

**VINEYARD  
ORDINANCE 2021-08**

**AN ORDINANCE OF THE CITY OF VINEYARD UTAH AMENDING THE  
VINEYARD ZONING ORDINANCE SECTION 15.48.040 'GENERAL' AND  
SECTION 15.48.070 'SIGN STANDARD TABLE'; PROVIDING A REPEALER  
CLAUSE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE,  
PROVIDING FOR PUBLICATION AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Title 10, Chapter 9a Municipal Land Use, Development, and Management Act of Utah Municipal Code, permits Vineyard to ensure the health, safety, and welfare of the community through local land use planning and the adoption of land use ordinances; and

**WHEREAS**, Vineyard is authorized to amend the City's Zoning Ordinance pursuant to Utah Municipal Code Section 10-9a-102(2); and

**WHEREAS**, the Planning Commission held a public hearing on August 4, 2021, and after fully considering public comment and staff recommendations recommended approval to the Vineyard City Council; and

**WHEREAS**, the Vineyard City Council, having reviewed the proposed text amendments, held a public hearing on August 11, 2021; and

**WHEREAS**, the Vineyard City Council having considered the recommendation of the Planning Commission and submitted comments and testimony from the public, having determined that it is in the best interest of the public and adopt the proposed text amendments to the Zoning Ordinance.

**NOW THEREFORE**, be it ordained by the Council of Vineyard, in the State of Utah, as follows:

**SECTION 1:**        **AMENDMENT** “15.48.040 General” of the Vineyard Zoning Code is hereby *amended* as follows:

A M E N D M E N T

15.48.040 General

Signs shall be allowed within the city according to the regulations contained in this section. It shall be unlawful to erect or otherwise display a sign without complying with the applicable terms and provisions of this section.

1. Sign Permit Required: Prior to erecting, construction, placement, relocation, alteration, and/or modification of any sign, a sign permit shall be obtained from the city except as

exempted within this Title. Such application for sign permit shall be subject to standards, procedures and other requirements of this section.

2. Permit Exemptions: The following items are exempt from permit requirements but shall conform to the specifications of this Title and sign definitions listed in Section 15.48.080:
  - a. Official Signs, signs of a noncommercial nature and in the public interest, erected by, or on the order of a public officer
  - b. Incidental signs not over 6 SF in size
  - c. Standard sign maintenance
  - d. Interior signs that are not visible or intended to be visible from the public-way
  - e. Site address
  - f. Flags
  - g. Temporary signs except as stated within this Title
  - h. Window Signs
3. Permit Application Process
  - a. Except as otherwise noted in this Title, it shall be unlawful for any persons to erect, alter, construct, or relocate any sign within the city without first obtaining a permit. In addition, electrical permits are required for electrical signs.
  - b. A sign permit application shall be submitted to the Planning Department on an application formatted and maintained by the city. The application shall contain:
    - i. The number of proposed signs
    - ii. The location of the sign/s on the building or premises
    - iii. Plans and specifications including attachment details
    - iv. Final elevations/details, in color, showing the dimensions, materials, colors, design, method of illumination, and landscaping for all proposed freestanding signs
    - v. Building elevations/details denoting the areas designated for wall mounted signage
    - vi. All plans shall show complete details to include size, materials, colors, method of support or attachment
    - vii. Any additional materials required by the city in order to approved the sign permit for issuance
  - c. Prior to the issuance of any sign permit application, the city shall collect a sign permit fee in accordance with a fee schedule established by the city council.
  - d. If installation of a sign has not commenced under any permit issued under the provision of this Title within one hundred eighty (180) days from the date of such permit, or upon completion of building, such permit shall become null and void.
  - e. All signs for which a permit is required shall be subject to the following inspections:
    - i. Footing inspection on all freestanding signs exceeding six (6') feet in height
    - ii. Inspection of all braces, anchors, supports, and connections, including wall signs

- iii. All signs containing electrical wiring shall be subject to the city's adopted electrical code, inspected to meet code compliance and; all electrical components shall bear the label of an approved testing agency.
- iv. Site inspection to ensure that the sign has been constructed according to the approved application and valid sign permit

#### 4. Sign Standard Waiver

- a. Purpose: A Sign Standard Waiver may be approved by the Planning Commission as an alternative to the requirements set forth in this Title for the uses and developments listed below:
  - i. Stand-alone or Multi-tenant commercial, office or employment uses
  - ii. A multi-building complex for a single commercial or employment use in a project exceeding 40 net acres
  - iii. Shopping Centers
  - iv. Hospitals
  - v. Hotels and Commercial lodging having at least 150 guest rooms and a full-service restaurant or conference and meeting rooms
  - vi. Conference Centers
  - vii. ~~vii.~~ Auto malls
  - viii. Indoor or Outdoor commercial recreation areas
  - ix. Commuter/light rail stations
  - x. Motor vehicle fueling stations
  - xi. Drive-thru facilities
  - xii. Gateway Feature
- b. Conditions: The Planning Commission may attach conditions, requirements, or standards necessary to assure that the signs covered by the Sign Standard Waiver meet the intent of this Title and will not be materially detrimental to persons or property in the vicinity. In making its determination the Planning Commission shall not base any condition on the message content of a sign. The Planning Department will have the right to inspect that any conditions set by the Planning Commission are being met.
- c. Evaluation Criteria: Sign Standard Waivers shall be evaluated based on the following criteria:
  - i. Placement: All signs shall be placed where they are visible and legible. Factors to be considered include its location relative to traffic movement and access points, site features, other structures, and orientation relative to viewing distances and sight triangles. Wall signs may be approved on building walls other than the wall space occupied by the tenant in commercial centers in which some tenants have little or no visibility from the street.
  - ii. Quantity: The number of signs that may be approved within any development shall be sufficient to provide necessary facilitation of internal circulation of vehicular and pedestrian traffic and way finding for safety of the occupants of vehicles and pedestrians. Factors to be considered shall be those that impact safety considerations such as the

- size of the development and the number of development sub-areas.
- iii. Height: All signs shall be no larger than necessary for visibility and legibility. In no event shall a Sign Standard Waiver contain a freestanding sign that exceeds by more than twenty feet (20') for multi-tenant signs and ten feet (10') for single tenant signs.
  - iv. Sign Area: ~~In no event shall any sign exceed more than twenty-five percent (25%) any maximum sign area standard permitted by this Title.~~ The Planning Commission may approve a wall signage area not to exceed 8% on any single elevation as long as the signage area is reallocated from an additional elevation.
  - v. Design Features and Materials: Sign design themes and materials shall be compatible with the architecture, colors, and materials of the project.
- d. Procedure
- i. A sign permit application shall be submitted to the Planning Department on an application formatted and maintained by the city. The application shall contain:
    - (1) The number of proposed signs
    - (2) The location of the sign/s on the building or premises
    - (3) Plans and specifications
    - (4) Final elevations/details, in color, showing the dimensions, materials, colors, design, method of illumination, and landscaping for all proposed freestanding signs
    - (5) Building elevations/details denoting the areas designated for wall mounted signage
    - (6) Photometric Plan for signs with illumination
    - (7) All plans shall show complete details to include size, materials, colors, method of support or attachment
    - (8) A narrative describing why a waiver is needed
    - (9) Any additional materials required by the city planner or authorized designee
  - ii. Once staff has deemed the application complete the application will be taken to the next reasonable Planning Commission meeting.
- e. Other
- i. Prohibited signs are excluded from receiving a Sign Standard Waiver, except as allowed within this Title.

## 5. Nonconforming Signs

- a. Reasonable repair and maintenance of nonconforming signs shall be allowed. In the event a nonconforming sign is damaged or vandalized, the nonconforming sign must be restored to its previous condition within six (6) months or the nonconforming status of the sign shall be forfeited.
- b. If any entity that utilizes nonconforming sign ceases operation for a period of one (1) year, the nonconforming status of the sign shall be forfeited.
- c. Not later than six (6) months after forfeiture of nonconforming status, such nonconforming signs shall be removed at the property owners expense. Any

forfeited nonconforming sign not removed with this six (6) month period shall be considered an abandoned sign for the purpose of enforcement.

#### 6. Prohibited Signs

- a. Signs located within any public street, right of way, or other public property, except as allowed in this Title.
- b. Any sign located so as to conflict with the clear visibility of public devices controlling traffic or to impair the safety of a moving vehicle by distracting the vision of the driver.
- c. Any sign which is not specifically permitted in this Title.
- d. Signs which bear or contain statements, words, symbols, images or depictions that are obscene or indecent as to minors as those terms are defined in the U.C.A.
- e. Signs with intermittent or flashing illumination, animated or moving signs and video/television/computer displays. Except as allowed within this Title.
- f. Any inflatable object used for promotional or sign purposes.
- g. Billboards.
- h. Pole or Pylon signs
- i. Portable/A-frame signs
- j. Abandoned signs
- k. Signs emitting sound
- l. Wall mounted box cabinet signs over six (6) square feet in size. , not including projecting signs
- m. Bench signs
- n. Vehicle signs, does not include the use of business logos, identification or advertising on vehicles primarily and actively used for business purposed and/or personal transportation
- o. Roof signs
- p. Neon signs larger than 3 square feet in sign area
- q. Permanent signs installed, attached, or painted to fences
- r. Flying Banner Signs

#### 7. Measurement of Sign Area

- a. Single-faced sign
  - i. For signs having a distinct border or boundary, the sign area shall be calculated by multiplying the length times the width of the entire surface contained within the border, boundary, sign board, or sign face.
  - ii. For signs with no distinct border or boundary, the sign area shall be calculated by computing the area of a simple rectilinear figure consisting of not more than eight perpendicular lines that contain all of the writing, representations, emblems, logos, or other display elements of the sign.
- b. Double-faced sign
  - i. For signs with two (2) identical faces, arranged back to back in parallel planes, and where the sign faces are separated by no more than thirty-six (36) inches, the sign area shall be calculated for one side only.

- c. Multi-faced sign
    - i. For a sign with more than one face, the area shall be calculated by adding together the area of all sign faces visible from any point.
- 8. Measurement of Sign Height
  - a. Sign height shall be measured as the distance from the base of the sign to the highest portion of the sign.
  - b. Ground shall not be augmented in a manner that adds height to the sign.
  - c. Clearance for projecting signs shall be measured as the smallest vertical distance between finished grade and the lowest point of the sign, including any framework or other structural elements.
- 9. Sight Triangle
  - a. No sign or sign structure shall obstruct traffic by obscuring the vision of motorist. A minimum sign distance triangle of thirty (30) feet shall be maintained at all street and driveway intersections; larger sign distance triangles may be deemed necessary by the City Engineer.
- 10. Sign Location
  - a. No sign shall be placed within the public right-of-way, park strips along roadways or within an easement.
  - b. No sign shall be attached to any street post, street sign or other structures within the public right-of-way except where allowed.
  - c. No sign may occupy a sight triangle.
  - d. No sign or sign structure shall be located within five (5) feet of a property line.
  - e. No sign shall be placed in such a position as to endanger pedestrian, bicyclists, or traffic on street by obscuring the view or by interfering with official street signs or signals by virtue of position or color.
  - f. On any property where permission to erect and maintain the sign has not been given by the owner or lease holder.
- 11. Sign Illumination

The artificial illumination of signs, either from an internal or external source, shall be designed to eliminate negative impacts on surrounding rights-of-way and properties. The following standards shall apply to all illuminated signs:

- a. External light sources shall be steady, stationary, directed and shielded light sources directed solely onto the sign.
- b. Signs shall not have exposed fluorescent tubes or incandescent bulbs.
- c. Internally illuminated signs shall have opaque face panels so that only the letters, logos, numbers or symbols appear illuminated. A halo effect is not allowed except through a Sign Standard Waiver.
- d. Electrical raceways and conduits shall be placed so that they are not within public view, not exceed the sign copy, and shall be painted the same colors as the wall surface.
- e. Signs with electrical components shall be constructed, inspected and approved by the Building Department
- f. Awnings with back-lit text or graphics are not allowed

g. Lighting fixtures shall be decorative and architecturally compatible with the building.

**SECTION 2:** **AMENDMENT** “15.48.070 Sign Standard Table” of the Vineyard Zoning Code is hereby *amended* as follows:

**AMENDMENT**

15.48.070 Sign Standard Table

<b>Sign Types</b>	<b>Max. Sign Area</b>	<b>Max. Height</b>	<b>Setback/Location</b>	<b>Max. Number</b>	<b>Special Provisions</b>
<i>OS, A-1, and residential districts</i>					
Monument (development entry ways)	25 SF	5 Feet	30' clear zone shall be maintained per any street corner, curb cut out of driveway, measured from the nearest edge of the driving surface	2 per entry way into a development	places of worship and private school located within residential districts shall be permitted 1 sign that meets these requirements
Wall	6 SF	Shall not extend above the lowest portion of a flat roof, the top of a parapet wall, or above the eaves line/fascia of any roof type		2 per pedestrian or vehicular entrance	
Temporary	6 SF	4 Feet	Shall be located on private property and shall not	2 per lot	Refer to 15.48.060 for temporary sign regulations

			encroach into the public right of way.		
Sign Types	Max. Sign Area	Max. Sign Height	Setback/Location	Max. Number	Special Provisions
<i>BP, FOI, M, I, RC, RMU, FMU, PF</i>					
Monument (single tenant)	40 SF	6 Feet	5 feet from property line and out of any site visibility lines	1 sign for single users. 2 signs for properties with frontage on 2 arterial streets.	May extend no more than 20% over the allowed height for the purpose of architectural embellishment. No commercial content may extend into embellishment.
Monument (multi-tenant)	80 SF	<del>15</del> 0 Feet	5 feet from property line and out of any site visibility line	1 per each street frontage. <u>Master Developments Properties</u> with 800 FT or more frontage shall be permitted 1 sign per every 400 feet of frontage.	With <del>three (3)</del> <u>two (2)</u> or more tenants of separate businesses or organizations

Wall	<p><del>1 SF per every linear foot of building frontage not to exceed 60 SF per sign or a total of 120 SF 5% on each building elevation.</del></p> <p><u>In no case shall a wall sign be required to be smaller than 60 SF.</u></p>	<p>Minimum 8' above finished grade</p> <p>Shall not extend above the lowest portion of a parapet wall, or above line/fascia of any roof type.</p>	<p>Located within the middle 80% of the building frontage, measured from lease line to lease line.</p>	<p>1 per elevation, maximum <del>42.</del> <u>except as approved through a sign standard waiver</u></p> <p>Includes projecting signs.</p>	<p>Shall not project more than 15 inches from the wall. If sign projects less than 3 inches from wall, the 8' foot height requirement need not be met but may not be lower than the lowest point of any window.</p>
Awning	50% of the awning	8' minimum clearance to grade required for the lowest portion of the awning.	Street fronting face of the awning	1 per awning	Shall be included in the total size for wall signs.
Projecting	No maximum area for sign type	Minimum 8' clearance to back of curb required for the lowest portion of the projecting sign.		1 per storefront entrance	Shall be included in the total size for wall signs.

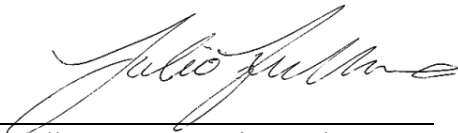
		The top of the sign shall be located below the windows on the second-floor building			
Window	Shall not occupy more than 25% of the total area of a single window surface				Any sign located inside of a building within 6 feet of an exterior window shall be counted as a window sign.  All video displays visible from an exterior window are prohibited.
Temporary	30 SF Window: 25%	Freestanding: 8ft.  Shall not extend above the second story of the building the sign is displayed on. Shall maintain at least 8' from grade to bottom of sign.	Shall be located on private property and not encroach into the public right of way.	2 Per lot	Refer to 15.48.060 for temporary sign regulations.

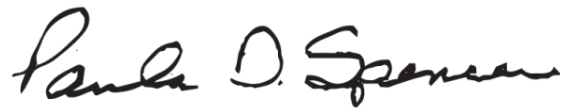
PASSED AND ADOPTED BY THE VINEYARD COUNCIL SEPTEMBER 08, 2021.

	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Mayor Julie Fullmer	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
John Earnest	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Tyce Flake	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Chris Judd	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Cristy Welsh	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>

Presiding Officer

Attest

  
\_\_\_\_\_  
Julie Fullmer, Mayor, Vineyard

  
\_\_\_\_\_  
Pamela Spencer, City Recorder  
Vineyard

