



153 North 100 East
Lehi, UT 84043
(801) 768-7100

Minutes of the **Regular Session** of the **Planning Commission** held Thursday, **January 14, 2016**, at 7:00 p.m. at the Lehi City Administration Building, 153 North 100 East, Lehi, Utah.

Members Present: Kelly Ash, Commissioner
Donna Barnes, Commissioner
Scott Dean, Commissioner
Mark Hampton, Commissioner
Matt Hemmert, Commissioner
Jared Peterson, Commissioner
Steve Roll, Commission Chair

Excused: Janys Hutchings, Commissioner

Others Present: Kim Struthers, Planning Director, Mike West, City Planner, Ross Dinsdale, Engineer, Morgan Cummings, Assistant City Attorney; Teisha Wilson, Deputy Recorder; and approximately 20 citizens.

1. **CALL TO ORDER**

Commission Chair Steve Roll welcomed everyone and noted that all members were present except Janys Hutchings who is excused.

2. **OPENING OF PUBLIC HEARING ITEMS**

Items opened for public hearing at approximately 7:00 p.m.

3. **CONSENT AGENDA**

3.1 Approval of minutes from the December 3, 2015 meeting.

3.2 Approval of minutes from the December 10, 2015 meeting.

Motion: Commissioner Donna Barnes moved to approve the consent agenda with an amendment to the December 10 meeting that the meeting ended at 12:08 a.m. instead of p.m. The motion was seconded by Commissioner Hemmert.

The Motion passed unanimously.

4. **REGULAR AGENDA**

4.1 **PG Property Holdings – Requests Concept Plan review and recommendation for Valley Point, a 30-lot residential development located at 521 South 300 East in an approved R-1-Flex zone. (Tabled from the**

December 10, 2015 meeting)

Mike West, City Planner, informed the Commission about the details of the property. He said that the Frontrunner line is located to the south of the property. He stated that there is no PRD or PD overlay and the lots meet all the square footage requirements for this zone, and that it's under 10 acres. He said that the DRC comments included that an agriculture no climb fence on the east side of the property be added, or a letter from that property owner stating that they are okay with the existing fence. He said that the DRC also recommended placing a fence on the south side adjacent to the rail corridor, and they recommended placing some of the larger lots to the south to create more of a buffer from the rail.

David Peterson, with Excel Engineering, was representing the project and was available for questions. He stated that they are planning to make the lots a littler larger to the south along the rail corridor.

Commissioner Ash inquired about the mink farm to the southwest. Ross Dinsdale, City Engineer, stated that the rail corridor separates this development from the mink and that the rail corridor is raised in that area. Mr. West stated that it is an active Frontrunner corridor with trains running at least every ½ hour. Chair Roll stated that he is not concerned with the impact to the mink farm because the rail corridor separates it from this development.

Motion: Donna Barnes moved to approve with a positive recommendation the Concept Plan for Valley Point, a 30-lot residential development located at 521 South 300 East in an approved R-1-Flex zone; including all DRC comments with the finding that it is not injurious to the health, welfare and morals of Lehi City. Commissioner Peterson seconded the motion.

The Motion Passed Unanimously.

4.2 Glacier Investments – Requests Site Plan approval for Holiday Inn Express to be located at 3851 Thanksgiving Way in an existing Commercial zone.

Mr. West stated that this is a proposed hotel where Lone Peak Trailers was located. He said that a concept plan was approved by the Planning Commission on July 9th of last year, and that it is a permitted use in the development code. He said that UDOT submitted a potential realignment of Thanksgiving Way.

Mr. West stated that the Planning Commission needs to determine if the landscaping buffer meets the requirements of the code. He said that a six foot fence is required, but that there is already one on site.

Chair Roll asked staff if the applicant has met the requirements of the code. Mr. West stated that they needed to make sure that the landscaping buffer is in compliance.

Commissioner Barnes asked if the applicant is required to plant mature trees. Mr. West stated that the pines must be at least 6 feet high and the deciduous must have a 2 inch caliber. Mr. Struthers stated that larger trees that are planted have a lower survival rate and they may grow slower.

Commissioner Dean inquired about the buffer requirement. Mr. West stated that the applicant appears to meet the required landscaping height, but that the spacing may need to be addressed. Commissioner Dean inquired if there is some subjective nature to the requirements that could still be discussed.

Commissioner Peterson inquired about when UDOT would determine the exact adjustment to Thanksgiving Way. Mr. Dinsdale stated that it depends on the funding, but maybe within a year they will know more. He said it's likely that the road will be realigned and that it is helpful for the building to be set further back from the current road, so that it doesn't interfere with UDOT's potential realignment.

Commissioner Barnes stated that it may help alleviate some of the home owners concerns by bringing the building closer to the road.

Bruce Beard, representing the applicant, addressed the Commission and stated that a revised site plan was submitted that shows that the gaps in the trees were corrected. He stated that the landscaping sizing requirements in the code are optimal and standard.

Mr. Beard explained that if specific standards are met, then the other language in the code is not a sufficient basis for denial. He said this complies in every way with the city's code, and even exceeds the requirements in many cases.

Commissioner Dean inquired about the remaining outparcels if the road is realigned. Mr. Beard replied that he is not sure what those would be used for at this point.

Mr. Beard stated that they investigated several options to change the orientation of the building, and it was not possible.

Chair Roll stated that if this item meets the code, then it needs to be approved. He said that they can't speculate on things that do not pertain to the issue.

Commissioner Dean presented some options that he believes would help alleviate some of the privacy issues, one of which included a possible retaining wall.

Mr. Beard expressed concerns with the retaining wall. He stated that the applicant will do everything they can within reason to alleviate concerns.

Chair Roll believes that the Commission is constrained by the code to approve this item. He said that according to code, with an approval of a site plan, the Commission may forward an item to the Council if the Commission believes that it may have a significant impact on the community. He said that because of this, he believes it is best to send this item to the City Council for a public hearing and for their final say on the issue. He feels that this is the best way to balance the concerns of the public with the rights of the applicant.

Motion: Commissioner Hemmert moved to grant final approve of the site plan for the Holiday Inn Express to be located at 3851 Thanksgiving Way in an existing Commercial zone; including all DRC comments; based on the

finding of fact that this conforms with the code; and apply section 11.25.0 of the code in that the Commission would like the City Council to review this item for final approval; also, included in the packet to the Council would be the letters from residents and Commissioner Dean's suggestions. Commissioner Dean seconded the motion.

Motion passed, with 2 opposing from Commissioner Peterson and Commissioner Barnes.

4.3 Andrew Bybee – Requests Site Plan approval for TSTAT Building 5 located at approximately Ashton Boulevard and Triumph Boulevard in an existing Resort Community zone.

Mr. West stated that this this received concept plan approval for the overall development, and that this is the 4th building out of 5 to go through the approval process. He said that this building will mirror building number 4 which is currently under construction. He said that it does meet the code for pedestrian access. He said that the bicycle parking will be located in the parking structure.

Commissioner Barnes inquired about the comment from Glad Kirkham regarding the power source and how it's unable to service the project. Mr. West stated that any new development will not have power access, so the developer will lay conduit and bond for it and make improvements to the power design. He said they work closely with the Power Department to accomplish this. He said that a power substation will not be needed. Mr. Dinsdale stated that the Power Department is working on a project now that will increase capacity in the Thanksgiving Point area. Mr. Struthers stated that before a building permit is issued, all of the DRC redline comments would have to be signed off. He said that the project will not move forward until the Power Department is satisfied with providing power to the project.

Andrew Bybee, the applicant, was present and available to answer questions.

Motion: Commissioner Barnes moved to grant final approval of the Site Plan for TSTAT Building 5 located at approximately Ashton Boulevard and Triumph Boulevard in an existing Resort Community zone; and to include all DRC comments; with the finding that this will not be injurious to the health safety or welfare of Lehi. Commissioner Peterson seconded the motion.

Motion passed unanimously.

4.4 Leland Murray – Requests approval of a Concept Plan for RV Country located at 966 State Street in an existing Mixed Use zone.

Mr. West stated that this was approved as a temporary use almost 1 year ago, so the RV businesses is currently in operation, but they need to have a concept plan and site plan approved if they want to continue to operate. He also stated that the DRC did comment that any storage

would need to be stored behind a fence and that improvements would need to be made along State Street.

Commissioner Barnes inquired as to why they have been allowed to operate already. Mr. West stated that it was because they had temporary approval.

David Peterson was present and representing the applicant. He said that they have met with UDOT and they are okay with what they are proposing as well.

Motion: Commissioner Peterson moved to grant final approval of the Concept Plan for RV Country located at 966 State Street in an existing Mixed Use zone; including all the DRC comments; with the finding that it is consistent with the Development Code and conforms to the General Plan. Commissioner Ash seconded.

Motion passed unanimously.

5. PUBLIC HEARINGS

5.1 Fieldstone Homes – Requests Preliminary Subdivision review and recommendation for Hidden Canyon, a 380-lot residential subdivision located at approximately 3940 North Traverse Mountain Blvd in a Planned Community zone.

Mr. West stated that the Council sent this item back to the Planning Commission for further discussion because it went to the Council without a recommendation. He said they sent it back to the Planning Commission to further review the traffic, snow removal, and phasing of the project. He also said that the Council's motion included that the Planning Commission stay within their purview when reviewing an item for recommendation. Mr. West stated that the applicant is reducing the number of units. Commissioner Barnes inquired as to how many. Mr. West stated that it was reduced by 63 units and that the lot sizes do meet the requirements of the zone. He also said that an updated traffic study was included in the packet. Mr. West also stated that the applicant may need to ask for some exceptions for the town homes that are against the hillside, but that would happen on the final plat.

Commissioner Barnes expressed concern for the water service to the area based on a DRC comment. Mr. Dinsdale stated that two new wells were drilled and one will be equipped to augment the water in the area that will help address this. Mr. Dinsdale stated that there are two reservoirs in this area and there will be another one built. Mr. West stated that the development will be done in phases and as each plat is approved, the city will ensure that services can be met. Commissioner Barnes expressed concerns with water runoff. Mr. Dinsdale stated that they try to mitigate that as much as they can on the final plat. Mr. Dinsdale stated that the applicant meets the requirements of the area plan.

Commissioner Peterson inquired about the one entrance point. Mr. West stated that there is still just the one egress. Mr. Dinsdale stated that with the original area plan there was a second access, but the developer agreed to less density, from 1000 units to 500, in exchange the city

allowed just the one access on the area plan. He said that the developer is mitigating this concern with the 4 lanes road.

Jason Harris, with Fieldstone Homes, was present and available for questions. He said that the town homes will be part of an HOA that removes the snow.

Chair Roll expressed concern with the safety aspect of a single access. Mr. Harris stated that traffic studies were completed and used to address the concerns and were mitigated by the road structures being built.

Mr. Harris showed an additional study that was done of the traffic flow that shows trigger points that may indicate the need for new traffic improvements. He said it was determined that the intersection by the school will need to be reevaluated for additional improvements when they are at 180 units within the project. It was suggested that a traffic signal may need to be added at that point.

Commissioner Dean inquired about the snow removal storage capacity within the HOA. Mr. Harris replied that they have enough room for snow removal.

Commissioner Barnes inquired about the water supply. Mr. Powell informed the Commission about ongoing and future water projects that would supply the area. He said that water service is not a concern.

Chair Roll closed the Public Hearing at 8:45 p.m.

Motion: Commissioner Peterson moved to recommend for approval to the Council the Preliminary Subdivision for Hidden Canyon, a 380-lot residential subdivision located at approximately 3940 North Traverse Mountain Blvd in a Planned Community Zone; including all DRC comments; finding that the proposed does meet the requirements of the development code and conforms with the area plan; and note that the density was reduced and that it appears the traffic and transportation concerns will be addressed as development takes place in the area. Commissioner Hemmert seconded the motion.

Motion passed with one opposing vote from Commissioner Barnes.

5.2 Joel Petersen – Requests Site Plan and Conditional Use approval for Petersen Painting to be located in an existing building at 1550 North Trinnaman Lane in an existing Mixed Use zone.

Mr. West stated that there are no proposed changes to the site, and that all the work is done off site. He says that their employees are required to car pool or park at the park and ride and come on site. He said that the DRC stated that they needed to provide additional parking information and that their overflow parking be located behind the gate and not visible from Trinnaman Lane. Mr. Struthers stated that they are trying to bring them into compliance.

Joel Petersen, the applicant, was present and available for questions.

Chair Roll closed the Public Hearing on this item at 8:50 p.m.

Motion: Commissioner Barnes moved to approve the Site Plan and Conditional Use for Petersen Painting to be located in an existing building at 1550 North Trinnaman Lane in an existing Mixed Use zone; including all DRC comments; with the finding that this conforms with the Code; and it is not injurious to the health safety and general welfare of the city. Commissioner Dean seconded the motion.

The Motion passed unanimously.

5.3 Jim Yates – Requests Site Plan and Conditional Use approval for Cinco Equipment Sales & Repairs to be located at 2322 West Main Street in an existing Commercial zone.

Mr. West stated that the applicant would like to use the existing shop as part of their business. He said that the building has been modified since the existing home was torn down, and there are homes in the area that are currently under construction. He said that the DRC commented that any storage of materials or equipment would need to be stored behind a fence, and that the DRC also required that they meet the buffer requirements for the landscaping.

Commissioner Peterson inquired if they had seen this item before. Mr. West replied that they saw a plan for a new building on the corner, but that the applicant has decided to use the current building instead.

Tony Trane, representing the applicant, was available for questions.

Commissioner Hemmert inquired about the normal business hours and what that means. Mr. Trane stated that it's standard hours, from 8 a.m.-6 p.m.

Commissioner Barnes inquired about the previously proposed new building and if that would be constructed. Mr. Trane replied that it would not be constructed at this time.

Commissioner Peterson inquired how wide the driveway would be. Mr. Trane stated that it would be 30 feet.

Commissioner Barnes inquired about the storage for equipment repairs. Mr. Trane stated that the equipment will be stored behind a fence.

Commissioner Peterson inquired about the gravel on the south side of the fence. Mr. Trane stated that that would be for future phases. He also said if the applicant wishes to display anything on the gravel, then it would need to be paved outside of the fence.

Chair Roll asked for any public comment.

Todd Evans, a resident, stated that he is also speaking for Jerry Larsen, who was unable to attend. He is concerned that there is no curb, gutter and sidewalk. He also said that there is no retention ponds, no fencing to separate, and no landscaping. He also expressed concern that if the conditional use is approved without these requirements, then they won't get done. Commissioner Roll stated that the applicant must make improvements as a condition for them for them to do business. Mr. Evans stated that they have already been doing business and that equipment is being dropped off at all hours, including 1:00 a.m. He is concerned with the noise from bringing in the heavy equipment. He is also concerned with an entrance from Main Street. He said it's an eyesore with equipment and weeds. He also expressed concern with the fireworks business and the litter that comes from it. He said that the dust is kicked up from the heavy equipment. He said that all these things should be done before he is allowed to do work and that no deliveries should be made after hours.

Chair Roll closed the public hearing at 9:01 p.m.

Commissioner Dean asked if the applicant can respond. Chair Roll agreed.

Mr. Trane stated that the some of the items such as landscaping will be installed in the spring and that the goal is to take care of these clean up items.

Commissioner Dean inquired about the night time deliveries.

Aaron Thorton, representing the applicant, stated that he is not aware of any night time deliveries taking place.

Commissioner Peterson inquired about the landscaping. Mr. West stated that the applicant would need a full landscaping plan before they can move forward and that it would need to be bonded for. Mr. West also stated that the Commission can impose reasonable conditions on the site including hours of operation.

Motion: Commissioner Ash moved to grant final approval of the Site Plan and Conditional Use for Cinco Equipment Sales & Repairs to be located at 2322 West Main Street in an existing Commercial zone; including all DRC comments; and limit the hours of operation to take place only between 7:00 a.m. – 8:00 p.m.; with the findings that it does not affect the health, safety and general welfare of the city; Commissioner Barnes seconded the motion.

Commissioner Hemmert asked to include that no machinery will be dropped off or picked up after those hours of operation.

Amended Motion: Commissioner Ash included Commissioner Hemmert's comments in his motion. The amendment was seconded by Commissioner Barnes.

The Motion passed unanimously.

5.4 Central Bank – Requests Preliminary Subdivision review and recommendation for the Central Bank Subdivision, a 2-lot commercial subdivision located at approximately 500 West SR-92 in an existing Planned Community zone.

Commissioner Peterson stated that he has since left the employment of Central Bank, so he no longer has a conflict.

Mr. West informed the Commission about this application. He stated that this would extend the Sunrise Way road.

Mark Packard, representing Central Bank, was present and available to answer questions. Commissioner Dean inquired if they are still moving forward with the same architecture as previously discussed and which lot would the bank be located on. Mr. Packard replied that the architecture is the same and that they are looking to place the bank on the east lot or corner parcel.

The Public Hearing on this item closed at 9:13 p.m.

Motion: Commissioner Hampton moved to recommend approval to the City Council for the Central Bank Subdivision, a 2-lot commercial subdivision located at approximately 500 West SR-92 in an existing Planned Community zone; and to include all DRC comments and that it's not detrimental to the health, welfare, and safety of Lehi Citizens. Commissioner Dean seconded the motion.

Commissioner Peterson asked that the motion be amended to include that it does meet the requirements of the development code.

Amended Motion: Commissioner Hampton moved to add that the applicant meets the requirements of the development code. Commissioner Dean seconded the amended motion.

The motion passed unanimously.

5.5 Vic Hansen - Requests Subdivision approval of RT & RH Subdivision, a 2-lot subdivision with an existing home located at 1311 North 300 West in an existing Mixed Use zone.

Mr. West informed the Commission that this property is just north of State Street and that they meet the requirements of the code.

Commissioner Dean inquired if this property had curb and sidewalk. Mr. West explained that it does. He said that there is a home and a business located on this project and they would like to split the property into two parcels with the home on one and the business on the other.

Vic Hansen, representing the applicant, was present and available to answer questions.

Chair Roll closed the public hearing at 9:17 p.m.

Motion: Commissioner Barnes moved to approve the Subdivision of RT & RH Subdivision, a 2-lot subdivision with an existing home located at 1311 North 300 West in an existing Mixed Use zone; including all DRC comments; with the finding that it conforms with the existing land use requirements; and that it is not injurious to the health, safety and welfare of the public. Commissioner Peterson seconded the motion.

Motion passed unanimously.

5.6 Matt Robinson – Requests Preliminary Subdivision review and recommendation for Indian Springs, a 23-lot residential development located at 826 North 1700 West in an existing R-1-22 zone.

Mr. West stated that there is no PRD or PD overlay and that there was a concept plan approved. He said there is an existing home onsite. He also said that the applicant received a 4 lot density bonus for improving 1700 west, the waste ditch, and trail. He said that DRC recommended that they show the trail on the final plat, and that 20% of the detention basin should be xeriscape.

Matt Robinson and Tim Alders, with Handcrafted Homes, were present and available for questions.

The public hearing for this item closed at 9:22 p.m.

Motion: Commissioner Peterson moved to recommend approval to the Council for the Preliminary Subdivision for Indian Springs, a 23-lot residential development located at 826 North 1700 West in an existing R-1-22 zone; and include the DRC comments; with the finding that they meet the requirements of the development code and that it is not detrimental or injurious to the safety, and welfare of the citizens; and that they made the recommended changes from the concept plan to straighten the road. Commissioner Barnes seconded the motion.

Motion passed unanimously.

5.7 Gauge Development – Requests Preliminary Subdivision review and recommendation for Quail Crossing, a 5-lot residential development located at 1720 West 300 North in an approved R-1-22 zone.

Mr. West explained that this is a 5 lot subdivision with final plat being allowed to run concurrently on this. He said that improvements are being made to 1700 west, so there is an agreement with Lehi City and the developer to allow the developer some design considerations. He said that an agricultural no climb fence or letter from adjoining property owners would be required.

Commissioner Peterson inquired about the detention basin that would be part of the yard. Mr. West stated that they do allow that for smaller detention basins, and that the property can't make design modifications to it without approval from the City.

Commissioner Barnes inquired about the CC&Rs on the property. Mr. West stated that the city does not enforce the CC&Rs and that it may not be part of a PUD.

Coby Wilson, with Gauge Development, was present and available to answer questions. Mr. Wilson stated that pursuant to the agreement that states that design considerations may be given for this subdivision, he requested that lot 105 be given a variance to reduce the rear yard setback to 25 feet instead of 30 feet.

Mr. Struthers stated that his staff is comfortable allowing this variance and that they have done this before when considering design standards as part of an agreement with the city. Mr. Wilson apologized that this was not addressed earlier, but that he recently had a situation arise where this became an issue.

The public hearing on this item closed at 9:31 p.m.

Motion: Commissioner Hemmert moved to recommend approval to the Council for the Preliminary Subdivision for Quail Crossing, a 5-lot residential development located at 1720 West 300 North in an approved R-1-22 zone; and to include an additional rear yard setback variance on lot 105 to 25 feet; and include DRC redline comments; and include as a finding of fact that the proposed subdivision meets the Lehi City Development Code; and that it's not detrimental to the public health, safety, welfare of Lehi City. The motion was seconded by Commissioner Peterson.

The Motion passed unanimously.

Commissioner Dean asked if the Chair would entertain a recess. Chair Roll said he would entertain a motion for a recess.

Motion: Commissioner Dean moved that the Commission recess for 5 minutes. The Motion was seconded by Commissioner Hemmert.

The motion passed unanimously.

The Planning Commission recessed for a break at 9:33 p.m.
The meeting reconvened at approximately 9:41 p.m.

5.8 Lehi City – Requests review and recommendation of Development Code amendments to Chapters 5, 12, 37, and 39 regarding Group Home regulations.

Mr. West stated that a couple of changes were made since the work session. He said they added back in the juvenile group facilities as a conditional use in light industrial.

Commissioner Barnes inquired about what motivated this review. Mr. Struthers replied that there was some confusion from residents during the Beehive Homes application as to the definition of group homes versus assisted living. He said that this would help to clarify the difference. He also said that the Federal Fair Housing Act has also changed, so they are just trying to bring the City's code into compliance.

The public hearing for this item closed at 9:44 p.m.

Motion: Commissioner Peterson moved to recommend approval of the Development Code amendments to Chapters 5, 12, 37, and 39 regarding Group Home regulations; including all the comments and the finding that the proposed amendment to the Development Code is not detrimental to the public health safety and welfare of the city and that it is in compliance with the purpose, intent and provisions of the general plan in various elements. Commissioner Hemmert seconded the motion.

The motion passed unanimously.

5.9 Lehi City – Requests review and recommendation of a Development Code amendment to Chapter 23 regarding electronic billboards.

Mr. West stated that this item was reviewed in the Planning Commission Work Session. He said that they made changes including reducing the spacing requirement from one quarter mile to 1000 feet, the 16 second transition time was changed to 8, and diagrams were added for clarification.

Nate Seacrest, representing Reagan Signs, believes that they are close to an ordinance that would be workable for their industry. He suggested adding in the ordinance that a sign may be taken down and then that company would have a credit with the city to re-erect a new sign in an appropriate location in the future. He said that this would help reduce the density of signs in some places, and that this concept is used in Salt Lake City and Ogden.

Mr. Cummings expressed concerns with allowing a credit system or banking system, and what may happen if those credits cannot be used.

Commissioner Peterson inquired as to when a billboard would even need to be taken down. Mr. Seacrest replied that if the freeway is widened or the road changes, then that would be a taking by UDOT and they would need to find a new location.

Commissioner Dean inquired about how they would be able to rectify a sign if UDOT had to have it taken down for new construction. Mr. Seacrest replied that State law states that the sign has the rights to be re-erected in a new location within 1 mile.

Guy Larsen, with Regan Advertising, stated that the sign relocation works well when there is a circumstance where the sign would be a better fit somewhere else along the corridor. He stated that it allows signs to be moved for development.

Chair Roll liked the idea of some flexibility to move the signs.

Mr. West stated that if the council wanted to include the credit system as part of the ordinance then he would suggest adding that a sign can only be relocated along the I15 corridor.

Commissioner Peterson inquired as to when sign conversions will take place. Mr. Seacrest stated that it will take some time to convert the signs.

Wade Budge, with Top Ad Media, informed the Commission that he proposed 7 recommendations that could be added to the ordinance as it stand. He stated that in one of those suggestions, there was a figure inserted what shows a back to back sign with a radius around it. He suggested that they keep that, but show the double sided sign with b., so that they can get a sense of where an overlap would occur, and add a second figure, 1.b, a single sign so that they can see the full 180 degrees more clearly. Mr. Budge stated that he hopes the Commission will consider his proposal as part of the motion.

The public hearing on this item closed at 10:06 p.m.

Mr. Cummings expressed concern in regards to the credits given if a sign were taken down. His concern is that they could potentially reach a situation where credits are banked, signs are converted in the meantime, and then a certain sign owner may have credits, but is unable to use them. He is concerned that the city may be sued for a taking in that case.

Mr. Struthers believes that the City may end up with fewer signs overall if the commission chooses not to include the credits or banking policy in the ordinance.

Motion: Commissioner Hemmert moved to recommend approval to the City Council of the Development Code amendment to Chapter 23 regarding electronic billboards; as drafted and written by Lehi City staff. The motion was seconded by Commissioner Peterson

Commissioner Peterson asked that the motion be amended to include the additional figures for single faced and double faced, as proposed by the industry, for clarification; and to add that the 45 degree angle be measured from the freeway and not from the interior angle.

Amended Motion: Commissioner Hemmert amended the motion as suggested by Commissioner Peterson. Commissioner Peterson seconded the amendment.

Motion passed, with one opposed from Commissioner Dean.

6. CITY BUSINESS

There was discussion regarding the Planning Commission's role and when they should approve certain items based on those items meeting the requirements set forth in the development code.

7. ADJOURN

With no further business to come before the Commission at this time, Commissioner Peterson moved to adjourn the meeting. Commissioner Hemmert seconded the motion. The motion passed unanimously.

The meeting adjourned at approximately 10:40 p.m.

Commission Chair, Steve Roll

Deputy Recorder, Teisha Wilson

Minutes were approved on January 28, 2016

DRAFT