

ORDINANCE NO. 2012-13

**AN ORDINANCE AMENDING SECTION 2-2-B-88, DEFINITION OF SIGN, AREA OF,
AND SECTION 3-30, SIGNS; OF THE UTAH COUNTY LAND USE ORDINANCE**

WHEREAS, the Utah County Planning Commission has initiated a review of the Utah County Land Use Ordinance (UCLUO), dealing with amendments to Section 2-2-B-88, Definition of Sign, Area of, and Section 3-30, Signs, as indicated in the above stated sections; and

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

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

WHEREAS, the Board of County Commissioners finds that the proposed amendments to the Utah County Land Use Ordinance are in the best interest of the health, safety, and welfare of the citizens of Utah County, considering all factors.

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

Part I:

Section 2-2-B-88, Definition of Sign, Area of, of the Utah County Land Use Ordinance is hereby amended to read as follows:

2-2 DEFINITIONS

B. LIST OF DEFINITIONS

88. Sign



Any medium, including its structure, symbols, and other component parts, which is used or intended to be used to attract attention to the subject thereon.

- 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 conducted on the premises.
- b. Sign Face.
The outer prepared surface of a sign structure which is designed for graphic display of information, with each sign face being considered as one sign, and if two sign faces are attached to one sign structure the sign faces must oppose each other and are considered as two signs. Where a sign consists of individual letters or symbols attached to or painted on a structure, the sign face shall be considered to be that of the smallest rectangle which encompasses all letters or symbols.
- c. Sign, Non-accessory ("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.
- d. Sign, Free-standing.
A sign which is not attached to or part of a building.
- e. Sign, Pennant.
A banner of cloth or other supple sheeting which contains advertising words or symbols.
- f. Sign, Directional.
A sign not greater than nine square feet in area that provides only the name and address of a business, permitted agricultural use, or temporary event, and other directional information to locate such business or uses.

Part II:

Section 3-30, Signs, of the Utah County Land Use Ordinance is hereby amended to read as follows:

3-30: 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 advertising distractions that may contribute to traffic accidents, and reduce hazards that may be caused by signs overhanging or projecting over public rights-of-way;
6. Provide approved locations for sign structures within zones;
7. Provide the property owner or business owner the ability to advertise goods and services; and
8. Allow the expression of noncommercial copy.

B. SIGNS PERMITTED IN ALL ZONES

In addition to other signs which may be permitted, the following signs shall be permitted in any zone:

1. Temporary real estate signs that advertise the sale or rental of the property on which such signs are located, provided no sign face is larger than thirty-two (32) square feet in area and no sign structure is closer than six hundred sixty (660) feet to another such sign structure on the same parcel of property.
2. Traffic, street name, and information signs placed by a governmental agency on public property.
3. Political signs.
4. Temporary directional signs for time limited events, limited to not more than two (2) signs per specific event or site(s) related to the event that do not exceed nine (9) square feet of sign face per sign, that may be placed ten (10) days prior to the event and must be removed within ten (10) days from the closing day of the event. Directional signs shall only contain the name and address of the event or site and directional information to locate the event or site.

C. SIGNS IN THE RR-5, TR-5, RA-5, M&G-1, A-40, CE-1 AND CE-2 ZONES

In addition to the signs permitted by part B above, accessory signs (a sign which is located on the parcel and which advertises legal uses located on the parcel) are permitted in the RR-5, TR-5, RA-5, M&G-1, A-40, CE-1 and CE-2 Zones subject to the following limitations:

1. Such signs, in aggregate, shall be limited to two (2) per lot; and signs with only one sign face located on a single lot or parcel shall have a required separation of not less than fifty (50) feet.
2. Any such sign in the RR-5, TR-5, and CE-2 Zones shall not exceed a sign face of sixteen (16) square feet in area, except that signs located in an approved, recorded, recreational resort plat, shall not exceed the size limitation as shown on said plat.
3. Any such sign in the RA-5, M&G-1, A-40, and CE-1 Zones shall not exceed a sign face of thirty-two (32) square feet in area.
4. No sign may exceed the height of eight (8) feet, except for a sign attached to a structure, in which case the sign shall not exceed the height of the structure to which it is attached, except that signs located in an approved, recorded, recreational resort plat, shall not exceed the height limitation as shown on said plat.

D. SIGNS IN THE RA-5, M&G-1, A-40 AND CE-1 ZONES

Directional signs that provide only directional information to locate a business at the site address indicated on the approved Utah County business license or the property of an approved agricultural use when such business or agricultural use is located within unincorporated Utah County, and which meets all of the following criteria:

1. Maximum of two sign faces per business or two sign faces per agricultural use, and signs with only one sign face shall have a required separation of not less than fifty (50) feet;
2. Each sign face shall not exceed nine (9) square feet in area;
3. Each sign shall only contain the name and address of the business or agriculture use and directional information to locate the business or agricultural use;
4. A directional sign shall be located not more than one (1) mile from the business site or agricultural use;
5. If two (2) directional signs per business license or agricultural use are utilized they shall not be at the same location and shall be separated by a minimum distance of 1,320 feet; and
6. If two or more directional signs are placed at the same location on the same or adjacent sign structure due to two or more licensed businesses or agricultural uses, each directional sign face shall be separated from another directional sign face by not less than one (1) foot in any direction.
7. The applicant for a directional sign shall submit to the Community Development Department a site plan showing the location of the directional sign or signs, the content that will be placed on each sign face, and written approval from the property owner on whose land the sign or signs will be located if the land is not owned by the applicant.
8. A Zoning Compliance Permit shall be issued by the Community Development Department only after it is determined that the directional sign or signs have met all of the above criteria.

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 part B above, plus attached and freestanding accessory signs which advertise legal uses located within the HS-1 or NC-1 zoning district boundaries within which the sign is located as per the approved site plan.

F. SIGNS IN THE I-1 ZONE

Signs in the I-1 Zone shall be limited to those permitted by part B above, plus attached and freestanding accessory signs and non-accessory signs (billboards), subject to the following:

1. Freestanding non-accessory sign structures shall be separated by a distance of not less than 500 feet from another such non-accessory sign structure.
2. Freestanding non-accessory sign structures may have a maximum of two sign faces which must oppose each other.

G. LOCATION AND SETBACK

In any zone, except for traffic, street name, and information signs placed by a governmental agency on public property, 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. Prior to receiving a building permit for a sign structure, 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 or as per accessory signs in subsection H-2 below.
2. Accessory Signs in the HS-1 and NC-1 Zones, illumination of signs shall be accomplished by means of back-lighting or shielded light sources in such a manner that no glare shall extend beyond the property lines of the property upon which such sign structures are located, and no glare shall disturb the vision of passing motorists or constitute a hazard to traffic. 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.
3. All other signs shall not be illuminated.

I. LICENSES FOR NON-ACCESSORY SIGNS

An annual business license fee shall be paid to Utah County for each non-accessory sign structure (Billboard).

J. SUBSTITUTION CLAUSE

Notwithstanding anything herein to the contrary, noncommercial copy may be substituted for commercial copy on any lawful sign structure.

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/Auditor.

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 10TH day of April, 2012.

UTAH COUNTY COMMISSION

VOTE

Larry A. Ellertson
LARRY A. ELLERTSON, CHAIR

aye

Doug Witney
DOUG WITNEY, COMMISSIONER

aye

excused
GARY J. ANDERSON, COMMISSIONER

X

ATTEST:
BRYAN E. THOMPSON
County Clerk/Auditor

APPROVED AS TO FORM:
JEFFREY R. BUHMAN
County Attorney

By: *Bennie Higgins*
Deputy



Approved

Disapproved

By: *Paul [Signature]*
Deputy

Date of Publication: Once only, as soon as possible