

MINUTES of the Vernal City PLANNING COMMISSION

Vernal City Council Chambers – 447 East Main Street

January 28, 2010

Members Present: David Brinkerhoff, Sonja Norton, Eric Olsen and Glenn Spencer

Alternates Present: None

Absent Members: Troy Allred, Vernie Heeney

Staff Present: Allen Parker, Assistant City Manager; and Stacy Palmer, Administrative Clerk.

WELCOME AND DESIGNATION OF CHAIR AND MEMBERS: Chairman Eric Olsen welcomed everyone to the work session.

PLANNING & ZONING CODE - CHAPTER 16.28 - SIGN REGULATION WORK SESSION: Allen Parker presented the Planning Commission with copies of the sign ordinances from Moab and Heber City, as well as the “definitions” section of the Park City sign ordinance. Mr. Parker explained that the entire sign ordinance section of Park City’s code is over 50 pages long which is consistent with their strict regulation of signage.

Mr. Parker noted that Moab City’s sign ordinance is unique in that the majority of the sign ordinance is not contained in the land use section of Moab City code. Moab regulates sign content with the following: “all signs shall display thereon only information pertaining to products or services sold on the premises.” Mr. Parker noted that cities do not usually regulate sign content, but this is generic enough that it may be appropriate to add to Vernal City’s regulations. Sonja Norton asked if this content restriction would apply to off-premises signs as well. Mr. Parker replied that it would apply to all signs. Mr. Parker noted that Moab’s sign ordinance limits the size and height of signs along a highway, but does not define a “highway.” This issue needs to be addressed in a new “definitions” section of the Vernal City sign regulations, and could include diagrams to assist with signs which are not simple geometric figures. Mr. Parker stated that Moab limits the maximum size of these “highway” signs to 260 square feet per lot and noted that the multi-tenant signs in front of Uintah Plaza and Diamond Mountain Shopping plazas are 144 square feet and 280 square feet respectively. After reviewing the relative sizes of the two signs, the Commission agreed that the maximum size of multi-tenant signs should probably be greater than the 150 square feet allowed in the current ordinance. Mr. Parker noted that Moab regulates roof signs separately and noted that Vernal City’s regulations do not and they are therefore regulated as a pole sign with the building being the pole. Glenn Spencer noted that Vernal City’s regulations should at least state clearly that roof signs are regulated as pole signs.

Moab also limits the amount of light emitted from a sign to 25 watts. Mr. Parker stated that this measurement would not take into account the difference in lumens being emitted from an LED

source versus an incandescent source at 25 watts. Sonja Norton noted that Moab also prohibits intermittent, flashing or moving lights from all signage and stated that though this may be extreme to prohibit them entirely, she would like to see more regulation so that these types of reader board signs do not become a safety hazard or an aesthetic problem. Mr. Parker stated it might be appropriate to add language limiting the lumens that a sign produced, as this would be something objective and measurable. Ms. Norton asked if these regulations could be applied retroactively to existing signs. Mr. Parker replied that existing signs would be grand fathered in and not subject to new regulations. Mr. Parker stated that intermittent signs are popular with business owners, because they can change their content to match current conditions. Mr. Parker continued that the City could consider requiring future signs to be monochrome like the Walgreens sign as these are less obtrusive and probably less of a safety hazard. Mr. Parker stated that current Vernal City code does not limit the portion of a sign that can be a reader board, so the entire 150 square feet which is currently allowed for a single business, could be this sort of changeable sign. Mr. Parker pointed out that the total square footage of the Walgreens sign is 90 square feet, including the 38.5 square feet of the reader board below the main sign. After further discussion, the Commission agreed that reader boards should be limited to 50 square feet and be included in the total square footage allowed for a permitted sign. Ms. Norton noted that requiring the minimum height of a reader board be at least 15 feet may be helpful to mitigate any safety issues for passing motorists.

Eric Olsen stated that reader boards could also be limited to commercial zones as a way to reduce any possible negative impact. Mr. Parker noted that commercial zones extend south along the east side of Vernal Avenue and may not be desirable for those neighborhoods. There was further discussion as to the pros and cons of limiting the size of reader boards for safety reasons, and Mr. Parker stated that cities are permitted to regulate signage for aesthetics. It was the consensus of the Commission to limit the maximum illumination of reader boards and prohibit any noise emitted by signs. Mr. Parker stated that he would research other ordinances and come up with a distance at which this measurement would be taken and the maximum lumens allowed for the Commission to discuss further during the subsequent public hearing.

Eric Olsen asked how Vernal City currently regulates “homeowner” signs such as the large slabs of rock that have a property owner’s name and / or address etched in the surface. David Brinkerhoff stated that the way the sign ordinance is currently written, homeowner signs are technically illegal. After further discussion, it was the consensus of the Commission that Section 16.28.020 - Residential zones - should eliminate the word “only” so that these homeowner signs would be allowed, yet restricted in size. Also, homeowner signs would need to be defined in the “definitions” section to distinguish them from monument signs which require a conditional use permit in R-3 and R-4 zones. These homeowner signs would also be subject to standard setback requirements, similar to monument signs. Mr. Parker suggested that homeowner signs be restricted to a maximum height of five feet, with the total surface area being no more than eight to ten square feet.

Chairman Eric Olsen stated that he would like to spend the remainder of the meeting reviewing the individual sections of the current Vernal City sign ordinance to identify specific recommended changes based on previous discussions and input from the Commissioners.

Section 16.28.010 - Purpose: No changes recommended at this time.

Section 16.28.020 - Residential zones: Glenn Spencer noted that nameplates or signs indicating the existing of a home occupation are limited to four square feet, while all other signs permitted in residential zones are allowed to be eight square feet. Mr. Spencer stated that both signs should be allowed to be a maximum of eight square feet for consistency. Sonja Norton noted that the word “Only” would be omitted as previously discussed in this meeting.

Section 16.28.030 - Clearance: No changes recommended at this time.

Section 16.28.040 - Lighting: Glenn Spencer stated that use of the word “nuisance” in this section is vague and needs to be replaced with something more objective and measurable. Mr. Parker stated that he would identify a maximum light output and distance at which it would be measured.

Section 16.28.050 - Off-premises signs: Allen Parker highlighted the requirements for commercial zone off-premises signs and noted that the property that the sign is on must be owned by the business. Mr. Parker explained that this language is not very restrictive and could lead to a proliferation of billboards which are generally what this section is regulating. Since billboard companies are generally aggressive regarding protecting their interests, Mr. Parker stated that it might be best to obtain legal counsel regarding any possible changes to this particular section before proceeding with any changes.

Section 16.28.060 - Pole signs: Allen Parker noted that the recent changes to this section allows for pole signs within 350 feet of Highway 40 and North Vernal Avenue, but any pole sign within 150 feet of an existing residential use or zone requires a conditional use permit. The recent changes also limited the total square footage of a pole sign to 150 square feet. It was noted that the pole signs for Kmart and Mountain America are 121 and 72 square feet respectively. After further discussion, it was the consensus of the Commission that 150 square foot maximum surface area for pole signs was sufficient. Eric Olsen noted that the maximum area of a sign is also limited by the amount of frontage the business has and asked why this restriction is in place. Mr. Parker replied that it prevents a small business with little frontage from erecting the maximum size sign and noted that Moab’s regulations include the same restriction.

Glenn Spencer noted that pole signs require a minimum of 50 feet separation and stated that he thinks that the separation is not enough and signs are getting spaced too closely together. Mr. Spencer noted that any business that has less than 50 feet of frontage would probably qualify to advertise on a multi-tenant sign. If the business owner felt strongly that it needed a pole sign to advertise adequately, the owner would have to find a more appropriate location for the business. Sonja Norton stated that she feels 50 feet minimum separation for pole signs is adequate. Eric

Olsen noted the problem of a neighboring business placing new sign which directly blocks the view of an existing pole sign and asked how that could be prevented. Ms. Norton noted that pole signs are to be located as near to the middle point of the lot frontage “as is feasibly possible,” and stated that this language is arbitrary. Mr. Parker stated that he would edit this statement for clarity in the next draft. After further discussion, it was decided that the draft would also require a minimum separation of 100 feet for pole signs unless adjacent signs are at different elevations and at least 50 feet apart. Mr. Olsen also noted that the height of signs should be measured from the average adjacent grade and not “ground level” as the current code requires.

Section 16.28.063 - Multi-tenant commercial signs: As previously discussed, Sonja Norton suggested that the maximum surface area for multi-tenant commercial signs be returned to 300 square feet per side. It was the consensus of the Commission that the separation language for pole signs and multi-tenant signs be consistent with the changes recommended during the pole sign discussion.

Section 16.28.065 - Monument signs: Allen Parker noted that the language in section 16.28.020 regarding monument signs in residential zones is inconsistent with this section. Glenn Spencer stated that he feels monument signs are not necessary for home occupation businesses in low-density, residential zones. Mr. Parker stated that home occupation businesses are restricted to a maximum portion of the home that can be dedicated to business use and the home cannot look like a business. Sonja Norton stated that she does not see how a “homeowner,” monument-style sign as previously discussed, would be different in its impact than one that says “Salon.” Mr. Spencer noted that he started his business in his home and noted that if a home-occupation business grows enough to warrant larger, more prominent signage, in all likelihood, the business should relocate to a commercial zone. After further discussion, it was the consensus of the Commission that home occupation businesses in R-1, R-2 and RA-1 zones be restricted to the use of wall signs only. Monument signs would remain permitted in commercial, industrial, healthcare and park zones and as a conditional use in R-3 and R-4 residential zones. Eric Olsen noted that monument signs need to be placed subject to clear-vision triangle requirements. Mr. Parker stated that he would review the language in the draft and make sure that all supplementary activities like trees, shrubs and signs will be required to comply with clear-vision triangle regulations.

Allen Parker asked how the Commission would like to address measuring the surface area of a triangular monument sign like the one by the new UBATC building. Eric Olsen stated that the “definitions” section could stipulate that the maximum allowed square footage listed for any particular sign be doubled, to allow for two-sided signage. If a business wants to use three or more sides, the overall size of the size of the sign will have to be reduced to remain within the maximum allowable surface area. Mr. Olsen asked that the maximum square footage of a monument sign be raised from 45 to 50 square feet, and no taller than five feet from the surrounding grade.

Section 16.28.070 - Flat or wall signs: Glenn Spencer stated that he would like to see walls signs limited to one wall and reduce the maximum percentage of the wall they can occupy. Eric Olsen suggested that you could allow 25% of the facade be covered up to a maximum size to address this issue. David Brinkerhoff noted that a business that pays extra rent for a corner location with higher visibility should not be limited to one wall sign. It was also noted that large businesses like Lowe's or Walmart could not feasibly be limited to just one wall sign. Mr. Spencer stated that his concern lies more with commercial businesses that are located in R-4 zones. These businesses are in closer proximity to low-density residential use and detract from a neighborhood when excessive signage is allowed. After further discussion regarding how zoning works to regulate competing land usage, it was the consensus of the Commission that one wall sign and one monument sign should meet the needs of any commercial business located in a high-density residential zone. Sonja Norton noted that she would like lighted signs to be prohibited in all residential zones.

Section 16.28.075 - Awning signs: Eric Olsen noted that the maximum allowable size of awning signs is not addressed in this section. After brief discussion, it was recommended that awning signs be limited to 25% of the building facade and remain restricted to commercial, industrial and healthcare zones.

Section 16.28.080 - Temporary signs in commercial zones: Sonja Norton noted that this section does not clearly state how long a temporary sign is permitted. Allen Parker stated that he would research other ordinances and include a time-frame in the draft presented at next month's public hearing for the Commission to discuss further. Glenn Spencer asked if political signs fall under the "temporary" section. Mr. Parker replied that political signs are "temporary," as well as "for sale" signs. Sonja Norton noted that "for sale" signs can be up longer than six months in the current housing market. Mr. Parker stated that "for sale" signs may need to be defined and regulated separately, outside of the "temporary" section. After further discussion, it was the consensus of the Commission to expand the "temporary" section to specify what is allowed in the various zones. Additionally, Mr. Parker noted that our code is deficient in that it does not address restaurant "menu" signs or "directional" campus signs and Mr. Parker stated that he would include those additions in next month's draft as well. Mr. Parker asked the Commissioners to review Heber City's temporary sign section and be prepared to make any further recommendations for changes next month.

Section 16.28.090 - Nonconforming and unsafe signs – Removal and repair: Glenn Spencer noted that this section authorizes the Building Official to proceed in "any manner he deems necessary" with regard to a sign which does not meet City standards. Mr. Spencer stated that this language seems too authoritarian and needs to be changed. Mr. Parker stated he would rephrase this line in the next draft.

Section 16.28.100 - Permit requirements: Sonja Norton asked for clarification as to why the permit for a sign is separate from a building permit. Allen Parker responded that large signs have specific structural and safety issues that need to be addressed separately from the building containing the business it advertises. Mr. Parker noted that there is some confusing,

redundant language regarding the “permit herein required” at the end of this section that he will work to clarify this statement before the February public hearing.

There being no further business, **Sonja Norton made a motion to adjourn. David Brinkerhoff seconded the motion and the motion passed with Brinkerhoff, Norton, Olsen, and Spencer voting in favor.** The meeting adjourned at 9:15 p.m.

Eric Olsen , Planning Commission Chair

