

HEBER CITY CORPORATION
75 North Main Street
Heber City, Utah
Planning Commission Meeting
Thursday, March 14, 2013

7:00 p.m.
Regular Meeting

Present: Planning Commission: Harry Zane
Michael Thurber
David Richards
Kieth Rawlings
Darryl Glissmeyer
Mark Webb

Absent: Craig Hansen

Staff Present: Planning Director Anthony Kohler
Planning Secretary Karen Tozier

Others Present: Brad Lyle, Mark Miller, and members of the Wheeler Park Scout Troup, Dave Nelson, Ryan Taylor, and Parker Taylor.

Chairman Rawlings convened the meeting at 7:08 p.m. with a quorum present. Commissioners Webb and Hansen were not present.

Pledge of Allegiance: Chairman Rawlings
Approval of Minutes: December 13, 2012 and February 28, 2013, Regular Meeting

Discussion on whether the December Meeting Minutes had been changed. The December 13, 2012 Meeting Minutes had not been approved at the Planning Commission's February meeting as Commissioner Hansen had expressed concern over the motion on Item 4 Mountain View Fellowship Church requests Final Commercial Development Approval for a church to be located at 171 North 600 West. Hansen had expressed concern that the motion was confusing particularly under the second condition:

2. *The Property, the south property, Brook Allen, to alter the driveway; including fencing and road conditions to minimize dust and other measures to buffer the home from the increased traffic; and that would be a written agreement that would need to be submitted to the City that would be an agreement between the two property owners and then submitted to the City as a third party. That would include maintenance of the fence.*

Staff had been directed at the February 28th meeting to contact David Church at the Utah League of Cities and Towns about the ability to change or clarify motions in approving minutes. There was discussion on David Church's information; the importance of making sure that motions are made correctly from the beginning was stressed as each motion needs to be recorded word for

word. When minutes are being approved comments about a motion can be made for clarification. Chairman Rawlings indicated he thought the issue with the driveway and who maintains the fence and so forth is going to be put in the agreement that the two parties are supposed to put together between themselves (the two property owners on the Mountain View Fellowship Church Final Commercial Development Approval issue) that they both will sign and thus he indicated he was not too concerned over not having the motion changed. No further discussion. Commissioner Thurber moved to accept the minutes (December 13, 2012). Commissioner Glissmeyer seconded the motion. Voting Aye: Commissioners Zane, Glissmeyer, Thurber, Rawlings, and Richards. Voting Nay: none. The motion passed.

There was no discussion on the Meeting Minutes of February 28, 2013. Commissioner Thurber moved to accept the February 28, 2013 Regular Meeting Minutes. Commissioner Zane seconded the motion. Voting Aye: Commissioners Zane, Thurber, Rawlings, and Richards. Abstaining: Glissmeyer. Voting Nay: none. The motion passed.

Item 1 **Mark Miller requests approval of proposed Plat Amendment to the Miller Lot Split located at 355 South 100 West**

Anthony Kohler provided information on Mr. Miller's request. This would allow for the driveway at the new home to be on the same building lot. Mark Miller was present but did not have any information to add to Kohler's comments. Commissioner Thurber asked about sidewalk extending to the curb. Kohler related that the last Council had changed direction on this and had agreed with the homeowner not to require sidewalk in this area. The bulb-out at the corner was also discussed. Commissioner Webb arrived to the meeting at 7:13 p.m. No further discussion.

Commissioner Glissmeyer moved to approve the proposed plat amendment for the Mark Miller Lot Split located at the southeast corner of 300 South and 100 West, as being consistent with the requirements of Chapter 18.60 R-3 Residential Zone. Commissioner Webb seconded the motion. Voting Aye: Commissioners Zane, Glissmeyer, Thurber, Rawlings, Webb, and Richards. Voting Nay: none. The motion passed.

Item 2 **Millstream Properties, LLC requests Final Commercial Development Approval for a 4,000 square foot addition located at 1969 South Wendell Lane**

Anthony Kohler reviewed the information in his staff report. Anthony Kohler indicated that the City does have design criteria but a lot of the design criteria will not apply because in the Industrial Zone the design criteria only applies to buildings that are off of the public street and so this really does not apply. Discussion on being as consistent as possible with the building materials and colors on the existing building. The Commission asked questions about setbacks, parking, condominium issues, and access between buildings. Anthony Kohler answered that the petitioners would need approval from others in the condominium association to build in the common area.

Commissioner Richards moved to approve the proposed 4,000 square foot industrial addition for property located at 1969 South Wendell Lane as consistent with Heber City Code, Section 18.72.030 J. Parking, and Chapter 18.44 Industrial Zone, conditional upon the addition being consistent in color with the existing roof and existing walls. Commissioner Webb seconded the motion. Voting Aye: Commissioners Zane, Glissmeyer, Thurber, Rawlings, Webb, and Richards. Voting Nay: none. The motion passed

Item 3 **Discuss the sign ordinance and electronic readerboard (LED) signs**

The Commission debated issues relating to signs. Past discussions, philosophies, and recommendations regarding signs and electronic readerboards were brought up and discussed further. The electronic readerboard that the County has proposed in the past was discussed. Commissioner Thurber commented that there were some things in the sign ordinance that did need to be changed. Concerns over safety issues relating to electronic readerboards were voiced. Mark Miller asked if there were currently any regulations regarding size, color, flashing and scrolling. Commissioner Richards talked about some of the regulations. Miller commented that it seemed like every year or two you start seeing more and more (electronic readerboards) and you do have pictures of soup and hamburgers and is your car washed today?; and it is flashing at you. He commented that you can't get through Main Street without being bombarded with that type of advertisement. He asked if the regulations were changed if existing signs would be grandfathered or would the signs have to change? Chairman Rawlings explained some elements of grandfathering and explained the proposal for amortization of non-conforming signs the Commission had recommended in the past to the Council. The recommendation had not been accepted by the Council. As there was no solid direction on signs the Commission decided to wait until further direction is given to them on this issue.

Item 4 **Discuss Tree Board related issues**

In discussing potential updates to the tree ordinance various tree species and problems with those trees were discussed; problems associated with incorrect trees species planted in planter strips were also discussed. Commissioners Zane, Glissmeyer, and Webb voiced aggravation over tree species such as crab apples in planter strips. The basic problem they explained was regarding trees in planter strips that have broad canopies under eight feet in height that spread into the sidewalk and street areas and prohibit ease to walk and jog, etc. Anthony Kohler noted that similar concerns have been expressed by the City's Public Works Director, Steve Tozier. Trees planted in the four foot wide planter strips interfere with snow plowing, tend to block street signs, and may at some point affect city utilities. The street tree list was discussed. There was discussion on whether or not to allow street trees or to amend the sections of the tree ordinance designating tree species to be planted in planter strips to alleviate this problem. Another option was to amend the City's street standards to have different street widths and planter strip widths.

In order to avoid having improper trees be taken out later, the Commission thought that a list of trees should be distributed to residents so they would know what tree species to plant and what not to plant and that perhaps some information could be given to local nurseries to distribute when residents are purchasing trees. They also thought this information could be put in the newsletter or Mayor's Corner as well. Status of the Tree Advisory Committee was also

discussed briefly. One thing that could be done would be to have them meet with the Planning Commission to get ideas going or to have them make a report to the Planning Commission. Anthony Kohler indicated that Heber City has been certified for the third year in a row as a Tree City USA. Tree Related Activities in 2012 were reviewed.

Administrative Items:

The subject of motions were discussed. The Commission concurred that suggested motions in the staff reports were helpful.

Code enforcement was discussed very briefly. One of the Commissioners suggested that photographs should be taken of signs where the businesses are no longer in business.

Commissioner Glissmeyer motioned to adjourn the meeting. Commissioner Zane seconded the motion. Voting Aye: Commissioners Zane, Glissmeyer, Thurber, Rawlings, Webb, and Richards. Voting Nay: none. The motion passed. The meeting adjourned at 8:17 p.m.

Approved 4/11/2013