

ORDINANCE NO. 2023 - 599

AN ORDINANCE AMENDING SECTION 2.08 (DEFINITIONS), SECTION 8.04-F (NOTIFICATION REQUIREMENTS), SECTION 8.24 (SIGNS), OF THE UTAH COUNTY LAND USE ORDINANCE RELATED TO THE REQUIREMENTS AND STANDARDS FOR SIGNS

WHEREAS, Utah County Planning Commission has initiated a review of Utah County Land Use Ordinance of Section 2.08 (Definitions), Section 8.04-F (Notification Requirements), Section 8.24 (Signs), related to the requirements and standards for signs; and

WHEREAS, the Planning Commission addressed the proposed amendment to the Utah County Land Use Ordinance during a regularly scheduled meeting of the Planning Commission on May 16th, 2023, held a public hearing regarding the proposed amendment, and made a recommendation to the Board of County Commissioners regarding the proposed amendment; and

WHEREAS, the Board of County Commissioners has received and carefully reviewed the recommendation from the Planning Commission regarding the proposed amendment, and the minutes from the Utah County Planning Commission meeting and public hearing regarding the proposed amendment to the Utah County Land Use Ordinance; and

WHEREAS, the Board of County Commissioners has received and carefully reviewed the input, documents, and testimony from the public regarding the proposed amendment to the Utah County Land Use Ordinance; and

WHEREAS, the Board of County Commissioners finds the amendment to the Utah County Land Use Ordinance conforms to the Utah County General Plan, is consistent with the other provisions of the Utah County Land Use Ordinance; and

WHEREAS, the Board of County Commissioners finds the proposed amendment to the Utah County Land Use Ordinance is in the best interest of the health, safety, and welfare of the citizens of Utah County; and

NOW, THEREFORE, THE COUNTY LEGISLATIVE BODY OF UTAH COUNTY ORDAINS AS FOLLOWS:

Part I:

Section 2.08 of the Utah County Land Use Ordinance is hereby amended, including the appropriate re-numbering and re-formatting of applicable subsections, to add or amend the following definitions:

ENT 37811:2023 PG 1 of 7
ANDREA ALLEN
UTAH COUNTY RECORDER
2023 Jun 12 2:33 pm FEE 0.00 BY AR
RECORDED FOR UTAH COUNTY COMMUNITY

See Exhibit "A"
Amendment of Sections 2.08, 8.04-F, and 8.24 of the Utah County Land Use Ordinance

Part II:

Sections 8.04-F and 8.24 of the Utah County Land Use Ordinance are hereby amended, including the appropriate re-numbering and re-formatting of applicable subsections, to read as depicted in the following attachment,

See Exhibit "A"
Amendment of Sections 2.08, 8.04-F, and 8.24 of the Utah County Land Use Ordinance

Part III:

A copy of the Utah County Land Use Ordinance, as amended herein, is hereby ordered to be filed in the office of the Utah County Clerk.

Part IV:

If any of the sections, sentences, clauses, or provisions of this ordinance shall for any reason be adjudged inapplicable or invalid by a court of competent jurisdiction, such shall not affect or invalidate the remaining portion contained herein.

Part V:

This ordinance shall become effective fifteen (15) days after it is passed and upon at least one (1) publication in a newspaper published in and having general circulation in Utah County.

PASSED and ordered published this 7th day of June 2023.


UTAH COUNTY COMMISSION



AMELIA POWERS GARDNER, CHAIR

VOTE

Yes



BRANDON GORDON, VICE-CHAIR

Yes

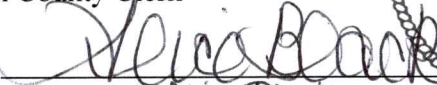

THOMAS V. SAKIEVICH, COMMISSIONER

Yes

ATTEST:
AARON R. DAVIDSON
Utah County Clerk



APPROVED AS TO FORM:
JEFFREY S. GRAY
Utah County Attorney

By: 
Deputy - Alice Black

Approved

Disapproved

By: 
Deputy - Dale Eyre

Date of Publication: Once only, as soon as possible

Exhibit "A"

Amendment of Sections 2.08, 8.04-F, and 8.24 of the Utah County Land Use Ordinance

UCLUO 2.08 Definitions – Land Use

"Adjacent lot or parcel" Land touching along a common side or so close in proximity as to be separated only by the width of a road, canal, railroad track, or similar right-of-way.

"Sign" Any medium, including its structure, which has words, letters, figures, designs, symbols, logos, illumination, or projected images. For the purposes of UCLUO 8.24, "signs" do not include those only visible from the inside of a building or athletic field/stadium; nor do "signs" include those held by or attached to a person.

- A. Sign, Accessory: A sign which is located on the premises, and which directs attention to a permitted use or permitted conditional use allowed in the zone and which use is currently or will imminently be conducted on the premises.
- B. Sign, Attached: Words, letters, figures, designs, symbols, logos, illumination, or projected images that are attached to or part of a building.
- C. Sign Face: The outer prepared surface of a sign structure which is designed for graphic display of information. If two sign faces are attached to one sign structure, the sign faces must oppose each other and are considered as one sign. Where a sign is attached, the sign face shall be considered to be that of the smallest rectangle which encompasses all words, letters, figures, designs, symbols, logos, illumination, or projected images.
- D. Sign, Non-accessory (including 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.
- E. Sign, Free-standing: A sign which is not attached to or part of a building.
- F. Sign, Government: A sign that displays traffic, street name, or other information and is placed by the federal, state, or local government on public or private property or which the federal, state, or local government requires to be constructed, placed, or maintained.
- G. Sign, Temporary: A sign constructed of cloth, canvas, vinyl, paper, plywood, fabric, plastic, or other lightweight material that is neither permanently installed in the ground nor permanently affixed to a building or structure that is permanently installed in the ground. The term "temporary sign" includes, but is not limited to, A-frame signs, lawn signs, banners, inflatable signs, and window signs. The term "temporary sign" does not include flags.
- H. Sign, Nonconforming: Any sign which was lawfully erected in compliance with the applicable regulations of the zoning ordinance prior to the effective date of this

chapter and which fails to conform to the current standards or restrictions, the use of which has not been discontinued for longer than one (1) year.

UCLUO 8.04-F Notification Requirements

- F.
1. Mailed not less than ten calendar days before the public meeting and addressed to the owner (as found on the most recent county assessment roll) of each adjacent lot or parcel; or
 2. Posted not less than ten calendar days before the public meeting on the property proposed for a conditional use, large-scale development, subdivision, minor subdivision, or variance, in a visible location, with a sign of sufficient size, durability, and print quality that is reasonably calculated to give notice to those who pass by.

UCLUO 8.24 - Signs

- A. **Legislative Intent:** The purpose of this Section is to promote and protect the public health, safety, and welfare. It is intended to:
1. Stabilize and reinforce property values to protect private and public investment;
 2. Preserve and reinforce the natural, historic, and architectural qualities of neighborhoods;
 3. Establish and enhance aesthetic and architectural compatibility within neighborhoods and commercial areas;
 4. Create a regular and impartial process for businesses and/or persons seeking to erect signs;
 5. Reduce sign obstructions and distractions that may contribute to traffic accidents and reduce hazards that may be caused by signs overhanging or projecting over public rights-of-way; and
 6. Provide approved locations for sign structures within zones.
- B. **Signs Permitted in All Zones:** In addition to signs expressly permitted in specific zones, the following signs shall be permitted in any zone:
1. Government signs.
 2. Temporary signs on private property that do not exceed nine (9) square feet per sign face.
- C. **Prohibited Signs:** The following are prohibited:
1. Any sign which is structurally unsafe, unsafely installed, or otherwise hazardous to physical safety.

2. Any sign that obstructs free ingress to or egress from a fire escape, door, window, or other required access way to or from a building or site.
 3. Any sign not maintained in good condition.
 4. Any sign that blocks a driver's clear line of sight of traffic or pedestrians, that interferes with the view of, or is confused with, any traffic control sign or device, or that misleads or confuses traffic flow.
 5. Any sign with obscenities, as defined by federal court precedent.
 6. Any sign nailed, fastened, or affixed to any tree.
 7. Any sign located on private property against the wishes of the property owner.
 8. Any sign that otherwise violates this sign code.
 9. Enforcement against Prohibited Signs
 - a. If, upon inspection, a sign violates this section, the owner shall be given notice of the nature of the violation with reasonable time to repair, remove, or modify the sign to bring it into compliance.
 - b. In cases of emergency, meaning cases where a sign presents an imminent hazard to public safety, the sign may be immediately removed at the owner's expense.
- D. **Signs in the RR-5, TR-5, RA-5, M&G-1, A-40, G-1, CE-1, and CE-2 Zones:** In addition to the signs permitted by Paragraph B, accessory signs are permitted in the RR-5, TR-5, RA-5, M&G-1, A-40, G-1, CE-1, and CE-2 Zones subject to the following limitations:
1. Such signs, in aggregate, shall be limited to two (2) per lot or parcel; and signs with separation of not less than fifty (50) feet.
 2. Any such sign shall not exceed a sign face of thirty-two (32) square feet in area.
 3. No sign may exceed the height of eight (8) feet, except for a sign attached to a building, in which case the sign shall not exceed the height of the building to which it is attached.
- E. **Signs in the HS-1 and NC-1 Zones:** Signs in the HS-1 and NC-1 Zones shall be limited to those permitted by Paragraph B, plus attached and freestanding accessory signs.
1. Any such sign shall not exceed a sign face of sixty-four (64) square feet in area.
 2. No sign may exceed the height of twelve (12) feet, except for a sign attached to a building, in which case the sign shall not exceed the height of the building to which it is attached.
- F. **Signs in the I-1 Zone:** Signs in the I-1 Zone shall be limited to those permitted by Paragraph B, plus attached and freestanding accessory signs and non-accessory signs (billboards), subject to the following:
1. Non-accessory sign structures shall be separated by a distance of not less than 500 feet from another such non-accessory sign structure.
 2. Non-accessory sign structures may have a maximum of two sign faces which must oppose each other.
- G. **Location and Setback:** In any zone, signs, except for government signs, shall be set back from a public street or property line so that no portion of the sign face or sign structure

shall protrude into the right-of-way of a public street or into an adjacent property and shall abide all the location requirements provided in Paragraph C. Prior to receiving a building permit for a sign structure adjacent to frontage, the County Engineer must find that vehicle safety and driver sight distances will not be reduced below adopted standards by the location, design, and lighting of the sign.

H. Lighting:

1. Non-accessory Signs (Billboards) may be illuminated as per the current state code.
2. Illumination of accessory signs of signs shall be accomplished by means of back-lighting or shielded light sources. No flashing, non-constant, or moving light sources shall be permitted or constitute a part of any sign, with the exception of public service information signs owned by a governmental entity.

I. General Provisions:

1. Signs not expressly permitted as being allowed by right or according to this ordinance are not permitted.
2. Nothing in this code is intended or shall be construed so as to prevent the strengthening or restoration to a safe condition of a nonconforming sign for purposes of the public health and safety.