

Minutes of a Planning and Zoning meeting held on November 27, 1984, at 6:30 P. M. in City Hall, 68 East Main Street. 307-88

Present were Chairman Lynnette Neff, Board members Ione Anderson, Steve Parsons and David Smith. Also present were Councilmen Clara Goudy and Art Adcock. (Mr. Adcock came in at 7:50 P. M.). Minutes were recorded by Ramona Rosenlund.

Mrs. Neff called the meeting to order at 6:50 P. M. as there was not a quorum present until that time.

Mr. Homer Chandler was to be first on the agenda. His office called earlier saying he could not be present, so Mrs. Goudy was asked to present her proposal for an updated sign ordinance.

Mrs. Goudy said that a few months ago it came to her attention that anyone could put any kind of sign in town and there is nothing to stop offensive messages nor is there anything to limit the size and she feels the city needs protection from something that might be offensive in some way. She is proposing changes in the Ordinance which would help alleviate those kind of surroundings although it is difficult not to step on some toes. She went on to say the present ordinance was adopted in 1981, and regulates only safety factors such as materials used, electrical problems, design and construction and also allows for fees but not where or when signs may be erected.

Mrs. Goudy said that a few years ago the Planning and Zoning Commission drew up an ordinance but the City Council said they would use the Uniform Building Code for Signs as an ordinance. She said she felt there needed to be some additional information to cover all situations. She said she knows the Planning Commission is busy so she went ahead, using Provo and other towns and the old one the Planning Commission wrote and has written up a suggested one.

The first recommendation she would like to make is to set up a new zone to be called a Commercial-Highway, "C-H" Zone for signs relating to freeway businesses such as trailer parks, R.V. camps, etc. and to have where possible a buffer zone of about half a block between the C-H zone and any residential zone. She said the Uniform Building Code says a permit is required and this was in the old proposed ordinance. She feels the permit should come to the Planning Commission and then to the City Council for approval to build the sign and for approval of the text if it is considered offensive. Mr. Parsons asked if she felt just the text should be approved or all visual aspects of the sign. Mrs. Goudy said she had not put that in the suggested ordinance but maybe it would be good. She said anything the Commission wants to add or delete is OK.

Mrs. Goudy read Section I #1, which says a permit must be obtained before erect, construct, reconstruct, enlarge, locate or alter any sign or change the text of any on- or off-premises sign. She also read #2 Violation and Penalty and #3 Site Plan Approval which reads in part "Where there is any question or doubt as to where the property lines are, i.e. no established fence to indicate property lines, a certified

survey shall be submitted with the application." Mrs. Neff asked why a fence line as they don't hold up in court. Mr. Smith said he thought it would if the fence had been there for seven years. Mrs. Goudy said the seven year thing is no longer true and that a survey would be very expensive for a small home business. Mr. Smith said if everyone is pretty sure, why not take fence lines.

Mrs. Goudy said a sign in question is on the frontage road advertising Budget Fuel. She said the builder pulled out posts saying they were in the wrong place and lots of people are complaining. Mrs. Neff asked if it is already in and there is a problem, can the city require a survey or can we go back on existing signs? Mrs. Goudy then read Section VII, Nonconforming Signs, of the proposed ordinance, "All nonconforming signs existing at the time of the adoption of this ordinance shall cease and desist and be removed within thirty days of the adoption. After thirty days, the sign will be removed. The owner will be fined and also will be charged with the cost of removal." Mrs. Neff asked how they could do this and Mrs. Goudy said they will have to check with the city attorney to see if this was legal. She said she took this from an ordinance from the town of Brighton in New York and it has been tested in court and upheld. Mrs. Neff asked if the sign referred to above was that bad and Mrs. Goudy replied that at least three people up there have complained and she does not want any in the future.

Mr. Parsons asked about Projection of Signs as the proposed ordinance says they can project six feet into any required yard space which means a sign could come to his property line but he can't build a garage to the property line. After some discussion of this it was suggested this be changed to read for commercial and industrial zones only and that home industries and home occupations can be on the property line.

Mrs. Goudy continued to read regarding height of signs. There was a discussion of the size of signs in residential zones as the present zoning ordinance allows them no larger than 16 square feet and the proposed ordinance suggests they be 20 square feet. Mr. Parsons said he felt they should stay at 16 square feet. There was also a discussion as to where a sign could be placed in a residential zone. Mrs. Goudy asked if a neighbor put a sign on the property near you would you object and Mrs. Neff said maybe not if it was on their property and was small. Mr. Parsons said if it was on a corner lot, it could be seen from the street but what about a residence in the middle of the block. They would probably want to put the sign on the property line near the street. Mrs. Neff suggested they leave the size in residential zones for home industries and home occupations as it is in the zoning ordinance and maybe allow larger ones in commercial zones.

The proposed ordinance was continued read by Mrs. Goudy covering lights and lighted signs, A-frame signs and moveable signs which would be temporary and would be prohibited except for temporary promotional signs which must be for a specific length of time not to exceed 60 days. There was further discussion of signs in the proposed C-H zone and Mrs. Goudy suggested the commission consider this when they update the master plan as to how far they must be from an exit or on-ramp of the freeway. Also in connection with this, the proposed ordinance

requires a minimum of 500 or 600 feet between each advertising structure and between the structure and the freeway right-of-way on one side of the freeway. Also non-appurtenant advertising structures shall be located behind the line of the required front yard of the zone and a minimum of 200 feet from the nearest residential zone. It was pointed out that list a requirement as to how far the sign needs to be from a street or road.

There was a discussion of signs on public property and it was felt this should not be allowed. Mrs. Neff asked about political signs. Since these are temporary signs they would have to be removed within 60 days. Also, it was decided to take out #1 of Section VI of the proposed ordinance Appeal to the Board of Adjustment as this is not something the Board has the power to rule on.

Mrs. Neff suggested the Commission go through the suggested ordinance and re-write it as they feel necessary. She thanked Mrs. Goudy for coming and Mrs. Goudy left at 8:20 P. M.

Mrs. Neff said the next regular meeting of the commission is December 11, but since there will not be a quorum present due to other committments, should they postpone this meeting until January 8th. All agreed they should do so.

There was a short discussion of that part of the proposed Sign Ordinance requiring the removal of existing signs which would become non-conforming if the ordinance were passed. Mrs. Neff said she did not feel good about this and the others agreed with her. It was decided to take this proposal and the one written by the Commission some time back (which was never accepted by the City Council) and re-write the whole thing from scratch.

Mrs. Neff made a motion to adjourn this meeting. Motion was seconded by Mrs. Anderson. Passed unanimously and meeting adjourned at 8:25 P. M.

Lynette Neff
Chairman

Jan 8, 1985
Date Approved

Ramona Rosenbush
Secretary