

MINUTES OF THE VINEYARD
CITY COUNCIL MEETING
240 East Gammon Road, Vineyard, Utah
June 27, 2018 at 6:00 PM

Present

Mayor Julie Fullmer
Councilmember Tyce Flake
Councilmember Chris Judd
Councilmember Nate Riley

Absent

Councilmember John Earnest

Staff Present: City Manager/Finance Director Jacob McHargue, Public Works Director/City Engineer Don Overson, City Attorney David Church, Community Development Director Morgan Brim, Planning Commission Chair Cristy Welsh, City Recorder Pamela Spencer, Building Official George Reid, Water/Parks Manager Sullivan Love, Records Management Assistant Kelly Kloefer, City Planner Elizabeth Hart, Finance Intern Karuva Kaseke, Heritage Commission Chair Tim Blackburn

Others Speaking: Residents Kait Urmstron, Anthony Jenkins, Crishelle Stegelmeier, and David Lauret; Bronson Tatton with Flagship Homes

6:02 PM **REGULAR SESSION**

CALL TO ORDER

INVOCATION/INSPIRATIONAL THOUGHT/PLEDGE OF ALLEGIANCE

Mayor Fullmer opened the meeting at 6:02 PM. Councilmember Judd gave the invocation.

OPEN SESSION – Citizens’ Comments

Mayor Fullmer called for public comments.

Resident Kait Urmstron living in The Preserve subdivision expressed concern about the inadequate parking they had now that Vineyard Loop Road was closed to parking. Mayor Fullmer explained that the road never allowed parking but because the striping had worn off the Sheriff’s deputies were not enforcing it. She asked if Ms. Urmstron had contacted the Homeowners Association (HOA). Ms. Urmstron replied that the HOA told her roommate that they only dealt with homeowners and not renters. Mr. Overson explained that the road was not wide enough to allow emergency vehicles if they allowed parking. Ms. Urmstron asked if the city would allow for parking after a certain time of night. Mayor Fullmer said that she would work with the Public Works Director to see if they could come up with a solution. Councilmember Judd mentioned that there were other complexes that had gone back and added additional parking.

Mayor Fullmer called for further comments. Hearing none, she closed the public session.

MAYOR AND COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS

Councilmember Flake reported that he had attended the Utah Lake Commission meeting on June 22 where they passed the new budget. He stated that part of the budget would be the acquisition of new machinery to help remove the phragmites. He said that they had eliminated 82 percent of the carp in the lake and were now going into a maintenance program. He commented that the Algal Bloom was due to the level and temperature of the lake. He said that they had discussed the Outdoor Recreation Grant which would be applicable to Vineyard. He reported that the Utah Lake Commission wanted Vineyard to work with Explore Utah Valley to get money for the trail and also to establish a water trail head to launch kayaks, etc.

Councilmember Flake reported that at the Utah League of Cities and Towns' meeting they had discussed housing policy and the housing gap, transportation funding, and water. He mentioned that they had discussed the South Dakota v. Wayfair case in which the Supreme Court recently held that states could now collect tax on online sales. He mentioned that the Utah Legislature had passed a bill last year that gave the state 55 percent of the funds. He said that some of the key points from the housing gap presentation were that Utah was leading the west in economic development and population growth. Utah was also leading in the number of households, which exceeded the number of houses in the state. He said that the state needed 250,000 houses or apartments to bridge that gap. He explained that the major issues were that the state was running out of good land and that price of land had gone up 46 percent in the last 10 years. He recapped that the issues were that they were running out of land, the cost of land, the cost of building, price inflation, government, zoning and fees, Nimbyism (not in my backyard), topography, and rapid growth. He said that in Utah County in 2000 it took 60 days for a listing to sell, in 2008 90 days, in 2017 15 days, and to date an average listing lasted 4 days. He said that from 1991 to 2017 the price of homes in Utah County went up 278 percent. Housing prices were growing twice as fast as income. The apartment vacancy rate in 2005 was 8 percent with 474 new apartments built and in 2010 it was a 7 percent vacancy rate with 274 apartments built. In 2017 it was at a 4 percent vacancy and that was with 1974 apartments built. He said that they were still not bridging the gap. He noted that income growth was at 4 percent and the inflation rate was at 5.5 percent.

Councilmember Judd reported that he had attended the Utah Central Association of Realtors meeting where they had the same presentation. He said that the Housing Gap Coalition wanted to meet with every city along the Wasatch Front this year about defining the housing gap. He felt that Vineyard had done a good job of bridging that gap and would be defining it in the General Plan amendment.

Councilmember Flake said that the state would be enacting legislation. There was a discussion about the housing crisis. Councilmember Flake said that there would be bills to regulate housing and zoning. Mayor Fullmer stated that the coalition would be talking to the Chamber and working with the Utah League of Cities and Towns.

STAFF AND COMMISSION REPORTS

City Manager/Finance Director – Jacob McHargue – Mr. McHargue reported that he had attended the North Pointe Solid Waste Special Service District board meeting where they had discussed recycling issues, garbage tipping, and changing landfills. He said that they would be ending their contract with Republic Services and would be using the landfill near Goshen. He said that the city needed to decide by November if they wanted to change landfills. He reported that the Summer Celebration would be on June 29 with a movie in the park and June 30 with the Grand Opening of the 18-acre park at 8:45 AM with activities throughout the day, ending with fireworks.

Mr. McHargue also reported that he had attended the Legislative Interim Committee and Legislative Policy Committee meetings. He mentioned that he attended a follow up meeting with the Provo Housing Authority to discuss ways to fill the housing gap. He said that there would be a follow-up meeting with the Interim Committee to discuss the rail spur removal.

Public Works Director/Engineer – Don Overson – Mr. Overson thanked Mr. Love and his team for their efforts in helping to get the park ready for the Summer Celebration. He reported that Union Pacific had given them a timeline of three to four months to get the permit for the Center Street overpass. He suggested that the city go ahead and bid the project and do everything they could before they received the permit and start building. His concern was the timing. He asked council for feedback.

Councilmember Judd said that he wanted Mr. Overson to make sure the bidders knew that the project could be delayed. Mr. Overson said that they would talk to the contractors about the risk. Councilmember Judd suggested that they ask for two bids. Mr. Overson stated that they could do the project in phases. Mr. Flake felt it was a good idea to phase the project.

Councilmember Riley asked if Union Pacific was holding the city hostage because of the issues with the rail spur removal. Mr. Overson replied that he did not know. There was a discussion about the overpass. Council agreed to allow Mr. Overson to move forward with the bid process.

Councilmember Judd asked who residents could contact about broken sidewalk squares on Parker Place in the Ashley Acres subdivision. Mr. Overson said that they could contact him. He mentioned that there was still an open bond on the project.

City Attorney – David Church – Mr. Church had no new items to report.

Utah County Sheriff's Department – Sergeant Holden Rockwell – Sergeant Rockwell was excused.

Community Development Director – Morgan Brim & Planning Commission Chair – Cristy Welsh – Chair Welsh reported that the council would be discussing the sign code tonight, which staff and the Planning Commission had been working on. She mentioned that the Windsor subdivision plat needed more work. She reported that staff and the commission would be starting work on the General Plan amendment tomorrow.

Mr. Brim commented that the Planning Commission did a lot of work and that it had been great for staff to have their support. He reported that they would have an initial meeting tomorrow with the consultants who would be working on the General Plan. He said that members from UTA, the Utah Lake Commission, developers, UVU, and Orem City had been invited to participate. He reported that Cottonwood Partners were working with a grocer to come to The Forge development. They were also working on the preleasing of office space and a small multifamily project. He reported that staff was working with a developer on the Clegg property. He said that Edge Homes was working on a project north of the James Bay subdivision. He said that this was part of the Town Center Master Plan.

Mr. Brim mentioned that a new business had opened in Vineyard called “The Furniture Lady.” He said that it was a retail/flex office space. He reported that the city was in the process of hiring a Planning Technician and Code Enforcement Coordinator. He explained that as the city had grown, staff had been receiving more complaints and had decided to put more emphasis on code enforcement.

Mr. Brim mentioned that the city had submitted a “Moderate Income Housing” letter showing how the city was working to bridge the housing gap.

Mayor Fullmer asked Mr. Overson about the speed limit sign in the Sleepy Ridge subdivision. Mr. Overson replied that his department was working on it.

City Recorder – Pamela Spencer – Ms. Spencer had no new items to report. Mayor Fullmer asked how the Utah County election had gone. Ms. Spencer explained that they had a small turnout to the polls but several people dropped off their ballots. She mentioned that it had been helpful to allow voters to drop off their ballots at any vote center.

Building Official – George Reid – Mr. Reid had no new items to report.

Water/Parks Manager Sullivan Love – Mr. Love reported that the Timpanogos Special Service District was still attempting to fill the General Manager position.

Heritage Commission Chair Tim Blackburn – Chair Blackburn reported on the second annual Vineyard Heritage Commemoration which was held on May 12. He said that attendance was about half compared to last year due to inclement weather. He mentioned that there were enhancements made to this year’s event. Councilmember Judd thanked the Commission for the event. He felt they did an amazing job.

Chair Blackburn mentioned that next year would be the 30th anniversary of the incorporation of the town. He proposed that it be a larger and better event next year. He said that the Commission proposed moving the date to May 29 and having it run through June 1.

Mr. Blackburn gave a list of possible events for the celebration. He said that the Commission would volunteer to work in collaboration with other city committees and asked to include a dedicated budget of at least \$10,000. He asked that the planning begin immediately. He said that

committees would need to be formed for publicity, venues, logistics, security, sponsors, donors, etc. He suggested that a report could be made to the City Council monthly.

Mayor Fullmer pointed out that this was for discussion only and the council could not make a decision about the budget at this time. She said that they needed to think about combining the commemoration with the City's summer event and keep them combined moving forward. Mr. Blackburn suggested that they wait and see how successful the event was. Mayor Fullmer summarized the discussion, stating that for this event the Commission would like a tentative budget and to combine the two events.

Council was in favor of holding the event as presented.

Mr. McHargue explained that there was a \$2,500 budget for the Heritage Commission and \$7,5000 for the Summer Celebration. He felt it needed to be added to an agenda to discuss the logistics of the event. He suggested that the Commission and staff could meet and then bring a proposal to the City Council. Chair Blackburn felt that they needed to start right away with the planning process.

Resident Anthony Jenkins mentioned that people could possibly donate to the Vineyard Heritage Foundation through the Amazon Smile Charitable Program.

Chair Blackburn stated that the commission was hoping to have financial backing from the city along with staff support. Mr. McHargue asked for a nod from council to give staff the go ahead to start planning the event. Council agreed.

PUBLIC COMMENTS

Mayor Fullmer turned the time over for additional public comments.

Resident Crishelle Stegelmeier living in The Preserve subdivision reiterated that there was not enough parking for the residents living in the subdivision. She felt that neither the city nor the HOA had thought about the amount of parking that would be needed. She said that now that they could not park on Vineyard Loop Road there was no place to park. She asked how this could be resolved. Mayor Fullmer asked if she had been in touch with her HOA. Ms. Stegelmeier replied that she had reached out to them and would continue to try and reach them. She said that she could not see a solution from their end because the oversight took place months ago. Mayor Fullmer expressed appreciation to the residents for expressing their concerns.

Mr. Overson explained how the road was built. He said that residents had been parking in a drive lane, which was illegal.

Councilmember Judd mentioned that this was not an oversight. He said that it was known from the beginning that there would be no parking on the road. Mr. Overson explained that the road was originally marked as it was now but with all of the construction, the striping wore off. He said that staff had decided to wait until the construction was completed to restripe it. Councilmember Judd stated that the developer had not passed this information on to the residents. Ms. Stegelmeier felt that the oversight might be the fault of the HOA and asked how they could correct it now. Councilmember Judd mentioned that other HOAs had gone back and added more parking.

CONSENT ITEMS

- a) Approval of the June 13, 2018 City Council Meeting Minutes
- b) Approval of Purchase/Lease – Vac Truck Lease
- c) Approval of Purchase/Lease – Cannon Copier
- d) Approval of Purchase – Fireworks Contract/costs for the Summer Celebration/Park Grand Opening
- e) Approval of Purchase – Council Chambers Seating
- f) Approval of Purchase – Server

Mayor Fullmer called for comments. Hearing none, she called for a motion.

Motion: COUNCILMEMBER JUDD MOVED TO APPROVE THE CONSENT ITEMS A-F. COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, JUDD, AND RILEY VOTED AYE. COUNCILMEMBER EARNEST WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

MAYOR'S APPOINTMENTS

No items were submitted.

BUSINESS ITEMS

7.1 DISCUSSION AND ACTION – 2017/2018 FY Budget Adjustment (Resolution 2018-09)

City Manager/Finance Director Jacob McHargue will present a budget adjustment for the 2017/2018 Fiscal Year Budget. The mayor and City Council will take appropriate action.

Mayor Fullmer turned the time over to City Manager/Finance Director Jacob McHargue.

Mr. McHargue explained that the sanitation budget had exceeded the amount allocated for the year. He said that there was money in the General Fund that was underutilized so they could move it and not have to increase the amount in General Fund. He explained that they would be taking \$30,000 out of the Park's maintenance budget, \$20,000 going to the sanitation budget and \$10,000 for purchases approved on consent.

Mayor Fullmer called for questions. Hearing none, she called for a motion.

Motion: COUNCILMEMBER FLAKE MOVED TO APPROVE THE BUDGET ADJUSTMENT AS NOTED, RESOLUTION 2018-09. COUNCILMEMBER RILEY SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS FLAKE, JUDD, AND RILEY VOTED AYE. COUNCILMEMBER EARNEST WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

7.2 DISCUSSION AND ACTION – Municipal Code Amendment – Business Licensing (Ordinance 2018-05)

Records Management Assistant Kelly Kloepfer will present a Municipal Code amendment for business licensing. The mayor and City Council will take appropriate action.

Mayor Fullmer turned the time over to Records Management Assistant Kelly Kloepfer.

Ms. Kloepfer explained the proposed changes to Title 5 of the Municipal Code. She said that there were technical changes required by the state. She gave a brief background on the Solicitor's

License amendment. She said that the old code included Itinerant Merchants and the new code did not. She explained that she was adding an Itinerant Merchants chapter 5.14 and would be amending it at a later date. She further explained that the Mobile Food Business amendments were to be in compliance with the changes to the state code.

Mayor Fullmer called for questions. Hearing none, she called for a motion.

Motion: COUNCILMEMBER JUDD MOVED TO APPROVE ORDINANCE 2018-05. COUNCILMEMBER FLAKE SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS FLAKE, JUDD, AND RILEY VOTED AYE. COUNCILMEMBER EARNEST WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

7.3 PUBLIC HEARING – Amendment to the Zoning Ordinance – Sign Code, Home Occupation, and Accessory Dwelling Units (Ordinance 2018-06)

City Planner Elizabeth Hart will present proposed text amendments to the Vineyard Zoning Ordinance, including:

Section 15.34.060 Accessory Dwelling Units – modify the permitting process.

Section 15.34.150 Home Occupations – to define and establish standards for different types of Home Occupations.

Chapter 15.48 Signs – to repeal in its entirety and replace with new sign regulations that are content neutral and regulate the design, materials, size, number and location of signs.

The mayor and City Council will take appropriate action.

Mayor Fullmer turned the time over to City Planner Elizabeth Hart.

Ms. Hart explained that they were requesting amendments to the Accessory Dwelling Units (ADUs), Home Occupations and the Sign Code.

Accessory Dwelling Units

Current code:

Permit: An accessory dwelling unit business license may only be issued following the approval of a building permit.

Proposed Amendment:

Application: An accessory dwelling unit may only be approved if the property meets the standards listed in this Section.

Ms. Hart explained the new process. She said that the notice of an ADU would be recorded on the property and not with the homeowner and that a business license would no longer be required.

Home Occupations

Ms. Hart explained that in the U.S., 52 percent of all businesses were Home Occupations. In Vineyard, it was 54 percent. She said they were adding four different types of home occupations and including standards. The purpose was to make sure the residential use stayed the primary use, but still allowed commercial uses. The four types were: Home Occupation – Without Impact, Home Occupation – With Impact, Preschool, and Day Care.

Home Occupation - Without Impact

- No customers
- Non-impacting uses
 - Home-based office

- Clerical Work
- Sales
- Crafting
- Etc.

Home Occupation - With Impact

- Maximum of 1 non-resident working on the premises
- 1 customer at a time, between 8AM-8PM
- Uses that have impact
 - On-site Employee
 - Customers
 - Hair Salon
 - Tutoring
 - Music Lessons

Home Occupation - Day Care and Preschool

Vineyard Zoning Code Section [15.60.020 Definitions](#) “Home Day Care”

- The care of children who are family and non-family members in an occupied dwelling unit, and complying with all State standards and licensing, by a resident of the dwelling unit at least twice a week for more than 3 children, but fewer than 9 children. The total number of children being cared for shall include children under the age of 4 years residing in the dwelling unit, who are under the supervision of the provider during the period of time the childcare is provided. When a caregiver cares for only 3 children under age 3, the group size, at any given time shall not exceed 6.
- Max 1 non-resident employee
- Daycare program shall be permitted between 7:00 a.m. and 8:00 p.m.

Vineyard Zoning Code [15.60.020 Definitions](#) “Home Preschool”

- A preschool program complying with all State standards and licensing for non-family members in an occupied dwelling unit, by residents of that dwelling unit, in which lessons are provided for not more than six (6) children for each session of instruction. Sessions shall last for not more than four (4) hours and shall not overlap. Individual children may attend only one (1) preschool session in any 24-hour period.
- Max 2 sessions permitted per day
- Only between 8:00 a.m. and 8:00 p.m.

Specific Uses and Activities Prohibited

- Veterinarian office
- Kennel or any similar animal services
- Medical practitioners
- Outdoor storage or use of accessory structures

Conditions for all Home Occupations

- Incidental/Secondary
- Exterior
- Storage
- Outdoor Activity
- Parking - must have a minimum of four on-site parking stalls
- Nuisances
- Signs
- Off-site Employees

- Multiple Home Business Licenses
- Floor Area – 25 percent of the home could be used, this includes the garage

Ms. Hart explained that this code did not include Home Occupations that had groups such as music, dance, or swimming lessons with more than one customer. The Planning Commission recommended that staff research the issue and amend the code to include language for these additional uses.

Councilmember Riley stated for the record that there were residents who had home occupations for a long time and that he wanted to see them grandfathered in so they could continue to do their work. He added that when the ownership of the home changed then it would fall under the new guidelines. Councilmember Judd asked if they had and kept a current business license. Mr. Brim said that if they were meeting the general intent of the code then it would be a nonconforming use with a vested right. Mr. Church stated that it would remain a legal nonconforming use. He said that the use had to be a current legal use and that illegal businesses would gain no use. If it were legal today it would remain legal.

Mr. Brim said that they might want to exempt the Home Occupation – Without Impact from the parking restrictions. Mr. Church mentioned that by state code the city could not charge a fee for a home occupation that had no impact. He added that the city could require a license but not charge a fee.

Councilmember Riley commented that if a home-based business were to grow then at some point it could move from the home to an office facility so that the home would be a temporary location.

Ms. Hart reviewed the 2015 US Supreme Court Reed v. Town of Gilbert decision, which changed the way that local governments could regulate signs. She said that it had to be “content neutral.”

Purpose and Intent

- To preserve and protect the health, safety and general welfare of city residents and businesses by regulating the design, materials, size, number and location of signs and:
 - Reduce potential hazards to motorists and pedestrians by providing adequate signage in order to identify a business or facility while eliminating excessive, obtrusive, and confusing sign displays and excessive illumination
 - Preserve and improve the aesthetic appearance of the City by reducing or prohibiting signage that is overbearing, creates visual clutter or excessive illumination
 - To encourage well-designed signs that contribute in a positive way to the City’s visual environment and help maintain an image of quality for the city
 - To provide for temporary signs in limited circumstances, without regard to the communicative content of the sign
 - Provide each sign user an opportunity for effective identification
 - To support the goals and policies of the Vineyard General Plan
 - To establish a process for the review and approval of a sign permit application

She explained that in the code they included a “**Sign Standard Waiver**”

- Purpose: to allow specific uses and developments to apply for a sign that does not meet the standards set forth in this Title
 - The application goes through the Planning Commission to get approval

- The Planning Commission may attach conditions, requirements, or standards necessary to assure that the signs covered by the waiver meet the intent of the Sign Ordinance
- Uses and Developments:
 - Stand-alone or Multi-tenant commercial, office or employment uses
 - A multi-building complex for a single commercial or employment use in a project exceeding 40 net acres
 - Shopping Centers
 - Hospitals
 - Hotels and Commercial lodging having at least 150 guest rooms and a full-service restaurant or conference and meeting rooms
 - Conference Centers
 - Auto Malls
 - Indoor or Outdoor recreation uses
 - Commuter/light rail stations
 - Motor Vehicle fueling stations
 - Drive-thru facilities
 - Gateway Feature

Sign Standard Waiver Evaluation Criteria

- Placement
 - Location relative to traffic movement and access points
 - Site features and other structures
 - Orientation relative to viewing distances and sight triangles
 - Wall signs on walls other than the wall space occupied by the tenant in commercial centers in
- Quantity
 - The number of signs approved for a development shall be sufficient to provide necessary facilitation of internal circulation of vehicular and pedestrian traffic and wayfinding for safety of vehicles and pedestrians
- Height
 - No freestanding sign shall exceed more than 20 feet for multi-tenant signs and 10 feet for single-tenant
- Sign Area
 - No sign shall exceed more than 25% any maximum sign area standard
- Design Feature and Materials
 - Sign design themes and materials shall be compatible with the architecture, colors, and materials of the project

Councilmember Judd said that he viewed the waiver as a conditional use permit. He asked why everyone would not go through the sign standard waiver. Ms. Hart replied that they were listing out specific uses. Mr. Brim said that they would still have to meet all of the other standards of the code. There was a discussion about the sign waiver.

Ms. Hart continued her presentation.

Sign Standard Waiver Procedure

- A sign standard waiver application will need to be submitted
 - The number of proposed signs
 - The location of the sign/s on the building or premises
 - Plans and specifications

- Final elevations/details, in color, showing the dimensions, materials, colors, design, method of illumination, and landscaping for all proposed freestanding signs
- Building elevations/details denoting the areas designated for wall-mounted signage
- Photometric plan for signs with illumination
- All plans shall show complete details to include size, materials, colors, method of support or attachment
- A narrative describing why a waiver is needed
- Any additional materials required by the city planner or authorized designee
- Once the application is deemed complete the application will be taken to the next reasonable Planning Commission meeting

Prohibited Signs

- Signs with intermittent or flashing illumination, animated or moving signs and video/television/computer displays. Except as allowed within this Title
- Any inflatable object used for promotional or sign purposes
- Billboards
- Pole or Pylon signs
- Portable or A-frame signs
- Abandoned signs
- Signs emitting sound
- Wall mounted box cabinet signs, not including projecting signs
- Bench signs
- Vehicle signs, does not include the use of business logos, identification or advertising on vehicles primarily and actively used for business purposes and/or personal transportation
- Roof signs
- Neon signs
- Permanent signs installed, attached, or painted to fences
- **Flying Banner Signs** (change proposed by Planning Commission)

Councilmember Judd stated that there would be walkable areas such as in The Forge and the Town Center and asked if there was a separate sign ordinance for those areas. Ms. Hart replied that the Town Center currently had their own sign code but this new code would apply to The Forge. Mr. Brim explained that they were working on moving all of the sign codes into one.

Mr. Brim asked if through the waiver process businesses could get an A-frame sign. Ms. Hart no, adding that prohibited signs could not would go through the waiver process, except as allowed through exceptions, such as signs with intermittent or flashing illuminations, etc., as listed.

Measurement of signs

Ms. Hart explained that the height would be measured from the base to the highest point. Measuring the box sign area would be length and width, etc.

Sign Locations

- Signs are not allowed within the public right-of-way, park strips adjacent to any road or within an easement
- Signs shall not be located within 5 feet of a property line
- Signs may not occupy a sight triangle (30' x 30')

Sign Illumination

- External light sources shall be steady, stationary, directed and shielded light sources directed solely onto the sign
- Internally illuminated signs shall have opaque face panels so that only the letters, logos, numbers or symbols appear illuminated
- Signs shall not have exposed fluorescent tubes or incandescent bulbs
- Halo effect is not allowed – except through a Sign Standards Waiver
- Awnings with back-lit text or graphics are not allowed

Freestanding Signs

- Shall be located a minimum of 50 feet from any other permanent freestanding sign on the same parcel
- Shall be of monument style only
- Landscaping shall be provided at the base of the sign
- Open Space, Agriculture-1, Public Facilities, and Residential Districts
 - Maximum Sign Area 25 square feet
 - Maximum Height 5 feet
 - Maximum Number 2 per entry way into development
- Business Park, Flex Office Space, Manufacturing, Industrial, Regional Commercial, Regional Mixed-Use, Forge Mixed-Use
 - Single tenant
 - Maximum Sign Area 40 square feet
 - Maximum Height 6 feet
 - Maximum Number 1 sign or single users. 2 signs for properties with frontage on 2 arterial streets
 - Multi-Tenant
 - Maximum Sign area 80 square feet
 - Maximum Height 10 Feet
 - Maximum Number 1 per each street frontage. Properties with 800 feet or more frontage shall be permitted 1 sign per every 400 feet of frontage

Wall Signs

- May be either internally or externally illuminated
- Awning and Projecting signs are considered Wall Signs
- Open Space, Agriculture-1, and Residential Districts
 - Maximum Sign Area 6 square feet
 - Maximum Height Shall not extend above the lowest portion of the roof or above the fascia of any roof type
 - Maximum Number 2
- Business Park, Flex Office Space, Manufacturing, Industrial, Regional Commercial, Regional Mixed-Use, Forge Mixed-Use
 - Maximum Sign area 1 square foot per every 1 linear feet of street frontage, not to exceed 60 square feet per sign or a total of 120 square feet
 - Maximum Height Minimum of 8 feet above the finished grade. Shall not extend above the lowest portion of a parapet wall or above the eave line/fascia of any roof type
 - Location Shall be located within the middle of 80% of the building frontage

- Maximum Number 1 per elevation. Maximum of 2. Includes projecting Signs
- Other Shall not project more than 15 inches from the wall

Awning Signs

- Logos, symbols and graphics that do not include text may be allowed on the shed (slope)
- Lettering shall be located within the middle 70% of the valance area
- Shall not be lit from under the awning (back-lit) so that the awning appears internally illuminated
- Is included in the total sign area allowed for Wall Signs

- Business Park, Flex Office Space, Manufacturing, Industrial, Regional Commercial, Regional Mixed-Use, Forge Mixed-Use
 - Maximum Sign area 50% of the awning
 - Maximum Height 8 feet minimum clearance to the finished grade required for the lowest portion of the awning
 - Location Street fronting face of the awning
 - Maximum Number 1 per awning
 - Other Shall be included in the total sign area for wall signs

Projecting Signs

- Business Park, Flex Office Space, Manufacturing, Industrial, Regional Commercial, Regional Mixed-Use, Forge Mixed-Use
 - Maximum Sign area N/A
 - Maximum Height Minimum of 8 feet clearance to finished grade required. The top of the sign shall be located below the windows on the second floor of the building.
 - Location 1 per storefront entrance
 - Other Shall be included in the total sign area for wall signs

Window Signs

- Shall not occupy more than 25% of the total area of a single window surface
- Temporary window signs shall not occupy more than 25% of a single window surface.
- Any sign located inside of a building within 3 feet of an exterior window shall be counted as a window sign
- All video displays visible from an exterior window are prohibited

Changeable Copy Signs

- Changeable Copy signs shall have static displays that shall not change more than once every 8 seconds
- Video, animation or special effects such as traveling, scrolling, fading, dissolving, and bursting shall not be permitted
- Shall not increase brightness level by more than 0.3 – foot candles over ambient brightness levels

Drive-Thru Lane Signs

- No more than 2 signs allowed
- Total maximum sign area is 50 SF and 6 feet in height
- Shall be constructed with a solid base
- A computer display may be used

Flags/Flagpoles

- Open Space, Agriculture-1, and Residential Districts
 - Maximum Sign Area 24 square feet
 - Maximum Height 35 feet
 - Maximum Number 2 per lot
- Business Park, Flex Office Space, Manufacturing, Industrial, Regional Commercial, Regional Mixed-Use, Forge Mixed-Use
 - Maximum Sign Area 35 square feet
 - Maximum Height 50 feet
 - Maximum Number 3 per lot

Flying Banner Signs (if allowed)

- Maximum of 4 flying banner signs allowed per parcel or business
- Maximum Sign Area of 12 SF
- Maximum Height of 15 feet
- Shall not be located within the public right-of-way or parking strips along roadways

Ms. Hart mentioned that Planning Commission recommended prohibiting flying banner signs. Mr. Brim explained that staff did not want the flying banners in the park strip. There was a discussion about the flying banners. Mr. Brim stated that the sign code was proposed without the flying banner signs and if they wanted to allow them they would need to include them in the motion. There was further discussion about flying banner signs.

Temporary signs (30 days or less)

- Signs intended to be display for 30 days or less
 - May be displayed 2 times per calendar year for a total of 30 days
 - Do not require a permit
- Signs intended to be displayed for more than 30 days
 - Require a permit
 - The permit shall be issued for 1 year and renewed annually
 - Once the event the sign is intended for has ended or is completed the permit shall not be allowed to renew and the sign shall be removed within 48 hours
- May not be illuminated
- Must be constructed of durable, rigid material suitable to their location and purpose
- Shall be promptly removed at the date of expiration or 48 hours after the event has ended or is completed
- Open Space, Agriculture-1, and Residential Districts
 - Maximum Sign Area 6 square feet
 - Maximum Height 4 feet
 - Maximum Number 2 per lot
- Business Park, Flex Office Space, Manufacturing, Industrial, Regional Commercial, Regional Mixed-Use, Forge Mixed-Use
 - Maximum Sign Area 30 square feet
 - Maximum Height 8 feet
 - Maximum Number 2 per lot

Ms. Hart stated that staff had a few proposed changes (in red):

- Section 15.48.080 - Definitions (page 12)

- To add “box-like” to the Box-Cabinet Sign definition. *“A three-dimensional box-like enclosed structure which includes all messages and copy with a single or double sign face”*
- *Section 15.48.070 Sign Standard Table (page 9)*
 - Sign Type Monument (development entry ways)
 - Maximum Number 2 per entry way into development

Councilmember Riley asked if the Planning Commission had done their due diligence about unintended consequences for businesses in violation of the proposed changes to the code along with enforcement. Mr. Brim explained the Planning Commission and staff had had a work session and discussion about the signs that were in violation. He mentioned that most of the signs were already in violation. He said that the amendment to the code would clarify the regulations. He suggested that if there were issues that council wanted staff to be more proactive on, they could have the signs removed.

Councilmember Riley asked about the big commercial signs that The Forge and Anderson Geneva were using. Mr. Church reminded council and staff that Anderson Geneva had received permission to have the larger signs. Mayor Fullmer mentioned that they had had a discussion with The Forge about allowing their signs. Mr. Brim explained that the process was administrative and that staff would be willing to work with Cottonwood Partners to get them a temporary permit.

Mayor Fullmer called for further questions. She asked how council felt about prohibiting the banner signs. Councilmembers Judd and Flake replied that they were comfortable with how the code was as proposed.

Councilmember Riley asked how they were going to enforce the code. Chair Welsh responded that the commission and staff had had conversations about it. She said that staff would be proactive and reach out to the developers who were currently in violation and give them time to remove them. Mr. Brim explained that the new code would make it easier to understand and give them more leverage to bring the businesses into compliance. He said that they would be sending out letters and putting information on social media about the code changes.

Councilmember Judd felt that it came down to enforcement and the city needed to decide if they wanted to keep it a complaint-based process or if they should become proactive. Mr. Brim stated that it could be a mix of the two and that staff would be working with the businesses.

Mr. Overson felt that there were different types and locations of signs and they should start with signs that were in the sight triangle and made it a health and safety issue. Councilmember Judd felt that there needed to be outreach to all businesses.

Mayor Fullmer called for a motion to open the public hearing.

Motion: COUNCILMEMBER JUDD MOVED TO OPEN THE PUBLIC HEARING AT 7:41 PM. COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, JUDD, AND RILEY VOTED AYE. COUNCILMEMBER EARNEST WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

Mayor Fullmer called for public comments.

Resident David Lauret living on Holdaway Road asked about the compelling public interest in prohibiting halo signs. Mr. Brim explained that signage was like art and aesthetics. He said that it was about having contained light and not having light pollution going into residential areas and traffic. Mayor Fullmer remarked that the intent of the proposed sign code was to contain the light within the sign.

Mr. Lauret asked if the code would stand up if it was to be challenged. Ms. Hart replied that it was only restricting illumination. Mr. Church add that they could regulate time, place, and manner but not content. He stated that the city had some ability to regulate aesthetics. He explained that if they were regulating light pollution and distractions those were defensible. Mayor Fullmer asked if halo signs were included in the waiver process. Mr. Brim replied that they were.

Mr. Lauret felt that the standard was unevenly applied and if they were trying to legislate aesthetics they were in the wrong business. He said that they also wanted to keep from limiting people from using their property the way that they choose to. He felt it was a fine line in regulating for public safety and aesthetics.

Mayor Fullmer recapped that a halo sign could be allowed through the waiver if it was important to the businesses' use and that the purpose of the new code was to the keep the light within the sign.

Mayor Fullmer called for further comments. Hearing none, she called for a motion to close the public hearing.

Motion: COUNCILMEMBER JUDD MOVED TO CLOSE THE PUBLIC HEARING AT 7:47 PM. COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, JUDD, AND RILEY VOTED AYE. COUNCILMEMBER EARNEST WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

Mr. Brim felt that it would be better to have stronger regulations and then work through the waiver process.

Ms. Hart said that there were some recommended changes to the proposed code (in red):

- Section 15.48.080 Definitions: To add **box-like** to the Box-Cabinet Sign definition
- Section 15.48.070 Sign Standard Table – to add **(development entry ways)** to the Monument Sign type and 2 per **entry way into development** to the maximum number of signs

Mr. Brim stated that if the council wanted the Flying Banner Sign Regulations to be added to the Temporary Sign section then they needed to make that change in their motion. Councilmember Judd asked what the Planning Commission and staff recommended. Mr. Brim replied that they wanted them prohibited. He explained that staff felt that they were a nuisance in the public right of way. He stated that as written they were prohibited.

Chair Welsh said that Vineyard was trying to set themselves apart from other cities and create a different feel. She added that once the city was built out it would be harder to change things.

Mayor Fullmer asked why they were not allowing A-frame signs. Chair Welsh replied that they took up space. Mr. Brim added that they were typically on the sidewalk and in the public right of way. Chair Welsh said that the A-frame signs would be taking up space for bicycles and pedestrians.

Mayor Fullmer called for questions about the banner signs. Councilmember Riley said that he appreciated the role that the Planning Commission had taken to protect the city and create something different. Mayor Fullmer felt that the city did not need the banner signs. Mr. Brim said that this would be a new code and that zoning code was a living document. He said that when the downtown was built up the code might need to change to allow some of these signs.

Mr. Brim continued with the additional recommended changes:

- Home Occupation – Without Impact be exempt from parking requirements.

Motion: COUNCILMEMBER FLAKE MOVED TO APPROVE THE AMENDMENT TO THE ZONING ORDINANCE SIGN CODE, HOME OCCUPATION, AND ACCESSORY DWELLING UNITS ORDINANCE 2018-06 WITH THE CHANGES THAT HOME OCCUPATIONS WITHOUT IMPACT BE EXEMPT FROM PARKING AND THE PROPOSED CHANGES AS NOTED. COUNCILMEMBER JUDD SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS FLAKE, JUDD, AND RILEY VOTED AYE. COUNCILMEMBER EARNEST WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

7.4 PUBLIC HEARING – WatersEdge (Ordinance 2018-07)

City Planner Elizabeth Hart will present proposed text amendments to the Waters Edge Zoning District, including:

Section 5.08.010 Building Standards (Table) – modifying the maximum height of a residential building in all zoned areas but the multi-family zoned areas to a height of thirty-five feet (35') and measured from top of back of curb. The mayor and City Council will take appropriate action.

Mayor Fullmer turned the time over to City Planner Elizabeth Hart.

Ms. Hart stated that Flagship Homes was requesting an amendment to the WatersEdge Zoning Code. She said that proposed changes were to increase the maximum building height from 30 feet to 35 feet and to change how it was measured. She explained that it was currently measured from average natural grade and would be changed to top of back of curb. She said that with the grading and modifications in WatersEdge, it was hard to determine the natural grade. She added that this would match the city code for other building heights.

Councilmember Flake asked if this was standard in the city. He said that developers would come in and add their improvements, which would change the elevation of the ground. Mr. Overson replied that they were grading the street higher for walkout basements. Mayor Fullmer asked why the code was different for WatersEdge. Mr. Church explained that there was an issue with the Ashely Acres subdivision and their sewer, which caused the lots to be built up quite a bit. He said that there were concerns that the homes were built artificially high, so the emphasis was placed on the natural grade in the WatersEdge Zoning. Councilmember Flake mentioned that they had dealt with it in The Shores subdivision. Mr. Overson explained that the old ordinance did not have a height nor where to measure it from and that was why it was added to the zoning code. He said that it became the standard for everywhere except WatersEdge. Councilmember Riley expressed concern that he did not want any manipulation and artificial lifting of the property.

Mayor Fullmer called for a motion to open the public hearing.

Motion: COUNCILMEMBER FLAKE MOVED TO OPEN THE PUBLIC HEARING AT 7:59 PM. COUNCILMEMBER RILEY SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, JUDD, AND RILEY VOTED AYE. COUNCILMEMBER EARNEST WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

Mayor Fullmer called for public comment. Hearing none, she called for a motion to close the public hearing.

Motion: COUNCILMEMBER JUDD MOVED TO CLOSE THE PUBLIC HEARING AT 7:59 PM. COUNCILMEMBER RILEY SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, JUDD, AND RILEY VOTED AYE. COUNCILMEMBER EARNEST WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

Mayor Fullmer called for further questions. Hearing none, she called for a motion.

Motion: COUNCILMEMBER RILEY MOVED TO APPROVE THE CHANGE, ORDINANCE 2018-07, WHICH CHANGES IT TO BACK OF CURB AND 35 FEET. COUNCILMEMBER FLAKE SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS FLAKE, JUDD, AND RILEY VOTED AYE. COUNCILMEMBER EARNEST WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

7.5 DISCUSSION AND ACTION – Naming of the 18-Acre Park

The Parks and Trails committee would like to present names for consideration for the 18-acre park. The mayor and City Council will take appropriate action.

Mayor Fullmer turned the time over to Planning Commission Chair Welsh.

Ms. Welsh explained that the Parks and Trials Committee had been discussing the name for the park for over a year. She said that they determined a name but after receiving feedback from council and residents they chose three of the most popular names and one the committee liked.

Mayor Fullmer gave a brief background of the how the policy worked.

Chair Welsh introduced the names and included the pros and cons for each name in order of popularity.

#1 Vineyard City Park 139 votes

Pros: easy to know where the park was, park to honor the city's name

Cons: too generic, not as creative

#2 Vineyard Grove Park 132 votes

Pros: highlights the landscaping, piggy back off of the Vineyard name

Cons: none listed

#3 Central Meadow Park 112 votes

Pros: the wetlands could be considered a meadow

Cons: neighborhood with the same name

#4 Vineyard Central Park – added by the Park and Trails Committee

Pros: park was in the center of the city, stay connected

Cons: might be good to call the train station the central station

Chair Welsh asked council to keep in mind that there would other parks that would require names. Ms. Hart said that from the survey most people wanted the name "Vineyard" included in the park name.

Mayor Fullmer mentioned that the survey was still open. She said that the “Vineyard Meadow Park” was now above the others in votes. She said that a few things that stuck out to her were that given time, people would nickname the park and they might eliminate “Vineyard” when referring to the park. There was a discussion about the park names and the survey. Mr. Brim said that they talked about it being the 18-acre park but it was more like 45 acres with the open space/wetlands included.

Mr. Church said that they should keep in mind that they should deemphasize subdivision names because most people might forget their subdivision’s name. He said not to worry about using the subdivision name.

Councilmember Judd said that he liked that they had received a lot of public input. There was a discussion about the online survey.

Bronson Tatton with Flagship Homes said that he preferred “Vineyard Central Park.” He did not want people to think that it was a “WatersEdge HOA” park. He said that speaking as a resident “the stay connected and central” were good.

Mr. Lauret stated that he liked “Vineyard Meadows Park.”

Chair Welsh mentioned that Flagship Homes had done a YouTube video about the park and it showed that the majority of the park would be used for recreation. Councilmember Judd liked the Central theme. There was further discussion about the park name.

Councilmember Riley felt that the city or central name should be saved for bigger things to come. His preference would be “Grove” except for the high energy use of the park. Councilmember Flake suggested that it was the “Vineyard Sports and Recreation Park”.

Mayor Fullmer read off the additional names that were submitted: Green Acres Park, Vineyard City Park, Valley View Park, Pheasant Grove Park, Wetlands Meadow Park, Fresh Water Park, Bird Island Park, River Garden Splash Pad, Green Marine Garden Park, Central Meadow Park, Quintessence Square, etc.

Chair Welsh said that if they did not like any of the names they could postpone the decision. Councilmember Judd felt it was important to have a name for it. Mr. Church predicted that it would be nicknamed the splashpad park. The discussion continued.

Motion: COUNCILMEMBER JUDD MOVED TO NAME THE 18-ACRE PARK “THE VINEYARD MEADOW PARK.” THERE WAS NO SECOND AT THIS TIME.

Motion: COUNCILMEMBER FLAKE MOVED TO NAME IT “THE VINEYARD CITY PARK.” THERE WAS NO SECOND.

After further discussion Councilmember Judd amended his motion.

Amended Motion: COUNCILMEMBER JUDD MOVED TO NAME THE PARK “VINEYARD GROVE PARK”. COUNCILMEMBER RILEY SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS JUDD, AND RILEY VOTED AYE. COUNCILMEMBER FLAKE WAS OPPOSED. COUNCILMEMBER EARNEST WAS ABSENT. MOTION CARRIED WITH ONE OPPOSED AND ONE ABSENT.

CLOSED SESSION – No closed session was held.

ADJOURNMENT

Mayor Fullmer called for a motion to adjourn the meeting.

Motion: COUNCILMEMBER FLAKE MOVED TO ADJOURN THE MEETING AT 8:21 PM. MAYOR FULLMER, COUNCILMEMBERS FLAKE, JUDD, AND RILEY VOTED AYE. COUNCILMEMBER EARNEST WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

The next regularly scheduled meeting is July 11, 2018.

MINUTES APPROVED ON: July 11, 2018

CERTIFIED CORRECT BY: /s/ Pamela Spencer
PAMELA SPENCER, CITY RECORDER