



**ROY CITY**  
**Planning Commission Work-Session**  
**October 24, 2023 – 6:00 p.m.**  
**Community Development Conference**

The meeting was a regularly scheduled work-session designated by resolution. Notice of the meeting was provided to the *Standard Examiner* at least 24 hours in advance. A copy of the agenda was posted.

The following members were in attendance:

Ryan Cowley, Chair  
Samantha Bills  
Torriss Brand  
Jason Felt  
Janel Hulbert  
Jason Spahr  
Daniel Tanner

Steve Parkinson, City Planner  
Patrick Tan, Assistant City Attorney

Excused: Commissioner Chris Collins

Others in attendance: Kevin Homer and Glenda Moore

Pledge of Allegiance: Commissioner Felt

1. CONTINUED DISCUSSION REGARDING TITLE 13 SIGN REGULATIONS, YARD SALE SIGNS.

Mr. Parkinson noted the Commissioners had been emailed information about other cities ordinances in regard to signs, and what other cities did and did not allow. He asked the Commissioners for feedback about what policies they had liked. Some of the Commissioners opined they were in favor of what American Fork had done.

Chairman Cowley pointed out whatever they did should not cause more of a burden on their Code Enforcement officers, and added he was still unsure what the specific problem was that they were trying to address with this ordinance.

Mr. Parkinson summarized the way the ordinance currently read was that there could be no off-property signs, no signs in public right-of-ways or streets. Commissioner Felt said he understood why signs could not be posted on streetlights or public trees, although he felt people should be allowed to post signs in other people's yards, as long as they were given permission. Mr. Parkinson noted this was the feedback he had received from Council as well; he reported Council was willing to consider allowing signs in other people's yards, although they were concerned about how to lay parameters on that. Mr. Parkinson also clarified they were only discussing private signs and campaign and other political signs would be considered separately.

Commissioner Felt thought this was governmental oversight, and pointed out in no way did it protect the rights and safety of the citizens to not allow signs to go in other people's yards. Commissioner Spahr explained the problem they needed to solve was having an ordinance which was clear and concise, and one that also did not violate the First Amendment. Commissioner Spahr said what they ultimately needed to figure out was if their ordinance adhered to the First Amendment to protect them from any possible litigation, and said one of the main ways to protect the City was to ensure their ordinances were clearly understood.

Mr. Parkinson pointed out once they allowed signs, it was going to be more difficult to differentiate between the content of individual signs, and gave the example of private signs versus one promoting businesses. Commissioner Brand commented the difference was one was commercial, although Mr. Parkinson noted it was now much more subjective to categorize and that was the challenge. Mr. Parkinson discussed how once one kind of off-premise sign was permitted, they would have to allow all kinds of off-premise signs. He also pointed out it was functionally impossible for Code Enforcement officers to drive around the City and determine what kind of signs were allowed and what was not.

Commissioner Brand asked why this was on their radar, and Mr. Parkinson replied a resident had come before the Council to ask about signs for their garage sale, which had led to a discussion about the ordinance and Council had decided to pass the issue on to the Planning Commission for them to review. Commissioner Bills asked who would enforce the ordinance, and Mr. Parkinson replied that was part of the issue; they had limited Code Enforcement staff. Commissioner Bills commented there were already citizen complaints on social media about other things so she did not feel it was an important use of their time to manage their sign ordinance. She gave the example of a broken-down mobile home near her house, and said if there was not even enough Code Enforcement staff to get that removed she did not see who was going to go through the City to find illegal signs. Mr. Parkinson commented the Code Enforcement officer in Roy City went out every Monday to take signs down, and reiterated the Planning Commission could choose to leave the ordinance as it currently was, or change it.

Mr. Parkinson clarified signs for public businesses were not protected by the same way as private signs were under the First Amendment and clarified they would be considered separately. He said many cities had chosen to just not allow any signs since it was much easier to manage. Commissioner Brand asked when the last complaint the City had received about their sign ordinance, and Mr. Parkinson replied that other than the case he had just referenced, there were not many complaints, although there was a large volume of illegally posted signs throughout the City. Mr. Parkinson also noted there was not usually a citation issued when illegal signs were found since it was difficult to discern who had put them up. He said in the case of campaign signs, he usually called the candidate to find out who had posted them and to let them know where they were and were not allowed to leave them.

Mr. Parkinson added there were some caveats for the sign ordinance, and said anything which was for the community's good was exempt from the ban on signs in the right-of-way. He gave some examples and said church signs were not included in this. He said real estate open house signs were protected, as well as notice signs for City public hearings. Mr. Parkinson said political signs were protected by the candidates and Commissioner Brand opined this did not seem logical to her. Mr. Parkinson said political signs were considered to be free speech.

Commissioner Felt left the meeting at 6:20 PM.

Chairman Cowley noted the challenges of finding a balance between clarity and having too many ordinances. He said it was challenging for people to live in a City with too many regulations. Commissioner Brand agreed and noted sometimes it was best to do nothing. Commissioner Tanner commented even if they changed the ordinance, many people would still be unaware of the regulations and would continue to put signs up that the Code Enforcement officers would need to manage. Commissioner Tanner acknowledged while this did not necessarily mean they should take no action, he pointed out changing the ordinance did not immediately solve the issue. Mr. Parkinson said it was easier for him and other members of City staff for the ordinance to be as

black and white as possible, and said it made his job much easier. Mr. Parkinson said it could sometimes be helpful for ordinances to list out certain instances and have specific parameters for those situations; however, he did not think something like that was applicable in this case and thought they would have to decide to either allow all kinds of signs or ban them all.

Commissioner Bills asked if decorative signs counted if they had words on them, such as signs that said things like “happy spring” or “Easter.” Mr. Parkinson clarified those counted as lawn decorations and so were not subject to the same regulations.

Commissioner Brand thought if they had only heard one complaint in recent memory it did not warrant making an action. Commissioner Bills agreed it seemed silly to not allow garage sale signs, although she understood if they allowed them it opened the door for other kinds of signs and she agreed she did not want to make an action based on one complaint. Commissioner Felt said most people got information online now rather than from street signs, especially younger generations. He acknowledged this was a generalization but felt it was a mostly true statement that people did not primarily get information from public signs.

Mr. Parkinson asked for direction. Commissioner Brand thought on-property garage sales signs should be permitted. Mr. Parkinson noted it could be challenging to manage it if they allowed for one sign to be posted in residents' yards. Commissioner Brand opined they leave the ordinance as is, and if it became a bigger issue the Commission could re-evaluate it then. The other Commissioners concurred with this.

## 2. COMMISSIONERS MINUTE

Commissioner Hulbert brought up the upcoming UTA Ride Along Day, and suggested the Planning Commission and City Staff take part in the event in January. She pointed out while many of them did not personally use public transit, many residents did utilize it, especially the buses. She thought it would be beneficial for the City Staff and Commission to have first hand experience using the buses, since many residents asked them about it and she thought it would be good for them to know where the stops were and things of that nature.

## 3. STAFF UPDATE

Mr. Parkinson announced the subdivision ordinance would be completed soon and he hoped to have a public hearing about it at the upcoming Council meeting so they could consider the public feedback and be on track for their February first deadline. He also announced Roy City had been given an award for their Station Area plan.

## 4. ADJOURN

**Commissioner Bills moved to adjourn at 6:37 p.m. Commissioner Tanner seconded the motion. Commissioners Bills, Brand, Cowley, Hulbert, Sphar, and Tanner voted “aye.” The motion carried.**

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Ryan Cowley  
Chair