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2
3 **PLEASANT GROVE CITY**
4 **PLANNING COMMISSION MEETING MINUTES**
5 **OCTOBER 26, 2023**
6

7 **PRESENT:** Vice-Chair Karla Patten, Jim Martineau, Wendy Shirley, Alicia Redding, Todd Fugal

8
9 **STAFF:** Jacob Hawkins, City Planner; Daniel Cardenas, Community Development Director;
10 Christina Gregory, Planning Technician, Kathy Kresser, City Recorder

11
12 **EXCUSED:** Dustin Phillips, Chair

13
14 In the absence of Chair Dustin Phillips, Vice-Chair Karla Patten called the meeting to order at
15 7:00 p.m.

16
17 **REGULAR SESSION**

18
19 **Commission Business:**

20
21 **1. Pledge of Allegiance and Opening Remarks:** Commissioner Martineau led the Pledge
22 of Allegiance. Commissioner Fugal offered the opening remarks.

23
24 **2. Agenda Approval.**

25
26 Vice-Chair Patten reported that Items, 1, 3, 4, and 5 were continued until November 16, 2023.

- 27
28 • **MOTION:** Commissioner Martineau moved to APPROVE the agenda, with Items
29 1, 3, 4, and 5 being continued to the November 16, 2023, meeting. Commissioner
30 Redding seconded the motion. The Commissioners unanimously voted “Aye”.
31 The motion carried.

32
33 **3. Staff Reports:**

- 34
35 • **MOTION:** Commissioner Fugal moved to APPROVE the single staff report being
36 addressed. Commissioner Martineau seconded the motion. The Commissioners
37 unanimously voted “Aye”. The motion carried.

38
39 **4. Declaration of Conflicts and Abstentions from Commission Members.**

40
41 There were no declarations of conflicts or abstentions.

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2 **ITEM 1 - Public Hearing: Preliminary Subdivision Plat – Located at approximately 393**
3 **West 400 North**
4 **(Little Denmark Neighborhood)**

5 Public Hearing to Consider the Request of Candace King, LLC for a Two-Lot Preliminary
6 Subdivision Plat, called Cook Property Subdivision Plat 'B' on 0.615 acres, approximately located
7 at 393 West 400 North in the R1-8 (Single-Family Residential) Zone.

8 ****CONTINUED TO NOVEMBER 16, 2023****

9
10 **ITEM 2 - Public Hearing: Code Text Amendment – Section 10-19: Signs and Outdoor**
11 **Advertising**
12 **(City Wide)**

13 Public Hearing to Consider a Request from Pleasant Grove City to Amend City Code Section 10-
14 19: Signs and Outdoor Advertising. The Applicant is Proposing to Make Changes to the Sign
15 Ordinances to Permit Two New Signs in The Grove Zone.

16 ****CONTINUED FROM OCTOBER 12th****

17
18 City Planner, Jacob Hawkins, presented the Staff Report and reported that in June 2023, St. John
19 Properties (“SJP”) submitted multiple applications to the City for placement of pylon signs at
20 different locations within The Grove Zone. Upon review, staff classified the signs as monument
21 signs because they did not meet the current ordinance’s clearance requirements for free-standing
22 signs. In response, SJP applied for a Code Text Amendment to meet the clearance requirement
23 for pole or free-standing signs. After multiple discussions, it was decided that the Chapter needed
24 to be revised and updated. Several new sections were added and updates were made in other areas.
25 The major changes were contained in a new section defining a Unified Commercial Development
26 (“UCD”) and modifications of the free-standing sign definition to include monument signs, pole
27 signs, pylon signs, and billboard signs.

28
29 Planner Hawkins reviewed the new definition for a freestanding sign, which includes a single or
30 double-sided sign façade, supported by a foundation, one or more upright poles, or braces placed
31 in or upon the ground surface and not attached to any building. He then described the following
32 categories of freestanding signs:

- 33
34
- 35 • A monument sign is intended for ground-level advertisement but is fixed to the ground
36 with a foundation or base from which the sign is supported, and blends into the landscape
37 and architectural design theme of the project area.

 - 38 • A pole sign has a clearance of at least 10 feet from the ground level of the adjacent
39 sidewalk, curb, or street to the lower edge of the sign cabinet and is wholly supported by
40 one or more poles permanently fastened to or embedded into the ground or to a foundation
41 in the ground and not attached to any building.

 - 42 • A pylon sign is supported by one or more structural elements that are architecturally
43 compatible with the design of a building. It is not intended for ground-level advertisement
44 and has an internal vertical structural support that connects the sign face or facade to the
45 ground. Additionally, the sign area of a pylon sign includes any portion of the façade that
46

1 has text other than the address information or directions. Planner Hawkins added that
2 company logos are considered advertisements and therefore are limited by the signage
3 requirements.
4

5 Planner Hawkins reported that a UCD refers to a geographical area where contiguous properties
6 may adopt a common development name and provide off-premise signage for businesses within
7 that development without relying on billboard signs which are only permitted within 150 feet of
8 the Interstate. The purpose is to provide adequate advertisement for businesses developed as part
9 of a Master Plan under a common development name. In so doing, off-premise advertisements
10 may be provided for businesses located within the boundaries of a UCD. It, however, is not the
11 purpose of a UCD sign to provide off-premises advertisement simply for businesses located in
12 other areas outside its boundaries. Additionally, the following key points were identified:
13

- 14 • When there is a Sign Permit application in a UCD, the applicant will need to provide a map
15 identifying the location of the proposed sign to allow staff to confirm that it meets all Code
16 requirements.
17
- 18 • If a parcel is removed from the UCD boundary or does not include use rights, the parcel
19 will be excluded from the UCD for purposes of determining the legal site for the sign. It
20 also would be excluded from any reference on the UCD sign.
21
- 22 • Specifically, “‘property’ for purposes of the definition of UCD includes all property within
23 an approved UCD upon which all owners in the development have shared access to
24 parking, common areas, and ingress/egress, and specifically excludes any parcels of land
25 within a UCD that allow residential use.” The idea behind this definition is that they want
26 all businesses within the UCD boundary to be contiguous with each other and have shared
27 areas, such as parking.
28
- 29 • Only the businesses within the UCD can be listed on the signs.
30

31 Planner Hawkins next addressed the considerations given to clearance requirements of pylon signs,
32 and the density and separation of the signs as part of the UCD.
33

- 34 • Clearance Requirements. While billboard and pole signs require a clearance of 10 feet in
35 height from adjacent sidewalks, curbs, or streets, pylon signs have a clearance requirement
36 of four feet, from the adjacent ground to the bottom of the advertisement. That four-foot
37 requirement for pylon sign clearance is significant because monument signs are what is
38 intended to be used for ground-level advertisement. That provides for more flexibility.
39 Examples of the different pole types were shown.
40
- 41 • Density Requirements. The UCD allows one sign in the area ranging in size from zero to
42 11 acres. Another sign can be added for each additional 11 acres, resulting in multiple
43 signage for larger development areas that would allow advertisement for businesses not
44 directly near the sign but within the same boundary of the UCD. Under other
45 circumstances, such practice would be a violation of the off-premises sign requirements
46 prohibiting such advertisement. SJP is requesting a total of eight signs, with two signs

1 already in place. Single businesses are allowed one sign per parcel or lot. Those same
2 density requirements are also applicable to pole signs.

- 3
4 • Separation Requirements. There is a minimum distance of 300 feet between the signs.
5 Billboard signs are not permitted along State Street but are permitted within 150 feet of the
6 Interstate for off-premise advertisement. Requirements for billboard content are broad.

7
8 Planner Hawkins reported that the remaining changes made to the Code were to provide clarity,
9 define terms, and allow for flexibility when creating signs. Community Development Director,
10 Daniel Cardenas, explained that the ordinance was structured to apply to all and was intended to
11 reduce the number of signs used. Using an aerial map, he identified several developments and
12 noted the value of having one larger sign to identify the area businesses. The ordinance, however,
13 does not restrict a business from having its own wall sign.

14
15 Vice-Chair Patten opened the public hearing.

16
17 *Marty Beaumont* was present representing SJP and stated that in working with staff, progress has
18 been made but questions or differences of opinion, remain on a few issues. He noted that the goal
19 of signage for the developer is to promote business, which is good for both the City and
20 development. He acknowledged that valid restrictions are necessary to protect the City but stated
21 that there should be greater latitude in allowing people to promote their businesses.

22
23 Mr. Beaumont has concerns with definitions in UCD in Section 10-19-4-1 A4, primarily regarding
24 “purposes of property under A4A” and the concept of “contiguous land.” The proposed
25 development contains one parcel, which is considered part of the development that is not
26 contiguous to the main portion. Valley Grove consists of 89.75 acres, excluding residential units,
27 and contains multiple major public roads including Pleasant Grove Boulevard, North County
28 Boulevard, Valley Grove Way, Mountain View Way, and Granite Way, which create specific areas
29 within the development. To be classified as a UCD, all parking, assets, and accesses are required
30 to be shared. Logistically, compliance with those requirements would be difficult. He asked why
31 businesses on the north side of Pleasant Grove Boulevard would be required to share their parking
32 with businesses on the south side. In addition, there will likely be multiple Covenants, Conditions,
33 and Restrictions (“CC&Rs”) governing parking access for tenants in particular areas. Typically,
34 commercial areas have their own parking agreements and he saw no basis for the requirement.
35 Although acknowledging that generally there is cross access, he stated that the roadways separate
36 specific areas out and result in no need to share access. He commented that the requirements may
37 provide the City with control over who gets the designation but it appears unworkable for
38 commercial development. He suggested that the section be further defined.

39
40 Mr. Beaumont commented that the issue is whether the developer can have the ability to do off-
41 premises advertisements. Under the current Code, the only advertisement allowed would be for
42 businesses within a lot; however, if the development is a UCD, advertising is broadened to
43 businesses within the development. The advertisement must be contiguous.

44
45 Mr. Beaumont further addressed a possible technical error in the Code language. He first
46 referenced page 24, which addresses sign types and the number of signs. He stated that the number

1 of signs allowed needs to be consistent and the separation distance in signs specifies 350 feet,
2 which he believed should be 300 feet. Director Cardenas stated that those errors would be
3 corrected.

4
5 Mr. Beaumont stated that they have a difference of opinion as to whether they should be able to
6 put the company logo in the sign area that contains addresses or directions. As currently written,
7 the bottom four feet of the pylon sign can contain only the address. He stated that for a UCD sign,
8 addresses are not needed and safety does not appear to be a concern. He informed the
9 Commissioners that SJP is in the process of trying to sell the property to the Utah Department of
10 Transportation (“UDOT”) to be used as a frontage road, which will reduce the buffer from 40 feet
11 to 20. That issue will ultimately need to be addressed.

12
13 There were no further public comments. The Vice-Chair closed the public hearing and invited the
14 Commission to either continue the discussion regarding this item, or she would entertain a motion
15 if no further discussion was necessary.

16
17 Director Cardenas stated that the proposed ordinance is in its sixth or seventh version and has been
18 reviewed by the Planning Department, staff, and the City Attorney. The ordinance pertains to off-
19 premise advertisement which is a legal issue that requires caution. He reviewed the prior language
20 and noted that it follows the State Code by including shared ownership and use rights and having
21 irrevocable shared obligations to the common areas, excluding areas of residential use. Staff tried
22 to find a way to see if shared ownership and use areas as well as shared obligations to the common
23 areas could be revocable and noted that that is common in smaller areas. The matter was discussed
24 with the prior applicant and they settled on a shared access that identifies what makes the area
25 contiguous and removes the portions that are irrevocable. They wanted to find out what made the
26 area unified and concluded it was access.

27
28 Commissioner Fugal asked, from a drafting perspective, where the defined term “property” is used,
29 as he did not see a reference to property in the way it is defined in 4A. It was noted that property
30 is not referenced in the definition of UCD in Section 5. Planner Hawkins stated that property
31 should be defined as when permits or maps are submitted. There was a desire to know which
32 properties would have the signs and meet the standards. Commissioner Fugal stated that from a
33 drafting perspective, he did not see how the definition is applicable. He preferred to see “property”
34 defined to ensure that the sign location meets the requirements specified in Section 5. There was
35 brief discussion about the need for linkage.

36
37 Director Cardenas reported that the property density should be one sign per property, as defined.
38 The entire property also can be broken up into multiple UCDs. One UCD could be 22 acres, which
39 would entitle it to two signs. There is no minimum acreage requirement, which allows for more
40 flexibility. The businesses advertised, however, need to be within the Development boundaries.
41 He commented that the Code cannot be fashioned to suit the needs of just one developer as it is to
42 apply to all. The grouping is done by shared access. There was discussion about the logistics of
43 the size of the development, the use of multiple signs, and requirements that support off-premise
44 advertising. The proposed ordinance is a proposal and suggestions were welcomed.

45
46 Vice-Chair Patten re-opened the public hearing.

1
2 Mr. Beaumont stated that the proposal for shared access does not work because it requires the same
3 owners for all properties. He reported that Valley Grove consists of 89.75 acres based on a defined
4 contiguous area containing several properties. There are major roads running through the area
5 which creates limitations. SJP wants the total acreage to be designated as the UCD so it can be
6 advertised as a whole. It was noted that not all the properties are owned by SJP and they do not
7 want to provide access to non-owners. The issue is complicated but Mr. Beaumont suggested that
8 the property be “contiguous, commercial, and approved by the City,” and that the shared
9 requirement be deleted as it creates confusion. He was unclear regarding what harm would come
10 to the City. There will be multiple signs and the distance requirements will protect the City.
11

12 There were no further public comments. Vice-Chair Patten closed the public hearing and again
13 invited the Commission to either continue the discussion regarding this item, or she would
14 entertain a motion if no further discussion was necessary.
15

16 Director Cardenas agreed that the issue is complicated and stated that the matter could be
17 simplified by not allowing off-premise advertisement. The City, however, is trying to determine
18 a way to allow City-regulated off-premise advertisement. There was discussion regarding how
19 off-premise advertisement signs could be used including billboard signs. The Code does not
20 prevent individual advertising wall signs. It was noted that billboard signs are regulated by the
21 State and cannot advertise more than one company.
22

23 Vice-Chair Patten re-opened the public comment hearing.
24

25 Commissioner Redding asked if the four-foot address area on signs will ever be changed as it has
26 been frequently raised. Director Cardenas stated that what was written was the proposal from staff.
27 The Planning Commission could decide to do something different.
28

29 Commissioner Redding asked if the Code language would change because of the potential 20-foot
30 buffer change near I-15. Planner Hawkins identified the potential public frontage roads on a
31 County map displayed. Director Cardenas stated that the buffer will be established by UDOT. If
32 it was reduced to 20 feet that is what it would be. Mr. Beaumont explained that the setbacks will
33 be determined by the City as I-15 is a “no access” freeway, making the frontage road a City street.
34 UDOT will dictate the amount of right-of-way and no-access. The City will define that the access
35 is a 20-foot setback from the UDOT right-of-way, per the City Code. Director Cardenas stated
36 that there will need to be a discussion about that and that any future development will be addressed.
37 Director Cardenas stated that the requisite information would be added later to the Code.
38

39 Director Cardenas stated that the following issues have been identified during the discussion:
40

- 41 • The definition of UCD; and
- 42 • Staff’s recommendation for a four-foot clearance on pylon signs to make a difference
43 between it and monument signs.
44

45 He commented that if the Planning Commission wants to make a different recommendation, it can.
46 This ordinance is set to be heard by the City Council on November 7, 2023.

1
2 Planner Hawkins identified specific issues of signage where businesses are not or chose to not be
3 a part of the UCD and how those issues will be worked out. There was discussion about the
4 differences in the definitions of pylon and monument signs in relation to clearance and height; pros
5 and cons and suggestions for modification (including changes in height and removal of the
6 clearance on pylon signs); and the use of logos. Illustrations of the various signs were presented.
7 Planner Hawkins stated that the ordinance requires shared access with advertising limited to that
8 same shared access area. Director Cardenas stated that the City cannot dictate what content is
9 being advertised. It was clarified that a company logo is an advertisement and not protected
10 speech.

11
12 There were no further public comments. Vice-Chair Patten closed the public hearing and again
13 invited the Commission to either continue the discussion regarding this item, or she would
14 entertain a motion if no further discussion was necessary.
15

16 Director Cardenas stated that removing the clearance requirement on the pylon signs could create
17 problems. Commissioner Fugal agreed with the four-foot clearance requirement. The definition
18 of “property” was again raised in terms of application. Commissioner Fugal recommended that
19 the definition of property be written with stronger enforcement guidelines.
20

21 There was discussion regarding various options pertaining to what should be included in the UCD
22 definition. Director Cardenas suggested that the Commission could recommend approval of the
23 ordinance with exceptions of certain sections. Staff would then review those sections with the
24 City Attorney and present that discussion to the City Council. The motion could also specify that
25 clerical errors would be corrected.
26

27 **MOTION:** Commissioner Martineau moved that the Planning Commission recommend that the
28 City Council APPROVE the request of Pleasant Grove City for the proposed amendments to City
29 Code Chapter 19: Signs and Outdoor Advertising; and adopting the exhibits, conditions, and
30 findings of the staff report, and as modified by the conditions below:
31

- 32 1. The schematic corrections are to be made as identified in the discussion and
- 33
- 34 2. Section 10-19-4-1A is to be reviewed with staff, the previous applicant, and the
- 35 City Attorney for City Council input.
36

37 Commissioner Redding seconded the motion. The Commissioners unanimously voted “Aye”.
38 The motion carried.
39

40 **ITEM 3 - Public Hearing: Code Text Amendment – Section 11-3-4-B.1: Cul-De-Sacs**
41 **(City Wide)**

42 Public Hearing to Consider a Request from Pleasant Grove City to amend City Code Section 11-
43 3-4-B.1, Cul-De-Sacs. The City is Proposing to Remove the Possibility of Extending Cul-de-sacs
44 beyond their Maximum Permitted Length.

45 ****CONTINUED TO NOVEMBER 16, 2023****
46

1 **ITEM 4 - Public Hearing: Code Text Amendment – Section 10-9-C: Medium Multiple-**
2 **Residential one**

3 **(RM-7)(City Wide)**

4 Public Hearing to Consider a Request from Pleasant Grove City to Amend City Code Section 10-
5 9-C: Medium Multiple-Residential Zone (RM-7). The City is Proposing to Make Changes to the
6 Density, Permitted Uses, and Requirements in the RM-7 Zone.

7 ****CONTINUED TO NOVEMBER 16, 2023****

8
9 **ITEM 5 – Public Hearing: Code Text Amendment – Section 10-15-14: Flag Lots**
10 **(City Wide)**

11 Public Hearing to Consider a Request from Pleasant Grove City to Amend City Code Section 10-
12 15-14, Flag Lots. The City is Proposing to Make Changes to the Zoning Requirements for the
13 Potential Development of Interior Lots with the Intent to Facilitate the Development of Infill Areas
14 in an Orderly and Reasonable Manner.

15 ****CONTINUED TO NOVEMBER 16, 2023****

16
17 **ITEM 6 – Review and Approve the Minutes from the October 12, 2023, Meeting.**

18
19 **MOTION:** Commissioner Shirley moved to APPROVE the minutes from the October 12, 2023,
20 meeting as written. Commissioner Fugal seconded the motion. The Commissioners unanimously
21 voted “Aye”. The motion carried.

22
23 Commissioner Fugal moved to ADJOURN. The Commissioners unanimously voted “Aye”. The
24 motion carried.

25
26 The Planning Commission Meeting adjourned at 8:55 p.m.

27
28
29
30 
31 _____
32 Planning Commission Chair

33 
34 _____
35 Kathy Kresser, City Recorder

36 Oct 26, 2023
37 Date Approved