

ROY CITY PLANNING COMMISSION

August 11, 2009

Minutes of the Roy City Planning Commission Meeting held in the City Council Room of the Roy City Municipal Building on August 11, 2009, at 6:00 p.m.

The meeting was a regularly scheduled meeting designated by resolution. Notice of the meeting was provided to the *Standard Examiner* at least 24 hours in advance. A copy of the agenda was posted.

The following members were in attendance:

Brad Hilton, Chairman	Tony Reynolds, Community and
Dave Collins	Economic Development Director
Blake Hamilton	Jared Hall, Planner
Lee Holt	Michelle Drago, Secretary
Bill Merx	
Tom Stonehocker	
Roy Watts	

Others present were: Councilwoman Marge Becraft

Pledge of Allegiance: Blake Hamilton

1. APPROVAL OF JULY 28, 2009, MINUTES

Commissioner Stonehocker moved to approve the minutes of July 28, 2009, as corrected. Commissioner Merx seconded the motion. Commission members Collins, Hamilton, Hilton, Holt, Merx, Stonehocker, and Watts voted "aye." The motion carried.

2. A. PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE SIGN ORDINANCE REGARDING FREE-STANDING AND MONUMENT SIGNS
- B. PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE SIGN ORDINANCE REGARDING ELECTRONIC MESSAGE CENTER SIGNS

Commissioner Collins moved to open the public hearing at 6:04 p.m. to consider amendments to the Sign Ordinance regarding free-standing signs. Commissioner Stonehocker seconded the motion. Commission members Collins, Hamilton, Hilton, Holt, Merx, Stonehocker, and Watts voted "aye." The motion carried.

Commissioner Collins moved to open a public hearing at 6:04 p.m. to consider amendments to the Sign Ordinance regarding electronic

message center signs at. Commissioner Holt seconded the motion. Commission members Collins, Hamilton, Hilton, Holt, Merx, Stonehocker, and Watts voted "aye." The motion carried.

Jared Hall stated the staff anticipated that it would take two to three meetings before the Planning Commission was ready to present a draft ordinance to the City Council. The staff was concentrating on three very specific elements of the Sign Ordinance - pole signs (free standing signs), monument signs, and electronic message center signs. Those were the three most common sign requests the City received. They were not well defined and regulated by the current ordinance. Pole signs were allowed to be 50-feet in height in commercial zones. The staff didn't feel they would be appropriate in the Community Commercial and Business Park Zones. Electronic message center signs were allowed as a conditional use anywhere in the City. There weren't any regulations for monument signs in the current Sign Ordinance. In May the City Council adopted a TZRO and asked the staff to look at these types of signs. The 6-month TZRO would end in November. The City currently wasn't taking applications for electronic message center signs. Pole and monuments signs were not precluded by the TZRO. Based on the TZRO, the City was only taking applications for pole signs in the Regional Commercial Zone. Monument signs were allowed in all zones up to six feet in height.

Mr. Hall stated that the sign regulations were not located in Title 10 with the rest of the Zoning Ordinance. They were located in Title 9 of the Roy City Code. Chapter 20 of the Zoning Ordinance had been reserved for sign regulations. The staff proposed to adopt new regulations for pole, electronic message center, and monument signs and place them in Chapter 20 of the Zoning Ordinance. Eventually, the portion of Title 9 dealing with signs would be repealed.

Tony Reynolds stated that the City Attorney recommended that the Planning Commission and City Council pursue adopting new regulations rather than trying to redline and strike out the current Sign Ordinance. The new regulations would include language indicating that they would prevail if there was a conflict.

Jared Hall stated that the current ordinance prohibited electronic message centers unless they provide time and temperature or public service announcements. Under those conditions they were allowed as conditional uses anywhere in the City. The staff proposed the following regulations for electronic message center (EMC) signs:

General

- No distinction between fully animated signs and 'time and temperature'
- No more than 50% of any sign may be used as an EMC
- No site or development may have more than one EMC sign
- Public and quasi public (schools) uses would be allowed by conditional use permit

Regional Commercial Zoning

- Permitted use - Planning Commission approval only
- Located no closer than 200 feet to residential zoning
- EMC signs taller than 30 feet would require conditional use permit

Community Commercial Zoning

- Prohibited

Business Park, Recreation, Light Manufacturing, and Manufacturing Zoning

- Prohibited

Commissioner Watts asked about the negative affect of larger EMC signs. Mr. Hall said the negative affect would be additional visual clutter. The staff didn't feel EMC signs should be prohibited completely, but if the size wasn't controlled, they would take over the commercial district.

Commissioner Collins stated that a lot of businesses had used up all of sign square footage allowed by the Sign Ordinance. Would the new regulations allow them to have more, or would they have to cut down on their signage somewhere? Mr. Hall said staff was not proposing to change the amount of sign area allowed.

Jared Hall stated that a message sign that emitted a lot of light could be very disruptive to a neighborhood. EMC signs would not be allowed in Community Commercial Zones because they were adjacent to residential neighborhoods. The Light Manufacturing Zones in Roy City were also adjacent to residential areas. The staff was suggesting that EMC's only be allowed in Regional Commercial zoning.

Michelle Drago asked how public or quasi public uses could have EMC signs if they were allowed no closer than 200 feet to residential zoning. Most public or quasi public uses were located in residential areas. Jared Hall said those signs would be regulated by a conditional use permit rather than zoning.

Tony Reynolds stated that there was incredible pressure for more and more of these signs. The staff was proposing that the City be more liberal in Regional Commercial Zones, but more restrictive in Community Commercial Zones. The standards were loosening in one direction but tightening in another.

Commissioner Collins stated that UDOT also had rules and regulations regarding colors and flashing. The City needed to take those into consideration. Mr. Hall felt such regulations could easily be added to the ordinance.

Jared Hall stated that the pole signs were not well defined or regulated by the current Sign Ordinance.

Tony Reynolds stated that when the old Zoning Ordinance was rescinded, it opened up the Sign Ordinance to 50-foot pole signs in any zone. That had not been the City's practice. That was one of the reasons the TZRO was hastened.

Mr. Hall said the staff proposed the following regulations:

General

- Setback Required: Leading edge of cabinet no less than 1 foot from property line
- No site or development may have more than one pole sign, except shopping centers may have up to two based on area, frontage, etc.

Regional Commercial and Manufacturing Zoning

- Height restrictions
  - 30 feet - single business user (permitted use approved by staff)
  - 45 feet - shopping centers (conditional use permit)
  - 50 feet - freeway oriented sign (conditional use permit)

Community Commercial, Business Park, Light Manufacturing, and  
Recreation Zoning

- Height restrictions
  - 20 feet - single business user (permitted use approved by staff)
  - 20 feet - shopping centers (conditional use permit)
- Special provisions for pole signs in Community Commercial Zones
  - All pole signs shall be located in landscaped areas
  - All pole signs shall incorporate the use of pole covers
  - All pole signs shall relate to the site through use of color, material, or architectural element

Jared Hall stated that the pole sign for the new Ogden Clinic was a good example of what the staff was looking for in Community Commercial Zones.

Chairman Hilton stated that the Ogden Clinic sign blended in. It was not an eyesore.

Commissioner Collins stated that the 50-foot pole sign became an issue for the old Taco Time on 5600 South. They wanted to put a pole sign on the rear of their property for visibility from the freeway. They already had a pole sign along 1900 West. The second sign became a point of contention. It was an issue that would come up again. Jared Hall stated that there would be very specific requirements for a freeway oriented signs.

Tony Reynolds stated that what was being proposed was already the City's practice. Both Zions Bank and Les Schwab wanted to put in 50-foot freeway signs. Therefore, they were limited to monument signs along 1900 West.

Commissioner Merx suggested only allowing monument signs in Community Commercial Zones. A lot of signage wasn't necessary for local residents; they knew where everything was. If pole signs could be brought down in Community Commercial Zones, it could create a whole new look for the City in the future. Jared Hall said the staff had discussed that option, but decided against it because of SR108 (3500 West). Staff felt that tight controls on pole signs in Community Commercial were more appropriate than excluding them altogether.

Commissioner Merx stated that the City didn't have a lot of developable land left. It didn't need more pole signs.

Commissioner Collins stated that City had tried to push monument signs even though it didn't have any regulations. Most people seemed happy with them. Sign companies made as much money installing monument signs as pole signs. He didn't think the sign companies would argue the point too much.

Commissioner Stonehocker stated that he used to work for a large retailer. There were a lot of communities that only allowed monument signs.

Chairman Hilton stated that the Planning Commission had been leaning toward monument signs for years. He felt pole signs should be located closer to the buildings instead of the middle of the park strip. Then monument signs could be located along the street.

Tony Reynolds stated that there were two important considerations, especially in Community Commercial Zones. Roy City did not operate in a vacuum. It was surrounded by other communities. Drivers didn't recognize city boundaries. The City needed to fit into a larger environment. Was the City prepared to amortize all the existing non-conforming signs? The expense would be phenomenal. There was the issue of parity. It wouldn't be equitable to tell one merchant he couldn't have something that another did.

Commissioner Merx stated that Roy City could lobby West Haven and Clinton City to hold down the height of their signs so that everyone would look alike. Tony Reynolds said the staff had spoken with them. They pointed out that Roy City already had 1900 West. The commercial areas along 3500 West were their major commercial areas. They wanted to attract traffic from miles away.

Blake Hamilton asked if existing electronic message signs would be amortized out. Jared Hall said they would not. They would become non-conforming signs. The City's non-conforming ordinance was pretty liberal.

Chairman Hilton asked if pole signs were permitted uses. Jared Hall said they were until the TZRO was enacted. Chairman Hilton asked it would be feasible to make all pole signs conditional uses so they could be reviewed on a case-by-case basis. Mr. Hall said it wasn't unfeasible, but it might become onerous. Tony Reynolds stated that a conditional use didn't mean yes or no. It meant yes

but under certain conditions. What standards could be applied to signs in Community Commercial Zones that wouldn't already be covered by the Sign Regulations?

Commissioner Collins stated that the City had pushed monument signs in the Albertson's project. Tony Reynolds stated that the City was able to influence the monument signs in the Albertson's project because it was a financial partner. Commissioner Collins said the City would end up with pole signs if it didn't push monument signs.

Jared Hall stated that the staff wanted to formalize the City's current practices.

Commissioner Merx asked what would be done about existing signs. Jared Hall said that existing signs not fitting new regulations would become non-conforming, and that the City's non-conforming ordinance was very liberal in allowing repair and replacement.

Jared Hall stated that the staff proposed the following regulations for monument signs:

General:

- Setback required: Minimum of 10 feet from property line

Regional Commercial, Community Commercial, Business Park, Manufacturing, Light Manufacturing, and Recreation Zoning:

- Frontage less than 100 feet
  - Height - 6 feet
  - Width - 8 feet
  - Maximum of two faces
  - Must be incorporated in landscaping
- Frontage greater than 100 feet
  - Height - 8 feet
  - Width - 12 feet
  - Maximum of two faces
  - Must be incorporated in landscaping
  - Must incorporate colors, materials, or architectural elements consistent with the associated building(s)

Non-Residential Uses in Residential Zones (schools or churches):

- Height - 6 feet
- Width - 8 feet
- Must be incorporated in landscaping
- Must incorporate colors, materials or architectural elements consistent with the associated building(s).

Commissioner Merx asked if the City would consider EMC signs in monument signs. Jared Hall said it would.

Commissioner Stonehocker stated that his current employer was looking at monument signs. They had found it almost impossible to get a monument sign in a residential area with or without a reader board.

Jared Hall wanted to discourage churches from having giant pole signs unless they were in a commercial zone.

Tony Reynolds stated that Section 1031 of the Zoning Ordinance regulated the transition between residential and commercial zones. One of the items addressed in that section was signage.

Jared Hall asked that the Planning Commission continue both hearings until the next meeting. He asked that the Commission members pass on any questions or comments they might have before the next meeting. The staff would prepare draft language for the Commissioner to consider.

Commissioner Holt stated that the staff had placed a lot of information on the table. He cautioned the Commission and the staff to be careful. He was concerned about the signs in Community Commercial Zones and a disparity between the east and the west. If changes were made, would there be allowances for grandfathering? He was concerned about monument signs versus proper dimensions for churches and schools. If the City's limits made the sign too small, why have a sign? When the City talked about future urbanizing, it needed to consider freeway signs. The pendulum on signage had been way too liberal. To correct that, the City didn't want to become way too conservative. If a business didn't have a meaningful sign, it didn't have a business.

Blake Hamilton echoed Commissioner Holt. The Commission needed to keep the businesses in mind. He asked if the signs in the

Community Commercial Zones would become non-conforming. Jared Hall stated that any sign made non-conforming by the new regulations would remain. The City had a good non-conforming use ordinance/ If a sign burned to the ground it could be rebuilt. If a use was abandoned it lost its status.

Chairman Hilton opened the floor for public comments. There were none.

At 7:12 p.m. Commissioner Merx moved to continue the public hearing to consider amendments to the Sign Ordinance regarding electronic message center signs to August 25, 2009, at 6:00 p.m. Commissioner Hamilton seconded the motion. Commission members Collins, Hamilton, Hilton, Holt, Merx, Stonehocker, and Watts voted "aye." The motion carried.

At 7:12 p.m. Commissioner Stonehocker moved to continue the public hearing to consider amendments to the Sign Ordinance regarding free-standing signs and monument signs to August 25, 2009, at 6:00 p.m. Commissioner Merx seconded the motion. Commission members Collins, Hamilton, Hilton, Holt, Merx, Stonehocker, and Watts voted "aye." The motion carried.

Commissioner Merx wanted to make sure that the draft ordinance include language to make the new sign regulations prevalent if there was a conflict between them and the old Sign Ordinance. Tony Reynolds stated that there would have to be language in the new regulations and the existing Sign Ordinance.

### 3. STAFF UPDATE

Jared Hall stated that Row G was struggling to get an improvement guarantee and signed improvement plans so they could get a building permit for the storage units on 5200 South.

Jared Hall stated that the staff would present a discussion of standards for multi-family housing at the next meeting.

Tony Reynolds gave the Commission an economic development update. The Midland Square Commercial Subdivision had been recorded. The Homestead Pavilion Subdivision was ready to record. WinCo was ready to take out a building permit. The developer would also take out a permit to construct the 16,000 square feet of inline space on the north side of WinCo.

Commissioner Hamilton asked about training. Jared Hall stated that he would check on the Utah Local Government Trust's regular training.

Commissioner Watts asked about the presentation by Wasatch Front Regional Council. Was there a way the City could do what they were suggesting? Tony Reynolds said the Planning Commission had to think scalable, or their ideas could not be applied. Political concerns were the main constraint in Roy City.

Commissioner Watts suggested that Commission members take excursions to view mixed use development to get fresh ideas. Tony Reynolds stated that the City Attorney was concerned about the perception that the Commission had discussed issues and set their answers. Any excursions would have to be advertised just like an open meeting.

Commissioner Hamilton felt that the area around the rail station seemed the most logical plans for a mixed use development. Tony Reynolds said there was a lot of political resistance.

Commissioner Holt reported on the Roy Days parade.

4. ADJOURN

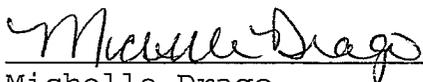
Commissioner Watts moved to adjourn at 7:31 p.m. Commissioner Hamilton seconded the motion. Commission members Collins, Hamilton, Hilton, Holt, Merx, Stonehocker, and Watts voted "aye." The motion carried.



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Brad Hilton  
Chairman

Attest:



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Michelle Drago  
Secretary

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