

CLINTON CITY PLANNING COMMISSION MINUTES

Commissioner Tony Thompson
Commissioner Sam DeLong
Commissioner Allen Labrecque
Commissioner Dave Coombs
Commissioner Jolene Cressall
Commissioner Jeff Ritchie
Mayor L. Mitch Adams, City Council Representative

Planning Commission Meeting	January 21, 2014	Call to Order: 7:15 P.M.	2267 N 1500 W Clinton UT 84015
Staff Present	Community Development Director Lynn Vinzant and Lisa Titensor recorded the minutes.		
Public Present	Bruce Nilson, Linda Hogge, Jon Kent Draayer		
Pledge of Allegiance	Commissioner Ritchie		
Invocation or Thought	Commissioner Thompson		
Roll Call & Attendance	All were present		
Declarations of Conflict	There were none.		
City Council Report	Mayor Adams reported on the January 14, 2014 City Council Meeting as recorded in the minutes.		
Approval of Minutes	Commissioner Buckles moved to approve the minutes of the January 7, 2014 Planning Commission Minutes as amended. Commissioner Coombs seconded the motion. Commissioner DeLong abstained; all others voted in favor of the motion.		
WORK SESSION – TRAINING, ZONING ORDINANCE CHAPTER 5, CONDITIONAL USES			
Petitioner	Community Development		
Discussion	The Planning Commission Reviewed the Zoning Ordinance Chapter 5 in the Land Use Training Handbook <ul style="list-style-type: none"> • Standards for Granting Conditional Uses Page 116 • Checklist for Conditional Use Approvals..... Page 121 		
WORK SESSION – REVIEW OF THE PROPOSED CHANGES TO TITLE 24, SIGNS AND ADVERTISING DEVICES AND TITLE 28 CHAPTER 3, REGULATIONS APPLICABLE TO ALL ZONES			
Petitioner	Community Development		
Discussion	The Planning Commission discussed the following: Zoning Ordinance Chapter 3, Regulations Applicable to all Zones Sign ordinance Review of proposed changes to Title 24, Signs and Advertising Devices and Title 28 Chapter 3, Regulations Applicable to all Zones. Commissioner DeLong reviewed the minutes from the December 3, 2013 Planning Commission Work Session regarding the discussion on Title 24 Signs. He identified that the discussion was paused at 24-4(1) (v) (i). The Planning Commission continued their discussion on Title 24 Signs and Advertising Devices beginning at 24-4-1(v)(i) ; they addressed the following during the discussion: <ul style="list-style-type: none"> ▪ Prohibit billboard signs ▪ Add - <u>Sign, Area of:</u> paragraph 2: The area shall be within a single, continuous perimeter composed of any straight-line geometric figure which encloses the extreme limits of the advertising message and recognizable logo. 		

- Prohibit mechanically animated signs

24-3-1 Permit Required.

(1) Unless otherwise provided by this ordinance, all signs shall require permits and payment of fees as described in Section 24-8-3 of this title. No permit is required for the maintenance of a sign or for a change of copy on painted, printed, or changeable copy signs.

(2) Illegal signs. No person shall erect or maintain or permit to be erected or maintained on any premises owned or controlled by him any sign which does not comply with the provisions of this title.

(3) All necessary construction and engineering specifications must be submitted to satisfy the applicable building and construction code. The Department may also require, at its discretion, additional engineering information if there is a concern for the health or safety of the general public. ~~Provision in the ordinance to have the option to have the Planning Commission review the sign applications if petitioner requests it.~~ **Mr. Vinzant identified this is addressed in the appeal process.**

(4) Issuance: The Department shall issue a permit only to a sign contractor properly licensed in the state of Utah, for the erection, alteration or relocation of a sign within the City when an application therefore has been properly made and the sign complies with all appropriate laws and regulations of the City.

~~(5) Term: Every permit issued by the Department under the provisions of this chapter shall expire and become null and void if the work authorized by such permit is not commenced within one hundred eighty (180) days from the date of issuance of such permit, or if the work authorized by such permit stops is suspended or abandoned for any reason for a period of one hundred eighty (180) days or more at any time after the work is commenced. Before such work can be commenced or resumed thereafter a new permit shall first be obtained and the fee therefore shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work and provided further, that such suspension or abandonment has not exceeded one (1) year. PC would like clarification on the fees.~~

(6) Suspension or Revocation: The Department may at any time, in writing, suspend or revoke a permit issued under the provisions of this title whenever the permit is issued on the basis of a material omission or misstatement of fact, or in violation of any ordinance or any of the provisions of this title.

(7) Effect of issuance: No permit for a sign issued hereunder shall be deemed to constitute permission or authorization to maintain a public or private nuisance nor shall any permit issued hereunder constitute a defense in an action to abate a nuisance or for damages resulting from a nuisance.

(8) Indemnification of City: As a condition to the issuance of a building permit for a sign. All persons engaged in the alteration, relocation or maintenance of signs over a public right-of-way or other sign work in, over or immediately adjacent to a public right-of-way or public property shall agree to hold harmless and indemnify the City, its officers, agents and employees, from any and all claims of negligence resulting from said erection, alteration, relocation, maintenance or other sign work.

(9) General Liability Insurance Required. As a condition to the issuance of a building permit for a sign all contractors performing sign work under this title shall obtain a comprehensive liability insurance policy and maintain limits no less than \$1,000,000 combined single limit per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to each project/location or the general aggregate limit shall be twice the required occurrence limit. Said sign contractor shall furnish the City with a certificate of insurance which shall name the City, its officers, agents and employees as additional insured's under said policy. Said insurance shall be maintained in full force and effect during the term of the building permit license and said insurance policy or certificate shall provide that the City shall be notified of any cancellation of said insurance ten (10) days prior to the date of cancellation.

24-3-2 Moving, Relocating or Altering of Signs.

(1) No existing sign may be moved or relocated to any other parcel, building, structure or portion thereof, unless said sign complies with all other provisions of this title, or is altered so as to comply therewith. No existing sign may be moved or relocated on the same parcel, building, structure or portion thereof, unless said sign also complies with all other provisions of this title, or is altered so as

to comply therewith.

(2) No existing sign may be altered unless said sign, after alteration thereof, complies with all other provisions of this title. Alteration shall be deemed to include a change of message or sign legend, or portion thereof, except where such change is a normal increment of the sign function common to signs such as a billboard, theater marquee, reader board, bulletin board or other similar sign.

24-3-3 Maintenance. All signs shall be properly maintained. Exposed surfaces shall be clean and painted if paint is required. Defective parts shall be replaced. The Director shall have the right under Section 24-8-9 to order the repair or removal of any sign which is defective, damaged, or substantially deteriorated.

24-3-4 Lighting. Unless otherwise specified by this title, all signs may be illuminated. However, all signs shall be designed, located, shielded, and directed so as to prevent the casting of glare or direct light from artificial illumination upon adjacent publicly dedicated roadways and surrounding property. Any use of a revolving beacon light is prohibited.

24-3-5 Abandoned Signs. Any on-premise sign located on property which is vacated by an occupant shall be deemed to have been abandoned.

(1) All abandoned temporary and permanent on premise signs shall be removed within fourteen (14) days of the termination of occupancy.

(2) The structure of all detached on-premise signs shall be removed within forty-five (45) calendar days of written notice of abandonment is given to the owner, person having control, or person receiving benefit of such structure.

(3) Appeal. Any person who has been ordered to remove an abandoned sign may appeal the decision of the Director as outlined in Section 24-9-3 of this Title.

Chapter 4. Regulation of On-Premise Signs by Zone

- 24-4-1 Signs Not Requiring Permits
- 24-4-2 Signs that Require a Permit
- 24-4-3 Temporary Signs
- 24-4-4 Flags/Banners Requiring Approval
- 24-4-5 Bus Bench Signs

24-4-2 Signs Not Requiring Permits. The following types of signs are exempted from permit requirements but must be in conformance with all other requirements of this title:

(1) Changing Copy. The changing of the message on a permitted sign that has an approved marquee, reader board, electronic message center, or other replaceable copy area.

(2) Civic and philanthropic signs. Signs not exceeding one hundred (100) square feet in area pertaining to drives or events of civic, philanthropic, educational or religious organizations, provided that said signs are posted not more than two (2) days before the event and are removed no more than one (1) day after said event. These signs may be erected within a public right-of-way upon approval of the Community Development Director. **The question was asked should two (2) days have been extended to five in a previous ordinance change? Mr. Vinzant identified no, these are two different issues. Temporary signs require a permit, these do not.**

(3) Commercial and Industrial Zones. It is recognized that temporary signs announcing the location, availability, or development of property are necessary. Because these are allowed without a permit, restraint is advised.

(a) On-Premise Development Identification Signs. Signs announcing or identifying the future development of commercial or industrial property are allowed one (1) per public or private street frontage. The sign(s) may not be erected before the proposed development has been submitted for site plan review. They must be removed before final inspection or before permanent signs are installed. The size of the sign depends on the number of acres involved in the project.

Acreage of Development	Maximum Size of Sign
Less than 2 acres	32 square feet
2 to 5 acres	48 square feet
Greater than 5 acres	64 square feet
Maximum height of sign is 10 feet	

(b) On-Premise Real Estate Signs.

(i) One on-premise real estate sign advertising the sale of property per street frontage is allowed for any commercial or industrial planned center; building or lot intended for such and may not exceed thirty-two (32) square feet in area or eight (8) feet in height. If the parcel is over two (2) acres in size, the sign may not exceed sixty-four (64) square feet.

Individual pads or parcels within centers are allowed their own sign, but it may not exceed sixteen (16) square feet or six (6) feet in height. **One size sign allowed period – 32 sq. ft. or 8 ft. in height. Commissioner Barlow liked the West Point ordinance – all signs 18 inches from property line.**

(ii) One on-premise sign advertising the availability of commercial or industrial space, for lease or sale, for space within a multi-tenant building or for a pad within the same center is allowed. The sign must be securely attached to the vacancy in question. It may not exceed twenty-four (24) square feet in area.

(4) Community Signs. Community signs require review by the Department and/or other pertinent City department, for compliance with the following criteria:

(a) No sign(s) shall be permitted which is unsafe for vehicular or pedestrian traffic, is inappropriate with respect to location, size, time or duration of display, or is maintained in a deteriorated condition.

(b) Such sign(s):

(i) Must be made of durable, weather resistant, material;

(ii) Must use logos or symbols instead of copy where possible, where copy would cause a distraction to vehicular traffic; and

(iii) May be located at various gateway areas to the City, along major streets and important intersections adjacent to non-residential properties as approved by the Community Development Director.

(c) Such signs shall be uniform in size for each individual display and shall be no larger than four (4) feet wide and ten (10) feet tall for signs attached to light or utility poles. Signs attached to building may be larger but must be appropriate in scale and location as approved by the Community Development Director.

(d) Such signs may not be attached to another temporary sign or a permanent traffic or business sign.

(e) Such signs may be part of a "rotating permanent feature" of the City or community for such events as:

(i) Clinton Fun Days

(ii) Holidays

(iii) Cultural and/or arts events

(iv) Change in seasons

(v) General community promotion; i.e., business, with the prohibition of commercial endorsement or name on any such sign.

(f) Such signs for any single purpose or event may not be displayed for more than thirty (30) days. However, the Community Development Director may approve community purpose signs for long-term purposes subject to review on a ninety (90) day basis.

(5) Construction signs. In any commercial or manufacturing zone, one unlighted sign per development not to exceed sixty-four (64) square feet in area, may be placed on the lot or attached to the outside of a building during its construction period. Signs shall be restricted to a height of no greater than ten (10) feet. Construction signs shall be setback a minimum of ten (10) feet from property lines and out of all clear view areas. Said sign shall identify only the project, its developer, architects, engineers, designers, contractors or other persons or groups participating in the project.

(6) Directional/informational signs. Signs which provide direction or instruction and located entirely on the property to which they pertain and do not exceed four (4) square feet in area, such as signs

identifying rest rooms, public telephones, walkways, or signs providing direction such as parking lot entrance and exit signs and those of similar nature. Directional signs are to be limited to instruction or direction only and are not to have any form of commercial advertising on them other than a company logo.

(7) Flags. The flags, emblems, or insignias of any nation or political subdivision.

(8) Holiday or special events decorations.

(9) Home occupation signs. Within any zone home occupation signs are allowed based upon issuance of a Conditional Use Permit. Home occupation signs are not to exceed two (2) square feet in area and must be attached to the home.

(10) House numbers and name plates. House numbers and name plates not exceeding two (2) square feet in area for each residential building.

(11) Incidental sign.

(12) Interior signs. Signs located within the interior of any building or stadium (if said signs are facing towards the interior of the stadium) or within an enclosed lobby or court of any building, and signs for and located within the inner or outer lobby, court of entrance of any theater.

(13) Memorial signs or tablets. Memorial signs or tablets, names of buildings, and dates of building erection when cut into the surface or facade of a building.

(14) No Trespassing and No Dumping signs.

(a) In any commercial or manufacturing zone trespassing/dumping signs are allowed. In a commercial or manufacturing zone any number of signs not exceeding six (6) square feet each and placed a minimum of fifty (50) feet apart, may be attached to a structure, fence or may be free standing. In no case shall a trespassing/dumping sign be placed at a height greater than eight (8) feet above the finished grade immediately below the sign. No permit shall be required for this type of sign.

(15) In residential zones any number of trespassing/dumping signs not exceeding three (3) square feet each and placed a minimum of fifty (50) feet apart, may be attached to a structure, fence, or may be free standing. In no case shall a trespassing/dumping sign be placed at a height greater than six (6) feet above the finished grade immediately below the sign. No permit shall be required for these types of signs.

(16) One attached nameplate per occupancy, not to exceed two (2) square feet in sign area.

(17) Political and Campaign Signs shall meet the following requirements:

(a) Posting on public right-of-way. It shall be unlawful for any person to post a campaign sign in a public right-of-way.

(b) Prior to posting of any campaign signs the candidate, a representative of the candidate or representative of the campaign shall provide to the Code Enforcement Officer the name and number of a contact person for the candidate or campaign.

(c) Posting time limits. It shall be unlawful for any person to post a campaign sign more than thirty (30) days prior to the start of Early Voting for which the sign is posted, and it shall be unlawful to fail to remove a campaign sign within five (5) days after the election for which the sign was posted. However, candidates that advance from a primary election to the general election may leave their signs in place until the general election.

History 5/12

(d) Limitation of number of campaign signs on a lot. No limit is established.

(e) Limitation of size of campaign signs. On any lot in any zone the maximum size of any one sign shall not be greater than sixteen (16) square feet. The maximum height of the sign may not exceed six (6) feet.

(f) Removal of illegal campaign signs. The Code Enforcement Officer or authorized agents are authorized to remove any campaign sign found posted within the corporate limits of the City when such sign is in violation of the provisions of this section. For the purpose of removing campaign signs, the Code Enforcement Officer or his authorized agents are empowered to take all steps necessary to remove the unauthorized sign including but not limited to enlisting the aid or assistance

of any other department of the City and to secure legal process to the end that all such signs shall be expeditiously removed from any property where posted.

(g) Notice. Upon discovery, the Code Enforcement Officer or authorized agents shall immediately notify by telephone the candidate, committee or person responsible for the posting of any sign in violation of this section, indicating the location of the sign and that the sign must be removed immediately. If the address or phone number of the person responsible for the violating sign is not known the sign shall be removed under the provisions as set forth in sub-section (f) of this section.

(h) Storage and return. If after the notice has been given under sub-section (g) above, any campaign sign has not been removed, the Code Enforcement Officer or authorized agents shall remove said campaign sign and keep a record of the location from which the sign was removed. He/she shall store the sign in a safe location for at least thirty (30) days or until after the election whichever occurs first.

(i) Visual clearance triangle. No campaign signs shall be located in the visual clearance triangle located on corner lots. The visual clearance triangle is the triangular area at the corner performed by measuring a distance of forty (40) feet along both lot lines back from the point of intersection of said lines. Signs located within the visual clearance triangle may be removed under section (f) above without prior notice as required by section (g) if determined to be a safety hazard.

(j) Public Property. Political and campaign signs shall not be placed on public property.

(k) Illegal signs, public nuisance. Campaign signs in violation of this section are hereby declared to be public nuisances, and may be abated as such by the City.

History 5/04; 08/07, 7/09

(18) Public notices. Official notices posted by public officers or employees in the performance of their duties.

(19) Public necessity signs. Public necessity signs for control of traffic and other regulatory purposes, street signs, danger signs, railroad crossing signs, and signs of public service companies indicating danger and aids to service or safety.

(20) Residential Zones. It is recognized that temporary signs announcing the location, availability, or development of property are necessary. Restraint is advised. The following shall apply:

(a) On-Premise Development Identification Signs.

(i) Individual Lots. One sign announcing the name of the construction/development company is allowed. Area of the sign may not exceed sixteen (16) square feet or six (6) feet in height. The sign may not be erected more than five (5) days prior to the beginning of construction for which a valid building permit has been issued. It must be removed before final occupancy.

(ii) Subdivisions or Planned Unit Developments. One development promotional sign may be placed on the premises of each development having five (5) or more lots or approved unit sites in any residential zone. The size of the sign shall be no greater than sixty-four (64) square feet with a maximum height of ten (10) feet. Such signs shall be removed within five (5) years of the issuance of the first building permit in the project or if the lots are sold out before five (5) years immediately upon sale of the last lot.

(b) On-Premise Real Estate Signs.

(i) Signs advertising the sale, rent, or lease of property shall be limited to one real estate sign on each lot. Each such sign shall not exceed four (4) square feet in size and four (4) feet in height.

(ii) One real estate sign per street frontage is allowed for any multi-use residential or professional office building or lot intended for such and may not exceed thirty-two (32) square feet in area or eight (8) feet in height. If the parcel is over two (2) acres in size, the sign may not exceed sixty-four (64) square feet.

Number of Units or lots	Maximum Size of Sign
Less than 10	32 square feet
11 to 24	48 square feet
Greater than 24	64 square feet
Maximum height of sign is 10 feet	

(iii) Model home signs shall not exceed sixteen (16) square feet in area nor exceed six (6) feet in height and shall be placed entirely upon the premises of the model.

(iv) Model home signs shall not be located within the sight triangle as defined by the Zoning Ordinance and shall be setback a minimum of ten (10) feet from the property line.

(c) Temporary/Open House Real Estate Signs. Open house signs not to exceed six (6) square feet in area and four (4) feet in height, advertising real estate open for inspection may be placed on private property in the vicinity of the property open for inspection. Individual placing the signs shall obtain written permission from the property owner. They shall not be placed in the parkstrip. They shall not be attached to trees, poles or street signs, etc. Open house signs shall be displayed only during those hours/day(s) which the house is open for actual inspection.

(21) Symbols or insignias. Religious symbols, commemorative plaques of recognized historical agencies, provided that no such symbol, plaque, or identification emblem shall exceed ten (10) square feet in area.

(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 said signs may be placed on a parcel of property.

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

(c) Said signs must have a setback of one (1) foot 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.

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

(f) Said signs shall not exceed three (3) feet in height, or when placed into a clear view area, two (2) feet in height.

(g) Said signs shall not exceed six (6) square feet in sign area measured on one sign face individually, or eighteen (18) square feet collectively.

(23) Window Signs. Window signs which are painted on or temporarily affixed to the window surface shall cover no more than 25% of any single window or 25% of the entire surface area of a group of windows and shall not be so affixed as to block clear view of exits or entrances or to create a safety hazard. This applies also to inside illuminated signs (e.g., neon, etc.) which are within eight (8) inches of the window surface.

History 5/04, 7/09

24-4-3 Signs that Require a Permit.

(1) Purpose: The streetscape is the combination of vehicles, buildings, signs, landscaping, roads, utility poles, etc., that dominant the view of the driver or pedestrian. The streetscape tells residents and visitors how the City as a whole feels about the environment, safety, aesthetics, and its sense of order, among other things. A useful, attractive, and safe streetscape is one that necessarily regulates the size, location, and design of business signs. Because a proliferation of poorly designed, oversized, and inappropriately located signs in commercial and industrial areas can be detrimental to the achievement of effective, safe and attractive streetscapes, it is important that the permanent signs in these areas receive approval (permits) from the City.

(2) Commercial and industrial uses are generally more intensive than those found in residential zones. Since these uses are designed by size, location, and style to attract attention and provide services to the public, they generally need signage to achieve that end. Business signs of any kind in residential

neighborhoods can diminish the quality of life for which those zones were specifically created. However, there may be some residential uses which merit a sign, though much smaller and subdued than in commercial or industrial zones. Therefore, it is the intent and purpose of this section to outline regulations and design standards for signs in both commercial/industrial and residential areas that will allow the business to identify itself while allowing Clinton City to create and maintain safe and aesthetically pleasing streetscapes regardless of zone.

(3) Sign Theme Required: All multi-tenant centers/buildings must submit a proposal for all on-premise signs to the Planning Commission for design and placement approval. In cases for parcels of land of seven (7) acres or larger, and with frontage of three hundred (300) feet or more, a proposal for the overall design and placement of all on-premise signs may be submitted. Such signs may vary from the regulations set forth herein and shall be considered as a conditional use; providing there is a determination that the proposed sign exceptions are not in conflict with the purpose and intent of this Chapter and are in architectural harmony with uses adjacent to the development and with the understanding existing signage may be required to be altered or removed.

(4) On-Premise Freestanding Signs. The size and height of freestanding signs are allowed as follows:

(a) Planned centers or parcels less than ten (10) acres. No freestanding signs allowed except as allowed in 24-4-2(3) above. Only monument signs are allowed.

(b) Ten (10) acres or more. The Community Development Director may approve one freestanding sign per street frontage. No freestanding sign shall be allowed for any planned center or parcel that has less than three hundred (300) feet of street frontage. Sign height may not exceed twenty-two (22) feet. Signs must be at least two hundred (200) feet from the corner.

(c) Reader boards, changeable copy areas and electronic message centers are allowed but discouraged. No such device shall exceed 50% of the total sign copy area of the sign.

(5) Monument Signs. **The following standards shall apply:**

(a) Monument Sign, Size **Review with Planning Commission for clarification**

(i) Monument signs are allowed for any size parcel provided that the parcel has thirty (30) feet of street frontage. The sign area allowed is determined by the following formula: thirty-two (32) square feet plus one (1) square foot per 3.125 lineal feet of street frontage over fifty (50) feet, maximum size is sixty (60) square feet. Parcels with two street frontages are allowed a sign on each street. However, the signs must be separated by at least one hundred (100) feet as measured diagonally across the property from center to center of both signs or only one (1) sign will be allowed. Signs within the visibility triangle may be allowed with the permission of the Clinton City Engineer.

(ii) Monument signs must have at least a one (1) foot pedestal, and the height of the sign may not exceed five (5) feet for a total of six (6) feet. The height to the top of the sign may vary where the sign is placed upon a landscape berm. The combined height of the sign plus landscaped berm may not exceed nine (9) feet as measured from the top of the curb. The frontage of the property must be bermed a minimum lineal distance equal to one-half of the square footage of the sign for this to occur. The sign base shall be landscaped.

(iii) Reader boards (changeable copy areas) and electronic message centers may be allowed, however, such devices shall not exceed 50% of the gross total sign area calculated in section (i) above and height limitations established in section (ii) above. **Any reference to Reader Board needs to be changed to Electronic Message Center (EMC).**

(b) Monument signs for Planned Commercial Centers:

(i) Monument sign shall have a logo/identification theme as part of the sign.

(ii) Planned commercial centers with two (2) or more street frontages are allowed one (1) sign on each street frontage. The signs must be separated by at least one hundred (100) feet as measured diagonally across the property from center of sign. In no case shall the approved monument sign be placed closer than one hundred (100) feet to any other sign (monument or freestanding/pole) located on the same side of street.

(iii) The area of the sign is determined by the length of the frontage along which the sign is to be placed, including the frontage of any freestanding buildings included within the planned commercial center. The sign area is determined as provided in sub-paragraph 5.a above.

(iv) In the case of the development of a planned commercial center on multiple parcels of property having common frontages, regardless of the number of separately owned parcels or buildings of separate occupancy within the planned commercial center, the frontage shall be considered to be the composite of the entire commonly-used parcels or buildings and not the frontage of each individual business or occupancy. The over-all frontage shall be used to calculate allowable sign area for the center identification sign as provided in sub-paragraph one (1) above.

(v) In the event that a planned commercial center has several freestanding buildings (single or multi-occupant), each permitted monument sign shall be separated from each other by no less than one hundred (100) feet.

(c) Freestanding Building within a Planned Commercial Center:

(i) A freestanding building within an approved planned commercial center may request a monument sign provided that the freestanding building lot is contiguous to a major arterial street and has at least one hundred (100) feet of street frontage.

(ii) Freestanding buildings with two (2) or more street frontages are allowed one (1) sign on each frontage. The signs shall be separated by at least one hundred (100) feet as measured diagonally across the property from center of sign. In no case shall the approved monument sign be placed closer than one hundred (100) feet to any other sign (monument or freestanding/pole) located on the same side of street.

(iii) The business or tenant occupying the freestanding building shall be allowed a monument sign upon determination of the Community Development Director that the sign is not in conflict with the purpose of this chapter and is in architectural harmony with uses adjacent to the development.

(iv) The sign area is determined as provided in sub-paragraph 5.a above.

(d) Freestanding Building not Associated with a Planned Commercial Center:

(i) A freestanding building not associated with a Planned Commercial Center is allowed one monument sign provided that the parcel has at least one hundred (100) feet of street frontage.

(ii) In the case of the freestanding building having two (2) or more frontages, they may place one (1) sign on each street frontage provided that the signs are separated by at least one hundred (100) feet as measured diagonally from center of sign. In no case shall the permitted monument sign be placed closer than one hundred (100) feet to any other sign (monument or freestanding/pole) located on the same side of street.

(iii) The sign area and size are determined as provided in sub-paragraph (5) (a) above. **This section will be re-written.**

(6) Wall Signs. Wall signs should be the primary form of identification for business uses in the City. Each business is entitled to one wall sign if the following criteria are met:

(a) The sign may not occupy more than 10% or six hundred (600) square feet, which ever is less, of the flat wall area. If a sloping facade or roof exists, the sign may not exceed 10% or six hundred (600) square feet, which ever is less, of that area. A wall sign may not use a combination of both flat and sloping areas in calculating the 10%. On a sloping roof the vertical projection is used to calculate area not actual length of the slope.

(b) The 10% area of the primary wall and the 5% area of all secondary walls may be divided into more than one sign under the following requirements and restrictions:

Requirements:

(i) The sign package blends with the aesthetics of the building and surrounding natural and manmade environment.

(ii) The sign package color, style, size, scale and proportion enhances the exterior of the building and does not place too much bulk and external distractions on the exterior of the building.

(iii) The numbers of signs are appropriate to the scale of the building.

Restrictions:

(i) The maximum number of wall signs on any given wall, including multi-tenant buildings, shall be seven (7). For the purpose of this ordinance, a sign will be considered a complete phrase and the

- suggested layout of the sign package (i.e., the individual words may either be lumped together as one phrase to equal 1 sign, or spread out to be many different signs, such as “1 Hour Photo” would be considered one sign.)
- (ii) The maximum number of multiple wall signs on any given wall shall be limited to seven (7). The maximum square footage shall be limited to be six hundred (600) square feet or 10% of the wall (5% if a secondary wall), whichever is less.
- (iii) Multi-tenant buildings may receive a conditional use permit so that the building may exceed the maximum number of signs to accommodate the additional sign if the Planning Commission judges the additional sign to be consistent with the criteria set forth above.
- (iv) Multiple wall signs shall utilize individual lettering and logos only. No multiple cabinet signs or combination of cabinet and individual lettering signs shall be approved. It is encouraged that the use of multiple materials and lettering styles, such as exposed neon, different type styles, and use of logos in conjunction with the lettering be implemented.
- (b) Painted signs applied directly to any building face, must have specific approval of the Community Development Director.
- (c) Wall signs with changeable copy, reader board, or electronic message capability are not allowed.
- (d) Buildings or businesses with exposure on the side(s) and front may choose which wall to mount their sign upon. Signs are allowed on the rear of the building with Planning Commission approval.
- (e) Owners of buildings that have small offices inside, accessory and/or secondary to the main use are required to create a building identification sign instead of trying to obtain signage for every tenant. This is especially true for buildings with two or more levels.
- (f) Wall signs on sloping roofs shall be erected so as to appear as a sign applied to a similarly vertical wall surface and finished in such a manner that the visual appearance from all sides is such that they appear to be part of the building itself. All such signs shall be installed or erected in such a manner that there is no visual support structure such as guy wires or braces.
- (g) No part of any wall sign or of the sign structure shall project above or below the highest or lowest part of the wall upon which the sign is mounted or painted.
- (h) No wall sign including any light box or structural part shall project more than eighteen (18) inches from the face of the building to which it is attached.
- (i) Upon review and approval by the Planning Commission, a business may request the placement of a business identification sign upon a wall not otherwise located above the named business. When reviewing such requests, the Planning Commission shall consider the following criteria:
- (i) The proposed sign is in close proximity to the identified business.
- (ii) The proposed sign square footage is counted against the allowable square footage for the wall upon which it is mounted (i.e., if a business who occupies the space permits another business to share the wall for signage, the additional sign will be included when calculating the permitted amount of square footage for the primary business).
- (iii) That the proposed sign comply with established sign theme requirements for the shopping center upon which the sign is located.
- (7) Off-premise Billboard Signs. Off-premise billboard signs are not permitted at any location within Clinton City.
- (8) Suspended Signs. Suspended signs used in place of wall signs are allowed if the architecture of the building or planned center lends itself to that design and a sign theme is submitted and approved by the Planning Commission. The following shall apply:
- (a) The Director must review any proposal for a suspended sign or under-canopy sign for compatibility with the building.
- (b) Any sign may not exceed 15% of the flat wall of the tenant space. **Research and add definition**
- (c) No sign may project beyond the outside limit of the arcade, marquee, or canopy or facade to which they are attached. **Research**
- (d) Any sign must have at least an eight (8) foot clearance above the sidewalk or seven (7) feet above

any landscaped area.

(e) There must be a minimum horizontal distance of five (5) feet on both sides between suspended signs.

(9) Awning Signs. Awning signs are allowed only under the following circumstances:

(a) The Director may approve any applicant for an awning sign which fully complies with sign standards.

(b) Awning signs in planned centers must be designed to conform to an approved sign theme.

(c) No awning signs will be allowed on multi-tenant buildings or in planned centers unless the building or center has consistent treatment.

(d) Awning signs shall be limited to single story buildings or to the first level only of multi-story buildings.

(e) Awning signs must function as true awnings by being placed over a doorway, window, or walkway to protect such from the elements.

(f) Awning signs are not allowed on or above sloping or mansard roof.

(g) The area of awning signs shall be a maximum of 10% of the primary wall upon which the sign is mounted. Awning signs for secondary walls are limited to 5% of the wall area.

(h) Area of copy/logo on awnings shall be limited to 40% of the awning. Illuminated signs on other sides shall be permitted.

(i) Awning signs shall conform to all provisions of the Uniform Building Code governing such structures.

(j) Illuminated (backlit), translucent, vinyl awnings are not permitted. Translucent letters or accents sewn into opaque canvas or acrylic awnings are permitted.

(k) Awning signs shall not project out from the wall more than eight (8) feet, nor less than two (2) feet. In the case of entrance canopies the awning may project out from the building over a walkway and must lead to a bona fide business entrance. Such canopies will be permitted if they are compatible with the architecture of the building.

(l) Awning signs shall not project above the roof line, defined as the highest part of the vertical wall.

(m) Awning signs shall maintain a minimum clearance of seven (7) feet to the bottom of the valance and eight (8) feet to the frame above the sidewalk and comply with all other clearance requirements.

(n) Awning signs shall be maintained in a clean, safe and attractive condition. Failure to do so will result in revocation of the sign permit.

(10) Canopies (Gas Stations). Signs for canopies over gas islands are regulated as follows: **Research height of canopy.**

(a) Sign copy, corporate logos, etc. may be a maximum of 10% of one face of the canopy.

(b) Up to 3 sides of the canopy may be used for signs.

(c) The height to the top of the canopy may not exceed twenty (20) feet from grade and no canopy fascia may exceed four (4) feet in height.

(d) Individual letters, logos, or symbols may not exceed four (4) feet in height or project out from the surface of the canopy more than eighteen (18) inches or project above or below the canopy face.

(e) Gas price signs are allowed on the monument sign or below the canopy over the pumps. One double faced sign for each type of fuel sold is allowed per Gas Island with a maximum of 4 sets per station. Area of said sign may not exceed four (4) square feet each.

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

(a) Only two (2) menu boards are allowed per 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.
- (c) The Planning Commission shall give consideration to aesthetics and screening from the public right-of-way.

Site plan issue.

(12) Subdivision Identification Signs.

(a) Two subdivision identification signs per entry from a collector or sub-arterial or arterial street per neighborhood, subdivision, or development, not to exceed four (4) feet in height and twenty (20) square feet in total sign area: OR

(b) A sign, masonry wall, landscaping and other similar materials or features may be combined to form a display for neighborhood or tract identification. If said sign is to be a free-standing structure it must be monument sign and must comply with the provisions set forth in this chapter. Any sign or display must be located so it is not in the clear view area.

(13) Two identification signs per apartment or condominium complex, not to exceed six (6) feet in height and twenty-four (24) square feet in total sign area.

(14) For permitted nonresidential uses, including churches and synagogues, one freestanding sign, not to exceed six (6) feet in height and forty-eight (48) square feet in sign area and have a minimum of a ten (10) foot setback from any public right-of-way. One wall sign not to exceed twelve (12) square feet in sign area.

24-4-3 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~~ **or on premises.** 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

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 – September	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.

~~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.~~

(1) Temporary Signs Requiring a Permit.

(a) 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.

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

(2) 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.

(a) NOTE: Special product, price, or service advertising are appropriate during these periods.

(3) 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.

(a) NOTE: Special product, price or service advertising are appropriate during these periods.

(4) Temporary Signs Allowed Without a Permit.

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

(5) 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.

(a) 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.

(b) 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.

24-4-4 Flags/Banners Requiring Approval.

(1) In addition to the above mentioned requirements businesses that are considered to have permanent outdoor retail space may, with a special one time permit issued by the Planning Commission, use flags or banners on any number of parking area light poles or on a single pole in conjunction with governmental flags. The Planning Commission or Department staff shall use the following criteria for approval/revocation of additional flags and/or banners:

(a) The applicant shall present to the Planning Commission drawings, representations or other types of visual aides to ensure that what is approved will accomplish the intent of the Planning Commission.

(b) The applicant shall provide sizes and numbers of all flags or banners.

(c) The proposal must be in harmony with neighboring development in terms of size, color and volume.

(d) The Department staff has the right to revoke this permit if the applicant has misrepresented any aspect of the proposal or the flags/banners become tattered, discolored or the applicant has violated any provisions of this code. Appeals of a determination by the Department shall be heard by the Planning Commission.

24-4-5 Bus Bench Signs.

~~(1) Bench signs as defined in this title shall be allowed in conformity to the following regulations:~~

~~(a) Bus bench signs may be located in any commercial or manufacturing zoning district and shall be considered on premise detached signs provided that these signs:~~

~~(i) Are located only at public transportation stops as designated by the City.~~

~~(ii) Are not located within the public right of way.~~

~~(iii) No more than one bench may be located at designated public transportation stops.~~

~~(iv) The square footage of the advertising on any bench sign shall be counted as part of the on-premise detached limitations.~~

~~(v) Each bench sign shall have a minimum setback of two (2) feet behind the public sidewalk and shall be located entirely on private property.~~

~~(vi) The sign company shall maintain a current business license. Each year upon renewal of the license a complete list of bench and sign locations within the City shall be provided.~~

~~(vii) The City reserves the right to have any bench sign found to be in disrepair removed within three (3) days after the owner receives notice.~~

~~(viii) Evidence of written permission from the property owner allowing any bench sign to be placed must be presented to the City.~~

Permits shall be obtained for bench signs as outlined in this title. **Address this in land use and under prohibited signs.**

Mr. Vinzant stated he would research and send out the industry standards for reader boards.

Before moving on to the discussion on patio homes, the Planning Commission took a break; they reconvened at 9:34 p.m.

WORK SESSION – DISCUSSION RELATED TO INFILL AND MODIFICATIONS TO CHAPTER 22, PATIO HOMES

Petitioner Planning Commission

Discussion

Mr. Vinzant showed the Planning Commission a map which identifies potential infill parcels of land in the City.

Kent Draayer stated he does not want a development that would turn into rentals, his neighbors want patio homes. He still needs a rezone for his property.

The Planning Commission discussed the following:

Chapter 22.¹³⁹ Patio Home Zone (PH)

28-22-1 Purpose
 28-22-2 Permitted Uses
 28-22-3 Conditional Uses
 28-22-4 **Minimum Lot Development Standards**

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 the Zone is to be based upon an overall site design created by and developed completely by one developer and home builder.

28-22-2 Permitted Uses.¹⁸²

- (1) Single-family dwelling.
- ~~(2) Publicly owned and operated recreation uses and facilities; public buildings; public parks and playgrounds.~~
- (3) Home Office.
- (4) Household Pets.
- (5) Sign – One nameplate and identification sign in accordance with the Clinton City Sign Ordinance.
- (6) Accessory buildings and uses customarily incidental to any permitted use.
- (7) Common area and amenities maintained by the homeowners association.

- (8) ~~Immediate family dwelling unit.~~
- (9) Temporary on site storage containers for emergency construction or repair of residences, with the following stipulations:
 - (a) Must be placed on a hard surface
 - (b) Can only be present for 3 months out of a 12 month period

28-22-3 Conditional Uses. ¹⁸²

- (1) Public Utility Substations
- (2) ~~Bed and Breakfast~~
- (3) Water Wells, Reservoir, or Storage Tank

28-22-4 Infill Standards.

- (1) Use of this Zone is only permitted within established R-1-6, R-1-8, R-1-9 and R-1-10 Zones.
- (2) Infill will only be permitted on parcels meeting the following criteria:
 - (a) Maximum of 18 acres;
 - (b) Property can not have been subdivided from a larger parcel to meet requirements for this zone;
 - (c) Property surrounding the parcel being developed must be fully developed; and,
 - (d) The Patio Home development must improve the aesthetic and property values of the neighborhood in which it is going.
- (3) Development requirements shall include:
 - (a)

28-22-5 Minimum Lot Development Standards.

- (1) Area –
 - (a) Minimum: 5,100 square feet
 - (b) Average: 6300
 - (c) Corner minimum: 5,400 square feet
- (2) Width –
 - (a) Minimum: 57 feet
 - (b) Average: 64 feet
- (i) Corner: 61 feet
- (3) Yard Setback:

Front of dwelling to property line	Major Street	Not Allowed
	Other Street	15 feet
Front of dwelling to sidewalk	Major Street	Not Allowed
	Other Street	19 feet
Side, interior	Dwelling	16 feet
	Other Main Building	20 feet
	Accessory Building	10 feet ^a
Side, facing street	Major Street	Not Allowed
	Other Street	4 feet
Rear	Main Building	10 feet
	Accessory Building	3 feet

^a Except 3 feet if located at least 5 feet from the main building

- (4) Building Height:

Main Building	Story	1 story
	Height	25 feet
Accessory Building	Minimum	6 feet

	Maximum	1 story or 15 feet ^a
--	---------	---------------------------------

^a not to exceed height of main building on lot

(5) Building size:

TABLE 22.4.3	
Minimum Dwelling Unit Square Footage	1430
Minimum number of dwelling variations	3
Minimum increase in square footage between variations	200
Minimum Finished Living Space	1430/1630/1830
Minimum Garage Size	2 car with a minimum 15% of dwellings with three car garages
Accessory Building	400 sq. ft. maximum

(6) Aesthetics:

TABLE 22.4.3		
Exterior	Front	100% Brick or Stone
	Sides	75% Brick or Stone
	Rear	75% Brick or Stone
	Trim	Maintenance Free
Patio	Minimum	200 square feet
Landscaping and Automatic Sprinkler System		Installed with construction contract
Park strip trees		1 per frontage, 1.5 average per frontage
Fencing		Standardized within development
Architecture		Consistent theme among all structures

(7) Development Characteristics:

TABLE 22.4.3	
Maximum Acreage	18
Maximum Density/Acre	5
Minimum Maximum Lots	90
Public Streets	Public
Utilities	Public
Street Design	City Alternate Design
Street Lights	City Design

(8) Homeowners Association: All developments within the zone shall have a Homeowners Association established with Conditions, Covenants and Restrictions (CC&R's). CC&R's shall be consistent between all phases of the development and apply equally to all property owners.

28-22-6 Application Process.

- (1) A rezone request shall be applied for on forms provided by the City and as outlined in Chapter 1 of this Title.
- (2) Rezone, if approved, shall be conditional upon final approval of a subdivision and development design approvals; and,
- (3) Subdivision and development design may be submitted simultaneous with the rezone application; however this will not have any bearing upon the approval or denial of the rezone application.

Commissioner's Issues & Concerns

ADJOURNMENT Commissioner DeLong moved to adjourn the meeting. Commissioner Labrecque seconded the motion. All those present voted in favor of the motion. The meeting adjourned at 10:24 p.m.