



RICHMOND CITY PLANNING & ZONING COMMISSION

City Council Chambers
90 South 100 West
Richmond, Utah 84333

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, May 7, 2019.

Commission Members Present: Jessica Dunyon, Randy Fischer, Jay Bair, Vern Fielding, Rod Going, Jerry Kidd

Staff Present: City Manager Jeremy Kimpton, City Recorder Justin Lewis

The meeting was called to order at 7:06 P.M. by Rod Going.

Approval of the April 2, 2019 Planning Commission meeting minutes.

Minutes from the April 2, 2019 meeting were reviewed. Jessica moved that the minutes be approved as submitted. Jerry seconded the motion. The motion was unanimously approved.

Yes Vote: Bair, Dunyon, Fielding, Fischer, Going, Kidd

No Vote: None

Absent: None

Discussion on Municipal Code Chapter 12-700 "Signs".

Jerry said some things in the ordinance may need to be updated, changed, eliminated and/or added; however, he does not believe the ordinance should be designed around a sign that is already built (referencing discussion from the previous meeting). No decision was made at the last meeting; the desire was to have the full Commission in attendance to continue discussion. He asked if Lower Foods had removed the request for the sign; Justin said they have not, they are waiting for the Planning Commission and/or City Council to decide if the sign will be allowed. They are aware that it is being reviewed tonight and have not offered any comments.

Randy said most of the research done was based on monument signs and it seems the current code is similar to other communities. He is surprised with some of the findings, i.e. North Logan allows for a 12'x12' monument sign. One of the reasons for regulating the size of signs is for line of sight and a 12' sign would be difficult to see around. The code allows for a 5' tall sign, which may be a little outside of what some other cities are doing; however, he does not think the current regulation is too far out of line. Although the Lower sign is not being discussed directly, that is one of the reasons for reviewing the code tonight. That sign is unique, given that there is no access on either side, and a freestanding sign could be another 15' taller than what they have. The challenge is to find something that fits the City and balances public/private interests.

Jessica pointed out that Darek provided guidance to Lower's before it came before to the Commission.

Vern noted that signage serves two purposes – to market a business and provide identification. The size of the building may serve as one reason to justify an appropriately-sized sign. Large buildings may merit larger signs. The Lower sign is an electric sign and he does not know if this serves a different purpose or not. Jessica advised that at the last meeting, this issue was addressed and the applicant said it would include community service information (time, temperature, date) as well as advertising. Vern mentioned how much Lower's provides to the community. Jessica agreed; however, advised the decision needs to be made regardless of the business. If another business purchased the property, they would also have the use of the sign. She does not like that it seems as if the Commission is trying to find an accommodation for a company that is well liked within the community. She would prefer to make changes that would be applicable to the entire City and not a temporary fix for a specific situation.

Randy suggested possibly adding an allowance for additional square footage if there are multiple tenants that combine to use one sign with an electronic component. There is also an aesthetic portion of this issue that comes into play. Many cities limit the amount of electronic message display and attributes such as brightness and flashing. Jessica agreed and said this could be managed by the software. Jay noted that the current ordinance does list limitations in C.5(a).

Jessica asked if there were different laws for signs along a highway as opposed to a city street. Jeremy said UDOT (Utah Department of Transportation) may have some standards regarding line of sight and safety but they would not be as stringent as a city regulation. Vern said from a marketing standpoint, the size of the sign should be correlated to the speed of traffic.

Jessica said she does not feel that she has enough information to make any changes and it may not require any adjustment.

Vern questioned why there is a size difference between a monument sign and freestanding sign. Justin said it is related to the space, for example the Moonlight Diesel sign in Hyde Park does include open space because you can see through it. A monument sign can compromise line of sight because it is a solid mass and takes up the full visual area.

Jay has talked with council members about size and the distance from the highway. Most businesses will utilize non-usable retail space to put signs in.

Jerry said a provision could be added that a sign not block the view of traffic, or base it on the grade and/or topography along the highway. Jay questioned if businesses would utilize it if it were too vague.

Justin pointed out that the sight distance triangle is spelled out in the Code (12.702(E) "No sign shall be erected within the sight distance triangle – the distance along public or private right-of-way, as measured from the intersection of the curb, or where a curb would be located if there were a curb, to a distance along each street 40' from the intersection".

Jessica said she would be more inclined to make an exception to the code rather than make a change.

Jay asked about North Logan's allowance of the electronic portion of a sign. Justin said a 12'x12' sign would allow one-quarter to be electronic messaging. Jay suggested having a certain percentage of the sign be allowed to be EMD. Rod pointed out that EMD regulations are addressed in the Code.

Jay asked if UDOT had any requirements related to the illumination. Justin said the brightness would be required to be turned down during the evening hours based on city code and he would have to check with UDOT on other sign regulations as typically their main focus is billboard signs.

Rod said 48' square feet maximum is quite small. Jay agreed, especially along the highway. Vern said it has bearing on the size of the building it is identifying. Randy pointed out that a wall sign may not be more than 200 square feet or 20% of the building wall surface it is attached to, whichever is less.

Jessica said accommodations to the electronic portion of a sign could be in-line with North Logan, which allows 25% to be EMD. Randy said the 12'x12' size that North Logan allows would be too big; however, he agrees with limiting the electronic portion.

Jay said large business will generally have a large sign on the building with a smaller sign out front. A monument sign should not be dictated by the size of a building.

Randy has received mixed responses. Some people have not noticed the Lower's sign, others disliked it due to the brightness.

Jay said he has received a suggestion of allowing a trial period for the sign to run at light at a lower brightness level.

Vern said it is an unfortunate chain of events that has put the Commission in this position. Randy agreed, and mentioned the sign company has had experience with signs and knew it should not have been installed prior to City approval. This situation occurred without getting the proper permits and/or approval.

Jessica said it is unfortunate because geographically the sign looks good and it is the best use of that space. She would like to see some type of allowance for the sign, without having to change the code to accommodate their specific sign. Justin advised that this does not qualify for a variance and exceptions cannot be made. If an exception is made for one then an exception needs to be made for everyone.

Jessica said the Commission should recommend the maximum size allowed for a monument sign and forward the recommendation to the City Council where public input can be received. The existing sign is huge and there is a need to protect the entire City; this is likely the largest monument sign in Cache Valley, if approved.

Jeremy pointed out that he is unsure if Darek Kimball, city engineer, spoke with Lower's during the process and whether he fully understood what the magnitude would be of installing the sign. Any discussions with the City came after the sign had been installed. Jessica agreed and she is not pointing any fingers at anyone, it is an unfortunate situation.

Rod said a 10'x10' sign would be reasonable. Jessica agreed. Randy said he thought that might be too big. Jay suggested a maximum height and then a certain percentage for electronic messaging.

Jessica likes the idea of having the electronic portion based on a percentage. One of the difficulties with the Lower's sign is how big the electronic portion is. Vern said he would like time to go out and look at some signs, take measurements, and think about what he would like to see.

Randy asked about the size of the Lower sign. Justin said the overall sign would be 13' tall x 14' wide, which is 182 square feet based on the information provided to him by a representative of Lower's Foods. As a point of reference, Randy pointed out that the Code allows for a 9'x12' billboard sign.

Jessica said she is fine with the current ordinance. Rod said 48 square feet is not very big. Randy said more than 6-7' would be too tall. The current allowance is for 6' tall x 8' wide. Other cities specify what percentage of the sign can be electronic and he questioned whether both sides of the sign are counted into the allowed electronic size. Smithfield does not delineate what is counted, so a double side of display may be in line with what other communities allow. Randy said 48 square feet may be too small; however, 10 feet is too high, but 100 square feet may be reasonable if the height can be limited.

Vern said Logan City uses the type of zoning as one of the considering factors. The highway speed is 60 miles per hour; therefore, a larger sign might be more advantageous. Jay suggested basing it off the distance from the road. Jessica said that sounds like gerrymandering and she would have a hard time supporting it.

Randy asked if the Commission thought they could come up with something in the ordinance that would make the Lower's sign work. Jay and Jessica said they did not think so, the electronic part of the sign is too big.

Jay suggested 120 square feet with a 50% electronic allowance. Randy wondered if such a sign would be a distraction to drivers.

Jessica brought up the fact that a sign requires a conditional-use permit and must meet the requirements of the code.

Vern asked how many signs have been approved. Justin said it is about 1-2 per year.

Jay said anything above grade should be counted in the measurement.

Randy pointed out that 6.B.i (1) states “66% of the permitted freestanding sign area of a monument sign and shall never exceed 48 square feet in area”. Jessica said since there is an accommodation already in the code, she is in favor of no change.

Justin said the Council asked for the Commission to review whether portable signs (that are currently prohibited) should be allowed (i.e. a sign that is moveable and temporary, constructed for display and advertisement, such as A-framed wheeled and stake signs). Most other communities allow them from dawn to dusk and the sign cannot be put in right-of-way, on the sidewalk, or impede travel.

Randy asked about wind signs. Justin said they are addressed in Part 12-702.B(16) “A temporary sign, consisting of one (1) or more banners, flags, pennants, ribbons, spinners, streamers, or captive balloons, or other objects or material fastened in such a manner as to move upon being subjected to pressure by wind or breeze”. Randy asked what would define temporary. Justin said in his mind it would go up/down each day.

The Commission came to the consensus not to change anything regarding monument signs, but to allow portable signs up to 10 square feet, not taller than 5’, allowed from dawn to dusk, and define “temporary”. Justin said staff will come up with a draft Ordinance that the Commission will review and vote on at a future meeting.

The meeting was adjourned at 8:25 P.M.

Rodney Going, Chairman

Minutes submitted by: Debbie Zilles