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City of Washington Terrace

Minutes of a Regular Planning Commission Meeting held on
Thursday, July 30, 2015
City Hall, 5249 South 400 East, Washington Terrace City,
County of Weber, State of Utah

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PLANNING COMMISSION AND STAFF MEMBERS PRESENT

11 Vice- Chair Scott Larsen
12 Chairman Wallace Reynolds- Excused
13 Commissioner Scott Barker -Excused
14 Commissioner Larry Weir
15 Commissioner Dan Johnson
16 Commissioner T.R. Morgan
17 Commissioner Charles Allen
18 City Recorder Amy Rodriguez
19 City Building Official Jeff Monroe
20 City Attorney Bill Morris

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Others Present

None

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1. ROLL CALL

6:00 p.m.

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2. PLEDGE OF ALLEGIANCE

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3. WELCOME

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4. RECURRING BUSINESS

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4.1 MOTION: APPROVAL OF AGENDA

Motion by Commissioner Allen
Seconded by Commissioner Morgan
To approve the agenda
Approved unanimously (5-0)

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4.2 MOTION: APPROVAL OF MINUTES FOR APRIL 30, 2015

Motion by Commissioner Allen
Seconded by Commissioner Weir
to approve the minutes of April 30, 2015
Approved unanimously (5-0)

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5. SPECIAL ORDER

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5.1 PUBLIC HEARING: TO RECEIVE COMMENT ON AMENDING THE LAND USE ORDINANCE RELATING TO POLITICAL SIGNS

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Vice Chair Larsen opened the public hearing at 6:04 p.m.

There were no citizen comments.

Vice Chair Larsen closed the public hearing at 6:05 p.m.

6. RECURRING BUSINESS

6.1 MOTION/ORDINANCE 15-06: MOTION TO RECOMMEND APPROVAL OF ORDINANCE 15-06 “CAMPAIGN SIGN AMENDMENTS”

Commissioner Allen pointed out an error in the Preamble of the ordinance. The error will be corrected before the ordinance is codified.

Commissioner Morgan stated that he has an issue with the ordinance in general because it violates the constitution of free speech. He stated that the City is differentiating different kinds of speech by regulating political signs. Monroe stated that the City is more restrictive than state law, but noted that the City will not dispute any claims if signs are posted. Commissioner Morgan suggested that a work session be held with City Council and an attorney for a better understanding of the intent of Council. Monroe stated that the Council wants to restrict the time frame to 30 days before any voting period regardless of format of voting. Commissioner Morgan stated that the issue was voted down last year by the Commission and City Council Members Shupe, Brown, and Jensen voted to pass the ordinance regulating the timeframe for posting of political signs. Commissioner Morgan stated that he would like the minutes to reflect as part of the record that he appreciates Council Members Johnson and Monsen for upholding the constitution and protecting free speech and supporting the citizen’s rights for freedom of expression and that he has an issue with Council Members Brown, Jensen, and Shupe for denying the citizens’ that right. Monroe reiterated that the Council will not dispute anyone from placing signs outside of the timeframe, and that the intent was to have an official start date for placing political signs around the City.

Commissioner Allen clarified that he wants there to be at least 15 days before the mailer (ballot) is sent out to allow for adequate time for candidates to erect their signs. Monroe stated that the proposed ordinance is asking for 30 days before any voting period. Commissioner Allen asked that the 45 day request be struck from the motion, noting that 30 days is fine.

Vice Chair Larsen stated that he feels this is a mute ordinance because the signage issue is covered by state law.

**Motion by Commissioner Allen to
Change the 30 calendar day stipulation to 45 calendar days and
Add the following:**

- “(1)Wanton destruction and stealing of campaign sings shall constitute a class B misdemeanor and shall be punishable in accordance with other personal property statues.
(2) It is the City’s policy to regulate political and campaign signs in a manner that is consistent with the free speech projections and provisions of the United States Constitution and the equivalent protection in the state constitution by enacting regulations which do not restrict speech or its content, viewpoint, or message; and do not favor one form of speech over another”**

Motion died due to lack of second

95 **Motion by Commissioner Morgan**
96 **To continue item and request a meeting**
97 **Seconded by Commissioner Weir**
98 **Approved 4-1**
99 **Commissioner Morgan- Aye**
100 **Commissioner Larsen- Aye**
101 **Commissioner Weir- Aye**
102 **Commissioner Johnson- Aye**
103 **Commissioner Allen- Nay**

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106 **6.2 DISCUSSION: LANDSCAPING REQUIREMENTS FOR PARKSTRIPS**

107 Monroe stated that he has noticed many trees in the park strips that are causing issues. He noted
108 that many of the types of trees have stickers that are popping up and impacting other neighbors.
109 He stated that some trees in the park strips have issues with root systems as well as overhang. He
110 stated that the City has rights to the park strips. He asked the Planning Commission if they feel
111 that the City should eliminate tree planting in the park strips. He stated that although that some
112 are nice canopies, there are issues with snow removal, sidewalks, and gutters. He stated that
113 existing trees would be grandfathered in, and a new ordinance would limit new development
114 from planting. Commissioner Morgan stated that the City has seen the problems that trees cause
115 and he feels that it would be appropriate to not allow park strip trees. Vice chair Larsen,
116 Commissioner Allen, and Commissioner Morgan agreed with staff to ban trees in the park strips.
117 Monroe stated that he will draft an ordinance for the next meeting.
118 Commissioner Weir stated he would like to include no pfitzer shrubs in that area because they
119 grow straight up and become a nuisance with sight restrictions.
120 Commissioner Allen recommended raising the height of the trees that overhang the streets to a
121 higher mark.

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123 **7. UPDATE COMMISSION ON CURRENT DEVELOPMENT PROJECTS AND**
124 **ZONING ISSUES**

125 Monroe stated that Golden west Credit Union has dropped off their plans and they should be
126 started with their renovations starting this week.
127 Monroe stated that the hospital has been modifying their plans and have not started demolition as
128 of yet.
129 Monroe stated that he would like to have discussions concerning infill lots. He stated that there
130 are areas that have pine needles and leaves building up and he is addressing those areas. Monroe
131 stated that the goal is to have single family homes in the community as opposed to many
132 apartment rentals; however, there may be something to be done for vacant infill lands.
133 Commissioner Larsen stated that he would like to see a map of the infill properties.
134 Monroe stated that there were some added costs to the Adams Ave. Project of concern, but the
135 project is almost completed.
136 Monroe stated that 300 West roadwork should be repaired shortly. He stated that the work was
137 stalled for about a month.
138 Commissioner Weir stated that the Venstra house is looking nice after years of trying to get it
139 cleaned up.
140 Commissioner Allen stated that he would like to see an ordinance concerning drones. He stated
141 that it could be dangerous to hospital helicopter operations. Commissioner Morgan suggested

142 that there may be a way to amend the nuisance ordinance. Monroe stated that he saw a report
143 that listed drones by sizes and classifications and restrictions were set based on those
144 classifications. Commissioner Morgan stated that it may be covered in FAA regulations.

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146 **8. UPCOMING EVENTS**

147 August 4th: City Council Meeting 6:00 p.m.

148 August 18th: City Council Meeting 6:00 p.m.

149 August 27th: Planning Commission Meeting 6:00 p.m.

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151 **9. MOTION: ADJOURN THE MEETING**

152 **Motion by Commissioner Weir**

153 **Seconded by Commissioner Morgan**

154 **To adjourn the meeting**

155 **Approved unanimously (5-0)**

156 **Time: 6:59 p.m.**

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Date approved

City Recorder