

## **Exhibit A: City of Bluffdale Sign Code Amendments**

### **11-2-2 GENERAL DEFINITIONS:**

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**SIGNS: See Chapter 11-22 for additional definitions pertaining to signs and sign permit administration.**

**SIGN:** Any words, lettering, parts of letters, figures, numerals, phrases, sentences, devices, designs, pictures, trade names or trademarks by which anything is made known, such as are used to designate a firm, association, corporation, profession, business or service, whether placed on the ground, rocks, trees, stumps or other natural objects, or on a building, wall, roof frame, support, fence or other manmade structure, which are visible from any public street, public highway or public road right-of-way. For the purpose of this title, the word sign does not include the flag, pennant or insignia of any nation, state, city or other political unit, or of a nonprofit organization. Further, it shall not include any official notice issued by any court, public body or officer, or directional warning or information sign or structure required or authorized by law.

**SIGN, A-FRAME:** Any sign or structure composed of two (2) sign faces mounted or attached back to back in such a manner as to form a triangular vertical cross section through the faces.

**SIGN, ABANDONED:** Any sign applicable to a use that has been discontinued for a period of one year.

**SIGN, ACCESSORY:** A sign that directs attention to a business or profession conducted on the premises.

**SIGN, ANIMATED:** Any sign that is designed and constructed to give its message through movement or semblance of movement created through a sequence of progressive changes or parts, lights or degree of lighting.

**SIGN, APPURTENANT:** Any sign which advertises products, services or business establishments which are located, conducted, manufactured or sold upon the same premises upon which the sign is erected.

**SIGN AREA:** The area of a sign that is used for display purposes, excluding the minimum frame and supports. In computing sign area, only one side of a back to back or double faced sign covering the same subject shall be computed when the signs are parallel or diverge from a common edge by an angle of not more than forty five degrees (45°). In relation to signs that do not have a frame or a separate background, sign area shall be computed on the basis of the least rectangle, triangle or circle large enough to frame the display.

**SIGN, CANOPY:** See definition of sign, marquee.

**SIGN, ELECTRONIC DISPLAY (EDS):** Any non-appurtenant advertising structure, or portion thereof, that displays electronic images, graphics or pictures, with or without textual information. Such a non-appurtenant advertising structure has the capability of being changed or altered by electronic means on a fixed display screen composed of a series of lights, including light emitting diodes (LEDs), fiber optics, plasma displays, light bulbs, or other illumination devices within the display area where the message is displayed. Electronic display signs include computer programmable, microprocessor controlled electronic or digital displays.

~~SIGN, ERECTION OF: To build, construct, place, relocate, enlarge, substantially alter, attach, suspend, paint, post or display. Normal maintenance, including refinishing, is not included in this definition, provided the sign copy is not changed or altered.~~

~~SIGN, FASCIA: A sign attached to or erected against a wall or building with the face parallel to the building wall.~~

~~SIGN, FREESTANDING: Any sign that is standing on or erected into the ground. Such signs are usually, but not necessarily, supported from the ground by one or more poles or posts or similar uprights, with or without braces. Any sign that is mounted into the ground, but has the supports passing through any portion of the roof of a building or structure, shall be considered to be a roof sign.~~

~~SIGN, HEIGHT OF: The height of a sign is the vertical distance measured from the ground plane to the top of the sign.~~

~~SIGN, MARQUEE: Means and includes any roofed structure attached to and supported by a building and projecting over public property.~~

~~SIGN, MOVABLE FREESTANDING: Any sign not affixed to or erected into the ground.~~

~~SIGN, NON-APPURTENANT: Any sign which advertises products, services or business establishments which are not located, conducted, manufactured or sold upon the same premises upon which the sign is erected.~~

~~SIGN, NON-APPURTENANT ADVERTISING STRUCTURE (BILLBOARD): A non-appurtenant sign, commonly referred to as a billboard, that is mounted or otherwise affixed to a pylon or other support structure.~~

~~SIGN, NONACCESSORY; BILLBOARD: A sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere than on the premises, and only incidentally on the premises, if at all.~~

~~SIGN, NONCONFORMING: Any sign or non-appurtenant advertising structure which was lawfully erected and maintained prior to such time as it came within the purview of this chapter, and any amendments thereto, and which fails to conform to all applicable regulations and restrictions of this chapter.~~

~~SIGN, OFF PREMISES: See definition of sign, non-appurtenant.~~

~~SIGN, ON PREMISES: See definition of sign, appurtenant.~~

~~SIGN, PROJECTING: Any sign attached to a building or structural wall and extending horizontally outward from such wall more than eighteen inches (18").~~

~~SIGN, ROOF: Any sign which is erected upon or over the roof or over a parapet of any building.~~

~~SIGN, WALL: A sign with messages or copy erected parallel to and attached to or painted to the outside wall of a building and extending not more than eighteen inches (18") from the wall.~~

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**ALL OF EXISTING CHAPTER 11-22 IS HEREBY REPEALED AND REPLACED WITH THE FOLLOWING**

**Chapter 11-22 Signs and Outdoor Advertising**

**SECTION:**

**11-22-1: Purpose**

**11-22-2: Scope**

**11-22-3: Definitions**

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**11-22-12: Prohibited Signs**

**11-22-13: Severability**

**11-22-14: Nonappurtenant Advertising Structures (Billboards)**

**11-22-1: PURPOSE:**

The purpose of this chapter is to protect and promote the health, safety and welfare of city residents and businesses by regulating the design, construction, and installation of signs in a content neutral manner that does not favor any type of speech over another in order to achieve the following objectives:

- A. To provide a reasonable system for controlling signs within the community;
- B. To permit signs that are well designed and pleasing in appearance, while allowing latitude for variety, good design relationships, and spacing between signs and adjacent uses;
- C. To foster a community character that has a minimum of visual clutter;
- D. To enhance the economic strength of the city;
- E. To provide on-site identification for private enterprises;
- F. To provide for public convenience by directing persons to various activities and enterprises;

- G. To encourage signs that are compatible with land uses;
- H. To minimize light pollution, glare, visual obstructions, distraction, and traffic and safety hazards with the free flow of travel and activity for vehicles and pedestrians;
- I. To provide business owners the flexibility to have signs that meet the needs of the individual businesses;
- J. To provide aesthetic protection for entry areas and primary corridors of The City of Bluffdale
- K. To provide protection from visual clutter;
- L. To promote public safety; and
- M. For the protection and promotion of community appearance.

**11-22-2: SCOPE:**

Nothing in this chapter is intended or interpreted to favor any one type of sign or content and where necessary should be interpreted to be content neutral. The intent of this policy is to provide flexibility in the allowance of signs as a part of the possible range of communication options available while being narrowly tailored to achieve the purposes identified in section 11-22-1 of this chapter. The provisions of this chapter shall apply to the display, construction, erection, alteration, use, location, and maintenance of signs in the city. The requirements of this chapter shall not be construed to prohibit or limit other applicable provisions of this title, this code, or the Utah Code Annotated (UCA). In the instance where provisions of this chapter conflict with other provisions of this code, the terms of this chapter shall govern.

**11-22-3: DEFINITIONS:**

The following terms shall be defined as provided in this section for the purpose of use within this chapter:

ALTERATION OF SIGN: Changing or rearranging, other than the sign copy, any structural part, enclosure, lighting type, component, or location of a sign.

ANIMATION OR ANIMATED SIGNS: A sign which exhibits any of the following:

- A. The movement or the optical illusion of movement of any part of the sign structure, design, or a pictorial segment, including the movement of any illumination;
- B. Flashing or strobe effects; or
- C. The spinning or other movement of a sign, or portion thereof;

However, digital time and temperature signs, and analog time devices shall not be considered animated.

AREA OF A SIGN: A. For signs designed with a cabinet, the area of the sign will be that of the cabinet face, excluding the outer edge of any border.

B. For signs not designed with a cabinet, the area of the sign is ninety percent (90%) of the area enclosed within the smallest regular geometric shape needed to completely encompass all letters, logos, and insignias of the sign, including horizontal spacing between letters, logos, and insignias.

Words, abbreviations, logos, and insignias may be calculated independently to determine the area of such signage.

AWNING SIGN: Signs, placed on or integrated into canopies mounted on the exterior of a building.

BACKLIGHTING: Illumination, the source of which is not itself visible, positioned inside or behind a sign face such as behind raised letters and awnings or inside sign cabinets where the illumination is seen through the letters or sign face.

BANNER: Plastic, fabric, or any other pliable material intended to be hung either with or without a frame, typically placed between two (2) poles or hung on the wall of a building, but does not apply to flags and emblems of political, professional, religious, educational, or corporate organizations flown on a flagpole.

CABINET: The enclosure of a sign, not including the mounting structure or decorative elements of the sign structure, upon which text, logos, and insignia are mounted and within which the majority of electrical components, if needed, are located.

CHANGE OF COPY PANEL: A sign or portion of a sign designed to permit regular manual change of copy with language other than the name of the business.

CHANGE OF SIGN FACE: The changing of the face of a sign or the sign face which does not affect the structural elements of the sign and only affects the name or logo shown on the sign structure.

CLEAR VIEW AREA FOR SIGNS: A triangular space at the intersection of the driveway and adjoining curb determined by a diagonal line connecting two (2) points measured thirty feet (30') equidistant from the point of the intersection along the curb and the driveway, then connecting those points to form a triangle.

COMMERCIAL SPEECH: Any speech which bears advertising, reference to a specific product, or commercial transaction on behalf of a company or individual who is economically motivated for the speech.

ELECTRONIC DISPLAY SIGN (EDS): Any non-appurtenant advertising structure, or portion thereof, that displays electronic images, graphics or pictures, with or without textual information. Such a non-appurtenant advertising structure has the capability of being changed or altered by electronic means on a fixed display screen composed of a series of lights, including light emitting diodes (LEDs), fiber optics, plasma displays, light bulbs, or other illumination devices within the display area where the message is displayed. Electronic display signs include computer programmable, microprocessor controlled electronic or digital displays.

ELECTRONIC MESSAGE CENTER SIGN: An on-premises sign capable of displaying words, symbols, figures, or images that can be electronically or mechanically changed by remote or automatic means. Television or video monitors used as window signs are considered electronic message centers.

FACE OF SIGN OR SIGN FACE: The surface of a sign cabinet upon, against, or through which letter, logos, or insignias are displayed or illustrated.

FREESTANDING SIGN: Any permanent sign type that is constructed independent of and not connected to a building or other structure.

HALO OR REVERSE CHANNEL ILLUMINATION: Illumination, the source of which is not itself visible, positioned inside or behind the text of a sign where the illumination is seen around and not through the letters of the sign.

HANDBILL: A poster, flier, handout, brochure, leaflet, or other advertisement, typically made of non- or semi-durable materials, attached to permanent signage, traffic signage, utility elements, vehicles, or passed out to persons.

HEIGHT OF SIGN: The vertical dimension of a sign.

ILLEGAL SIGN: Any sign:

- A. Erected without first obtaining a sign permit that would otherwise be a permitted sign;
- B. Not otherwise established to be a legal nonconforming sign by the terms of this chapter; or
- C. Erected after the effective date of this chapter that has been determined to be a nonpermitted sign type.

INDIRECT LIGHTING: A source of external illumination located away from the sign, which lights the sign, but which may or may not itself be visible.

INFLATABLES: Any device supported by heated air, forced air, or other gases for the purpose of drawing attention to a business.

INFORMATIONAL SIGN: A sign which provides information, such as directional flow of vehicular or pedestrian traffic, entrance, exit, no parking, handicapped parking, loading area, and does not exceed four (4) square feet of sign area.

LOGO: A graphic symbol representing an activity, use, or business.

MAINTENANCE OF A SIGN: The replacing, repairing, or repainting of a portion of a sign structure made undesirable by ordinary wear and tear, weather, or accident. Maintenance does not include the changing of colors or materials of any part of the sign.

MASTER SIGN PROGRAM: Sign specifications and details approved as a package that define or identify allowed signage allotted to individual businesses throughout a multi-business commercial center.

MONUMENT SIGN: A freestanding, typically low-profile sign mounted on a base, detached from the building.

NONACCESSORY SIGN; BILLBOARD: A sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere than on the premises, and only incidentally on the premises, if at all.

NON-APPURTENANT SIGN: Any sign which advertises products, services or business establishments which are not located, conducted, manufactured or sold upon the same premises upon which the sign is erected.

NON-APPURTENANT ADVERTISING STRUCTURE (BILLBOARD) SIGN: A non-appurtenant sign, commonly referred to as a billboard, that is mounted or otherwise affixed to a pylon or other support structure.

NONCONFORMING SIGN: Any sign or non-appurtenant advertising structure which was lawfully erected and maintained prior to such time as it came within the purview of this chapter, and any amendments thereto, and which fails to conform to all applicable regulations and restrictions of this chapter.

OFF PREMISES SIGN: A sign located outside of the property or development boundary where the referenced business is located, the referenced product is sold, or the referenced service is offered.

ON PREMISES SIGN: Any sign identifying or advertising a business, person, activity, goods, product, or service located within the property or development boundary where the sign is located.

PAN FORMED/CHANNEL LETTER: An individual letter, which is three- dimensional and is constructed by means of a three-sided channel, the open side of which may face a wall or be faced with a translucent panel, which is placed away from the wall.

PERMANENT SIGN: Any permitted sign type which is:

A. Intended to be and is so constructed:

1. Of a lasting and enduring material;
2. To remain unchanged in character, position, and condition exclusive of wear and tear;
3. As a freestanding sign or wall or building; and

B. Identified as a permanent sign type within this chapter.

POLE SIGN: A permanent freestanding sign mounted atop one (1) or more poles where the bottom of the banner is at least six feet (6') from the ground.

POLITICAL SIGN: Any sign designed for the purpose of supporting or opposing a candidate, proposition, or other measure at an election or for any other noncommercial expression not related to the advertisement of any product, service, or the identification of any business.

PORTABLE, MOVABLE, AND HANDHELD SIGN: Any sign which varies its location basis, not otherwise classified in this chapter as a permanent or temporary sign, which may or may not be carried, worn, maneuvered, or manipulated as a means to draw attention from passers-by, including the use of vehicles.

POST AND PANEL SIGN: A free-standing sign supported by two (2) posts or columns, one (1) on each side of the sign. The sign itself does not have a base and does not contact the ground. A post and panel sign may be permanent or temporary.

PYLON SIGN: A freestanding, high profile, on-premises sign completely self-supported where the cabinet is significantly elevated above the ground and of a larger size than freestanding signs allowed by this chapter. By reference, pylon sign also includes pole signs and tower signs.

SHINGLE SIGN: A sign identifying the tenant of the adjoining space and which:

- A. Is suspended from a roof overhang, covered porch, or covered walkway; or
- B. Hangs or swings freely from a support mounted to the wall of a building.

SIGN: Any identification, description, illustration, or device which is in view of the general public and which directs attention to a person, place, commodity, activity, institution, organization, or business. Sign shall include any and all structural and supportive apparatus, identification, description, illustration, or device. Sign shall not include any flag or insignia of the United States, State of Utah, Salt Lake County, Bluffdale City, official historical plaques of any governmental agency, or emblems of professional, religious, educational, or corporate organizations flown on a flagpole.

SIGN ALLOWANCE: The total cumulative sign type and area for all signs allowed to any one (1) business, development, or applicant.

SNIPE SIGN: A sign or other advertisement, typically made of non- or semi-durable materials, mounted to a tree, or utility pole, or to the ground by nails, staples, a wire frame, or similar device within a right-of-way, including public or private park strips and medians or on public property.

TEMPORARY SIGN: Any sign not permanently attached to the ground, wall, or building, intended to be displayed for a limited period of time.

TOWER SIGN: A high profile, on premises sign completely self-supported by supports or other sign apparatus independent of any building or other structure with architectural or decorative elements incorporated into the supports as well as the sign.

VEHICLE SIGN: Any magnetic, painted, permanently attached, or temporarily attached sign which is affixed to a vehicle or trailer. This definition does not apply to banner signs attached to vehicles, signs or lettering on public transit vehicles, taxis or company vehicles operating during the normal course of business or parked in a legally designated on-site parking space at the location of the company owning the vehicle.

WALL SIGN: An on-premises sign attached to or erected against a wall.

WINDOW SIGN: Any sign, graphic, screen, or visual presentation which is placed to be read from the exterior of a building that is:

- A. Painted or drawn onto a windowpane;
- B. Mounted onto the outside of a windowpane; or
- C. Mounted within three feet (3') of the windowpane on the inside of the building.

#### **11-22-4: REQUIREMENT OF CONFORMITY:**

No sign for which a permit is issued after the effective date of this chapter, may be placed or maintained in the City, except as provided in this chapter. All signs maintained contrary to the provisions of this chapter are declared to be nonconforming and, as such, may be dealt with or removed as provided herein. Any sign that poses a public safety hazard may be removed as specified in subsection 11-22-5(H)(4) of this chapter.

#### **11-22-5: APPROVALS, PERMITS, APPLICATIONS AND ENFORCEMENT:**

The Zoning Administrator is hereby designated as the Land Use Authority for sign permit administration and is authorized and directed to enforce all provisions of this chapter.

A. Signs Associated With New Development: Development projects which are intended to contain signage shall identify and be reviewed for a sign allowance as a part of the development review according to the following:

1. Sign Allowance Approval: All development applications for nonresidential projects shall also be approved, as a part of the application for site plan approval, for the development's desired sign allowance. Development sign allowance approval need only identify the location and size of all on site permanent signs. Signage allowance approval shall not constitute approval of a sign permit. All signage shall require application for and approval of a sign permit prior to installation.

2. Master Sign Program Approval: Nonresidential multi-tenant developments shall pursue development signage approval by way of a master sign program as a part of the application for site plan approval. Master sign program approval need only identify the location and size of all desired on-site permanent signs for each unit, pad, or business within the development. The master sign program shall also include details regarding a signage theme. Approval of a master sign program shall not constitute approval of a sign permit. All signage shall require application for and approval of a sign permit prior to installation.

3. Amendments: Amendments to approved sign allowances or master sign programs shall be approved by the Zoning Administrator if the amendments fully comply with this chapter or other applicable land use provisions or development agreement requirements.

B. Signs Not Associated With New Development: Signs associated with an existing building or developments, or for new developments that do not have an approved sign allowance, need only pursue a sign permit and will be reviewed by the Zoning Administrator or their designee based on independent sign allowances for each sign.

C. Sign Permit Review:

1. Sign Permit Required: Unless otherwise provided by this chapter, every sign within the City shall require a sign permit prior to its erection, installation, or use. Such permit is separate and distinct from any building permit or other permit that may be required by applicable provisions of this Code.

2. Conditions Of Permit Issuance:

a. If a specific occupancy or use displays an illegal or nonconforming sign, a new sign permit may not be issued for that occupancy or use without modifications to or removal of the nonconforming sign resulting in conformity with the provisions of this chapter.

b. If there is a requesting tenant having an illegal or nonconforming sign displayed within a multi-tenant development or shopping center, new permits may not be issued for that space without modifications or removal of nonconforming signs resulting in conformity with the provisions of this chapter.

c. A permit for a freestanding sign may be issued for a multi-tenant building, development, or shopping center, provided the terms thereof specify modification or removal of all nonconforming freestanding signs resulting in conformity with the provisions of this chapter.

D. Applications For Sign Permit:

1. Sign Permit Application: To obtain a permit, the applicant must submit a complete sign permit application to the Zoning Administrator on a form prescribed by the City. A sign permit application may include all signs associated with a property that has received site plan approval, or has a master sign program associated with approved development guidelines. The application must be accompanied by the information specified in this section. Additional information may be required on a case specific basis when determined to be necessary to verify the engineering or construction of the sign or to assure the health, safety, and general welfare of the community, tenant, or business. Sign permit applications shall comply with all adopted building codes.

2. Submission Requirements: The following drawings and information must be digitally submitted (.pdf format) with each sign permit application based on the type of permit requested:

a. Monument And Freestanding Signs:

(1) A copy of a plot plan for the entire site, drawn to scale, showing the distance of the sign to all buildings, dimensioned property lines, and sign setbacks from public and private rights-of-way, intersections, easements, and driveways.

(2) A fully dimensioned, scaled elevation drawing showing height, color, area dimensions, sign design, type of illumination, and aesthetics of the sign as will appear from the street. Elevations must be provided for all four (4) sides of the sign.

(3) A complete set of detail drawings of the sign's construction including name of sign maker, electrical plan, foundation scheme, and name of the licensed contractor who will install the sign.

b. Wall Signs:

(1) A fully dimensioned, scaled elevation drawing showing the linear and area dimensions of the sign and the building elevation on which the sign is to be placed, color, sign design, type of illumination, and aesthetics of the sign as will appear from the street.

(2) Details of the sign's construction and attachment to the wall or building, including an electrical plan, the name of sign maker, and the name of the licensed contractor who will install the sign.

c. Temporary Signs:

(1) A fully dimensioned, scaled elevation drawing showing the linear and area dimensions of the sign and the building elevation on which the sign is to be placed, color, sign design, and aesthetics of the sign as it will appear from the street.

(2) A statement related to the length of time for display.

d. Change Of Sign Face:

(1) A fully dimensioned, scaled elevation drawing showing the linear and area dimensions of the sign and the building or structure elevation on which the sign is to be placed, color, and sign design as it will appear on the building or sign structure.

e. Additional Information Required: The following information shall be required for all sign permit applications:

\_\_\_\_\_ (1) Written consent of the owner, lessee, agent, or trustee having charge of the building or property on which the sign is proposed to be located.

\_\_\_\_\_ (2) Proof of application for or issuance of a current Bluffdale City business license.

\_\_\_\_\_ (3) Address and phone number of the property owner, lessee, agent, or trustee having charge of the building or property on which the sign is proposed to be located.

\_\_\_\_\_ (4) The license number, phone number, and address for the general or electrical contractor who will install the sign.

\_\_\_\_\_ 3. Permits In Conformance: Permits authorizing the use, construction, reconstruction, or alteration of any sign may be withheld when inadequate information is submitted to determine if the proposed action is in conformance with the provisions of this chapter.

#### E. Review And Approval Procedures:

\_\_\_\_\_ 1. Permit Issued: Upon submittal, the application will be reviewed for conformance with the standards of this chapter. A permit will be issued, provided the proposed sign meets all applicable requirements of this chapter and the required fees are paid.

\_\_\_\_\_ 2. Inspections: All signs for which a permit is required shall be subject to the following inspections:

\_\_\_\_\_ a. A footing or structural inspection on all freestanding signs when required by the adopted building code;

\_\_\_\_\_ b. An electrical inspection on all illuminated signs when a new meter is set or otherwise required by the adopted building code;

\_\_\_\_\_ c. A final zoning compliance inspection to ensure the sign has been located and constructed according to the approved sign permit. Photo documentation of final installation shall be placed in the permit file.

\_\_\_\_\_ F. Permit Fees: Sign permit fees shall be assessed according to the current Bluffdale City consolidated fee schedule. When a permit is obtained in order to voluntarily bring a legal nonconforming sign into compliance with the terms of this chapter, there will be no fees assessed to the permit.

#### G. Permit Limitations:

\_\_\_\_\_ 1. Transferability: Permits, permit numbers, permit applications, and supporting information for signs shall not be transferable to other sites or signs and shall be valid only for a specific sign at the designated location. If at any time a sign or sign structure is altered, removed, or relocated in a manner different from the terms of an issued sign permit, such existing sign permit will become void and a new application must be made for the sign as altered or relocated. Signs for legal, conforming signs associated with a business that has its ownership transferred with no proposed alteration to the business name, building, or signage shall, upon notification to the city, have its permits transferred to the new business owner without need of a new application.

\_\_\_\_\_ 2. Sign A Nuisance: No permit for a sign may be deemed to constitute permission or authorization to maintain a public or private nuisance, nor shall any permit issued hereunder constitute a defense in any action to abate a nuisance.

H. Enforcement:

1. Violations: If the Zoning Administrator finds a sign for which a permit has been issued violates any applicable provision of this chapter, the administrator shall pursue correction of the violation, including revocation of the permit and removal of the sign, at the cost of the permit holder, as outlined in this subsection.

2. Penalties For Violations: Any person, firm, corporation, or entity violating any provision of this chapter or failing to comply with any regulation hereunder shall be considered a violation of this title, punishable as outlined in section 1-4-1 of the City Code.

3. Revocation Of A Sign Permit: The Zoning Administrator may, in writing, revoke a sign permit issued under provisions of this section, upon determining that the sign was constructed in violation of the terms of this chapter, the permit was issued on the basis of a material omission or misstatement of fact, or the permit was issued in violation of this chapter. Revocation of a sign permit which is to include or involve removal of a sign shall also comply with the provisions of subsection H4 of this section.

a. Notice: Notice of the Zoning Administrator's decision to revoke a sign permit shall be served to the holder of the permit:

(1) By delivering in person a copy of the notice to the holder of the permit, or their agent when specified;

(2) By leaving a copy of the notice with any person in charge of the premises; or

(3) In the event no such person can be found on the premises, by the certified mailing of a copy of the notice to the permit holder.

b. Illegal Sign: If no appeal has been made at the end of the ten (10) day appeal period, the permit will be considered revoked and the sign illegal. The zoning administrator shall then initiate the process for the removal of the illegal sign at the permit holder's cost.

4. Removal Of Signs:

a. Authority: The Zoning Administrator is hereby authorized to require removal of any sign.

(1) Written Notice: Before bringing action to require removal of any sign, the zoning administrator shall give written notice to the owner of the sign or the owner of the premises on which such sign is located. The notice shall state the violation charged and the reasons and grounds for removal, specifying the deficiencies or defects and what repairs, if any, will make the sign conform to the requirements of this chapter. The notice shall also specify that the sign must be removed or made to conform with the provisions of this chapter within the notice period. Service of notice shall be made personally on the owner or lessee, or by certified mail addressed to the owner or lessee at the address specified in the permit or the last known address.

(2) Notice Period:

(A) The notice period for permanent signs shall be ten (10) days.

(B) The notice period for temporary signs shall be forty eight (48) hours.

(3) Enforcement: If the owner or lessee of the premises upon which the sign is located has not demonstrated to the satisfaction of the Zoning Administrator that the sign has been removed or brought into compliance with the provisions of this chapter by the end of the notice period, the Zoning Administrator shall proceed with enforcement procedures as allowed by Bluffdale City Code.

(4) Continuing Violation: Reerection of any sign or substantially similar sign on the same premises after a notice of violation has been issued shall be deemed a continuation of the original violation.

b. Removal Of Temporary Signs: The Zoning Administrator may remove any illegal temporary sign which is maintained or reerected after the expiration of the notice period, if the owner or lessee of the premises has been issued a notice of violation at least once before for the same violation involving the same or similar sign. When temporary signs are removed by city staff, the responsible party shall be notified within two (2) business days of the reason for the removal and the location from which the sign was removed. Removed signs shall be made available for the responsible party to pick up for three (3) calendar days. After that time, removed signs will be destroyed.

c. Safety Hazard: Notwithstanding other provisions of this subsection H4, the Zoning Administrator may cause the immediate removal, following notice to the owner of the sign or the property on which it is located, of any unsafe or defective sign that creates an immediate hazard to persons or property.

d. Costs Of Corrective Action: The costs of removal of a sign by the city shall be borne by the owner of the sign.

5. Cost Of Enforcement: The city shall be entitled to recover all costs incurred, including attorney fees, in the enforcement of actions under this chapter and in accordance with Utah Code Annotated sections 10-9a-802 and 803, as amended.

6. Liability For Damages: The provisions of this chapter shall not be construed to relieve or limit in any way, the responsibility or liability of any person, firm, or corporation which erects or owns any sign for personal injury or property damage caused by the sign. In addition, this chapter shall not be construed to impose upon the city, its officers, or its employees any responsibility or liability by reason of the approval of any sign under the provisions of this chapter.

I. Appeal: An applicant for a sign permit or a permit holder may appeal the decision of the Zoning Administrator to not issue or revoke a sign permit to the City's Appeal Authority by filing an appeal application within ten (10) days of the date when the notice was served or the date of the certified mailing, pursuant to the requirements found in 11-3-4(B) of the City's Land Use Ordinance.

#### **11-22-6: GENERAL PROVISIONS:**

A. Sign Area Measurement: Signs which use a cabinet shall have their area determined to be the area of the entire cabinet face, excluding its border, visible from the outside of the sign. In the case of individual letters used as a sign, the area is ninety percent (90%) of the area enclosed within the smallest regular geometric shape needed to completely encompass all letters, insignias, and symbols of the sign, including horizontal spacing between letters, insignias, symbols, and any extension of support structures not enclosed within the area of all individual letters. Sign measurements shall also be subject to the following:

1. The supports, uprights, or structure on which any sign is supported shall not be included in determining the sign area unless such supports, uprights, or structure are designed in a manner as to form an integral background of the display.

2. Sign area shall be calculated for one sign face, except as otherwise stated for particular sign types in this chapter.

3. Sign allowances shall include all on premises signs unless under this chapter a particular type of sign:

a. Is expressly excluded from the calculation of sign allowances; or

b. Has a separate basis for calculating sign area.

4. For signs using individual letters, the area of the entire sign shall be calculated using a single regular geometric shape, albeit words, abbreviations, logos, and insignias may be calculated independently to determine area of such signage.

#### B. Sign Height Measurement:

1. Freestanding Signs: Sign height for all freestanding signs is the distance measured from the average finished grade at the base of the sign to the topmost portion of a sign, excluding decorative embellishments.

2. Building And Wall Mounted Signs: The height of any building or wall mounted sign is the vertical distance measured for the cabinet or geometric shape used to determine the sign's area.

#### C. Clearance Requirements:

1. No sign or sign structure shall be erected in such a manner that any portion of its surface or supports will interfere in any way with the free use of any fire escape, exit, or standpipe.

2. No permanent or temporary sign shall obstruct any door or window opening.

3. Freestanding signs shall not extend over any pedestrian or vehicular access area unless specifically approved by the city engineer and the fire chief.

4. No sign shall be erected or maintained which has less clearance from communication lines and energized electrical power lines than that prescribed by the laws of the state of Utah.

5. No sign shall be located on publicly owned land or inside or over street rights of way, except as specifically authorized in this chapter.

D. Setback Requirements: To determine setback distances, measurements shall be taken from the point of the sign or sign structure which is closest to the street, right of way, district line, or property line from which the sign is to be set back.

1. All freestanding and monument signs shall be set back a minimum of fifteen feet (15') from the back of the curb to allow for park strip and sidewalk where no sidewalk currently exists. Where sidewalk exists, the minimum setback shall be three (3) feet from property line or back of sidewalk, whichever is greater. Setbacks from property lines are in addition to minimum curb setback.

2. Signs in any commercial or industrial zoning district shall be located not less than twenty feet (20') from any adjacent residentially zoned property.

3. No signs greater than three feet (3') in height shall be permitted in the triangular clear view area.

E. Traffic Safety: No sign or other advertising structure shall be erected which in any manner may be confused with an official traffic sign or signal or which bears words normally used in such signs, i.e., stop, go slow, caution, danger, warning, etc., in a manner that resembles traffic signs. No sign shall have lighting which impairs the vision or anyone traveling upon a public or private street or distracts any driver so as to create a public nuisance. No sign or group of signs may exceed one foot-candle in brightness as measured at the property line.

F. Design, Construction, And Maintenance:

1. All signs shall comply with applicable provisions of all codes, including building and electrical codes adopted by the city.

2. Permanent signs shall be constructed of permanent material and shall be attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame, or structure.

3. All signs shall be maintained in good and safe structural condition. The landscaped area in which any freestanding sign is placed shall be kept free from weeds, garbage, and debris.

4. Permanent signs shall be designed so as to be an integral part of the overall design of a site and architecturally compatible with the buildings to which they relate.

G. Illumination Requirements: Permanent signs may be illuminated according to this subsection unless otherwise specified in this chapter. Illumination may be either by direct, internal, or internal indirect means and shall be so installed according to all applicable codes and regulations.

1. Any external light source used for the illumination of a sign shall be shielded so all direct light shines onto the sign area only.

2. Neither direct nor reflected light from any source shall create a traffic hazard, distraction to operators of motor vehicles on public thoroughfares, or create a nuisance to surrounding properties.

3. For signs illuminated from an internal light source:

a. The light source shall not be visible from the exterior of the sign; and

b. No direct lighting shall shine beyond the sign area.

4. The following illumination types shall be prohibited for all signs:

a. Flashing, blinking, or rotating lights;

b. Exposed neon or similar tube type illumination, except as specifically permitted elsewhere in this chapter;

c. Visible bare incandescent, fluorescent, metal halide, or high- or low-pressure sodium light bulbs; and

d. Mercury vapor lights.

5. All applicable outdoor lighting standards of this title, found in Chapter 11-16-19 of this title shall be adhered to at all times.

H. Standards For Permitted Sign Types:

1. Sign Integration And Design Standards: Sign locations shall be integrated with landscape plans to avoid obstruction of the sign and traffic.

a. Wall sign copy is strongly recommended to be designed with individual letters and logos rather than cabinets.

b. Signage located facing residential areas or which present the risk of light nuisances to adjacent properties shall utilize signage consisting of reverse pan channel lettered and lit designs.

c. Where tower signs are permitted, the poles and other structural supports shall be finished architecturally with detailed masonry products such as concrete masonry units, brick, or stone, which shall be architecturally and aesthetically designed to match building or development to which it is associated;

d. Monument signs shall have at least a one foot (1') opaque pedestal designed as part of the foundation which conceals supports. The pedestal shall run at least seventy five percent (75%) of the horizontal length of the sign and no space may be exposed between the pedestal and the ground or landscaped area.

2. Sign Faces: Signs, other than banners, desired to be multifaced may have a maximum spread of forty-five degrees (45°) between the faces.

3. Wall Signs: Wall signs shall be placed on the wall of the business which the sign identifies. No wall sign shall be larger than two hundred fifty (250) square feet.

4. Freestanding And Monument Signs:

a. Traffic Hazard: Freestanding and monument signs shall be placed in a manner so as to not interfere with traffic in any way, confuse drivers, or present any traffic hazard.

b. Curb Setback: All freestanding and monument signs shall be set back a minimum of fifteen feet (15') from back of the curb where no sidewalk currently exists and shall be in compliance with clear view sign. Where sidewalk exists, the minimum setback shall be three (3) feet from the property line or back of sidewalk, whichever is greater.

**11-22-7: PERMITTED ON PREMISES PERMANENT SIGNS:**

Permitted signage described in this section is for specified zones, unless otherwise outlined in section 11-22-9 of this chapter or an approved development agreement or special zoning district where the provisions therein will govern. The area of wall, freestanding, and monument signs are added together in order to arrive at the total sign allowance.

A. Nonresidential Zones:

1. Wall Signs:

a. For any one side of a building the maximum sign area for each one linear foot of building wall shall be one square foot.

b. When the wall on which the sign is placed is more than two hundred feet (200') from any public right-of-way, the maximum sign area for each one linear foot of building wall shall be one and one-half (1 ½) square feet.

c. No part of a building wall sign shall extend above a roofline.

d. No part of such signs shall project from a building wall a distance greater than twelve inches (12").

## 2. Freestanding And Monument Signs:

a. The maximum number of signs per street frontage shall be one, except as follows:

(1) A Commercial Center having a minimum of six hundred fifty feet (650') of linear frontage along a single public street may have additional monument signs in accordance with the following:

(A) No more than four (4) monument signs; and

(B) A minimum of two hundred (200) linear feet between signs.

b. The maximum sign area shall be twenty-four (24) square feet.

c. The maximum height shall be six feet (6').

d. The maximum vertical dimension of the cabinet or panel shall be four feet (4').

e. The maximum horizontal dimension of the cabinet or panel shall be ten feet (10').

f. Such signs shall be placed within a landscaped setting of not less than two hundred forty (240) square feet.

g. The entire allowed sign area may be used for a change panel sign.

## 3. Tower Signs:

a. Tower (or pylon) signs are permitted only for developments or multiple tenant complexes with one hundred thousand (100,000) or more square feet of building floor area, inclusive of all pads within the development, subject to the following.

b. Such signs shall identify the project, building, business or businesses within the development, or development.

c. The maximum area of such sign shall be seventy-five (75) square feet.

d. The maximum height of such sign shall be twenty feet (20').

e. The maximum number of such signs per complex or development shall be one sign.

f. Such sign shall be placed within a landscaped area of four (4) square feet for each one square foot of sign area.

g. The entire allowed sign area may be used for a change panel sign.

## 4. Informational Signs:

a. The maximum number of such signs each for driveway entrance from a public or private right of way shall be one sign.

b. The maximum height of such sign shall be three feet (3').

c. The maximum area of such sign shall be four (4) square feet.

d. The maximum area of business name or logo on such sign shall be one square foot.

e. Where a driveway is shared the maximum area of such sign shall be eight (8) square feet.

f. Where a driveway is shared the maximum combined area of the sign copy shall be two (2) square feet.

5. Properties Developed As A Multibuilding Complex: Properties developed as a multibuilding complex shall be allowed on site freestanding signs, in addition to that otherwise permitted by this section, subject to the following requirements:

a. The maximum number of signs for a complex shall be determined by the following:

(1) Complexes of two (2) or three (3) buildings shall be allowed one additional monument sign.

(2) Complexes of four (4) or more buildings shall be allowed up to one additional sign for every two (2) buildings.

b. The maximum height of such signs shall be seven feet (7').

c. The maximum area of such sign shall be thirty-two (32) square feet.

d. Such signs shall not be located within fifty feet (50') of a public right of way.

6. Awning Signs: Signs may be permitted on awnings if the following conditions have been met:

a. The awning is compatible with the color, architectural character, and design of the building upon which the awning is mounted, the location is appropriate, and the materials used are durable.

b. If the awning is mounted on a multi-tenant building, the awning sign shall comply with the approved master sign program, if one has been approved, regarding its place, color, size, material, and letter style.

c. The maximum area the awning sign shall cover is twenty percent (20%) of the total front face area of the awning.

d. Sign letters or logos may be placed on the awning valance only.

e. If sign letters or logos are placed on the awning, only the face area of the letters or logos may be illuminated. All illumination must be internal behind the surface of the awning.

7. Restaurant Uses: Restaurants with drive-through facilities shall be allowed one on site freestanding sign per drive-through lane, in addition to that otherwise permitted by this section, according to the following requirements:

a. The additional freestanding sign shall be located more than thirty feet (30') from the closest public right of way property line.

b. The additional freestanding sign shall not be located more than five feet (5') from the drive-through lane.

c. The maximum area of such sign shall be forty-five (45) square feet.

d. Such sign shall not be taller than seven feet (7').

e. Such signs shall be illuminated by internal means only.

f. Such signs shall be identified and accommodated in the approved sign allowance and shall require a sign permit prior to installation.

B. Residential and Agricultural Zones:

1. Permitted commercial and home occupation uses within residential and agricultural structures shall be allowed signage according to the following requirements:

a. No part of a building wall sign shall extend above a roofline.

b. Such sign shall be installed with the exposed face of the sign in a plane parallel to the face of the building wall.

c. Such signs shall not project from a building wall a distance greater than twelve inches (12").

d. Such signs shall have a maximum area of two (2) square feet.

2. Subdivisions and residential developments shall be allowed signage according to the following requirements:

a. The maximum number of signs shall be two (2) per vehicular entrance into the development.

b. Such signs shall not exceed twenty four (24) square feet.

c. Such signs shall be a maximum of five feet (5') in height.

d. Such signs shall be located a maximum of twenty five feet (25') the closest right of way property line inside the development.

e. Such signs shall be mounted on or integrated into a wall surrounding the development

3. Permitted commercial (non-home occupation) businesses approved within separate non-residential structures within the R-1-43 and A-5 zones shall be allowed signage according to the following requirements:

a. Wall Signs:

(i). For any one side of a building the maximum sign area for each one linear foot of building wall shall be one square foot.

(ii). When the wall on which the sign is placed is more than two hundred feet (200') from any public right-of-way, the maximum sign area for each one linear foot of building wall shall be one and one-half (1 ½) square feet.

(iii). No part of a building wall sign shall extend above a roofline.

(iv). No part of such signs shall project from a building wall a distance greater than twelve inches (12").

b. One Freestanding Monument Sign

(i). The maximum sign area shall be twenty-four (24) square feet.

(ii). The maximum height shall be six feet (6').

(iii). The maximum vertical dimension of the cabinet or panel shall be four feet (4').

(iv).The maximum horizontal dimension of the cabinet or panel shall be ten feet (10').

(v). Such signs shall be placed within a landscaped setting of not less than two hundred forty (240) square feet.

(vi). The allowed sign area may be used for a change panel sign in conjunction with the freestanding monument sign.

4. Public Schools shall be allowed signage according to the following requirements:

a. Wall Signs:

(i). For any one side of a building the maximum sign area for each one linear foot of building wall shall be one square foot.

(ii). When the wall on which the sign is placed is more than two hundred feet (200') from any public right-of-way, the maximum sign area for each one linear foot of building wall shall be one and one-half (1 ½) square feet.

(iii). No part of a building wall sign shall extend above a roofline.

(iv). No part of such signs shall project from a building wall a distance greater than twelve inches (12").

b. One Freestanding Monument Sign

(i). The maximum sign area shall be twenty-four (24) square feet.

(ii). The maximum height shall be six feet (6').

(iii). The maximum vertical dimension of the cabinet or panel shall be four feet (4').

(iv).The maximum horizontal dimension of the cabinet or panel shall be ten feet (10').

(v). Such signs shall be placed within a landscaped setting of not less than two hundred forty (240) square feet.

(vi).The entire allowed sign area may be used for a change panel sign.

5. Churches shall be allowed signage according to the following requirements:

a. Wall Signs:

(i). For any one side of a building the maximum sign area for each one linear foot of building wall shall be one square foot.



4. Such sign may be illuminated by indirect lighting only.
5. Such sign shall be removed immediately upon issuance of the final building permit for residential properties or the final certificate of occupancy for nonresidential properties.
- C. Banners: Banners may be used subject to the following provisions:
1. Such signs may be used in all nonresidential zones and the designated commercial land use areas within approved mixed-use developments.
2. Such signs shall be allowable for the any recognized federal, state, or religious holiday periods without a permit.
3. Such signs shall be allowable for an additional four (4) occurrences per calendar year up to fourteen (14) days per occurrence. Occurrences may run consecutively, upon issuance of a temporary sign permit for such, but shall be considered independent occurrences.
4. Businesses which have received a new business license shall be allowed a banner sign for forty-five (45) days during a grand opening upon issuance of a temporary sign permit. This permit shall not count as an occurrence.
5. One banner per street frontage may be a maximum of thirty-two (32) square feet.
6. Such signs must be securely attached to a structure, fence, or to ground posts. When mounted to the ground, banners may be not higher than forty-eight inches (48") from the ground to the top of the sign and must have a stabilizing crossbar between the ground posts at the top of the sign.
7. Such signs shall not be located within any public or private right-of-way, park strips, medians, or roundabouts.
8. Such signs shall not be placed where they obstruct the view of any sign identified in subsection 11-22-10(A) of this chapter.
9. Banners may be two (2) faced but may not be split faced as identified in subsection 11-22-6(H)(2) of this chapter.
10. Permission for the placement of such signs from property owners shall be required as a part of an application for a temporary signage permit.

#### **11-22-9: AREAS OF SPECIAL DESIGNATION:**

In an effort to complement and enhance the experience and aesthetics of certain areas of the community, these areas have been identified to have unique signage allowances. The signage allowances outlined for these special districts shall not be construed as cumulative to the allowable signage identified elsewhere in this chapter, but rather the exclusive signage allowable within the areas identified herein.

A. Freeway Frontage Roads: The intent of this subsection is that the areas of the community directly oriented and related to the I-15 freeway and Bangerter Highway warrant specialized standards for signage where those properties possess limited and unique visibility constraints due to higher speeds of traffic and differences in elevation between businesses and passersby. Any freestanding business or

group of businesses shall be allowed the signs described in this subsection. In addition to subsections A1a and A1b of this section, to qualify for such signs the business or group of businesses, if located on more than one lot or parcel, must have a common driveway and unrestricted cross access between the adjoining lots or parcels.

1. To qualify for such signs the business or group of businesses shall:

- a. Abut or have direct access to Pony Express Road or abut the right of way of Bangerter Highway;
- b. Not be included within the Gateway Redwood zoning designation which has its own specific master sign program approval;
- c. Be located in a non-residential zone;

d. Any qualifying freeway frontage road sign must be placed in such a location that it is clearly visible from I-15 or Bangerter Highway traffic and in no case shall the sign be located more than one hundred feet (100') from the I-15 or Bangerter Highway right-of-way.

2. Businesses or a group of businesses within a single development which meet the qualifications of subsection A1 of this section qualify for one tower sign as a substitution for one allowed freestanding monument sign providing the property on which they are located has a minimum two and one-half (2.5) acres and a minimum four hundred (400) linear feet of lot frontage.

a. Freeway Frontage tower sign standards are as follows:

(1) The maximum height shall be fifty (50') in the freeway I-15 frontage road designated area; the maximum height shall be twenty-five (25') in the Bangerter Highway frontage area.

(2) The tower sign's structural support shall be a minimum width of five feet (5') or a minimum of thirty-six inches (36") each for signs with two (2) or more structural supports located near the outside width dimensions of the sign;

(3) The structural supports of the tower sign shall be finished architecturally with detailed masonry products such as concrete masonry units, brick, or stone, which shall be architecturally and aesthetically designed to match the building or development to which it is associated;

(4) The tower sign shall be finished with architectural or decorative elements that serve to relate the sign to the building or development to which it is associated; and

(5) The sign area shall not exceed two hundred (200) square feet in the freeway frontage road designated area along I-15; the sign area shall not exceed one hundred (100) square feet in the freeway frontage road designated area along Bangerter Highway.

(6) The entire allowed sign area may be used for a change panel sign.

3. Properties eligible for freeway frontage signage allowances outlined within this subsection and which have frontage on two (2) public rights-of-way shall be allowed one freestanding monument sign along the nonfreeway frontage street.

4. Properties eligible for freeway frontage signage allowances shall be allowed wall signs outlined in subsection 11-22-7(A)(1) of this chapter.

5. Properties eligible for freeway frontage signage allowances shall be allowed banner signs not to exceed one hundred twenty (120) square feet. All other provisions outlined in subsection 11-22-8 (D) of this chapter regarding banner signs shall apply.

7. Signage outlined in subsections 11-22-7 A4, A5, A6, and A7 of this chapter shall be allowed as outlined in those subsections.

8. Other signs: Signage allowable under this section and section 9-26-100 of this chapter shall be allowed with the added requirements of this subsection.

### **11-22-10: SIGNS NOT REQUIRING A PERMIT:**

Signage outlined in this section are allowed and does not require a sign permit or fee.

A. Official Signs: Signs required or authorized for by law, statute, or ordinance, including: 1) traffic control and devices to identify streets; 2) signs associated with and limited to information and directions required by the building code, fire code, or other city codes; 3) signs specifically designed to meet the requirements of the Americans with disabilities act; 4) signs erected by public utility companies or construction area signs to warn of danger or hazardous conditions; and 5) cornerstones, commemorative tablets, and historical signs.

1. Such signs may be of the type, number, area, height, location, or illumination authorized by the applicable law, statute, or ordinance.

2. No such sign shall be placed in a public right of way unless specifically authorized or required by law, statute, or ordinance.

3. On premises street address identification cannot exceed two (2) square feet in area and is limited to one such sign per use or building, whichever is greater.

4. Cornerstones, commemorative tablets, and historical signs cannot exceed four (4) square feet in area per face and four feet (4') in height if freestanding, and such signs must be nonilluminated or indirectly illuminated.

B. Flags: Flags of any nation, organization of nations, state, county, city, religious group, civic group, fraternal organization, or any educational institution in a number and specification as follows:

1. In residential zones:

a. A maximum of one flagpole not to exceed thirty five feet (35') in height may be installed for every single-family detached residential unit; or

b. A maximum of two (2) flagpoles not to exceed thirty five feet (35') in height each may be installed for every multi-family development.

2. In nonresidential zones:

a. Lots or developments of less than one acre may install one flagpole not to exceed sixty feet (60') in height;

b. Lots or developments of greater than one acre but less than two (2) acres may install up to two (2) flagpoles not to exceed sixty feet (60') in height each; or

c. Lots or developments greater than two (2) acres may install up to three (3) flagpoles not to exceed sixty feet (60') in height each, one of which may be increased to not more than eighty feet (80') in height.

    3. All flagpoles of twenty feet (20') or more in height shall obtain a building permit from the city for the footing structure, pursuant to adopted building codes.

    4. The size of the flag, when measured diagonally, shall not exceed one-third (1/3) of the height of the flagpole. Flagpoles, if designed to accommodate such, may hold more than one flag so long as the combined size of all flags, when measured diagonally, do not exceed one-half (1/2) of the height of the flagpole.

    5. Flags may be illuminated using directional uplighting only as specified in 11-16-19 of this title.

    C. Nonresidential Zones: In nonresidential zones:

    1. Window signs when:

        a. The total area of such signs does not exceed twenty five percent (25%) of the total window area;

        b. The windows in which the signs are placed are on the ground floor level of the building or business unit;

        c. One exposed neon sign not exceeding four (4) square feet in area shall be allowed per street frontage as a part of allowed window signage; and

        d. Window sign shall not be a computer monitor, television screen, or electronic message center.

    2. Two (2) A-frame signs when:

        a. Not taller than three feet (3') high;

        b. Not wider three feet (3');

        c. Displayed during hours of operation for any licensed business;

        d. Not be placed within any right of way unless the building is located less than five feet (5') from the right of way property line in which case A-frame signs may be placed within the park strip area;

        e. Not located on or over any sidewalk or pedestrian walkway or to obstruct the view of vehicular traffic approaching, at, or leaving any intersection or access/egress for any parking area; and

        f. Not illuminated.

    3. A single portable sign, not to exceed two feet (2') in vertical dimension and two feet (2') in horizontal dimension, on private property, subject to the following:

        a. Such signs shall be set back a minimum of ten feet (10') from any right of way property line;

        b. Such signs shall not be located within the parking area of any nonresidential property or within any clear vision area;

c. Such signs shall not rest upon or be attached to any other signage, utility pole or device, or sign identified by subsection A of this section;

d. Such signs shall not be located within or obstruct any public or private sidewalk or other pedestrian walkway; and

e. Such signs shall be located:

(1) On the property containing the enterprise for which the sign represents; or

(2) In the case of a multi-tenant property, within one hundred feet (100') of the enterprise for which the sign represents.

4. Vehicle signs when set back from a minimum of fifty feet (50') from any public or private right of way, park strips, medians, or roundabouts.

D. Holiday Decorations: Holiday decorations or displays associated with any national, local, or religious holiday or celebration when:

1. Displayed for not more than forty-five (45) days prior to and not more than fourteen (14) after the holiday;

2. Contained entirely within the boundaries of the lot or premises where they are erected;

3. Placed so as to avoid confusion with authorized traffic control device; and

4. Conforming to all traffic safety standards, including restrictions in clear view areas.

E. Signs On Residential Properties Subject To Sale, Lease, Rent Or Auction: Properties subject to sale, lease, rent, or auction shall be allowed the following signage without necessity of an application for or issuance of a sign permit:

1. Residentially Zoned Properties:

a. Properties subject to sale, lease, rent, or auction shall be allowed one on site sign of one of the following types:

(1) One "T" shaped post sign subject to the following requirements:

(A) Such sign shall be a maximum of nine (9) square feet hanging from a "T" shaped mounting post;

(B) Such sign shall be set back from the property line not less than five feet (5');

(C) Such sign shall be allowed, without necessity of a permit, for the duration of the property's sale, lease, rent, or auction.

(2) One yard sign subject to the following requirements:

(A) The maximum area of each such signs shall be four (4) square feet;

(B) The maximum height of such signs shall be three feet (3');

(C) Such sign shall be set back from the property line not less than five feet (5'); and

\_\_\_\_\_ (D) Such sign shall be allowed, without necessity of a permit, for the duration of the property's sale, lease, rent, or auction.

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\_\_\_\_\_ b. Properties subject to sale, lease, rent, or auction shall be allowed off site signs as follows:

\_\_\_\_\_ (1) Such signs may be used to direct traffic to a residence for sale, lease, rent, or auction.

\_\_\_\_\_ (2) Such signs shall be used only when a representative is on duty at the residence for sale, lease, rent, or auction or the property owner is present at the property for inspection.

\_\_\_\_\_ (3) The maximum number of such signs shall be three (3), as follows:

\_\_\_\_\_ (A) One sign at the intersection of the arterial or collector street closest in driving distance to the property; and

\_\_\_\_\_ (B) Two (2) signs at intersections leading from the first sign to the property.

\_\_\_\_\_ (4) The placement of such signs shall require permission of the owner of properties on which the signs are to be placed.

\_\_\_\_\_ (5) The maximum area of each such signs shall be four (4) square feet.

\_\_\_\_\_ (6) The maximum height of such signs shall be three feet (3').

\_\_\_\_\_ 2. Nonresidentially Zoned Properties: Properties subject to sale, lease, rent, or auction shall be allowed signs as follows:

\_\_\_\_\_ a. Window signs according to the provisions of subsection C1 of this section; or

\_\_\_\_\_ b. One freestanding sign for which:

\_\_\_\_\_ (1) The maximum area of such sign shall be forty-eight (48) square feet;

\_\_\_\_\_ (2) The maximum height of such sign shall be eight feet (8');

\_\_\_\_\_ (3) Illumination is by indirect lighting only; and

\_\_\_\_\_ (4) Removal is required immediately upon issuance of a sign permit for a new occupant or a building permit to renovate the subject space.

\_\_\_\_\_ F. Political Signs: Political signs may be erected prior to any election without necessity of a permit subject to the following requirements:

\_\_\_\_\_ 1. Such signs must be located on private property, with the owner's permission.

\_\_\_\_\_ 2. Such signs may not be located within any public right of way, public roundabout, or triangular clear view area.

\_\_\_\_\_ 3. Such signs are subject to all requirements and provisions of the Utah Code Annotated and other laws as may be applicable.

\_\_\_\_\_ G. Temporary Banner Signs During Period Of Street Construction:

1. Temporary banner signs may be placed in the public right of way to mark points of ingress and egress.

2. The maximum display period for temporary banner signs used during periods of street construction shall only be for the duration of the construction period.

3. Businesses may qualify for this exception only if the street construction is materially impairing the primary access to the business.

4. Such signs shall be removed within ten (10) business days after construction is done and the material impairment to the primary access to the business is concluded.

C. Signs for Municipal Uses.

### **11-22-11: NONCONFORMING SIGNS:**

To minimize confusion and avoid unfair competitive disadvantage to businesses required to satisfy the standards of this chapter, the city intends to apply regulation of existing nonconforming signs with a view toward their eventual elimination. This goal shall be achieved by imposing limits on change, expansion, alteration, abandonment, and restoration of legally existing nonconforming signs. Except as otherwise provided herein, the provisions of chapter 11-21 of this title regarding nonconforming uses and structures shall apply to nonconforming signs, except where the terms of this chapter conflict, in which case the terms of this chapter shall govern.

A. Legal Nonconforming Signs: A sign legally established prior to the enactment of this chapter which does not fully comply with the terms of this chapter shall be regarded as a legal nonconforming sign. Such signs may be continued subject to being properly repaired and maintained, so long as the existing sign is not expanded in size, relocated, or altered in any way unless the relocation or alteration brings the sign into compliance with this chapter. The following alterations are exempt from this provision:

1. Panel changes for a new business in a legal nonconforming sign; and

2. Copy changes in nonconforming permanent signs which were originally approved by the city with a changeable copy feature.

B. Destroyed Or Damaged Sign: Whenever a legal nonconforming sign is destroyed or damaged by explosion, fire, windstorm, flood, earthquake, vandalism, act of God, or any other means beyond the control of the sign owner, such sign may be restored to its exact size and design immediately prior to its damage or destruction or brought into full and complete compliance with the provisions of this chapter.

1. Any destroyed or damaged legal nonconforming sign requiring repairs, must be repaired back to its exact size and design immediately prior to its damage or destruction within one hundred eighty (180) days. If a destroyed or damaged sign is not repaired within one hundred eighty (180) days it will be considered abandoned and must be repaired to conform to the provisions of this chapter, removed, or it may be dealt with or removed as specified under subsection 11-22-5H4 of this chapter.

2. A sign destroyed or damaged as a result of a public improvement project may be replaced to its exact size and design immediately prior to its damage or destruction, maintaining its legal

nonconforming status, and all permitting fees shall be waived. Such replacement may also include relocation. Any such relocation must be to an on-site location fully complying with the terms of this chapter.

C. Abandonment: Abandonment of a sign shall occur after one hundred eighty (180) days from the first issuance of a notice of abandonment from the city. Any nonconforming sign deemed abandoned must be removed or brought into compliance with this chapter by the property owner. If removal or compliance does not occur, the city may have the nonconforming sign removed through the processes specified in subsection 11-22-5H5 of this chapter. An abandoned sign shall not regain any legal nonconforming status under any circumstance.

D. Voluntary Conformance Fee Waiver: When any existing legal nonconforming sign is voluntarily brought into conformance with the provisions of this chapter, all fees associated with application and permitting procedures for any resulting conforming replacement sign shall be waived by the city. If multiple signs are to be replaced, only nonconforming signs shall be eligible for the fee waiver.

E. Signs Rendered Nonconforming By Capital Improvements Projects Or Public Action: Sites experiencing a reduction in setback for the benefit of a capital improvements project or public action shall be allowed:

1. To maintain existing signage as legal nonconforming signage; or
2. If a sign is altered or required to be relocated by the action, the site shall be allowed the signage opportunities allowed by this chapter.

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**11-22-12: PROHIBITED SIGNS:**

The following signs shall not be permitted, erected, or maintained within the city:

A. Animated signs or signs with:

1. Visible moving, revolving, or rotating parts or visible mechanical or electrical movement of any kind;
2. The optical illusion of movement or giving the illusion of motion; or
3. Lights or illumination which flash, move, rotate, blink, flicker, or use intermittent electrical pulsations;

B. Strings of light bulbs other than that needed to illuminate outdoor seating or patio areas or traditional holiday decorations during a holiday season, applicable to nonresidential uses only;

C. Signs which:

1. Emit or are designed to emit sound, steam, or smoke intended to attract attention, by any means;
2. Involve the use of live or preserved animals; or
3. Create unsafe glare;

D. Any sign determined to be abandoned or illegal;

E. Any sign which is installed or erected in or projects into or over any public or private right of way, park strips, medians, or roundabouts, except as expressly permitted by the terms of this chapter;

F. Signs not permanently affixed or attached to the ground or to any structure except for temporary signs expressly permitted by this chapter;

G. Any sign or sign structure which constitutes a hazard to safety or health by reason of inadequate installation, maintenance, or dilapidation;

H. Any sign or sign structure which:

1. In any way obstructs the view of, may be confused with, or purports to be an official traffic sign, signal, or device or any other traffic control, warning, or public safety device; or

2. Creates an unsafe distraction for or obstructs the view of vehicle operators entering a public roadway from any parking area, service drive, private driveway, alley, or other thoroughfare;

I. Any sign which obstructs the free ingress to or egress from any door, window, fire escape, or other building entrance or exitway;

J. Any sign with a changeable or removable text or panel feature, except where specifically allowed by the provisions of this chapter;

K. Off premises advertising signs or any other sign not pertinent and clearly incidental to the permitted use on the property where located, except as expressly provided for elsewhere in this chapter, title, or approved development agreement;

L. Portable signs or signs not otherwise permanently affixed to any structure on the site, permanently mounted to the ground, or otherwise located on one or more wheels;

M. Signs for the purpose of general outdoor advertising of products or services, or signs advertising a use, service or attraction not located in the city, except as provided for elsewhere in this chapter, title, or approved development agreement;

N. Flags, banners, pennants or strings of pennants, wind or forced air powered signs, or other devices designed or allowed to wave, flap, or rotate with the wind except for flags, pennants, and insignias expressly permitted by this chapter;

O. Banners of any size for which a temporary sign permit has not been issued according to this chapter;

P. Inflatables, unless expressly permitted by this chapter;

Q. Roof mounted signs or signs which project above the roofline or the bottom of the eaves of a building whichever is lower, but signs within a gable shall not be considered above the eaves and, for the purpose of this subsection, dormers shall not be considered a permissible gable area for signage;

R. Sign of an advertising nature posted or glued directly on an exterior wall, roof or affixed directly on the same by any means of a similar adhesive substance. No paper, cloth, vinyl, or other nonrigid material sign, except for flags as provided for elsewhere in this chapter, shall be tacked directly on any exterior wall, or roof, except those allowed as temporary signs as defined elsewhere in this chapter;

T. Graffiti;

U. Handbills and snipe signs;

V. Business signs in residential and agricultural zones, or on properties containing a residential use except as expressly permitted in this chapter for an operating and licensed home occupation or commercial use on the same property;

W. Any sign not in compliance with this chapter or any applicable provisions of this title;

X. Any sign type not expressly permitted by this chapter;

Y. Electronic message centers.

Z. Portable signs within any public or private right of way, sidewalks, park strips, medians, or roundabouts.

AA. Bench signs.

BB. Sculpture signs including reproductions of products, actual products, statuary or other objects representing a product, location, service or entity.

**11-22-13: SEVERABILITY:**

If any section, part or provision of this chapter is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this chapter, and all sections, parts and provisions of this chapter shall be severable.

**11-22-14: NONAPPURTENANT ADVERTISING STRUCTURES (BILLBOARDS):**

Nonappurtenant advertising structures (billboards) shall be permitted within four hundred fifty feet (450') of the nearest edge of the Interstate I-15 right of way in the light industrial (I-1) zone and shall be erected and maintained only in conformance with the following provisions:

A. Maximum Area: Each nonappurtenant advertising structure may have a maximum area of six hundred seventy five (675) square feet per face.

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B. Maximum Height: Notwithstanding any contrary provisions in this chapter, nonappurtenant advertising structures, including nonconforming nonappurtenant advertising structures, may have a maximum height of thirty five feet (35') measured from the surface of the nearest traveled lane of the adjacent public street, or of the nearest traveled lane of Interstate 15 if the nonappurtenant advertising structure is within four hundred fifty feet (450') of the Interstate 15 right of way, whichever is greater.

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C. Location: All such nonappurtenant advertising structures shall be located behind the line of the required front yard setback of the zone in which it is located and a minimum of four hundred feet (400') from the nearest residential zone. The nonappurtenant advertising structures shall also be spaced with a minimum of one thousand feet (1,000') maintained between each nonappurtenant advertising structure measured in any direction.

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D. Number Of Sign Faces Permitted: Each nonappurtenant advertising structure shall be limited to one sign face, except that two (2) sign faces may be permitted when said faces are mounted back to

back with the faces in parallel planes at distances not exceeding four feet (4') apart; or that two (2) sign faces may also be permitted when the faces are mounted in a "V" configuration, when said faces are attached on one end and have a maximum distance of thirty feet (30') apart at the other end. Two (2) sign faces may also be permitted if the total area of two (2) is not greater than the maximum area for one face, if both faces were originally erected together.

E. Materials And Construction: All nonappurtenant advertising structures shall be constructed of materials prescribed by the international building code, and construction techniques shall be approved by the building official. All said nonappurtenant advertising structures must be issued a building permit prior to construction.

F. Maintenance: The owner or persons in control shall be responsible for maintaining such nonappurtenant advertising structures, including border, trims, faces, weight bearing and bracing structures, and surrounding grounds or environment in a litter free and safe manner. Signs shall not be allowed to deteriorate and must be repaired or removed.

G. Upgrade Of Nonappurtenant Advertising Structures: Notwithstanding any contrary provisions in this chapter, a nonappurtenant advertising structure, including a nonconforming, nonappurtenant advertising structure, may be modified to include an electronic display. Upgrade to an electronic display shall not affect a nonconforming, nonappurtenant advertising structure's status as a nonconforming use or a nonconforming structure.

1. The applicant must submit a complete building permit application in accordance with subsection 11-22-4A of this chapter.

2. The nonappurtenant advertising structure must be located within four hundred fifty feet (450') of the nearest edge of the I-15 right of way and located no closer than one thousand feet (1,000') from another nonappurtenant advertising structure with an electronic display oriented to the same direction of traffic on I-15.

3. A nonappurtenant advertising structure located within a zoning district that allows residential uses shall not be upgraded to include an electronic display.

4. Upgrade to an electronic display sign may not increase a nonappurtenant advertising structure's size of its display area.

5. The electronic display may occupy the entire display area of the sign.

6. The electronic display may use any method of illumination identified in section 11-2-2 of this title, or a similar technology approved by the zoning administrator.

7. All electronic display signs shall comply with the following illumination requirements:

a. All electronic display signs shall be equipped with a sensor or other device that automatically determines the ambient illumination and is programmed to automatically dim according to ambient light conditions, or that can be adjusted to comply with the 0.3 foot-candle measurements set forth in subsection G7b of this section. In addition, electronic display signs must have a default mechanism to hold constant static image or turn off the sign within twenty four (24) hours of a reported malfunction that causes the display to violate these illumination requirements.

b. Sign illumination levels for electronic display signs shall never operate at a brightness intensity to exceed 0.3 foot- candle over ambient lighting conditions when measured at the distance set forth in subsection G7e of this section. Light cutoff devices shall minimize light above the sign.

c. The illuminance of an electronic display sign shall be measured with an illuminance meter set to measure foot-candles accurate to at least two (2) decimals. Illuminance shall be measured with the electronic display sign off, and again with the electronic display sign displaying a white image for a full color capable electronic display sign, or a solid message for a single color electronic display sign. All measurements shall be taken perpendicular to the face of the electronic display sign at the distance determined by the total square footage of the electronic display sign, as set forth in subsection G7e of this section.

    d. The application shall include a written certification from the sign manufacturer, showing that the electronic display sign is properly equipped and will be configured upon installation to meet the requirements of this subsection G7.

    e. Measurement distance for electronic display signs:

<u>Area Of Sign</u>	<u>Measurement Distance</u>
<u>0 - 100 square feet</u>	<u>100 feet</u>
<u>101 - 350 square feet</u>	<u>150 feet</u>
<u>351 - 650 square feet</u>	<u>200 feet</u>
<u>Over 650 square feet</u>	<u>250 feet</u>

    8. The interval between message changes on an electronic display shall not be more frequent than eight (8) seconds and the actual message rotation process must be accomplished in one second or less.

    9. Electronic display sign faces which contain, include, or are illuminated by any flashing, intermittent, full motion video, scrolling, strobing, racing, blinking, changes in color, fade in or fade out, or any other imitation of movement or motion, or any other means not providing constant illumination, are prohibited.

    10. The text, images and graphics of the electronic display sign shall be static and complete within themselves, without continuation in content to the next image or message, or to any other sign.

    11. Any sign face upgraded under this subsection that is located within three hundred fifty feet (350'), measured from the electronic display face to a residential dwelling, hotel, motel, hospital, or similar commercial or institutional facility where overnight or transient lodging occurs, and oriented toward a legally occupied residential dwelling, hotel, motel, hospital, or similar commercial or institutional facility where overnight or transient lodging occurs, shall be required to adhere to the curfew described below:

    a. If a nonappurtenant advertising structure with an electronic display face is within three hundred fifty feet (350') of a legally occupied dwelling, hotel, motel, hospital, or similar commercial or institutional facility where overnight or transient lodging occurs that is within a forty five degree (45°) radius area measured from the center point of the electronic display face, then this electronic display face shall display only one static illuminated message nightly from eleven o'clock (11:00) P.M. until six o'clock (6:00) A.M.;

    b. If a nonappurtenant advertising structure with an electronic display face is within one hundred fifty feet (150') of a legally occupied dwelling, hotel, motel, hospital, or similar commercial or institutional facility where overnight or transient lodging occurs that is within a ninety degree (90°) radius area measured from the center point of the electronic display face, then this electronic display face shall be shut off nightly from eleven o'clock (11:00) P.M. until six o'clock (6:00) A.M.; and

c. The curfew conditions set forth in this subsection G11 are not applicable if the message displayed is an emergency public safety warning or alert, such as an AMBER alert.

12. This subsection G does not authorize the location of a new nonappurtenant advertising structure in a location not permitted or allowed under the existing and applicable ordinances. (Ord. 2015-13, 10-28-2015)

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Site Plan Application Requirements

**11-15-030(B)(1)**

o. Description of master sign program, pursuant to the requirements of 11-22-5(A)

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For Home Occupations

**11-23-2: GENERAL REQUIREMENTS:**

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14. Signs shall be limited to one non-flashing sign no larger in area than two (2) square feet **1**

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**1** 1. See also subsection ~~11-22-8~~11-22-7(B)(1) of this title.