

ECONOMIC DEVELOPMENT COMMITTEE MINUTES

The North Ogden Economic Development Committee (EDC) met on April 19, 2011 at 5:40 pm in the West Conference Room of the Municipal Building, 505 East 2600 North, North Ogden City, UT 84414. Notice of time, place and agenda of the meeting was posted on the bulletin board at the municipal office and posted to the Utah State Website on April 14, 2011.

1. Update on Amendments to Vehicular Signs and Vertical Banners in the Zoning Ordinance

Mr. Barker had previously mentioned the progress of the amendment to the vehicular sign ordinance changes. He went on to discuss vertical banners. He explained that although these types of banners can be seen throughout various cities there are not many regulations on them. He said that many cities have begun adopting regulations because of various issues they have noticed. He said he had contacted Ogden City to inquire about their regulations and found they had none. He said he was very surprised by this because you can see the vertical banners all over town.

Mr. Barker explained they are proposing to add the feather flags or vertical banners in the recently passed temporary sign section of the ordinance. The proposal includes a statement that requires the banner to be located on the business premise only. He said they need to determine a maximum height for the banners. Mr. Barker asked for suggestions. Mr. Maynard had brought in a 10 foot teardrop banner for everyone to see. Mr. Maynard said the 12 foot banners are fairly common and 15 foot banners would be fairly large. The Committee discussed the various types of vertical banners and the different types of anchors.

Mr. Barker suggested the anchor system be one provided by the manufacturing company and approved by the building official. Mr. Foulger asked if they included any requirement that require signs to be safe. Mr. Barker replied yes. He said they have also specified that the A-frame signs have to be anchored to prevent them from blowing away. He explained that applicants have to provide information to the building official that the free-standing sign meets wind codes. Mr. Maynard remarked that anything constructed has that type of information. Mr. Maynard suggested including a statement that specifies signs put out must be secured to prevent blowing into the public right-of-way. Mr. Barker suggested stating the anchor system must be approved by the City. Mr. Maynard asked if they would be including a statement that would require notifying the City any time someone installs a sign.

Mr. Foulger stated it seemed the City would be put at risk if something were to happen with the sign rather than putting that responsibility on the property owner. He suggested including wording that would require the property owner to ensure that the sign does not go into the public right-of-way. Commissioner Hulme said they could just include a blanket statement that would cover all signs.

Mr. Barker said they would also need to consider how many signs would be allowed on the business frontage and restricting these banners from being in the sight triangle. A public street has a 40 foot sight triangle. There is a 20 foot sight triangle where no signs are allowed. Mr. Barker pointed out there is businesses with a large area of street frontage and that would need to be considered when determining how many banners would be allowed.

Mr. Foulger asked about businesses on corner lots. Mr. Barker replied that one of the ordinances he found limited the number of banners to three, regardless of whether the business is on a corner property or not. Mr. Maynard felt businesses should have three per street. Mr. Barker said they should allow a certain number per 100 linear feet. Commissioner Hulme asked if there should be a limit. Mr. Maynard said businesses with a large amount of linear street frontage should not have a limit. Mr. Barker pointed out that there may be people who may want to limit these banners so they are not all over the City.

Commissioner Hulme questioned if they would be allowed for real estate. Mr. Barker said they would not even allow them in subdivisions. He added that they are only for commercial zones. Commissioner Hulme pointed out that vertical banners are fairly common when subdivisions are established. Mr. Barker said the City Zoning Ordinance already addresses what signs are allowed for subdivisions. Mr. Maynard said they might consider using the vertical banners now. Ms. Jones said she envisions real estate companies wanting to use those instead of the smaller signs. Mr. Barker said in his opinion they should be prohibited in an area that has already been developed. He said they may want to allow them in subdivisions that are being developed. Commissioner Hulme said he wasn't aware of any restrictions because there are many subdivisions that have been under construction for some time.

Ms. Jones asked if the banners would have to be taken down at night. Mr. Barker replied they would be under the same restrictions as the horizontal banners. They could stay up for a total of 12 weeks out of the year and would have to come down for however long they stayed up. Mr. Maynard agreed with the restriction but objected to including it in the same 12 weeks as the horizontal banners. He said he would like to have the ability to display the banner and flags at opposite times. Mr. Barker replied they didn't anticipate that it would need to be at opposite times. He added that would increase enforcement difficulties.

Ms. Jones mentioned the Recreation Outlet located in Ogden has installed the feather flags directly on the building. She commented on how nice they look. Mr. Maynard said he has thought about putting those up instead of the banners because they are more durable. Ms. Jones added that they are very forgiving as well. She asked is the flags were mounted on the building would they be under the same regulations as if they were mounted in the ground. Mr. Barker replied that he would think they would be included as part of the allowed 200 square feet of attached permanent sign.

Mr. Barker discussed the different requirements that should be included in the section. He said he is unsure of the banner's standard height. Mr. Maynard suggested allowing 15 feet of flag accompanied by the appropriate mounting device. He added that they could include generic blanket statement about sign safety. Mr. Foulger said he likes the idea of a maximum of three per

100 linear feet of street frontage. Mr. Barker added that they should include the statement “or fraction thereof”. He said the ordinance does not require businesses to have a frontage minimum.

Council Member Taylor said he likes the idea of limiting the number of banners and questioned the practicality of enforcing the 12 week limit. He asked if other cities have similar regulations. Mr. Barker explained some that some cities limit the time they can be up to two weeks. He said that most cities do not allow them nor do they regulate them either.

Council Member Taylor discussed the option of eliminating a restriction on the time they can be up because of enforcement difficulties. Commissioner Hulme stated if there are no regulations on the time they are allowed to be up then it creates an inability for businesses to distinguish themselves.

Mr. Maynard questioned the harm in allowing the business district to have banners up. Commissioner Hulme expressed concern for businesses who don't want to advertise as often. He agrees enforcement would be difficult, but if there are regulations then a code liaison officer could speak address the issues.

Mr. Barker discussed resident's concerns for preventing North Ogden's image to duplicate that of Riverdale's. He explained that there needs to be a balance. Mr. Maynard pointed out the clear message in the survey that North Ogden residents are overwhelmingly in favor of a thriving business district. Council Member Taylor said they should have some restrictions to prevent businesses from looking like a used car lot. He added that he does think the vertical banners are attractive. Mr. Maynard said they have the propensity to remain attractive. Council Member Taylor suggested limiting the number of banners, but not to limit the number of days they can be up.

Ms. Jones discussed the popularity of the banners when they first came out. She said they could be found all over Ogden and Layton, but as time passed they limited the amount displayed. She agrees with limiting the number of banners allowed. Ms. Jones pointed out that businesses tend to regulate themselves.

Mr. Barker brought up another issue of banners blanketing each other. He mentioned that he had seen a worn out banner that was blocking the permanent business sign. He added that it causes visual clutter. He agrees with limiting the number of banners. He said he is unsure if there is anything wrong with allowing them to be permanently displayed, but his opinion is that there should be a limit on the amount of time they can be up.

Mr. Dickie said his opinion is that people will mistake the businesses for car lots, because that is what car lots use. He said Mr. Maynard's building is beautiful and thinks that vertical banners would take away from its beauty.

Ms. Jones asked if Mr. Dickie has noticed the vertical banners on the grass because that is where they have been used. Mr. Dickie replied no. Mr. Barker showed concern for the possibility of the vertical banners creating clutter. He mentioned the building across the street of the Cannery and how cluttered it would appear if each business had the banners. Mr. Maynard said the landlord would need to mediate that.

Commissioner Hulme said section “E” addresses it to a certain extent. Mr. Barker said they should see how it goes. He mentioned the Planning Commission would be providing their input. The Committee agreed on the maximum height of 15 feet, three banners per 100 feet of linear street frontage, and prohibiting them in the sight triangle.

Ms. DeBloois asked if an applicant would be allowed to attach them to the building. Mr. Barker said the intent is for these banners to be free-standing rather than them being attached to the building.

Mayor Harris asked if everyone is clear on what has been discussed and if everyone understands the sight triangle. He pointed out that it was brought up that the citizens are opposed to having a lot of signs throughout the City. He asked if the citizen representatives on the Committee support the proposal. Ms. DeBloois remarked that she hates to see visual clutter. She said she feels it is more appropriate and advantageous for business owners to avoid clutter.

Mayor Harris stated that if the Committee agrees then they will send the proposal on to the Planning Commission. The Committee agreed.

Mayor Harris asked if there are any questions on the status of the ordinances in progress. He said the City Council will be holding four public hearings at the next meeting and a couple of those originated from the Economic Development Committee. The Committee discussed the public hearings and asked for a reminder to be sent out prior.

Mayor Harris asked if there is an official title for feather banners. Ms. Jones said they have several names and suggested calling them vertical banners.

ECONOMIC DEVELOPMENT COMMITTEE MINUTES

The North Ogden Economic Development Committee (EDC) met on June 21, 2011 at 5:40 pm in the West Conference Room of the Municipal Building, 505 East 2600 North, North Ogden City, UT 84414. Notice of time, place and agenda of the meeting was posted on the bulletin board at the municipal office and posted to the Utah State Website on June 17, 2011.

2. Status Report on Ordinance Amendments to Date

Mr. Barker mentioned the article in the Standard Examiner on the Entertainment Overlay Zone. He said there was a public hearing at the last City Council meeting. Mr. Foulger asked if members of community attended the public hearing. Mr. Barker said Kerry Walker was there and spoke. He said Kerry Walker seriously objected to the size of the sign. He explained that the Planning Commission had some serious objections to the size of the signs and 250 square feet is comparable to the size of a billboard.

Commissioner Hulme said his complaint is they didn't know the square footage of the building when it was discussed during the Planning Commission. Mr. Barker said they measured it from

aerial photography and it was not exact. Commissioner Hulme said Kerry Walker was under the impression that he would be able to have one of the largest signs on the list. He said he understood his complaint about that. Mr. Barker said that was not their intent. Commissioner Hulme wouldn't mind City Council correcting it by changing the limits. Mr. Barker said City Council has asked for some amendments. Mr. Dickie asked when it would be going to City Council. Mr. Barker stated that it would be on the June 28, 2011 agenda.

Mr. Lindquist said he thought the newspaper article mentioned the request was for 235 square feet. Mr. Barker said that is what the Economic Development Committee recommended but it is not what the Planning Commission decided. Mr. Barker said the discussion from the Planning Commission was centered on the size of that sign. He the whole idea was how large of a sign that is. He said 225 square feet is the standard size in most commercial areas and the Planning Commission just didn't feel like that was appropriate for North Ogden City. Mr. Foulger asked what the City Council would like to allow. Mr. Barker said the Planning Commissioner recommended the largest sign be 180 square feet, but the City Council hasn't decided on a size yet. Commissioner Taylor arrived at 5:50.

Mr. Barker said City Council will be holding a public hearing on vehicular signs on June 28, 2011. Mr. Brewer said he has observed that more people are displaying these types of signs because of the publicity they have generated. He mentioned that he has seen a couple of trailers parked on the side of the road with advertisements. Mr. Barker said that is what happens. He said it's similar to the code enforcement issue. When you address one issue the resident will come back with six other addresses and it becomes a snowball effect. He mentioned the Planning Commission is dealing with recreation vehicle parking because the standards are questionable.

Mr. Barker said the last item is the update on the vertical banners. He explained that the Planning Commission voted not to allow those in the City. He explained that if the Economic Development Committee desires to pursue that they can have a Council Member introduce it to City Council. He added that the City Council will need to have a formal recommendation from the Planning Commission before they hold a public hearing and take action.

Mr. Foulger asked why the Planning Commission objected the vertical banners. Mr. Barker replied that they did not like the clutter they seemed to bring. He added that with the banners they would add a lot of clutter and enforcement issues would be a problem. He said when they first passed the banner ordinance they could only be put up for 12 weeks during the year. He said if people don't come in and get permits they would have to have someone out driving around to keep track of them. He said they could become real issues.

Mr. Maynard said the Economic Development Committee recommendation for vertical banners did not have any time-frame stipulations. They only stated that businesses could put three per 100 square feet. Mr. Barker stated that they recommended that they would have the same regulations as the other banners.

Mr. Maynard asked the alternative option; can Council Member Taylor bring it before City Council? Mr. Barker said before Council can take action on something they must have a recommendation from the Planning Commission on something. Commissioner Hulme said that is

what they have; an amendment on the display ordinance that recommends the prohibition on vertical banners. Mr. Dickie clarified that it drops or a Council Member from this group takes it to City Council with that recommendation. Mr. Barker said they would have to send it back to the Planning Commission. Commissioner Hulme asked what they recommended; that it not is included or it is included under the prohibited sign section. Mr. Barker said there was a recommendation to add a specific statement regarding vertical banners. Commissioner Hulme asked if that was an amendment to the ordinance and added that he thinks that should have automatically been forwarded to City Council. He said he thinks that was the intention of the Planning Commission because right now there is no discussion about it. He said believes the intention was to address it in the ordinance so there is no question of the legality of vertical banners.

Mr. Maynard clarified that the proposal will go to the City Council prohibiting any vertical banners and the City Council will either agree or decide they want more discussion. Mr. Barker replied yes. Commissioner Hulme said they also have the option to drop it completely. Mr. Maynard said if it is not stated in the ordinance, then it is not allowed. Mr. Barker replied that is correct.

Mr. Maynard asked Council Member Taylor where he stands on the issue of vertical banners. Council Member Taylor replied that he voted for it in this Committee, and he is not against them. He said he could go either way depending on whether there are any strong feelings in the community. He said generally he supports more signs. He said if there is not a strong specific resistance then he will vote for it. He said he doesn't think there will be if they are limited. He said the issue is when there are a 100 of them.

Mr. Maynard said the flag banners look nicer much longer than the vinyl banners that are behind fence posts. He said he would prefer putting those up opposed to regular banners.

Commissioner Hulme said he likes to stand with the decisions of his Commission, but the record does show that he voted against the ordinance to ban them. He said he told them that he doesn't think they tried hard enough to think about a way they could make this work.

Mr. Foulger said he supports vertical banners, but if the Planning Commission has objections then they should deal with those to make it agreeable to them. He said he doubts the City Council will pass an ordinance that the Planning Commission has disapproved. Mr. Dickie said they have done that before and they can do that, but generally they don't like to go against the Planning Commission's recommendations.

Mr. Foulger said the Economic Development Committee ought to take a vote and if everyone agrees it should go forward then they ought to make it known that they are willing to deal with the specific things that are unfavorable. Commissioner Hulme stated that this is just the latest thing from the sign companies, they will come up with another idea and they will be going through this whole thing again. He added that the Committee could craft an ordinance that talks about the total number of signs or total display area and he has tried to include it in the twelve week time limitation.

Mr. Lindquist brought up the article from the Standard Examiner and mentioned that Mr. Barker was quoted that he had inquired around to other communities and most do not allow vertical banner. Mr. Barker said that is true, they do not allow them, but they are all over. Mr. Maynard asked if they just haven't addressed them. Mr. Barker said it is more of an enforcement issue.

Mayor Harris said he isn't sure they need a vote unless the Committee wants to take the Planning Commission to look at it again. Commissioner Hulme said the Planning Commission was pretty admitted. Mayor Harris said they cannot really determine what the City Council will decide. He mentioned that the City Council recommended the sign ordinance allow a larger sign that what the Planning Commission approved. He said they don't know what will happen when it goes before the City Council, and he said he isn't sure it is needful for it to go back to the Planning Commission. Commissioner Hulme said he isn't sure it would be helpful. Mayor Harris said he thinks that is the next step, the Planning Commission's recommendation would come before City Council. Mr. Barker replied that is correct. Mr. Maynard asked if Council Member Taylor recommend that the Economic Development Committee would like for it to be passed. Council Member Taylor said he thinks they look nice and hasn't seen any that look bad. He said the only concern he would have is the number of banners a business puts up. Mayor Harris suggested sending it on to City Council. Mr. Foulger asked if City Council will know what the Economic Development Committee has recommended. Mr. Barker said they will provide City Council with a copy of the minutes.