

Planning & Zoning Minutes

June 5, 2008

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CITY OF
REXBURG
America's Family Community

Commissioners Attending:

Winston Dyer – Chairman
Thaine Robinson Mary Haley
Mary Ann Mounts Mike Ricks
Charles Andersen

City Staff and Others:

Gary Leikness – Planning Administrator
Shawn Larsen - Mayor
Christopher Mann – City Council President
Elaine McFerrin - Secretary

Chairman Dyer opened the meeting at 7: 12 pm. He welcomed the attendees, including Mayor Shawn Larsen, City Council President Christopher Mann, and Preston Haley.

Roll Call of Planning and Zoning Commissioners: Charles Andersen, Mary Haley, Winston Dyer, Thaine Robinson, Mike Ricks, Mary Ann Mounts

Ted Hill, David Stein, Dan Hanna, and Randall Porter were excused.

Presentation:

Mary Haley, Planning & Zoning Commissioner – Recognition of Service

Mayor Larsen recognized **Mary Haley** for her years of service as a Rexburg Planning and Zoning Commissioner, from June 19, 2002 to June 19, 2008. He read from a letter he had sent to her, personally thanking her for her contributions, commitment, and involvement during this time of great changes and growth for Rexburg. The Mayor praised her years of dedicated service and presented her with a plaque on behalf of the City of Rexburg, in appreciation for all of her wonderful work as a Planning & Zoning Commissioner.

Mary Haley told the Commissioners how much she has enjoyed working with all of them. She said the Commissioners work very hard at the decisions they make, and she has enjoyed serving as one of them.

Chairman Dyer recognized **Mary Haley's** accomplishments. She is a passionate defender of neighborhoods and of the common citizen in Rexburg, always with an eye toward the future of our community. She has faithfully served and given great personal effort as a Planning & Zoning Commissioner.

Minutes:

1. Planning and Zoning meeting – May 15, 2008

Mary Haley motioned to approve the Planning & Zoning minutes for May 15, 2008. **Thaine Robinson** seconded the motion.

Mary Ann Mounts and Mike Ricks abstained for not having been present. None opposed. **Motion carried.**

Chairman Dyer asked to be excused from the meeting, and he also excused **Mike Ricks** from the meeting. **Thaine Robinson** took over the chair.

Chairman Robinson moved on to the next agenda item.

Public Hearings: None

New Business:

1. Final Plat – 7th South Church Subdivision

Richard Smith, 950 Mill Hollow, Rexburg, representing the Corporation of the Presiding Bishop of the LDS Church, was to present the final plat. Before doing so, he thanked **Mary Haley** for her work as a Planning & Zoning Commissioner, saying he always has respected her standing up strongly for what she felt was right.

Mr. Smith stated he was here tonight seeking recommendation to the City Council for approval of the final plat for the 7th South Church Subdivision. The overhead screen projected the plat. Since the presentation of the preliminary plat, all changes requested by staff have been made to the proposed plat, including information on all easements of record. Per a request from the City Attorney and the City Engineer, the right-of-way of 7th South and 2nd East will be depicted on the final plat before its presentation to the City Council.

Chairman Robinson brought up the concern with the language in regard to the right-of-ways, which was an issue at the preliminary plat presentation.

Richard Smith said the language concerning lot 3 was addressed. Prior to transfer of present ownership or development or construction of structures on lot 3, a vehicle access plan must be approved by the City.

Charles Andersen pointed out that on the northwest corner of the projected plat, the sewer retention pond is shown in the middle of University Village. The pond is actually further west.

Richard Smith said this depiction was not on the preliminary plat and felt it was an error. It will be corrected prior to presentation to City Council.

Chairman Robinson asked for staff comments.

Gary Leikness said there were no other planning issues concerning this plat.

Mary Ann Mounts motioned to recommend to City Council the approval of the Final Plat for the 7th South Church Subdivision, noting the correction that needed to be made on the plat regarding the sewer retention pond location. **Mary Haley** seconded the motion. None opposed. **Motion carried.**

Unfinished/Old Business:

1. Sign Ordinance – Temporary Signs and Banners

Chairman Robinson clarified for the audience that the Commissioners are focusing on only the subject of Temporary Signs and Banners at this time, not the Sign Ordinance as a whole. He asked Gary Leikness to present potential draft ordinance language for these issues.

Mr. Leikness distributed a handout and projected his presentation on the overhead screen. He said the Commission could explore this information to look at ways they can modify the ordinance language, making it more straightforward for regulation. The language is intended to be more easily enforced. Included are issues in regard to neighborhoods and commercial sign clutter. Three different types of signage are addressed, although these types can overlap: temporary, portable, and banner.

1) Temporary Signs – These signs are not intended for permanent display (i.e. giant gorillas, air dancers, etc). They are only up for a brief amount of time. They are eye catching and meant to capture the attention of passers-by, and are often reserved for special events. Time displayed, number of events per year, and materials used could be specified on the sign permit application.

The Commissioners discussed the potential draft language and suggested some changes.

2) Portable Signs – They are not permanently affixed to the ground or a structure, such as a-frame signs on sidewalks, air blown signs, or parked vehicles. Usage may be continuous. These portable signs can look cheap depending on materials used. The sign ordinance language could limit size and number and specify being allowed only in the CBD (Central Business District) zone or mixed use zones for the purpose of capturing pedestrian attention. Pennants and streamers could be prohibited, reserved for special events.

Chairman Robinson suggested it might be included in the language to not have signs on display in front of someone else’s business.

Mr. Smith commented from the audience. There are some businesses with signs on their cars that take up parking space on Main Street virtually all day long.

Mr. Leikness displayed a picture of a parked (long term) vehicle advertising a business; the vehicle is not visually pleasing. It is an example of several of the issues that have concerned the Commission. The ordinance language could say if the vehicle is not part of the daily business activity, it is not permitted.

The Commissioners continued their discussion.

Mayor Larsen asked about pole banners at Taylor Chevrolet. Gary Leikness said those would be considered banners. Mayor Larsen thought that prohibition of pennants would be a tough sell in the business community.

3) Banner Signs - They make the public aware of a particular sale or event or new item. The banner should say to the public that something out of the ordinary is happening. Mr. Leikness said banners do get worn out so would need to be time limited. He said content of signs cannot be regulated. In response to **Chairman Robinson's** question regarding numbers, Gary Leikness said the number of banner signs could be regulated.

Gary Leikness said the banner signs Albertson's is using for its grand remodeling are very effective for the purpose of temporarily advertising this event.

Charles Andersen said student housing focuses on advertising this way to get student attention.

Gary Leikness read from the proposed language. If the number of banners or size of banners is a set limit, than this ordinance would be easier to enforce. Content of the sign cannot be regulated.

Mayor Larsen suggested an ad-hoc committee be put together made up of 2 P&Z Commissioners, 2 City Council members, 2 Chamber of Commerce board members, and 2 residents. He suggested a meeting of this group prior to another reading of the draft ordinance language to the Commission so that this part of the Sign Ordinance would be a collaborative effort.

Compliance:

Non controversial Items Added to the Agenda: None

Report on Projects: None

Tabled Requests: None

Building Permit Application Report: None

Heads Up:

Chairman Robinson said there will be a public hearing the second Planning & Zoning meeting in July for the Comprehensive Plan.

Gary Leikness said we will deliver the draft Comprehensive Plan to Commissioners and City Council to review.

Mary Ann Mounts motioned that the July 3rd, 2008 meeting be cancelled. **Charles Andersen** seconded the motion.
None opposed. **Motion carried.**

Chairman Robinson adjourned the meeting at 8:40 pm.