes of the meeting and enforced by the Building Inspections Division. An applicant may appeal a decision of the Downtown Design Review Committee in a similar manner to any appeal of an advisory board.

c. A sign permit shall be issued by the Building Inspections Division upon approval of the Downtown Design Review Committee.

(Ord. 5183, 05-28-02; Ord. 5316, 05-25-04; Ord. 5707, 02-24-09; Ord. 5912, 08-14-12; Ord. 6191, 03-08-16; Ord. 6272, 07-25-17)

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 3. Effective Date. This ordinance shall take effect following final passage, adoption and publication.