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City of Washington Terrace

Minutes of Planning Commission Meeting held on
Thursday, January 30, 2014
City Hall, 5249 South 400 East, Washington Terrace City,
County of Weber, State of Utah

PLANNING COMMISSION AND STAFF MEMBERS PRESENT

11 Chairman Wallace Reynolds
12 Commissioner Scott Barker
13 Commissioner Larry Weir
14 Commissioner Dan Johnson
15 Commissioner T.R. Morgan
16 Commissioner Scott Larsen
17 Commissioner Charles Allen
18 City Recorder Amy Rodriguez
19 City Planning Attorney Bill Morris
20

Others Present

21 None
22
23

1. ROLL CALL

6:00 p.m.

2. PLEDGE OF ALLEGIANCE

3. WELCOME

4. RECURRING BUSINESS

4.1 MOTION: APPROVAL OF AGENDA

Motion by Commissioner Barker
Seconded by Commissioner Morgan
To approve the agenda
Approved unanimously (7-0)

4.2 MOTION: APPROVAL OF MINUTES FOR NOVEMBER 21, 2013

Motion by Commissioner Morgan
Seconded by Commissioner Johnson
to approve the minutes for November 21, 2013
Approved unanimously (7-0)

5. SPECIAL ORDER

Special orders will proceed as follows: Chair introduction of item, staff/applicant presentation, questions by commission, Chair opens public hearing, citizen input; Chair closes public hearing, then commission final discussion.

5.1 PUBLIC HEARING: TO RECEIVE COMMENT IN SUPPORT AND

49 **OPPOSITION TO AMENDING THE LAND USE ORDINANCE RELATING**
50 **TO POLITICAL SIGNS**

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52 **Chairman Reynolds opened the public hearing at 6:03 p.m.**

53 There were no citizen comments.

54 **Chairman Reynolds closed the public hearing at 6:04 p.m.**

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57 **6. NEW BUSINESS**

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59 **6.1 DISCUSSION/ MOTION: APPROVAL OF ORDINANCE 14-02 AMENDING**
60 **CHAPTER 17.56 OF THE MUNICIPAL CODE RELATING TO CAMPAIGN**
61 **SIGNS**

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63 Chairman Reynolds stated that he approved the language differentiating between political and
64 campaign signs.

65 Morris stated that he was informed by Hanson that Council wanted to regulate political signs and
66 he stated that it was a freedom of speech issue and cautioned that it was a possible constitutional
67 problem. Morris stated that he constructed the ordinance as he was instructed. He stated that he
68 felt that by distinguishing between campaign and political signs in the ordinance, he had
69 protected and upheld freedom of speech for those people who have political signs. Morris stated
70 that there are no time restraints on political signs. He stated that the city can regulate time, place,
71 and manner of campaign signs.

72 Commissioner Morgan stated he has an issue with the ordinance because it will not be upheld in
73 federal court and is not supported by case law. He stated that he believes that the Commission
74 should let Council know that they do not support the change in the ordinance. Commissioner
75 Morgan stated that he feels that the community can self-regulate and not vote a person into office
76 if they do not like their signs. Commissioner Larsen noted that if Riverton's ordinance did not
77 stand up in federal court, that time, place, and manner may not be an issue that the city can really
78 regulate. Morris stated that time, place, and manner can be regulated and the ordinance must be
79 content neutral.

80 Commissioner Allen suggested some grammatical corrections, of which Morris took note.

81 Commissioner Morgan stated that he would like the Commission recommendation to be not to
82 pass the ordinance so that if the matter goes to a lawsuit it is on record that the Planning
83 Commission was against the ordinance because it will not hold up in court. Council Member
84 Larsen stated that he believes that the ordinance would be opening up the city to problems.

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86 **Motion by Commissioner Morgan**

87 **Seconded by Commissioner Johnson**

88 **To recommend not to pass Ordinance 14-02**

89 **Amending chapter 17.56 of the municipal code relating to campaign signs**

90 **Approved (6-1)**

91 **Chairman Reynolds- Aye**

92 **Commissioner Barker- Aye**

93 **Commissioner Weir- Aye**

94 **Commissioner Johnson- Aye**

95 **Commissioner Morgan- Aye**

Commissioner Larsen- Aye
Commissioner Allen- Nay

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99 **7. UPDATE COMMISSION ON CURRENT DEVELOPMENT PROJECTS AND**
100 **ZONING ISSUES**

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102 Morris updated the commission on the Golden West Credit Union Development Review
103 meeting, stating that the project will come before Planning Commission if it is a conditional use.
104

105 **8. UPCOMING EVENTS**

106 **Feb. 4th: City Council Meeting 6:00 p.m.**

107 **Feb. 18th: City Council Meeting 6:00 p.m.**

108 **Feb. 27th: Planning Commission Meeting 6:00 p.m.**
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110 **9. MOTION: ADJOURN THE MEETING**

111 **Motion by Commissioner Morgan**
112 **Seconded by Commissioner Johnson**
113 **to adjourn the meeting**
114 **Approved unanimously (7-0)**
115 **Time: 6:18 p.m.**
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117 _____
118 Date Approved

_____ City Recorder