

NORTH SALT LAKE CITY  
PLANNING COMMISSION MEETING  
NOVEMBER 22, 2011

Commission Chairman Eric Klotz called the meeting to order at 7:00 p.m. and welcomed those present.

PRESENT: Commission Chairman Eric Klotz  
Commissioner Doug Cary  
Commissioner Beth Goodrich  
Commissioner Kim Jensen  
Commissioner Bruce Oblad

EXCUSED: Council Member Brian Horrocks  
Commissioner Jim Allen  
Linda Horrocks, Minutes Secretary

STAFF PRESENT: Ken Leetham, Community and Economic Development Director; Ali Avery, City Planner.

OTHERS PRESENT: Ed McDonald, Alan Lang, Lang Equipment; Tom Cooper and Patrick Scott, Woodside Homes.

1. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR LANG EQUIPMENT TO BE LOCATED IN THE M-D DISTRICT AT 205 NORTH 1200 WEST. ALAN LANG AND ED MCDONALD, APPLICANTS

Ali Avery stated that Lang Equipment is requesting a Conditional Use Permit for their location at 205 North 1200 West to allow for "Commercial and Industrial Machinery and Equipment (except Automotive and Electric) Repair" in the M-D District. Lang Equipment provides rental and maintenance of heavy construction equipment. The building where they are proposing to locate has not been constructed, although the building site plan review is also this meeting's agenda. The proposed building includes 31,684 square feet of warehouse space, and 6,910 square feet of office space. The total number of parking stalls required at this site is 55, three of which must be handicapped stalls. The applicant's proposal includes 57 stalls, with three designated as handicapped, thus meeting parking requirements in the Land Use Ordinance. Mrs. Avery stated that there will be fifteen (15) employees at this location, and projected traffic is ten (10) trucks and forty (40) cars per day.

The applicant is proposing to have a slatted chain-link fence around the entire storage yard with three strands of barbed wire across the top. They have also included extensive landscaping to assist with screening the equipment from view as well as yard lights on the site for theft protection. A six-foot minimum fence is required for the perimeter of the property.

Commissioner Goodrich asked how much would be stored in the back lot. Ed McDonald and Alan Lang, of Lang Equipment, approached the Commission and responded that the lot would likely be full most of the time. Alan Lang stated that there would be trucks, forklifts, cranes, and drilling equipment.

**Commissioner Oblad moved to approve a Conditional Use Permit for Lang Equipment to be located in the M-D District at 205 North 1200 West. Commissioner Jensen seconded the motion. The motion was approved by Commissioners Cary, Goodrich, Jensen, Klotz and Oblad. Council Member Horrocks and Commissioner Allen were excused.**

2. CONSIDERATION OF A SITE PLAN FOR LANG EQUIPMENT TO BE LOCATED IN THE M-D DISTRICT AT 205 NORTH 1200 WEST. ALAN LANG AND ED MCDONALD, APPLICANTS

Ali Avery stated that Lang Equipment is requesting site plan approval for their business at 205 North 1200 West, Lots 19 & 20 of the Riverbend Industrial Subdivision in the M-D District. The area of Lot 19 is 2.5 acres, and Lot 20 is 2.71 acres, totaling 5.21 acres for the entire site. The proposed building is 38,594 square feet, including office and warehouse space, and would cover approximately 14.1% of the site, which meets City requirements. Also, as mentioned earlier, the Lang Equipment proposal meets parking, landscaping, and setback requirements.

Mrs. Avery reported that the applicants are required to supply an access easement, but they have already submitted a draft of this easement. Chairman Klotz asked if the lots should be combined and recorded as one lot. Mrs. Avery responded that since a structure is not being built across the lot lines, it would not be necessary.

Chairman Klotz stated that this looks like an attractive building to provide a nice anchor for this industrial park, and he commended the applicants for trying to screen their equipment with landscaping. Commissioner Oblad agreed that a large planting of trees will make the area look very nice and may even hide the operations of their business, and he encouraged the applicants to follow-through with that. Commissioner Jensen agreed and thanked the applicant for their efforts to beautify the area.

Chairman Klotz asked about the turnaround time of equipment, and Mrs. Avery stated that they rent equipment as well, so machinery and equipment will be coming in and out continually.

**Commissioner Goodrich moved that the Planning Commission recommend site plan approval to the City Council for Lang Equipment to be located at 205 North 1200 West with the following conditions: 1) that a draft access easement must be provided to City staff prior to review by the City Council, and 2) that said easement must be recorded within thirty (30) days of site plan approval by the City Council. Chairman Klotz seconded the motion. The motion was approved by Commissioners Cary, Goodrich, Jensen, Klotz and Oblad. Council Member Horrocks and Commissioner Allen were excused.**

3. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR OFF-PREMISE RESIDENTIAL DEVELOPMENT SIGNS FOR FOXBORO NORTH. TOM COOPER – WOODSIDE HOMES, APPLICANT

Ali Avery stated this is similar to the temporary sign conditional use permits done in the past, although it is unique because the signs in this case are residential signs which are regulated separately in the sign ordinance. Woodside Homes is requesting a conditional use permit for temporary off-premise residential development, directional, and freeway-oriented signs for Foxboro North development. Mrs. Avery displayed the signs on the computer screen for the Commission to review.

Staff finds that four signs in their application meet the definition of off-premise signs, as homes are not currently available where any of these signs are proposed to be located. Those four signs are the trailer sign and free-standing residential development signs. Staff finds that the other nine (9) signs are simply considered temporary signs. The maximum time the signs may be displayed is two years. Woodside Homes currently does not have permission from the property owners to allow signs, and the City would require this as a condition of approval.

Mrs. Avery stated that another item to review is the logo and reference to Questar gas on the signs. In accordance with City ordinance, she recommends those references be removed.

Ken Leetham stated he does not believe that the signs are specifically in violation of the code, and secondly, the city has been counseled by the City Attorney that rarely does the City have the authority to regulate content of the signage. There are only specific circumstances when the City can control content, such as indecency, pornography, etc. because of free-speech issues. The code is written to primarily control the number of signs, and it is limited so that only developers can display signs, and not every contractor or home builder. The City should be mindful not to be over regulatory as people look to bring commerce into the community. He believes that the amount of space used for the Questar logo probably does not violate the spirit of the code.

Tom Cooper, Woodside Homes, approached the Commission. He stated that many companies combine advertising efforts as sort of a co-op, and this is what has been done with Woodside Homes and Questar.

Commissioner Oblad asked why Woodside Homes is using a trailer. He stated that the Questar logo is not an issue, but the unsightly trailer is a bigger issue. Mr. Cooper stated that they use a trailer sign so they can move it from one area to another as they develop, and he added that there are several other developers with trailers in the area.

Chairman Klotz asked if there is anything in the code that prevents using trailers as signs. Ali Avery stated she could not find anything in the ordinance that would prohibit them from using the trailer as a sign or billboard.

Ken Leetham stated that as staff rewrites City code, signage has risen in priority to meet the aesthetic goals of the City.

It was noted that applicants can reapply for a total of five years maximum, and although Woodside Homes has already used these signs for a period of time, the two year period would begin with the approval tonight.

Commissioner Jensen asked if the Planning Commission is approving sign size, content, or both. Ken Leethan responded that the Commission is approving the sign and location. If the applicant updated some detail such as dollar amount on the sign, for example, it would not need to come back before the Commission for approval. However, if they sold their advertising trailer to a different type of business, then it would be an illegal sign requiring a new permit.

**Commissioner Cary moved that the Planning Commission approve a Conditional Use Permit for Woodside Homes and the proposed Foxboro North development signs subject to the following conditions:**

- 1. The four (4) off-premise residential development signs shall be removed within three (3) years of the date of this approval unless renewed for two years. At that time, an extension may be granted by the Planning Commission for an additional two (2) years.**
- 2. The nine (9) temporary signs may only be erected on the weekends (Friday night through Monday morning), and the approval of the temporary signs shall expire in two (2) years from the date of this approval.**
- 3. Any additional residential development signs to be locate on new plats or at model home locations be applied for at the same time as the final plats for those locations. The number of residential development signs may never exceed the amount allowed in the Land Use Ordinance.**
- 4. Woodside Homes must obtain signatures from property owners on whose property they place their signs, and submit signatures to the City. Also, no signs will be displayed in park strips.**

**Commissioner Goodrich seconded the motion. The motion was approved by Commissioners Cary, Goodrich, Jensen, Klotz and Oblad. Council Member Horrocks and Commissioner Allen were excused.**

#### **4. UPDATE AND DISCUSSION OF GENERAL PLAN PROJECT**

Ken Leetham stated that there has been a significant delay in the General Plan update process. City staff has been working on a grant application for the Springhill slide area for the last sixty days, or so. The grant application was finally completed and given to the State of Utah, who will submit the application on the City's behalf to FEMA.

With respect to the General Plan, the Planning Commission received documents (via email) showing basic format and content of the General Plan to be adopted. Mr. Leetham stated that some of the goals on the front page of the chapters do not match the goals in the document, and it still needs some rewriting and reorganization.

Chairman Klotz invited Mr. Leetham to share some of the update process with the Commission. Mr. Leetham stated that they have been working with a qualified consultant as well as other

groups including transportation engineers, and an economic marketing expert who has done decades of research along the Wasatch Front. The City formed a core group of people to work on the General Plan, and they have met several times to guide the goal-setting process to identify priorities. Open houses were held, and surveys conducted, and some of the results are included in the General Plan elements. Mr. Leetham added that they have been pleased with the public input throughout this process. As soon as the draft elements are in better condition, more open houses and public hearings will be held during the adoption process. The development moratorium has been extended by the Council to February 15, 2012.

Chairman Klotz noted that this General Plan update does not include the City's east side, from Orchard Drive and up the hill. There are some interesting traffic management measures being considered for Redwood Road. Other things the plan tackles is the concept of what to do with Redwood Road in front of Foxboro, and then what is being called the Kimball Property (former Gun Club property) – southwest corner of Center Street and Redwood Road. It has a lot of economic potential.

Ken Leetham stated that the General Plan will not be an advisory document, but a mandatory set of standards with which development must comply. Zoning has been far too broad, and North Salt Lake has not specifically, or with purpose in mind, planned the development.

5. APPROVAL OF PLANNING COMMISSION MINUTES – OCTOBER 11, 2011

The Planning Commission meeting minutes of October 11, 2011 were reviewed. **Chairman Klotz moved to approve the October 11, 2011 Planning Commission minutes as written. Commissioner Cary seconded the motion. The motion was approved by Commissioners Cary, Goodrich, Jensen, Klotz and Oblad. Council Member Horrocks and Commissioner Allen were excused.**

6. ADJOURN

Chairman Klotz adjourned the meeting at 8:25 p.m.

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Chairman

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Secretary