



## RICHMOND CITY PLANNING & ZONING COMMISSION

City Council Chambers  
90 South 100 West  
Richmond, Utah 84333

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The Richmond City Planning & Zoning Commission met in a regularly scheduled meeting at 90 South 100 West Richmond, Utah at 7:00 P.M. on Tuesday, April 2, 2019.

**Commission Members Present:** Jessica Dunyon, Jay Bair, Rod Going, Jerry Kidd

**Commission Members Excused:** Randy Fischer, Vern Fielding

**Staff Present:** Tucker Thatcher, Jeremy Kimpton, Justin Lewis

**Visitors:** Lee Lower

The meeting was called to order at 7:00 P.M. by Rod Going.

### Approval of the March 5, 2019 Planning Commission Meeting Minutes.

\*\*\*A motion to approve the March 5, 2019 planning commission meeting minutes was made by Jessica, seconded by Jay and the vote was unanimous.\*\*\*

Yes Vote: Dunyon, Going, Bair, Kidd

No Vote: None

Absent: Fischer, Fielding

### Discussion and possible approval of a sign permit for Lower Properties, LLC located at 700 South Highway 91.

**LEE LOWER:** We are working on a new sign. It is still in the process of being built and established.

**ROD:** Is the sign LED?

**LEE:** Yes. It is dimmable at night. The cement pad is complete and sign has been set. The rest of the structure needs to be completed.

**JESSICA:** I noticed the sign was on. I am glad it is dimmable.

**LEE:** That is a requirement we made sure it had. So far we have not been able to control it while the sign company continues to work on it. We don't want it to be obnoxious. It will be bright in the day and darker at night.

**ROD:** Have you seen the sign requirements in the city code?

**JEREMY:** They are aware of the concern about it needing to be dimmed at night. I was not in town but City Engineer Darek Kimball reviewed the request and did not have any concerns.

**LEE:** We were concerned about the brightness as well. We have to look at it and want it to look right.

**JAY:** What are the dimensions?

**LEE:** It is eight feet by twelve feet.

**JAY:** Do you know the overall height?

**LEE:** It will be around twelve feet when the structure is complete. The screen is eight feet tall. The rock skirting, side structure and top still need to be installed. We are happy to announce any city happenings you might have as well.

**ROD:** I am glad it is quite a ways off of the road so it is not so distracting.

**JAY:** Do you know if it is at least 40 feet off of the property line?

**LEE:** I think it is but don't know the exact distance.

**JAY:** It looks like the edge of the highway is the property line.

**LEE:** We lost some property when the highway was widened. A new entrance to our parking lot was added south of the sign. We lost access to this area as UDOT (Utah Department of Transportation) made us close it.

**JAY:** I have not measured the distance either but I think it is over 40 feet.

**JERRY:** We need to make sure they are within what our code allows and that nothing is out of compliance.

**ROD:** I think the sign is quite tastefully done.

**LEE:** We take pride in our landscaping for the entire parcel. We want the bushes and vegetation to look nice. We want it to look nice as people come into town.

**JAY:** I am concerned you are coming in after the sign has already been installed. The request needs to be reviewed. A building permit is required as part of the construction of the sign. Did you get a building permit?

**LEE:** No.

**TUCKER:** An application for a sign permit was filed.

**JAY:** Is a building permit required for this project?

**TUCKER:** It might be for the power to the sign. The conduit was already installed on a previous project we did.

**JAY:** The footings and rebar under the sign might need to be checked as well. If it was on a pole it could have a problem in the wind if not properly engineered.

**LEE:** We had a professional design the sign. He has an engineering background.

**JUSTIN:** A rough calculation off of the Cache County GIS map shows the sign is about 67 feet from the property line.

**JESSICA:** If a building permit is needed; they need to obtain one. We don't want to set a precedent for the future of allowing people not to comply.

**JERRY:** I agree.

**JAY:** Has the design review been completed?

**JEREMY:** I think Darek did but I did not.

**ROD:** I think a building permit should be obtained to make sure you do not have any problems.

**JEREMY:** It is up to the commission how you want to proceed. You can put conditions in place as part of the approval if you want too.

**JESSICA:** I am okay with the sign but do not want to set a precedent for the future.

**JAY:** I am reading in the code that a conditional-use permit is required since the sign is illuminated. The sign cannot be approved without a conditional-use permit being approved.

Jay read the following from the Richmond City Code, Chapter 12-700 Signs, Part 12-702 Types of Signs, Number 12:

1. Free-standing sign - A sign which is supported by one (1) or more columns, uprights, poles, or braces extended from the ground or from an object on the ground, providing that no part of the sign is attached to any part of any building, structure or monument sign.
  1. It must have a minimum height of seven (7) feet and a maximum height of seventeen (17) feet.
  2. The sign may have a maximum of seventy-two (72) square feet.

**JAY:** If this is a free-standing sign only 72 square feet is allowed. Does this include just the light portion of the sign or the lights and façade?

**JEREMY:** It is not clear if that is the surface area of the sign or the entire sign.

**JAY:** What are the dimensions of the sign?

**LEE:** Eight feet by twelve feet.

**JAY:** That is 96 square feet and the code only allows 72 square feet.

**TUCKER:** Which section of code did you read?

**JAY:** On free-standing signs.

**JEREMY:** I was told our code allowed for nine feet by twelve feet by the city engineer.

**JERRY:** Different dimensions are allowed based on the type of sign. A monument sign only allows 48 square feet with the frame. How do we define this sign?

**JESSICA:** It is not off-premise so it is not a billboard.

**JAY:** I will read the definitions of both a free-standing sign and a monument sign. A free-standing sign is a sign which is supported by one or more columns, uprights, poles or braces extended from the ground or from an object on the ground, providing that no part of the sign is attached to any part of any building, structure or monument sign. A monument or ground sign is a sign on a permanent foundation either erected directly on the ground or supported by a fixed frame with a maximum clearance of one foot and a maximum height of four feet, usually incorporated into some form of landscape design.

**JERRY:** This sign is too big for either of those definitions.

**JESSICA:** I agreed based on our code.

**JAY:** Lee you can petition the city council to change the code as we cannot make a recommendation to approve the sign.

**JESSICA:** Do we deny or table the request?

**JEREMY:** You can do either one.

\*\*\*A motion to table the sign permit request by Lower Properties, LLC was made by Jessica, seconded by Jerry and the vote was unanimous.\*\*\*

Yes Vote: Dunnyon, Going, Bair, Kidd

No Vote: None

Absent: Fischer, Fielding

**JAY:** The type of sign this sign is needs to be determined.

**ROD:** I think this sign is more of a monument sign than a free-standing sign by the definitions in our code. There must be columns or poles to be free-standing and this sign is mounted to a base like listed for a monument sign.

**JERRY:** I agree. Either way the square footage of the code is less than the sign.

**JESSICA:** There are illumination requirements which need to be met as well.

**JAY:** The section on LED light standards needs to be reviewed. There are specific intensity levels which are allowed. The times of the day the intensity levels are allowed is listed as well. The intensity must be dropped at night.

**TUCKER:** The sign is programmable. We are aware of this requirement.

**JAY:** Do you know the specifics of where the lights in the sign are programmed?

**TUCKER:** I would guess it is being set to the industry standard but I will find out for sure.

**JERRY:** The list of prohibited effects such as starburst and animation need to be reviewed as well.

**JAY:** How do we proceed from here?

**JUSTIN:** There are a couple of options. Either Lee can petition the city council to change the ordinance or you can review the code and decide whether or not you think it is appropriate as written.

**JESSICA:** We need Vern and Randy to review this request as well. The public needs to be involved as people have concerns about signs.

**JEREMY:** If the code is amended a public hearing is required at the city council level.

**ROD:** This is not an easy decision of whether to change or leave the code the same.

**JERRY:** Nothing can be changed or decided tonight.

**JESSICA:** I would like to review and discuss the code when all of the commissioners are here.

**JAY:** Let's review and see what other local cities are doing. Look at signs we see when we are in other cities.

**JUSTIN:** I will notify those who were not in attendance so we can plan to review the code at the May meeting.

**ROD:** It will be good to review the code and see whether or not it is okay or needs to be changed.

\*\*\*A motion to adjourn was made by Jerry, seconded by Jay and the vote was unanimous.\*\*\*

Yes Vote: Dunnyon, Going, Bair, Kidd

No Vote: None

Absent: Fischer, Fielding

The meeting adjourned at 7:36 P.M.

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Rodney Going, Chairman