

Minutes of the joint meeting of the City Council and Planning Commission held October 19, 1994 at 7:05 p.m. in the Planning Conference Room of the City Hall, Bountiful, Utah.

Present:	Mayor:
Council Members:	John R. Cushing Samuel R. Fowler. Barbara Holt and Ann Wilcox
Planning Commission Members:	
City Manager:	
City Attorney:	Russell L. Mahan
City Engineer:	Jack P. Balling
City Recorder:	Arden F. Jenson
Planning/RDA Dir:	Blaine Gehring
Rec. Secretary:	Nancy T. Lawrence
Planning Secretary:	Connie Feil

Excused: Mark Green, Chairman; Dick Dresher, Don Milligan. Dean Jolley Tom Hardy
Councilman: William P. Moore

Official Notice of this meeting had been given by posting a written notice of same and an Agenda at the City Hall and providing copies to the following newspapers of general circulation: Davis County Clipper, Deseret News, and Salt Lake Tribune.

Mayor Cushing called the meeting to order, following which Councilman Shafter gave

Minutes of the regular meeting of the City Council held October 12, 1994 will be presented at the next regular meeting for approval.

REVIEW STATUS OF SIGNS AND SIGN ORDINANCE

Mayor Cushing referred to the memo which explained that this meeting is for the purpose of reviewing the sign ordinance and the status of signs in Bountiful. Mr. Hardy noted that no decision would be made this evening, but it would be used as an opportunity to discuss the sign ordinance and give the staff direction if revisions to the ordinance are desired. He welcomed Gary Crane, Layton City Attorney, the "resident expert" on this matter. Mr. Crane reviewed the problems that many cities have with billboards and noted that Bountiful does not address billboards. He recommended that an evaluation be made of all existing signs to determine whether or not they are legal. The City can require removal of illegal signs following proper notice if the ordinance contains the proper authority. Legal and non-conforming signs can continue to be used until they are more than 50 percent destroyed. He explained that many jurisdictions have a provision to amortize non-conforming signs out of existence; however this has not been done in Utah. He recommended that a five-year amortization period (consistent with ALL signs) be used if the City chooses to use this process. The five years would be measured from the date of the adoption of the ordinance for existing signs. The process of determining the value of a sign was then discussed.

Mr. Crane discussed the topic of sign content and he pointed out that signs are classified as "commercial" or "non-commercial". The non-commercial signs enjoy greater protection under the law. He recommended that an attempt to regulate sign content be avoided. He also suggested that political signs be treated the same as other temporary signs.

Mr. Hardy requested input from the group regarding existing signs in the city. He referred to 500 South specifically. The philosophy of the city with regard to signs was discussed in terms of the use of the sign by businesses for advertising and identification, and aesthetics. Mayor Cushing noted that merchants would see a sign as a factor of revenue. Councilman Shafter pointed out that Bountiful's ordinance should not create any limitations which would create an unfair advantage for businesses in neighboring jurisdictions (which are sometimes just across the street from each other). Mr. Hardy suggested that the Council and Planning Commission consider the issues of size, height, content, style, location, and number of signs per business. Mr. Gehring clarified that content can only be regulated in terms of the number of words due to the size of the sign.

Mr. Mahan said that the City has three alternatives: (1) leave the ordinance as it is; (2) fine-tuning our existing ordinance and slowly eliminating non-conforming signs; and (3) pass a very restrictive ordinance which would restrict future signage and include amortization of existing signs. Mr. Green suggested that the more important issues would be size and height of free-standing signs. It was noted that due to snow depth in the winter, the signs would need a certain amount of height. Bountiful was compared with other cities in terms of signs (Las Vegas, Scottsdale, etc.). Mr. Jolley asked if this issue is a priority with the citizens or more a matter of planning by the staff. Mr. Green noted that the group needs to be prepared to accept direction from the community if the existing ordinance meets with greater approval than a more restrictive one.

Following discussion, it was recommended that a committee composed of the Mayor, Councilwoman Holt, a member of the Planning Commission, and the staff put together a draft ordinance which would take a "middle-of-the-road" approach and make moderate revisions to the existing ordinance. The proposed ordinance could then be presented in public hearing to receive comments from the community.

The meeting adjourned at 8:40 p.m. on a motion made by Councilman Fowler and seconded by Councilwoman Wilcox