

PLANNING COMMISSION MEETING
Thursday, January 27, 2011 6:00 p.m.
Public Safety Building
3925 W Cedar Hills Blvd, Cedar Hills, Utah

Present: Cliff Chandler, Chair, Presiding
Commissioners: Glenn Dodge, Donald Steele
Greg Robinson, Assistant City Manager
Scott Jackman, City Council Liaison
Kim E. Holindrake, City Recorder
Courtney Hammond, City Meeting Transcriber (6:30 p.m.)
Eric Johnson, City Counsel

PLANNING COMMISSION MEETING

1. This meeting of the Planning Commission of the City of Cedar Hills, having been properly noticed, was called to order at 6:03 p.m. by C. Chandler.
2. Swearing in of New Members (6:03 p.m.)

Glenn Dodge was sworn in as a member of the Planning Commission by Kim Holindrake.
3. Appointment of Chair and Vice Chair (6:06 p.m.)

MOTION: C. Dodge – To nominate Cliff Chandler as Chair. Seconded by C. Chandler.

Yes	-	C. Chandler	
		C. Dodge	
		C. Don Steele	Motion passes.

MOTION: C. Chandler – To nominate Glenn Dodge as Vice Chair. Seconded by C. Steele.

Yes	-	C. Chandler	
		C. Dodge	
		C. Don Steele	Motion passes.

4. Public Comment (6:10 p.m.)

No comments.

PUBLIC HEARING(S)

5. Amendments to the City Code, Title 10, Chapter 5, Supplementary Development Standards, Regarding Signs and Campaign Signs (6:10 p.m.)

No comments.

SCHEDULED ITEMS

6. Approval of Minutes from the November 18, 2010, Regular Planning Commission Meeting (6:10 p.m.)

MOTION: C. Chandler – To approve the minutes. Seconded by C. Dodge.

Yes - C. Chandler
C. Dodge
C. Steele

Motion passes.

7. Review/Recommendation on Amendments to the City Code, Title 10, Chapter 5, Supplementary Development Standards, Regarding Signs and Campaign Signs (6:12 p.m.)

See handouts.

Staff Presentation:

Eric Johnson reported that the City received a letter from an attorney questioning the City's sign ordinance. This attorney has filed suit against a variety of cities around the state over the last six months. The City Council suspended enforcement of its sign ordinance to avoid suit and to review the sign ordinance. Eric Johnson has done extensive research regarding the sign ordinance and has learned some wonderful or disturbing things. More than 95% of all reported challenges to municipal sign ordinances are successful. You can't regulate a sign based on what it says. The courts regulate sign ordinances just as they regulate speech. The proposed ordinance makes three distinctions, i.e. commercial and residential zoning, commercial speech and non-commercial speech, and temporary signs and permanent signs. Signs can be regulated by time, place, and manner. There is a bill before the Legislature regarding signs that in residential zones a city can't require permits or a temporary sign. It states a temporary sign can be up for at least 120 days and can be at least a two-sided, 30-square-foot sign. Some court cases have allowed more restrictive signs than the proposed bill. The City should wait to see the outcome of this bill before passing a new sign ordinance.

MOTION: C. Dodge - To table the sign ordinance until the legislature has reacted. Seconded by Steele.

Further Discussion:

Eric Johnson stated that he will recommend that the City have a very light hand in regard to temporary signs in residential areas. He will likely recommend that temporary signs be allowed without a permit but with regulations regarding the setback from the road and square footage. After six months the City can approach the homeowner to find out if the sign has been abandoned. If there is no response, the City can deem the sign abandoned.

Yes - C. Chandler
C. Dodge
C. Steele

Motion passes.

8. Discussion Regarding Parking Regulations (6:39 p.m.)

See handouts.

Staff Presentation:

Greg Robinson stated that in the past few months, staff has made an effort to get out and notify residents of street parking regulations, especially in anticipation of snow. Most people have been receptive. On a few occasions American Fork police had to get involved. With this increased effort, parking compliance has improved. Staff feels the ordinance is adequate, but enforcement and education can improve.

Commission Discussion:

- C. Steele stated that there is a problem with larger vehicles, boats, RVs, etc.
- C. Chandler stated that the ordinance, particularly as it relates to snow removal, is primarily a safety issue.
- C. Dodge would like to add “including, but not limited to RVs, boats, trailers . . .” to B1.

MOTION: C. Dodge - To recommend to the City Council the changes in Title VIII, Section 5 ordinances with the suggested inclusions. Seconded by C. Steele.

Yes	-	C. Chandler	
		C. Dodge	
		C. Don Steele	Motion passes.

9. Committee Assignments and Reports (6:56 p.m.)

No reports.

10. Adjourn

This meeting was adjourned at 6:57 p.m. on a motion by C. Dodge, seconded by C. Steele, and unanimously approved.

Approved by Commission:
March 24, 2011

/s/ Kim E. Holindrake
Kim E. Holindrake, City Recorder