

SHOW LOW PLANNING AND ZONING COMMISSION
STUDY SESSION OF TUESDAY, MARCH 10, 2009

1. **Call to Order.** Chairman Skillin called the meeting to order at 7:35 PM.
2. **Roll Call.**
Commissioners present: Chairman Skillin, Vice Chairman Allsop, Commissioners Johnson, Sakamoto, Leech, and Isaacs.

Commissioners absent: Commissioner Saner

Staff present: Justen Tregaskes, Planning and Zoning Director; Telford Chapman, Senior Planner; Katie Blakeslee, Community Development Specialist; Diana Hough, Administrative Asst.; John Holman, City Attorney's Office.

3. **Discussion of Possible Recommendations for:**

A. 15-1-45. Signs Ordinance

A-frame signs

Mr. Tregaskes said staff has been researching a-frame sign ordinances from several municipalities. We have found a wide range of examples. It appears the commission is quite free to make recommended revisions as they see fit for the city.

Chairman Skillin noted that any business can put out a banner for 90 days. The a-frames proposed are small. He asked about limiting a-frames to the Downtown Commercial zone. Mr. Tregaskes noted that, technically, you can. Several communities have done that. The commission was divided on the appropriateness and fairness of that proposal.

Commissioner Isaacs felt that the businesses further away from the Downtown Commercial zone are probably the ones who need the a-frames the most. Larger properties probably need larger signs. Mr. Tregaskes noted that one thing unique to Downtown Commercial is that many of the buildings are built to the property line, which prevents them from having any other type of sign. A-frames are often their only option. Commissioner Leech noted they still have to abide by the right of way restrictions.

Commissioner Isaacs suggested restricting them at shopping centers if that was our concern. Mr. Tregaskes estimated that we could have as many as 200 a-frames along the Deuce of Clubs. We have three active shopping centers on this end of town. Vice Chairman Allsop thought that would generate revenue where they aren't even paying now. Chairman Skillin said we need some enforceable rules that staff can explain clearly.

Commissioner Isaacs noted that if we adopt something and it doesn't work, we can come back and change it. Mr. Tregaskes said in this type of situation it is difficult to allow, then disallow. There is a perceived right once you approve this. Mr. Holman said that, even though we are looking at annual permits, there is an issue with prior non-conforming use

regarding grandfathering. Again, it is not just the right, but the 'perceived right.' 'Arbitrary or capricious actions' might be the liability for the commission. Legal counsel would discourage that direction. A business owner might have an arguable position. Mr. Holman suggested it would be wiser to start small and gradually increase the number of allowable zones for a-frames.

Other suggestions involved adjusting the sign size per the size of the property, or approving all areas and adjusting every year.

Mr. Tregaskes said he thinks the commission is in agreement that they want to allow a-frames. The issue is whether we want to allow them everywhere and are there different conditions for different properties. Chairman Skillin suggested conditional use permits for signs further than 20 feet from the building structure. Mr. Tregaskes thought the commission would see lots of applications. The 20 feet limit was to help reduce sign cluster. Chairman Skillin asked if we can write the code so staff can allow placement from 20-60 feet if specific conditions were met, such as a single business on a piece of property. Staff would be given the task to come up with the conditions. Sign placement further than 60 feet from the building structure would require a conditional use permit. He thought most small businesses would fall within a maximum of the 50 feet range. Mr. Tregaskes cautioned that code required a compelling reason to deny a conditional use permit.

Another option might be to charge more the further the sign is from your business. Commissioner Johnson thought the a-frame issue will diminish because people won't want to pay that much money. Mr. Tregaskes thought we would see an initial influx.

Several commissioners still wanted a-frames allowed for all zones where industrial, commercial and businesses are allowed to operate, including residential areas. The a-frame signs would still be allowed up only during business hours.

Projecting signs

Mr. Tregaskes explained that the staff-proposed, three foot projecting limit was in response to a request for a blatant extending sign. Projecting signs are historically accurate. We can leave the recommendation as it stands at three feet or allow greater length. By limiting the square footage, we would eliminate the problem of huge extensions. Staff would also recommend staying with the 'imaginary' rectangle for figuring square footage and limiting that to 12 square feet. All projecting signs must be above seven feet and below the eave line.

Electronic messageboard signs

Mr. Tregaskes discussed allowing electronic signs in both industrial zones and in the General Commercial zone. We could allow static, non-changing signs as a permitted use in Downtown Commercial and Neighborhood Commercial. If it moves, a conditional use permit would be allowed. That way the commission can make light levels and times of operation conditions of the use permit and neighbors have a chance to voice their opinion.

Mr. Tregaskes reminded the commission of the Joint Study Session on March 31, 2009 at 6 PM. After polling the commission members, it was decided to hold the next regularly scheduled commission meeting on March 24, 2009 as it appears a quorum will be present in spite of the Spring Break holiday.

4. **Adjournment.** Chairman Skillin adjourned the meeting at 8:17 PM.

ATTEST:

APPROVED:

Justen Tregaskes
Planning and Zoning Director

Keith Skillin, Chairman

Diana Hough
Administrative Assistant

Date