

**CLINTON CITY PLANNING COMMISSION MINUTES**

**Commissioner Tony Thompson**  
**Commissioner Allen Labrecque**  
**Commissioner Dave Coombs**  
**Commissioner Jolene Cressall**  
**Commissioner Jeff Ritchie**  
**Commissioner Bob Buckles**  
**Commissioner Jacob Briggs**

**Mayor L. Mitch Adams, City Council Representative**

<b>Planning Commission Meeting</b>	<b>August 5, 2014</b>	<b>Call to Order: 7:00 P.M.</b>	<b>2267 N 1500 W Clinton UT 84015</b>
<b>Staff Present</b>	Community Development Director Lynn Vinzant and Lisa Titensor recorded the minutes.		
<b>Public Present</b>	Tiffany Heffernon, Amy Jackson, Kelly Geisler, Wayne Geisler, Linda Hogge, Jerry Hogge, Dennis B. Draayer, Bruce Nilson, Karen Ballif, Jon Kent Draayer, Erik Craythorne		
<b>Pledge of Allegiance</b>	Commissioner Buckles		
<b>Invocation or Thought</b>	Commissioner Thompson		
<b>Roll Call &amp; Attendance</b>	All were present.		
<b>Declarations of Conflict</b>	<b>Commissioner Thompson declared a conflict with the 7:20 pm review and action upon a request from Erik Craythorne, representing q-2 llc, for final plat approval of Harrisburg country estates phase 4, a residential subdivision, located at approximately 2800 w 900 n because he lives near this subdivision and knows the applicant personally.</b>		
<b>City Council Report</b>	Mayor Adams reported on the July 8, 2014 Clinton City Council meeting as reported in the minutes. He also reported that the July 22, 2014 City Council meeting was cancelled.		
<b>Approval of Minutes</b>	<b>Commissioner Cressall moved to approve the minutes of the July 1, 2014 Planning Commission Meeting as written. Commissioner Coombs seconded the motion. All those present voted in favor of the motion.</b>		
<b>7:10 P.M. RE-ADDRESS AN ISSUE RELATED TO THE SITE PLAN APPROVAL ISSUED JULY 8, 2014, TO TIFFANY HEFFERNON REPRESENTING LITTLE HANDS CHILDCARE CENTER A CHILDCARE FACILITY LOCATED AT 1906 W 1800 N:</b>			
<b>Petitioner</b>	Tiffany Heffernon		
<b>Discussion</b>	<p>Mr. Vinzant reported that at the July 1 Planning Commission Meeting the Planning Commission approved the Site Plan for Little Hands Childcare requiring a “safety fence” on the east side of the parking lot to keep small children from running into the main entrance lane for Park Plaza.; the landlord for Park Plaza will not approve the use of a fence in this area; the operators of Little Hands want to offer an alternative. They would like to use the parking spaces where the parking lot is closest to the main entrance lane as reserved parking for the Little Hands vans rather than have a fence. Additionally they will caution customers to watch their youngsters while loose in the parking lot.</p> <p>Tiffany Heffernon and Amy Jackson were present to discuss this request with the Planning Commission. They identified they will lease the building for a child care center. The center will have extended hours and weekend care.</p> <p>Ms. Heffernon presented three alternatives to the fence; she said that the main concern is the safety of the children.</p> <p>Three options</p> <ul style="list-style-type: none"> <li>• Park vans in those spots</li> <li>• Cones with chains blocking the stalls</li> <li>• Use for employee parking only</li> </ul> <p>Commissioner Cressall asked if children will be loaded where the vans would be parked.</p> <p>Ms. Heffernon said that loading would take place at the front of the building.</p> <p>Commissioner Thompson opened the public hearing at 7:13 p.m.; with no public comment, he closed the public hearing at 7:14 p.m.</p>		

Ms. Heffernon said they feel that designating the spots for employee parking is the preferred option.

Project Information			
Applicant	Little Hands Child Care Center	Building Square Footage	≈ 8,500
Property Address	1906 West 1800 North	Building Perimeter	N/A
Zoning	Performance Zone	Site Gross Size	N/A
Date of Hearing	July 1, 2014	Site Net Size	N/A
Date of Action	July 1, 2014	Architectural Score	N/A

Site Information				
Impervious Surface Ratio	85%			
	North	South	East	West
Buffer Requirement	Buffer requirements set with Parkside Plaza			
Landscape Requirements				
Landscaping was approved as part of the initial site plan for Parkside Plaza				

Parking Requirements		
Type of Space (ref. § 28-4-5)	Square Footage	Stalls Required
Child Care 1 / 500	8,500	17
Employees 1 / Employee Highest Shift		
Total Required		
Total Stalls Available		43

Additional Approval Requirements / Comments

Fencing: Fencing is to be heavy duty vinyl and to have an earth tone color; staff has review and approval authority. Discrepancies between staff and the petitioner shall be brought to the Commission for final review.

Parking Lot Safety: Petitioner is encouraged to adopt reasonable measures to protect children in the parking lot and other high traffic areas in Park Plaza Development

Exterior Lighting: No exterior lighting changes are proposed to the structure.

Landscaping: Landscaping is to be maintained and any dead or removed landscaping is to be replaced with similar item as indicated on the landscape plan. If business leaves the building landscaping is to match landscaping established at the start of business

Stormwater Detention: Storm water detention is part of the overall plan for Parkside Plaza.

Signage: All site and building signage shall meet the requirements of the City Ordinance.

**CONCLUSION**

**Commissioner Briggs moved to amend the Site Plan for Little Hands Child Care to remove the safety fencing requirement and allow the petitioner to use their best judgment to adopt reasonable measure to protect the children in the development and to remove the variance from the Plan requirement. Commissioner Ritchie seconded the motion. Voting by roll call is as follows: Commissioner Labrecque, aye; Commissioner Coombs, aye; Commissioner Cressall, aye; Commissioner Ritchie, aye; Commissioner Buckles, aye; Commissioner Briggs, aye; Commissioner Thompson, aye.**

**Commissioner Thompson directed the Planning Commission to address Agenda Item C.**

**7:20 PM REVIEW AND ACTION UPON A REQUEST FROM ERIK CRAYTHORNE, REPRESENTING Q-2 LLC, FOR FINAL PLAT APPROVAL OF HARRISBURG COUNTRY ESTATES PHASE 4, A RESIDENTIAL SUBDIVISION, LOCATED AT APPROXIMATELY 2800 W 900 N:**

**Discussion**

Commissioner Thompson declared a conflict in regards to this issue and was excused from the discussion.

This item was discussed at 9:32 p.m. Erik Craythorne reviewed the proposed Final Plat presented in the staff report with the Planning Commission.

Mr. Vinzant reviewed the following information included in the staff report:

- o An easement for a turn around needs to be established

	<ul style="list-style-type: none"> <li>○ A change is needed to the resolution that there will have to be a way identified to drain the tail water on the property (a self cleaning grate is required).</li> <li>○ Preliminary Plat was approved April 1, 2014</li> <li>○ This final plat meets the intent of the preliminary plat.</li> <li>○ The lots meet the requirements of the R-1-15 Zone             <ul style="list-style-type: none"> <li>● Subdivision significantly matches the preliminary plat approved by the Planning Commission April 1, 2014.</li> <li>● Subdivision meets the requirements of the R-1-15 Zone</li> <li>● Corrective requirements outlined by Staff shall be accomplished prior to presentation to the City Council.</li> <li>● A 6-foot chain link fence will be placed along the south and west property.</li> <li>● A 60-foot temporary turn around with easement is to be established at the east end of 900 North street and shall be maintained by the developer. If the City has to maintain the turn around the City will be reimbursed for all cost prior to any further phase approval.</li> <li>● At the time that conditional acceptance is requested for any phase all unbuilt lots in that phase will be graded smooth, all construction debris is to be removed and all weeds cut as required by ordinance. The grading will aid in the control of weeds and prevent the gathering of garbage on vacant lots within the subdivision.</li> <li>● It is the developer/contractor’s responsibility to comply with all Clinton City Standards, Ordinances, Staff, Engineer and requirements established during the approval process. Wherever there is a discrepancy between these drawings and the City Standards the more stringent requirement will apply. If there is any doubt as to the requirement the developer is to seek clarification from the Community Development Department and obtain the determination in writing. Copies of the Standards are available at the Community Development Department.</li> <li>● The developer/contractor is responsible for insuring that all required inspections are performed by the Clinton City Public Works Department. If the developer is unsure of what inspections are required he can obtain a list from Public Works. The developer is cautioned not to proceed past an inspection point without insuring that the inspection has been performed and work passed by Public Works.</li> <li>● It is the developer/contractor’s responsibility to insure adequate dust and trash control practices are observed during all phases of construction.</li> <li>● The developer is to present and comply with an erosion control plan.</li> <li>● The developer shall provide to the City an as built for locations of laterals.</li> </ul> </li> </ul>
<b>Public Comment</b>	<p>Commissioner Labrecque opened the public hearing at 9:52 p.m. and asked for public comment, there was none, therefore he closed the public hearing at 9:53 p.m.</p>
<b>CONCLUSION</b>	<p><b>Commissioner Ritchie moved to approve the Final Plat of Harrisburg Country Estates Phase 4, a residential subdivision, located at approximately 2800 West 900 North and forward Resolution 14-14 onto the City Council with a recommendation for approval. Commissioner Briggs seconded the motion. Voting by roll call is as follows: Commissioner Labrecque, aye; Commissioner Coombs, aye; Commissioner Cressall, aye; Commissioner Ritchie, aye; Commissioner Buckles, aye; Commissioner Briggs.</b></p>
	<p><b>Commissioner Thompson rejoined the meeting and directed the Planning Commission to Agenda Item D.</b></p>
<p><b>7:30 PM REVIEW AND RECOMMENDATION TO THE CITY COUNCIL UPON A REQUEST FROM BRUCE NILSON, NILSON HOMES, REPRESENTING HE FLY’S LLP, FOR A REZONE OF THE PROPERTY LOCATED AT APPROXIMATELY 2382 W 1800 N CLINTON UT, MORE ACCURATELY DESCRIBED IN THE ORDINANCE:</b></p>	

Discussion

Bruce Nilson was present to address this request with the Planning Commission. He said he believes this property fits the ordinance. He read the following from Title 28, Chapter 22 section 1 of the Zoning Ordinance regarding Patio Home Zone:

**28-22-1 Purpose.** The purpose of the Patio Home Zone is to provide an acceptable housing style for single family “empty nest” type housing that is a sustainable quality product within Clinton City. Additionally the Zone is intended for infill use within the guidelines established within this Title. Development within any subdivision within the Zone is to be based upon an overall site design created by and developed completely by one developer and home builder.

He clarified he is the developer and the builder.

He went on to read:

**28-22-2 Infill Site Development Characteristics.**<sup>195</sup>

(1) Use of this Zone is only permitted to be applied for within the R-1-6, R-1-8, and R-1-9 Zones as indicated on the Master Land Use Map.

He clarified this property is in the R-1-9 zone.

Mr. Nilson presented pictures to the Planning Commission of what the homes may look like. He clarified they will be larger homes that are 100% brick, stone or fiber cement; there are 72 lots. The PH Zone located on this property would provide a perfect buffer for the homes to the east and the west. He said that regarding density, the intent is for approximately 4.6 lots to the acre.

He said these will be high quality attractive landscaped homes that will be entirely professionally maintained through a Home Owner Association with CC&R’s. They will be slab on grade between 1800 and 2200 sq. ft., many with 3 car garages. The Zoning Ordinance and a Development Agreement will dictate the development.

Mr. Vinzant reviewed the information included in the staff report; he referred to the information regarding patio homes in the General Plan.

The Committee noted that one area of housing that needs attention is retirement housing. Based on the survey results, in a higher-density residential area, the only favorable option is a high-quality retirement community. At present there is one development within the City that is generally classified as retirement housing or empty nest housing and while it is generally considered high density by the citizens of the City it is considered high end single family community on separate lots that has a reputation for value retention, stability of residents and quick sales when one does come on the market. These were perceived as good traits by the Committee during discussions on this topic. Continuation of these types of neighborhoods was considered by the Committee and the following characteristics were developed for consideration in creating ordinance guidelines for acceptance of these developments in the future.

Characteristics of a desired single family retirement community	
Should not be allowed in all zones	
Allow in areas where the higher density would not detract from large lot developments	
Frontage of lots should not be adjacent to frontage of larger lots	
Density increases over established zone should be based on development criteria over standard development and outlined in an infill ordinance	
Allow only in small areas that are considered infill	
Developments should improve the overall characteristics of surrounding properties	
Require proof (through assessed values) of higher quality products	
Access should not be restricted	
Qualifications for higher density should be established	
Quantifiable criteria for percentages of increase over established zone	
Landscape requirements and enhancements	
Recorded Development Agreement with all approved development	

criteria
Superior building materials
Quantity and quality of community amenities
Established and professionally managed HOA
Trail / park / shopping / transportation access for residents
Require proof that the City has adequate infrastructure to support the development
Public streets and infrastructure meet established guidelines
Meets unmet housing demand
Developer is builder
Architectural theme with diversity of appearance

Because the survey that was conducted to assist in the drafting of the general plan clearly indicated that the residents of Clinton City do not want high density housing, the City should not be overly accommodating in its granting of areas of higher density than is master planned.

The Master Land Use Map has been established to indicate the maximum planned density within an area of the City. These land use and density factors have been used to establish requirements of the technical plans of the General Plan and the Impact Fees charged by the City.

With the adoption of this Plan the fluid nature of the Performance Zone needs to be clarified.

Mr. Vinzant clarified this property is too large for an infill piece of property. He reviewed Chapter 22 in the Zoning Ordinance 28-22-5.

He explained that justification would be necessary to deviate from the Master Land Use Map.

The Master Land Use Map does not indicate any Patio Home zoning in the future of the City; however,

- o The land use section of the General Plan reference is made to a need for high-quality retirement communities and references the existing community.
- o There is a chart on page 10 of the General Plan that outlines the characteristics of a desired single family retirement community.
- o The property is currently zoned R-1-9, rezoned in 1993.
- o The Master Land Use Map indicates that the frontage should be reserved for Performance Zone.
- o 1800 N is considered an arterial street. Zoning Ordinance Table 19.23.1 gives the site development standards in the PZ and set a depth of frontage along arterials for the PZ of 500 feet. This was established in 2006; prior to this the requirement was 300 feet established in 2004; prior to this there was not a requirement.

Commissioner Thompson opened the public hearing at 7:59 p.m. and asked for public comment. There was none, therefore he closed the public hearing at 8:00 p.m.

Mr. Nilson clarified there are no age requirements for the proposed development.

Commissioner Ritchie asked the Planning Commission to consider how it could benefit the City to rezone this property.

Commissioner Briggs referred to page 11 (listed above) of the General Plan.

Commissioner Coombs said it falls under the patio home zone section. He said the transition from high density to low density may be something to consider. He referred to 28-22-5.1 table.

The Planning Commission reviewed the Master Land Use Map.

Commissioner Thompson clarified the parcel being discussed is 17.58 acres.

He asked if the Planning Commission feels there is a need to increase the size of parcel for the Patio Home Zone.

Commissioner Cressall and Commissioner Labrecque stated they feel patio homes are needed and in demand in the City.

Commissioner Coombs said it fits into the requirements identified in tables 28-22-3 and 28-22-5. He said the

surrounding neighbors need to be considered in making this decision.

Commissioner Ritchie said that long term impact to the City needs to be considered in making this decision.

Commissioner Briggs commented that his interpretation of chapter 22 section 5 of the General Plan is that the only PH zone desired is on 5 acres or less.

Mr. Vinzant explained the evolution of the development of the Patio Home Zone.

Commissioner Buckles referred to page 11 of the Master Plan.

*Because the survey that was conducted to assist in the drafting of the general plan clearly indicated that the residents of Clinton City do not want high density housing, the City should not be overly accommodating in its granting of areas of higher density than is master planned.*

He feels this is a good area for this type of development however; the General Plan does not support it. Although half of the property is in a performance zone, is commercial what is intended?

Mayor Adams confirmed performance zone is the intent.

Mayor Adams said in his opinion, the City Council will adhere to what is identified in the General Plan. He said he agrees there is a demand for patio homes, but he is not sure of how many there is a demand for; one development has already been approved. It may be best to see how that development sells before approving a rezone request.

Commissioner Thompson reviewed the information from the General Plan on page 10.

*The Committee noted that one area of housing that needs attention is retirement housing. Based on the survey results, in a higher-density residential area, the only favorable option is a high-quality retirement community. At present there is one development within the City that is generally classified as retirement housing or empty nest housing and while it is generally considered high density by the citizens of the City it is considered high end single family community on separate lots that has a reputation for value retention, stability of residents and quick sales when one does come on the market. These were perceived as good traits by the Committee during discussions on this topic. Continuation of these types of neighborhoods was considered by the Committee and the following characteristics were developed for consideration in creating ordinance guidelines for acceptance of these developments in the future.*

He referred to the table on page 10 identifying the guidelines provided by the Master Plan Committee for these types of developments. He clarified the decision will require findings and facts attached to it.

Mayor Adams identified there is language in the Ordinance with the intent to stop larger pieces of property from being divided to meet the five acre requirement.

The Planning Commission reviewed the chart *Characteristics of a desired single family retirement community* item by item in regards to this property. He said a Development Agreement is an option to dictate the quality of this development.

Characteristics of a desired single family retirement community	
	Should not be allowed in all zones
	Allow in areas where the higher density would not detract from large lot developments – <i>negative, would not detract from surrounding areas.</i>
	Frontage of lots should not be adjacent to frontage of larger lots – <i>couldn't happen other than a possibility on the north end.</i>
	Density increases over established zone should be based on development criteria over standard development and outlined in an infill ordinance – <i>minimal increase with this request.</i>
	Allow only in small areas that are considered infill -
	Developments should improve the overall characteristics of surrounding properties - <i>yes.</i>
	Require proof (through assessed values) of higher quality products

Access should not be restricted – <i>three routes in and out.</i>
Qualifications for higher density should be established – <i>established by in-fill, does not apply.</i>
Quantifiable criteria for percentages of increase over established zone
Landscape requirements and enhancements – <i>Development Agreement</i>
Recorded Development Agreement with all approved development criteria
Superior building materials
Quantity and quality of community amenities
Established and professionally managed HOA
Trail / park / shopping / transportation access for residents – <i>Centrally located.</i>
Require proof that the City has adequate infrastructure to support the development – <i>yes.</i>
Public streets and infrastructure meet established guidelines – <i>assumed.</i>
Meets unmet housing demand – <i>yes.</i>
Developer is builder – <i>yes.</i>
Architectural theme with diversity of appearance – <i>Development Agreement.</i>

Commissioner Buckles said he may be in favor of supporting the rezone on grounds that half the property is in the performance zone and no matter what it won't meet the intent of the General Plan. The increased density will be relatively modest and it will have minimum impact on surrounding properties.

Commissioner Thompson briefly discussed the results of the survey conducted with the General Plan regarding the transition of homes desired next to commercial areas. He gave the example of the desired transition to be from shopping center to apartments to town homes to retirement community to single family home.

Commissioner Buckles said he would like it emphasized to the City Council that half the property is planned to be located in the Performance Zone on the Master Land Use Map, however it is currently zoned R-1-9. Therefore in this case it is not likely that the MLUM will be followed. This is a sufficient argument for deviating from the MLUM in this case; so he would like the Council to consider what is best for the community.

Mayor Adams cautioned that setting a precedent based on the current zone not matching the Master Land Use Map is not a good idea.

Commissioner Thompson agreed; he said the ordinance needs to be based on the findings found during the discussion to not follow the General Plan on this specific property.

**CONCLUSION**

**Commissioner Buckles moved to forward to the City Council with a favorable recommendation with the findings and facts outlined in Ordinance 14-05Z for a rezone of property located at approximately 2382 W 1800 N with the following findings:**

- **A clear deviation from the General Plan and Master Land Use Map**
- **There is no Patio Home zone on the Master Land Use Map**
- **Site exceeds the infill criteria of 5 acres**
- **The Commission notes that if tight adherence to the GP is not a priority and the parcel is not considered too large the request would appear to meet an unmet demand and otherwise aligns favorably with the Patio Home Zone as found and documented through use of the chart found in the GP.**
- **The Master Land Use Map indicates that the frontage of the property, on 1800 North, is to develop as PZ. The property is currently zoned R-1-9 and at this time any development is not likely to rezone the frontage to PZ as called out in the MLUM.**
- **General Plan, all indicators are positive except it does not meet the infill criteria**
- **City Utilities are sufficient.**

**Commissioner Labrecque seconded the motion. Voting by roll call is as follows: Commissioner Labrecque, aye; Commissioner Coombs, no; Commissioner Cressall, no; Commissioner Ritchie, no; Commissioner Buckles, aye; Commissioner Briggs, no; Commissioner Thompson, aye.**

**Commissioner Buckles motion did not pass. subsequently the following motion was made:**

Commissioner Briggs moved to forward Ordinance 14-05Z to the City Council with a recommendation of unfavorable action on the request based on a clear deviation from the General Plan and MLUM; there being no patio home zone on the Master Land Use Map; the site exceeds the infill criteria of five acres. The Commission notes that if tight adherence to the General Plan is not a priority and the parcel is not considered too large, the request would appear to meet an unmet demand and otherwise align favorably with patio home zoning as documented through use of the chart found on page 10 in the General Plan. Commissioner Ritchie seconded the motion. Voting by roll call is as follows: Commissioner Labrecque, no; Commissioner Coombs, aye; Commissioner Cressall, aye; Commissioner Ritchie, aye; Commissioner Buckles, aye; Commissioner Briggs, aye; Commissioner Thompson, no.

At 9:25 the Planning Commission took a five minutes break. At 9:32 p.m. Commissioner Labrecque called the meeting back to order and directed the Planning Commission back to agenda Item B.

**8:00 PM REVIEW AND ACTION UPON A RECOMMENDATED CHANGE TO THE CLINTON CITY SIGN ORDINANCE, TITLE 24, AMENDING STANDARDS FOR DRIVE-THRU MENU BOARDS, INFLATABLES, AND PORTABLE SIGNS:**

The City Council directed the review of the Clinton City Sign Ordinance pertaining to inflatables and portable signs. The issue of menu board sizes will be discussed and there is a proposed change. Other changes are proposed to make the ordinance clearer in its intent and easier to use.

Mr. Vinzant reviewed the proposed ordinance identified in the staff report with the Planning Commission.

**ADD**

24-2-1 Definitions.

Balloon; means any inflated object, tethered or un-tethered, over four (4) square feet in area, as measured within a single continuous perimeter composed of squares or rectangles which encloses the extreme limits of the balloon. Inflatable entertainment structures shall also be considered balloons.

Sign, Attached; means a sign which is fastened, attached, painted, connected, or supported in whole or in part by a building, or structure.

Sign, Detached; means any sign not supported in whole or in part by a building, or structure other than by a sign structure which is supported wholly by the ground.

Sign, Forced Air; means any sign or device that uses a blower to force air through or around fabric to draw attention from observers.

Sign, Indirectly Illuminated; means one whose illumination is derived entirely from an external artificial source which is arranged so that no direct rays of light are projected from such artificial source into residences or streets.

24-3-1(g) Forced Air Signs.

**AMEND**

24-2-1 Definitions.

A-Frame Sign. A sign temporary... to read Sign, A-Frame; means a sign temporary...

Abandoned Sign. A sign which... to read Sign, Abandoned; means a sign which ...

Animated Sign. Any sign which... to read Sign, Animated; means any sign which...

Banner Sign. A sign made... to read Sign, Banner; means a sign made...

Construction Sign. A temporary sign... to read; Sign, Construction; means a temporary sign...

Flashing Sign. A sign which... to read; Sign, Flashing; means a sign which...

Freestanding Sign. A sign which... to read; Sign Freestanding; means a sign which...

Government Sign. Any temporary or...to read; Sign, Government; means any temporary or...

Identification Sign. A sign whose... to read; Sign, Identification; means a sign whose...

Incidental Sign. A small sign... to read; Sign, Incidental; means a small sign...

Marquee Sign. Any sign attached... to read; Sign, Marquee; means any sign attached...

Discussion

Nonconforming Sign. (1) and (2)... to read; Sign, Nonconforming; means...

On-Premise Sign. A sign which... to read; Sign, On-Premise; means a sign which...

Painted Wall Sign. Any sign which... to read; Sign, Painted Wall; means any sign which...

Political Sign. For the purposes... to read; Sign, Political; means for the purposes...

Portable Sign. Any sign designed... to read; Sign, Portable; means any sign designed...

Projecting Sign. A sign, other... to read; Sign, Projecting; means a sign, other...

Real Estate Sign. A temporary sign... to read; Sign, Real Estate; means a temporary sign...

Roof Sign. Any sign erected... to read; Sign, Roof; means any sign erected...

Rotating Sign. A sign in... to read; Sign, Rotating; means a sign in...

Snipe Sign. A temporary sign... to read; Sign, Snipe; means a temporary sign...

Subdivision Identification Sign. A freestanding or... to read; Sign, Subdivision Identification; means a freestanding or...

Under-Canopy Sign. A sign suspended... to read; Sign, Under-Canopy; means a sign suspended...

Wall Sign. A sign attached parallel... to read; Sign, Wall; means a sign attached parallel...

Window Sign. A sign installed... to read; Sign, Window; means a sign installed...

24-4-2(11) Menu Board: Menu boards *locations* for drive-in restaurants are to be reviewed and approved by *the Planning Commission* at site plan review. The following shall *apply to menu boards*. ~~although the Planning Commission may approve them at different locations depending upon circumstances:~~

(a) Only two (2) menu boards are allowed per drive through site and must be located behind the front landscaped setback area.

(b) ~~Maximum area shall not exceed thirty-five (35) square feet per sign and six (6) feet in height. The Menu Board shall be located so that lighting shall not have an adverse affect to traffic on the public way. The rear and sides of menu boards should be screened from the public way. The rear of the menu board may be established as another menu board however shall not be used as an additional sign.~~

(c) *Because there are many variables associated with the size of a menu board the size of the menu board may be limited by the Department based upon location, visibility from the public way, screening, lighting, proportionality with structures on site and other structures in the area. The size shall not cause a concern for safety of individuals or vehicles.*

(d) The Planning Commission shall give consideration to aesthetics and screening from the public right-of-way.

2-4-2(22) Temporary directional signs. In any zone, a sign giving direction to a specific location for any public or private event may be placed under the following conditions:

(a) No more than one of the signs may be placed on a parcel of property.

(b) No ~~the~~ signs shall be placed on public property of any kind.

(c) The signs must have a setback of one foot (1') from any sidewalk or street right-of-way line, whichever is greater.

(d) Permission must be granted by the landowner. Written consent of the owner or person entitled to possession of the property or their authorized representatives shall be obtained *and a copy provided to the Community Development Department*.

(e) The signs shall be removed within twenty-four (24) hours of the completion of the event.

(f) *The signs may be displayed five (5) days before the event not to exceed forty-five (45) days.*

(g) Signs shall not exceed three feet (3') in height, or when placed into a sight triangle area, two feet (2') in height.

(h) Signs shall not exceed six (6) square feet in sign area. ~~on one (1) sign face individually, or eighteen (18) square feet collectively.~~

24-9-3 Appeals.

(1) Any decision rendered by the Director in denying a permit or any variance not granted or in alleging a violation of this code may be appealed to the Planning Commission ~~city council~~ within fifteen (15) days of receipt of the Director's response.

(2) Any action being appealed shall be held in abeyance pending the decision of the Planning Commission ~~council or board~~.

(3) If there is not an appeal filed within the fifteen (15) day period or the Planning Commission ~~City Council~~ upholds the determination of the Director the sign may be removed in accordance with § 24-9-2.

## **REPLACE**

### 24-2-1 Definitions.

Sign. Any device, structure... with; Sign. means and includes every advertising message, announcement, declaration, demonstration, merchandise display, illustration, insignia, surface or space erected, indirectly illuminated, or forced air, or maintained in view of the observer thereof for identification, advertisement, or promotion of the interests of any person, entity, product, or service, and shall include the sign structure, supports, lighting system, indirect illumination, and any attachments, ornaments, or other features used to draw the attention of observers. "Sign" does not include any flag, badge, or ensign of any government or governmental agency erected for and used to identify said government or governmental agency.

Sign, Area of: (1) and (2)... with; Sign, Area Of, means the entire area within a single continuous perimeter composed of squares or rectangles which enclose the extreme limits of the advertising message, announcement, declaration, demonstration, display, illustration, insignia, surface, or space of a similar nature, together with any frame or other material, color, or condition which forms an integral part of the display and is used to differentiate such sign from the wall or background against which it is placed: excluding the necessary supports or uprights on which such sign is placed. Where an on-premise sign has two (2) or more faces which are not parallel, the area of all faces shall be included in determining the area of the sign, except that only one face of a double-faced on-premise sign shall be considered in determining the sign area, provided both faces are parallel and the distance between faces does not exceed two feet (2'). Further, where a sign consists only of individual letters, numbers, symbols, or other similar components and is painted on or attached flat against the wall of a building, and where such individual components are without integrated background definition and are not within a circumscribed frame area, the total area of the sign shall be the sum of the areas of the square or rectangles surrounding all of the sign components collectively.

Directional/Information Sign. An on-premise sign... with; Sign, Directional. means any sign which serves wholly to designate the location or direction of any place or area on the premises to which it pertains.

Off-Premise Sign. A sign structure advertising... with; Sign, Off-Premise. means any sign not located on the premises of the business or entity indicated or advertised by said sign. This definition shall include but may not be limited to billboards, poster panels, painted bulletins, directional, bus bench, and other similar displays.

Illuminated Sign. A sign with... with; Sign, Directly Illuminated; means any sign designed to provide artificial light directly or through transparent or translucent material from a source of light within or on such sign, including, but not limited, to neon and incandescent lamp signs.

Temporary Sign. A sign not constructed... with; Sign, Temporary. means any sign, banner, pennant, valance, balloon, or advertising display constructed of cloth, canvas, fabric, cardboard, wall board, plastic, or other light materials with or without frame where the sign is not permanently affixed to the ground or structure. Spotlights shall also be considered a temporary sign.

24-3-5 Lighting. Unless otherwise specified by this title... with: Sign Clearance and Illumination. The following regulations shall apply to sign clearance and sign illumination:

(1) Unless otherwise restricted, all illuminated signs in the "A" (agricultural) and "R" (residential) zones shall be indirectly illuminated, unless direct lighting has been granted as a conditional use by the Planning Commission.

(2) In all other zones, subject to the provisions of Subsection (3) of this Section, illuminated signs may be of direct or indirect illumination but the source of indirect illumination shall not be visible.

(3) Outlining of a building by means of exposed neon tubing, exposed incandescent lighting, or other artificial lighting, or an equivalent effect may be allowed subject to site plan review and approval by the

Planning Commission. All applicants wishing to use exposed outline lighting must provide elevations showing the extent of the outline lighting during the site plan review process.

(4) No permit for any sign shall be issued and no sign shall be constructed or maintained which has less horizontal or vertical clearance from communications lines and energized electrical power lines than that prescribed by the laws of the State of Utah or rules and regulations duly promulgated by agencies thereof.

(5) All provisions of the Electrical Code as adopted by Clinton City shall be complied with.

~~Temporary Signs. Standards for Temporary Signs. Temporary signs shall not be placed in or over a public right of way, may not flash, blink, spin, rotate, block traffic visibility, constitute a vehicular or pedestrian traffic hazard, or cause a public nuisance of any kind. They shall not be attached to telephone poles, fences, or trees. They must be firmly secured to the building or ground. Temporary signs may be attached to existing permanent signs only for the grand opening period. Temporary signs may cover or obscure an existing permanent sign only if the business has changed hands or changed names. No off-premise temporary signs are allowed except those specifically noted and regulated for real estate purposes or otherwise noted in the ordinance.~~

~~Temporary Signs Requiring a Permit.~~

~~Grand Opening Signs. Temporary signs announcing the initial opening of a business, or the relocation, or change of ownership of an existing business may be allowed provided that the event shall not continue for more than sixty (60) days and that the permit is issued within the first year of operation. There shall be no more than 2 signs allowed per business. A combination banner and portable sign is acceptable. The signs must comply with general size and location standards for signage in this Chapter and must be removed at the end of the 60 day period. A temporary sign permit is required.~~

~~NOTE: "Now Open", "Grand Opening", "New Location of....", "New Ownership," etc. are appropriate type message for such signs.~~

~~Special Promotion Periods. A business may apply for three [3] special promotion periods during the calendar year. Each period may not exceed seven (7) days in length. The periods may be combined to run consecutively. A temporary sign permit is required. A banner or portable sign is allowed during this period.~~

~~NOTE: Special product, price, or service advertising are appropriate during these periods.~~

~~Going Out of Business/Bankruptcy Period. A business may apply for a special permit in order to facilitate the liquidation of inventory for a failing business for a period not to exceed ninety (90) calendar days. Such permit will be allowed only once for any business license. A temporary sign permit is required. A banner or portable sign is allowed during this period.~~

~~NOTE: Special product, price or service advertising are appropriate during these periods.~~

~~Temporary Signs Allowed Without a Permit.~~

Holiday Period	Permitted Display Time
Presidents Day— February	5 days
Easter—March or April	5 days
Memorial Day— May	5 days
July 4th	5 days
July 24th	5 days
Labor Day—	5 days

Thanksgiving— November	7 days
Hanukkah, Christmas, New Years	23 days starting Dec. 15 and ending Jan 2.
NOTE: One banner sign only is allowed during these periods. The sign must be mounted on the building. The sign must be removed by the end of the first working day after the holiday period ends.	

Holiday Periods. A business may advertise a special service, product or sale during the following holiday periods without a permit:

~~Directional Signs for Subdivisions/Planned Unit Developments. These signs do not need a permit. However, written permission of the property owner must be obtained and presented to the Community Development Director before they are erected.~~

~~Three directional signs may be allowed for a developer to guide traffic to the site and should contain only the name, address, and direction of the development. They are limited to sixteen (16) square feet in area and eight (8) feet in height and must be placed entirely upon private property with the permission of the owner. Two additional sixteen (16) square foot directional signs may be allowed by the Director if a special need or unusual circumstance can be demonstrated. They may not encroach upon any public right-of-way and may not be located within the sixty (60) foot traffic visibility triangle on corners.~~

~~Such signs shall be removed within 2 years of the issuance of the first building permit in the project or if the lots are sold out before 2 years immediately upon sale of the last lot. An extension may be granted by the Community Development Director if a substantial number of the lots have not been sold at the end of the 2 year period.~~

24-4-3 Temporary Signs.

- (1) A business may advertise with temporary signs, a special service or product. A permit shall be obtained from the Community Development Department and is valid from the time of issuance to the following December 31, not to exceed one year.
- (2) Temporary noncommercial signs in residential and agricultural zones. Residents within residential and agricultural areas may have noncommercial signs aside from home occupation signs for special or holiday events. Banners shall not exceed twenty-four (24) square feet. Other such temporary noncommercial signs shall include tree lights, holiday displays, decorative lighting, community and ecclesiastical messages without limitation in size. These signs shall not be displayed for more than ninety (90) days per any twelve (12) month period.
- (3) Square footage and location allowed.
  - (a) Temporary signs, except balloons, shall not exceed one (1) square foot of sign area for every lineal foot of occupied frontage at the main entrance. In no case may any business have more than sixty (60) square feet of banner. Banners, valances, and pennants are only allowed to be located on the building to which they apply or attached to a permanent sign, so long as the total allowed maximum size and area requirements of this Title are not exceeded.
  - (b) All square footage used for temporary signs, other than balloons, will be counted against the square footage allowed for balloons. The allowable square footage of balloons shall be one (1) square foot of balloon area for every lineal foot of occupied frontage at the main entrance. Businesses with less than fifty (50) lineal feet of occupied frontage may be allowed fifty (50) square feet of balloon. There shall be a maximum square footage of two hundred fifty (250) square feet of balloon for any property. Balloons shall be set back one foot (1') for every one foot (1') in height from any property line. Balloons shall comply with the maximum height one hundred feet (100') in height from the ground.
  - (c) Temporary signs shall not be in any landscaping, affixed to any utility pole, boundary fence, or object within a public right-of-way except as allowed in this Title for public service signs. Signs determined to be a hazard by the City shall be removed immediately by the property owner upon notice.
  - (d) Permit requirements for off-site sales and time periods. All other temporary signs used for off-site sales must receive a permit. Permits will be allowed for a maximum of two (2) off-site sales per site per year. Prior to the placement of any sign application shall be filed with the Community Development

	<p>Department, on forms provided by the City, and a permit obtained. The cost of said permit shall be in accordance with the most recently adopted Clinton City Consolidated Fee Schedule.</p> <p><b>DELETE</b></p> <p>24-9-1 Violations subsection (6).</p> <ul style="list-style-type: none"> <li>• Proposed changes do affectively clarify the intent of the ordinance.</li> <li>• Proposed changes do not create an issue of non-conforming signs within the City.</li> <li>• Proposed changes do not adversely affect the effectiveness of the ordinance and are in line with the intent of the General Plan.</li> </ul> <p>Commission Thompson opened the public hearing at 10:46 p.m. with no public comment he closed the public hearing at 10:46.</p>
<b>CONCLUSION</b>	<p><b>Commissioner Coombs moved to forward a recommendation of approval of Ordinance 14-03 - Review and action upon a recommended change to the Clinton City Sign Ordinance, Title 24, amending standards for drive-thru menu boards, inflatables, and portable signs. Councilmember Cressall seconded the motion. Voting by roll call is as follows: Commissioner Labrecque, aye; Commissioner Coombs, aye; Commissioner Cressall, aye; Commissioner Ritchie, aye; Commissioner Buckles, aye; Commissioner Briggs, aye; Commissioner Thompson, aye.</b></p>
<p><b>8:20 PM - CANCELLED – REVIEW AND ACTION UPON A RECOMMENDATED CHANGE TO THE CLINTON CITY ZONING ORDINANCE, § 28-22-3 PATIO HOME INFILL SITE DEVELOPMENT CHARACTERISTICS:</b></p>	
<b>Discussion</b>	
<b>Public Comment</b>	
<b>CONCLUSION</b>	
<p><b>WORK SESSION - DISCUSSION, CHAPTER 1,2 &amp; 4, SUBDIVISION ORDINANCE</b></p>	
<b>ISSUES &amp; CONCERNS</b>	
<b>ADJOURNMENT</b>	<p><b>Commissioner Buckles moved to adjourn the meeting. Commissioner Cressall seconded the motion. All those present voted in favor of the motion. The meeting adjourned at 10:54 p.m.</b></p>