Public Information Summary

FOR PROPOSED ORDINANCE # PZ24 -H

WRITTEN BY : VALERIE WENZ and DARLENE POPE
SPONSORED BY: PANNING AND ZONING COMMISSION
CONTACT INFORMATION:

SUBJECT: SIGNS AND SIGNAGE

PURPOSE: The purpose of this ordinance is to establish clear and consistent signage regulations throughout the town.

SUMMARY: This ordinance addresses the location, size, and characteristics of signage throughout the town and establishes standard and enforcement.

DRAFT VIRGIN TOWN ORDINANCE NO. _____

AN ORDINANCE REPLACING CHAPTER 52, SIGN REGULATIONS; AMENDING DEFINITIONS; AND CORRECTING CHAPTER AND SECTION REFERENCES

RECITALS

WHEREAS, Virgin Town ("the Town") is a Utah municipal corporation and political subdivision of the State of Utah, and

WHEREAS, the Virgin Town Council ("Town Council") is the legislative and governing body of the Town, and

WHEREAS, pursuant to Utah Code Ann §10-9a, the Town Council with advice of the Virgin Town Planning and Zoning Commission ("Planning Commission"), in addition to being the legislative and governing body of the Town, is also the Land Use Authority ("LUA") vested with the power to enact all Land Use Regulations and make all Land Use Decisions within the Town unless the latter administrative power is delegated to another body or person, and

WHEREAS, the highway bisecting the Town serves as both the most common route into Zion National Park and, for many, the first impression of its magnificent natural features; and

WHEREAS, Virgin Corridor of SR-9 has been designated as both a National and a State Scenic Byway;

WHEREAS, unobstructed views along roadways and throughout the Town enhance public safety and preserve scenic integrity in ways consistent with the General Plan; and

WHEREAS, National Park proximity and scenic views are critical resources to the Town, for enhancing its economic viability, its commercial success, and its quality of life of its residents;

WHEREAS, visible and appealing signage is important to a thriving business sector; and

WHEREAS, it is in the best interests of the Town to balance the concerns of residents, business owners, and visitors by ensuring compatible, well-designed signage that does not interfere with natural scenery, traffic movement, rural character, dark skies, commercial appeal, or neighborhood charm and peace;

WHEREAS, the Virgin Uniform Land Use code has undergone many changes in the recent past that have sometimes resulted in unsatisfactory maintenance, ineffective location, light trespass, or poor design of signage in the Town; and

WHEREAS, Virgin's LUA finds it to be in the best interests of the health, safety, and welfare of residents and visitors to the Town to amend its regulations accordingly;

WHEREAS, the Planning Commission held a public hearing on this ordinance on _____, 20__; and

WHEREAS, the Virgin Town Planning and Zoning Commission recommended in a ____ to ____ vote that the Town Council *[approve / deny]* these amendments on _____, 20____;

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VIRGIN, UTAH that the following amendments be made to its land use code:

1. New Chapter. Chapter 52, Sign Regulations, shall be replaced in its entirety with **Attachment 1** of this ordinance.

2. Definition changes. Chapter 2 Section 12, Definitions shall be amended to include (underlined), remove (struck through), replace or revise language as shown in **Attachment 2** of this ordinance.

3. Housekeeping. Numbered references and conflicting language throughout VULU shall be corrected to match these amendments.

4. Severability. If any section, clause or portion of this Ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

5. Conflicts/Repealer. This Ordinance repeals and supersedes the provisions of any prior ordinance in conflict herewith.

6. Effective Date. This Ordinance shall become effective immediately upon adoption by the Virgin Town Council and execution by the Virgin Town Mayor.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF VIRGIN TOWN, STATE OF UTAH, ON THE ____ DAY OF _____, 2024

ATTEST:

VOTE TAKEN:	yes	no
Councilmember Luwe	___	___
Councilmember Baird	___	___
Councilmember Holm	___	___
Councilmember McKeon	___	___
Mayor Krause	___	___

VIRGIN TOWN

a Utah municipal corporation

Attest:

_____ _____

Jean Krause, Mayor

Krystal Percival, Town Recorder

DRAFT VIRGIN TOWN ORDINANCE NO. 2024-___
ATTACHMENT 1

CHAPTER 52 SIGN REGULATIONS

52.1 PURPOSE

Virgin's natural visual features give it unique charm and beauty, attracting residents and visitors alike, and constitutes the basis of its economy. Sign regulations are intended to maintain these fragile resources and protect or enhance the character of its rural community while promoting visible and appealing signage for a thriving business sector. In recognizing the importance of sign visibility to business and therefore to the town, regulation is necessary to encourage effective use of signs, ensure compatibility with business structures and surrounding development, maintain the overall quality of business districts, prevent detrimental impacts of numerous signs close together (which affect area character as well as traffic safety), prevent the use of signs that resemble official signs, and protect Virgin's rural character and dark sky. It is the intent of these regulations to govern the time, place, and manner under which signs are permitted, and not the content of signage, with the exception of content that can be prohibited, as defined by the US Supreme Court in Miller vs. California, 413 U.S. 15, 24 (1973).

52.2. SEVERABILITY CLAUSE.

If any portion of this ordinance is found to be unconstitutional, only that portion of the ordinance may be invalid, the remaining content shall remain in effect.

52.3. SCENIC BYWAY.

No sign shall violate state or national scenic byways standards.

52.4. EXEMPTIONS.

The following signs are exempt from the permitting process and do not require a sign permit. Signs that exceed the limits outlined below are prohibited or, if allowed under this chapter, require a permitting process. Signs inside buildings, or otherwise not visible off the property are exempt from this section's regulation.

52.4.1 PERMANENT SIGNS

1. **ACCESSORY INTERNAL WINDOW SIGNS** (SUCH AS OPEN/CLOSED SIGNS; NEON OR LED SIGNS). Each duly licensed business is allowed up to 5 internal window signs not to exceed a combined area of **15 square feet** for all internal window signs. Lighted window signs shall be turned off at the end of each business day.
2. **DIRECTIONAL OR INSTRUCTIONAL SIGNS.**
    a. Signs not to exceed **4 square feet** and used to identify restrooms, walkways, locations of parking lot entrances/exits and those of similar nature. Such signs shall be located entirely on the property to which they pertain and shall not in any way advertise or otherwise mention a business. Such signs shall be either wall-mounted or freestanding. If freestanding, and such sign is located adjacent to a

street, it shall be placed at the driveway or sidewalk entrance to the property closest to the item being identified. Freestanding directional signs shall not exceed 4 feet above grade. If wall-mounted, no portion of such sign shall be placed higher than 8 feet above grade. Directional or instructional signs visible from the public right of way shall not exceed a total of 3 such signs per business or business center.

3. **GOVERNMENT SIGNS, PUBLIC SIGNS, AND PUBLIC SERVICE SIGNS.**
   Signs indicating danger, notices issued by any court, legally required municipal notices and aids to service or safety which are erected by or on the order of a public officer in the performance of his public duty.
4. **HISTORICAL OR MEMORIAL SIGNS.**
   Memorial signs or tablets erected by recognized historical agencies, containing names of buildings, dates of erection or related information, provided the sign is cut into any masonry surface or installed so as to be part of the building and does not exceed **16 square feet** in area.
5. **HOUSE NUMBERS AND NAMEPLATES.**
   Not to exceed 2 per address and each sign not to exceed **4 square feet** in area in all town zones.
6. **MENUS**. Menus displayed on the exterior of premises occupied by restaurants shall be of the size and lettering normally used within the restaurants, provided such size does not exceed **8 square feet**; such displayed menus shall be attached to the structure.
7. **SERVICE STATION SIGNS.**
   For any business selling automotive fuel, one price sign for each street frontage not to exceed **16 square feet** in area, nor 8 feet in height. In addition, 1 "self/mini/full-serve" sign, not to exceed **3 square feet** in area, is allowed on each end of each pump island.
8. **WALL MURALS AND PAINTED WALLS** so long as the design is free of text advertising the business and logos as defined by this ordinance. Signs must be removed after a 30-day exemption.

52.4.2 TEMPORARY SIGNS

1. COMMUNITY SIGNS such as "missing" or "lost and found" or "yard sale" signs not to exceed **8 square feet** are exempt for 30 days and may only be posted on private property.

2. **CONSTRUCTION SIGNS** One temporary non illuminated sign per construction project not to exceed **24 square feet** in area, nor 6 feet in height, and to be removed within 5 days after the project ends.
3. **FLAGS.**
   1. Flags flown on a temporary basis for purposes of honoring national or civic holidays, are exempt.
   2. Up to 3 official flags or emblems of national, state or local governments, provided all such flags or emblems shall be placed on flagpoles not attached to a building or structure, nor exceeding 25 feet in height. No such flags shall exceed 8 feet long in its largest dimension. Faded, torn or stained flags are prohibited. Exceptions to allow up to two (2) advertising flags or more than three (3) national flags may be granted by the Planning and Zoning Commission for good cause.
4. **POLITICAL AND CAMPAIGN SIGNS.** Any number of non-illuminated political or campaign signs on behalf of candidates for public office or measures on election ballots, limited to an individual sign area of **16 square**

feet and a combined sign area not exceeding **32 square feet** per residence or business, provided said signs shall be placed only on private property, with the permission of the property owner. No political sign can exceed **32 square feet**.

5. **PROTECTIVE SIGNS.**
    1. Non-illuminated flat signs of not more than **3 square feet** each which contain words protective of an occupant, such as "no trespassing", "beware of dog", and the like, provided such signs are placed only at intervals of not less than 30 feet or in compliance with the requirements of state law, whichever is more restrictive. The total number of signs allowed per property shall be reasonable in number, not to exceed a total of 6 such signs per acre and shall comply with the intent of these sign regulations.
    2. Signs required or specifically authorized for a public purpose by any law, statute or ordinance.
6. **REAL ESTATE SIGNS.** Non-illuminated, on or off-site, portable signs, placed on private property, containing directions to the location of a home seller's open house or property details of a house for sale, are limited to one sign per intersection corner, not to exceed a total of 5 such signs. Open house signs shall not exceed **6 square feet in area** nor 4 feet in height and shall be removed daily immediately following a scheduled open house. On each street frontage, for any lot or building, 1 non-illuminated sign is allowed which serves solely to advertise the actual intent to sell, long-term rent or build to suit, provided such sign is located entirely within the property to which the sign applies. Each individual sign shall not exceed **6 square feet,** nor 4 feet in height and the total combined sign area shall not exceed **12 square feet**; and the signs shall be removed within 7 days after the sale, rental or lease has been consummated.
7. **SPECIAL EVENT SIGNS.** On-premise event advertising signs, not exceeding **16 square feet** in area, that are painted on windows, attached to windows or walls, or affixed to a maximum of one A-frame or sandwich board, provided that said signs are posted only during said event or no more than 7 days prior to said event and are removed no more than 3 days after an event. LED or digital event signs may only be used with approval from Planning and Zoning Commission. (This may be included in the event permitting process.)

52.5. PROHIBITED SIGNS.

1. **ABANDONED SIGNS.** Abandoned signs, including all structural and support elements.
2. **BILLBOARDS.** Billboards, outdoor advertising and off-premise signs (see definition of Billboards) are prohibited in all zones.
3. **CHANGEABLE SIGNS.**
   Electronically or electrically controlled "time and temperature", message center, reader board or other sign where copy changes automatically or manually shall be prohibited. Signs on which copy or sign panels may be changed manually shall be prohibited, except service station signs, theaters, restaurants, and official 'Virgin Town Welcome Signs'.
4. **INTENSELY LIGHTED SIGNS, BEACONS AND SEARCHLIGHTS.**
   Lighted beacons, searchlights, other lights or lighted devices which attract attention to a property are

prohibited. Intensely lighted or exposed luminary sources such as exposed bulbs or tubes shall be prohibited. Exposed neon signs shall be prohibited, except for those allowed by this chapter.

5. **MISCELLANEOUS SIGNS AND POSTERS.**
   The tacking, posting or otherwise affixing of signs of a miscellaneous character, visible from a public way, located on the walls of buildings, barns, sheds, on trees, poles, posts, fences or other structures, except to identify a residence or residence structure by means of posting the name of occupant or structure, and the street address, are prohibited unless specifically permitted by this chapter. Miscellaneous signs may be permitted on a temporary basis, in certain locations, with prior written approval of the Planning and Zoning Commission.
6. **MOVING, ANIMATED, OR WIND-DRIVEN SIGNS:**
   No sign shall be permitted which is animated by means of flashing, scintillating, blinking or traveling lights or any other means not providing constant illumination or intensity of illumination, including changeable signs, signs that signs that rotate, move or assume any motion constituting a non-stationary or non-fixed condition, including feather banners, except as otherwise specifically permitted by this chapter. This shall not include signal lights and other public safety signs maintained by government authority.
7. **PORTABLE SIGNS.**
   A-frame, sandwich board, or any sign not permanently affixed to the ground or to a structure on the site it occupies, except as provided for in this chapter.
8. **REFLECTIVE SIGNS.**
   Signs made wholly or partially of highly reflective material.
9. **SCULPTURE.**
   Sculpture, statues, fountains or other art or decorative articles made of plastic or vinyl, with or without advertising copy, which by reason of height, size, color or nature serve primarily to attract attention to an establishment, organization or enterprise rather than to serve a primarily decorative or landscaping function.
10. **VEHICLE SIGNS.**
    Signs temporarily affixed upon a vehicle, trailer or the like or vehicles parked that are promotional, parked conspicuously so as to attempt to direct attention to a place of business in an effort to circumvent the provisions of this chapter. This shall apply to vehicles parked on either public or private property. This shall not be construed as to prohibit customized automobile license plates.
11. **OTHER PROHIBITED SIGNS.**
    1. The following signs are also prohibited:
    2. Signs which bear or contain statements, words or pictures of an obscene or pornographic character (as defined by the U.S. supreme court in Miller vs. California, 413 U.S. 15, 24 (1973), and anything that demeans or otherwise degrades religions, races or ethnic groups, or any other protected group.
    3. Signs which emit audible sound, odor or visible matter.
    4. Signs which, by reason of their size, location, movement, content, coloring or manner of illumination, may be confused with or construed as a traffic control sign, signal or device, or the light of an emergency or road equipment vehicle, or which hide from view any traffic or street sign or signal or device.

5. Signs, except as may be required by law, placed or maintained so as to interfere with free ingress to or egress from any door, window or fire escape.
6. Signs, including political signs, attached, maintained, painted, printed or otherwise affixed to any curb, sidewalk, post, pole, hydrant, bridge, bench, tree or other surface on public property or over or across any street or public thoroughfare, except by a duly authorized public employee or as required or permitted by law.

52.6. MINIMUM SIGN STANDARDS.

All signs must conform to building, structural, and electrical codes as well as regulations of the town. A sign permit is not required to repaint, clean or perform other activities normally associated with maintenance and repair of a sign. However, before changes can be made to the structure, design, color, character or advertiser of a sign, a new permit must be obtained. Except as further restricted by this title, all signs shall be subject to the following minimum requirements:

1. **SETBACKS.** Signs less than 3 feet in height may be placed within the clear view triangle. No sign greater than 3 feet in height may be placed where it obstructs the clear view area. Signs more than 3 feet in height must have a front setback of at least 18 inches from the front property line as measured from leading edge of sign. Signs shall also meet clear view requirements as detailed in sign definitions. No sign shall interfere with emergency vehicle access.
2. **MATERIALS.** Signs, unless otherwise stated in the following sections of this chapter, may be constructed of painted, stained or carved wood, brick or stone; or metal which is painted or otherwise treated to prevent reflective glare. Wood signs shall be solid wood, except that painted signs may be of MDO surfaced plywood or equivalent. Ordinary plywood, cardboard, plastic, or materials that do not have adequate longevity are prohibited, unless for temporary signs.
3. **COLOR.** Brilliant, luminescent, "day-glo" or fluorescent colors are prohibited. Colors should repeat those of the facade or compliment them. In general, dark backgrounds with light letters are more legible. Too many colors can overwhelm the sign's communication function and create a distracting, garish visual element rather than an integral part of the texture of the street.
4. **ILLUMINATION.** Signs may be unlighted or lighted externally. No sign shall be internally lighted. Light sources for externally lighted signs shall be placed to illuminate only the sign surface and shall not be visible beyond the premises. Special care shall be taken in the design of external sign lighting to ensure that the light source is not visible to neighboring properties or motor vehicle traffic. All sign lighting shall comply with the requirements in VULU Section 8.4, Outdoor Lighting.

52.7. SIGN STANDARDS FOR RESIDENTIAL ZONES.

One low profile identification sign is allowed for each subdivision, home occupation business, agricultural business or the like. Signs shall be either freestanding, attached to a building wall or attached to a wall or fence announcing the site entrance.

1. **A SUBDIVISION COMMON ENTRANCE** sign shall not exceed **20 square feet** for each subdivision entrance and shall be located a minimum of 6 feet from the public right of way.
2. **ALL OTHER FREESTANDING MONUMENT** signs shall not exceed **8 square feet** and shall be located a minimum of 6 feet from the public right of way.
3. **SIGNS MOUNTED FLAT** against the building, entrance wall, or fence shall not exceed **8 square feet** in area, nor 8 feet in height; nor shall they extend out more than 12 inches from wall or fence. No sign shall extend above the wall, fence, or roofline.
4. **1 ADDITIONAL SIGN** may be permitted with Planning Commission approval if the property concerned exceeds 5 acres and has frontage on more than one public dedicated street. Such additional sign shall be located on the additional frontage, and are subject to the sign standards of this Chapter.
5. **SPECIAL EVENT SIGNS**: off-premise event advertising signs, not exceeding **8 square feet** in area, that are painted on windows, attached to windows or walls, or affixed to a maximum of one A-frame or sandwich board, provided that said signs are posted only during said event or no more than 7 days prior to said event and are removed no more than 7 days after an event. LED or digital event signs may only be used with approval from Planning and Zoning Commission. (This may be included in the event permitting process.)

52.8. SIGN STANDARDS FOR BUSINESS AND RESORT DISTRICTS- PERMIT REQUIRED

52.8.1. INDIVIDUAL BUSINESSES.

Each duly licensed business on its own parcel shall be allowed one primary sign and one secondary sign. In addition, each duly licensed business may have their business name and logo included in official "Virgin Town Welcome Signs", as defined in VULU Definitions. In the event that the primary sign is freestanding, the secondary sign shall be building mounted. In the event that the primary sign is building mounted, the secondary sign may be freestanding or building mounted on a building frontage other than that upon which the primary sign is located. In the event the building is **100 feet** or more from SR-9, primary and secondary signs may both be freestanding monument signs.

1. **Freestanding Monument Signs.** A freestanding monument sign and the corresponding support structures shall be designed to complement the building architecture and the surrounding areas, and shall comply with the following height, area, material, and color requirements. No freestanding monument sign shall exceed 6 feet in height or extend beyond the roofline or parapet wall at the highest point, whichever is less. The Virgin P&Z Commission may consider granting additional height if ground elevation of sn location is lower than SR-9. Primary sign not to exceed **40 square feet** in area; secondary sign not to exceed **20 square feet.**

Freestanding monument signs shall be of a non-reflective surface, and made of weatherproof wood, stone, or metal.

2. **Building Mounted Signs.** Signs mounted on the building shall be integrated into the building and designed so that architectural features and expression of the building are not obscured. Signs mounted to the building include wall signs, awning signs, projecting signs, and suspended signs.
    1. A building mounted primary sign for all business and resort districts shall:
        1. have a maximum area of **40** square feet.
        2. shall not extend beyond the roofline or parapet wall at the highest point, nor extend beyond a maximum of **15** feet in height.
        3. If mounted flat to a wall, shall be permanently attached and not extend more than 12 inches from said wall.
            1. if projecting, shall not extend from the building face a distance greater than 6 feet, and no projecting sign shall extend over public property ~~a distance greater than 12 inches.~~
            2. shall maintain a minimum 8-foot clearance between the lowest point of the sign and the grade immediately below.
    2. In the instance of a building set back from the road by more than 100 feet, the Planning and Zoning Commission may allow installation of a wall mounted primary sign up to but not exceeding 5 percent of the total area of the wall on which it will be mounted.
    3. A building mounted secondary sign for all business and resort districts shall:
        1. have a maximum sign area of **20** square feet.
        2. not extend beyond the roofline or parapet wall at the highest point, nor extend beyond a maximum of **15** feet in height.
        3. if mounted flat to wall, be permanently attached and shall not extend more than 12 inches from said wall.
        4. if projecting, not extend from the building face a distance greater than 6 feet, and no projecting sign shall extend over public property a distance greater than 12 inches.
        5. if projecting sign, awning sign or suspended sign, shall maintain a minimum 8 foot clearance between the lowest point of the sign and the grade immediately below.
3. **Additional Signs.**
    1. Restaurants and hotels/motels may display tertiary special feature signs. Only 1 such sign may be displayed at any given time.
    2. Tertiary signs shall have a maximum area of **2 square feet.**
    3. Tertiary signs may be wall mounted or attached to a freestanding sign, providing the tertiary sign shall be no closer than 3 feet to any public right of way.
    4. Transient lodging facilities may display one additional tertiary "vacancy" or "no vacancy" sign.
    5. Each duly licensed business is allowed to include their business name and logo in 'Virgin Town Welcome', as defined in this chapter. Each duly licensed business may also include their business name on a Virgin Town Locator sign.

52.8.2 BUSINESS CENTERS.

For groups of 2 or more duly licensed businesses associated by a common agreement or common ownership, that occupy the same legally recorded parcel(s) with common parking facilities, or housed in one structure, the following signs shall be allowed:

1. One freestanding monument sign per business center, provided such sign shall not exceed **40 square feet** in area, except as allowed in Subsection 52.8.1 of this section, nor 15 feet in height, or the height of the roof of the building at its highest point, whichever is less.
2. For businesses with individual entrances, one building mounted sign per duly licensed business, provided such sign shall be limited in area to:**20** square feet if the freestanding monument sign for the business center exceeds **20** square feet, or **40** square feet if the freestanding monument sign for the business center is limited to **20** square feet or less; Not extend beyond the roofline or parapet wall at the highest point nor extend 15 feet in height, whichever is less;
3. For businesses housed in one building or structure, which share a common entrance or have a central hall or foyer, one building mounted sign shall be allowed for all business within the building not to exceed **40** square feet.
4. Such signs shall be located adjacent to the common entrance and appropriately grouped together; and
5. Such signs may be tertiary signs that are incorporated into the Business Center's freestanding monument sign allowed by this chapter. When such an exception is made, the freestanding tertiary business signs shall replace the building mounted signs and the building mounted signs shall not be used. The maximum total area of the freestanding monument sign with tertiary signs allowed in this chapter may increase in size not to exceed **60 square feet** nor extend beyond fifteen feet (15') in height or the height of the roof of the building at its highest point, whichever is less.
6. Additional freestanding monument signs may be allowed by the Planning and Zoning Commission for those business centers with frontage on more than one dedicated street. If allowed, such signs shall not exceed thirty **32 square feet** in area, nor ten feet in height and shall be located on the additional street frontage.
7. Additional building mounted signs may be allowed at other common entrances to the building if such entrances are on separate frontages of the building or are separated by a distance of more than 100 feet. In such cases, the cumulative total of signs at all entrances shall not exceed **80 square feet** in area.

52.8.3. SPECIAL EVENT SIGNS. Off-premise event advertising signs, not exceeding **8 square feet** in area, that are painted on windows, attached to windows or walls, or affixed to a maximum of one A-frame or sandwich board, provided that said signs are posted only during said event or no more than 7 days prior to said event and are removed no more than 7 days after an event. LED or digital event signs may only be used with approval from Planning and Zoning Commission. (This may be included in the event permitting process.)

52.9 SIGN PERMITS - APPLICATION AND PROCESSING PROCEDURES.

52.9.1. PERMIT REQUIRED.

Except as provided in this chapter, it shall be unlawful to display, erect, relocate, or alter any sign without first obtaining a valid sign permit. **The applicant should complete the application and review process before entering into binding commitments incurring expense in the design, preparation or construction of the proposed sign.** After a sign permit has been issued by the Planning and Zoning Commission, it shall be unlawful to change, modify, alter, or otherwise deviate from the terms or conditions of said permit without prior approval of the Planning and Zoning Commission. A written record of such approval shall be entered upon the original permit application and maintained in the files of the Town Clerk.

52.9.2. MASTER SIGN PLAN FOR BUSINESS CENTERS. An approved master sign plan shall be required for any new use, new construction of any sign or building permit request involving a building or development containing two or more businesses. This master sign plan shall identify all sign types, sizes, locations, illumination, materials and design for all signs in existence, presently proposed, and those anticipated in the future. While specific details may not necessarily be available for future signs, the master sign plan shall serve as a framework for such signs. The purpose of such a master sign plan shall be to ensure continuity and compatibility of all signs within a business center and prevent needless repetition and proliferation of signage. The property owner shall be responsible for the permit application process and implementation of said master sign plan. Amendments to an approved master sign plan shall require submission of a new application and reconsideration in the same manner as originally reviewed. New or additional tenant signs shall be reviewed on an individual basis and shall conform to the approved master sign plan.

52.9.3. APPLICATION.

Application for a sign permit shall be made in writing to the Virgin Town Permit Clerk as provided in this ordinance. In the case of a master sign plan, the information requested below shall be included for all signs existing, proposed or anticipated for the entire project. Application for sign permits shall include, at a minimum, the following information:

1. A rendering, to scale, showing the proposed sign as it will appear on the project and illustrating its relationship to its surroundings.
2. In the case of a freestanding monument sign, a site plan showing the location of the proposed sign in relation to the property line, setbacks, and other structures on the site.
3. Front and side elevations of the sign, drawn to scale, which indicate dimensions of the sign, lettering and corresponding building; construction supports; foundation; method of attachment; and style of lettering, showing the complete lettering;
4. Description and samples, if feasible, of sign materials for background and lettering, including samples of finishes of the background and lettering to demonstrate light transmission or reflection;
5. Landscaping plans for the base, if applicable;

6. The extent to which, if any, the sign is proposed to project into or over public property;
7. If sign is to be illuminated, a description of proposed illumination, plans showing all fixtures, types, locations, mounting and wattage and elevations, and sufficient technical data of all proposed illumination systems so as to allow evaluation of proposed light levels; and
8. Any additional information the Planning and Zoning Commission deems relevant to the application.

52.9.4. ENGINEERING REQUIREMENTS.

All signs shall be designed in accordance with any and all applicable building codes as adopted by the Town of Virgin and the State of Utah. Drawings bearing a wet stamp of a licensed engineer are required for any freestanding monument sign or any sign that projects from the face of a building more than three inches. The Planning and Zoning Commission may request engineering for building mounted signs at its discretion.

52.9.5. PLANNING AND ZONING COMMISSION ACTION.

The Virgin Town Planning and Zoning Commission shall approve or deny a sign permit application and record its decision in writing. In approval of any sign permit, the Virgin Town Planning and Zoning Commission shall consider applicable standards for review listed in this Chapter and VULU and impose such regulations and conditions as are necessary to protect the public health, safety and welfare, to accomplish the purposes of the Virgin Town General Plan and this Zoning Ordinance, and to contribute to the general well-being of the community. If an applicant meets all requirements of the Zoning Ordinance and all conditions required by the Planning and Zoning Commission, the Commission shall approve a sign permit subject to the conditions proposed.

52.9.6 FEES FOR PERMIT. See Virgin Town Fee Schedule for applicable fees.

52.9.7. EXPIRATION OF PERMIT

Approved permits are valid for a period of one year from date of approval. If construction or work has not been started within 1 year from issuance of the permit, the original permit is void and a new permit will be required.

52.9.8. APPEALS.

A property owner has the right to appeal a final decision to the appropriate authority in compliance with VULU within 15 days of a final vote of approval or denial in a noticed public meeting, or the date a written determination is issued and delivered to the applicant, whichever happens first. A decision by staff or the Planning and Zoning Commission may be appealed to the Town Council; a decision by the TC may be appealed to the Appeal Authority as per Chapter 6 of VULU.

52.9.9 ABATEMENT.

The Town shall have the authority to abate and remove or require the removal of any sign illegally erected within the Town of Virgin, including signs placed on public or private property. The Town and any town employee shall also

have the authority to require removal of, or to abate and remove any sign found to be in disrepair to the extent that the sign becomes dilapidated or dangerous to the public. Illegal or dilapidated signs that are erected in a permanent manner, or require demolition, shall be removed by the owner, or by the Town after notice is given to the property owner where the sign is located. After notice is given by the Town to the property owner, if no action is taken to remove the illegal sign within 5 days of the written notice, the Town shall have the right to remove the sign, and bill the property owner for any costs incurred during the removal of the sign. Illegal signs shall include all signs that have been erected after the first published date of consideration of this ordinance, #_____, without the issuance of a sign permit from Virgin Town, or the written approval to erect the sign by the Planning and Zoning Commission as well as signs listed herein as "prohibited".

52.10. NONCONFORMING SIGNS.

52.10.1. Any legally constructed freestanding monument sign that is physically in existence on the first published date of consideration of this ordinance, #_____, shall be deemed legal, regardless of any failure to conform to this chapter, until such a time as its owner chooses to remove or substantially alter it.

52.10.2. Business signs in use for 6 months or longer prior to the adoption date of this section that are nonconforming but not legally so, shall be removed or brought into compliance within 12 months of the adoption date of this chapter.

1. Any sign located within the town in compliance with the applicable law on the date of adoption of this title, which is found to be nonconforming by reason of not being in compliance with the requirements of the "Sign Standards" of this chapter, shall be designated as legally nonconforming, except for those signs that are deemed legal by Chapter 52.
2. The loss of legally nonconforming designation shall deem such sign unlawful and the sign shall thereafter be removed by the owner or abated according to this Title. A legally nonconforming sign shall immediately lose its legally nonconforming status if it is replaced or changed to reflect a different advertiser, or altered or relocated in a manner that makes it less compliant with Virgin land use ordinances. A sign also loses legal nonconforming status if it requires repair or maintenance costing more that 50% of its appraised value, as determined by 2 independent sign contractors approved by the Planning and Zoning Commission, or if 10 years have elapsed from the effective date of this ordinance, #_____.
3. A non-conforming sign may apply to the Planning and Zoning Commission to regain full legal status if ti is brought into compliance with the standards of this chapter.

52.11. CONFLICT.

Wherever this Chapter conflicts with the Virgin Uniform Zoning Ordinance, this Chapter shall prevail.

ATTACHMENT 2
Sign related definitions

A-FRAME / SANDWICH SIGN	Temporary and/or moveable sign constructed with two (2) sides attached at the top so as to allow a sign to stand in an upright position
~~**Abandoned Sign**~~	~~A sign, including all structural, support elements or components, which is located on a property, premises or structure which becomes vacant and unoccupied for a period of one year or more~~
ABANDONED SIGN	A sign, including all structural, support elements or components, which is located on a property, premises or structure which becomes vacant and unoccupied for a period of one hundred eighty (180) days or more, any sign which pertains to a time, event or purpose which no longer applies, or a sign pertaining to an occupant or business different from the present occupant or business
ALTER OR ALTERATION OF SIGN	Any change or rearrangement of the structural parts of a sign or a sign's design. Alterations shall not be interpreted to include changing outdoor bulletin or other similar signs which are designed to accommodate changeable copy.
AREA OF SIGN	The number of square feet enclosed within the smallest rectangle within which the sign face, including BACKGROUND, can be enclosed. If the sign consists of more than one (1) section or module, all areas will be totaled. In determining the area of an individual sign which has more than one sign face, only one side of a back-to-back or double-face 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°) [[The property and buildings or structures adjacent to and within a five hundred foot (500') radius of the sign, building, property or item in question]]
AWNING	A shelter, cover or roofed structure placed so as to extend outward from the building with supports extending back to the building, supported entirely by the building
AWNING SIGN	Any sign or graphic attached to, painted on, or applied to an awning
BACKGROUND (of sign)	The entire area of a sign on which copy could be placed, as opposed to the copy area, where copy is in fact painted or otherwise attached
BANNER	A flexible sign characteristically supported by two (2) or more points and hung on a building or otherwise suspended down or along its face, or across a public street. The banner may or may not include copy or graphic symbols. It is generally made of fabric or other non-rigid materials with no enclosing frame.
BILLBOARD	Any freestanding sign or affixed graphic or visual representation, including any lighted or unlighted drawn, printed, painted, electric, LED, digital or mechanical representation designed or intended to advertise or direct attention to a business, product, service, organization, idea or cause which is not sold, offered, or existing on the property whereupon the sign is located (see OFF PREMISE SIGN).
BUILDING FACE OR WALL	A window or wall area of a building in one (1) plane or elevation
BUILDING FRONTAGE OR FRONT FOOTAGE	The linear width of that side of a building which contains the main entrance for pedestrian ingress and egress. If more than one (1) main entrance exists, the one that more nearly faces or is oriented to the street of highest classification as portrayed on the comprehensive street plan shall be considered the building frontage. If all streets are of the same classification, the side of the building with the smallest lineal dimension shall be considered the building frontage for measurement purposes.
Building, Height of (Height of Building)	The vertical distance from the finished grade surface to the highest point of any building roof or coping
BULLETIN BOARD	A sign on a premise, which accommodates changeable copy and displays information on activities and events.
BUSINESS CENTER	A group of two (2) or more duly licensed businesses associated by a common agreement or common ownership with common parking facilities or housed in one (1) structure.
CANOPY	An awning which may or may not be totally supported by the building to which it is attached. A canopy shall be considered an awning for purposes of these sign regulations.
CHANGEABLE SIGN.	A sign on which copy or side panels may be changed manually, electronically or automatically, such as boards with changeable letters or pictorial panels, reader boards, message centers or "time and temperature" signs.

ATTACHMENT 2
Sign related definitions

CLEAR VIEW TRIANGLE	The area of visibility required for the safe operation of vehicles, pedestrians and cyclists in proximity to intersecting streets and driveways. The clear view triangle shall be regulated by AASTHO standards for signs and landscaping.
COPY (signs)	The working text on a sign surface.
DILAPIDATED	A sign where: (i) the lettering or background material or any part of the sign has flaked, broken off, changed color; (ii) structural supports or frame members are visibly corroded, stained, bent, broken, dented; or (iii) sign supports are twisted, leaning or at angles other than those at which the sign was originally erected.
DIRECTIONAL SIGN	A sign which facilitates traffic or pedestrian flow and safety, not erected by a governmental agency, containing generic information such as, but not limited to, entrance-exit, caution, parking, right or left turn only, stop or tow-away zone.
EAVES	That portion of the roof line extending beyond the building wall, a canopy attachment on the wall having the simulated appearance of eaves, or the lowest horizontal line of any roof.
EXPOSED LUMINARY SOURCE	An illumination source which is the signing element to be read directly, without diffusion or reflection, such as exposed bulbs or neon.
FLAG	A piece of cloth or other flexible material varying in size, shape, color and design, usually attached at one edge of a staff or cord.
FREESTANDING MONUMENT SIGN	A sign that is permanently installed, not attached to any building and having its own support structure.
Grade, (For Building Height Determination)	The lowest level of finished ground elevation adjoining a building or structure typically measured at the front primary exterior wall.
HEIGHT OF A SIGN	The vertical distance from the average adjacent ground level to the top of the sign, including the support structure and all design elements. The average ground level shall be determined from within an eight foot (8') radius of the base of the sign. The adjacent ground shall not be elevated for purposes of increasing allowable sign height.
ILLUMINATED SIGN	Any sign which is lighted from within or without.
INDIRECT ILLUMINATED SIGN	Any sign which reflects light from a source intentionally directed upon it such as by means of floodlights.
INTERNALLY LIGHTED SIGN	A sign that is illuminated by a concealed light source within the sign that projects light through the sign face.
LOGO	An identifying symbol used by three (3) or more businesses or institutions outside of Virgin
LOW PROFILE SIGN	A freestanding sign erected near ground level or a wall-mounted sign of small size and limited to identifying the name of a building, institution, subdivision or the like.
MAJORITY AREA (of a sign)	An area greater than fifty percent (50%) of the total sign area.
MARQUEE OR READER BOARD	A permanent structure with changeable letters that is used to advertise events.
MASTER SIGN PROGRAM	Identification of the location, type, height, size, illumination, materials and design of signs for an overall building center to include all present or proposed businesses within the center.
NAMEPLATE	A sign identifying only the name and occupation or profession of the occupant of the premises on which the sign is located.
NONCONFORMING SIGN OR SIGN STRUCTURE	A sign or sign structure or portion thereof lawfully existing at the time of its construction which does not conform to all height, area, yard spacing, animation, lighting or other regulations prescribed in the zone in which it is located.
~~**Nonconforming Sign or Sign Structure**~~	~~A sign or sign structure or portion thereof lawfully existing at the time of its construction which does not conform to current regulations prescribed in the zone in which it is located~~
OFF-PREMISE SIGN	Any freestanding sign or affixed graphic or visual representation, including any lighted or unlighted drawn, printed, painted, electric, LED, digital or mechanical representation designed or intended to advertise or direct attention to a business, product, service, organization, idea or cause which is not sold, offered, or existing on the property whereupon the sign is located (INCLUDES BILLBOARDS)

ATTACHMENT 2
Sign related definitions

PARAPET	A low wall used to protect the edge of a roof from view or an extension of a false front or wall above the roof level.
POLITICAL SIGN	A sign intended to draw attention to or communicate a position on any issue, candidate or measure in any national, state or local election.
PORTABLE SIGN	Any sign not permanently affixed to the ground or a structure on the site it occupies.
PRICE SIGN (SERVICE STATION)	A sign on the premises of a service station or other business selling automotive fuel, which contains information on the cost and type or grade of automotive fuel only.
PROFESSIONAL QUALITY	Of a quality comparable to that performed by a professional in the same field.
PROJECTING SIGN	A sign which extends out from a building face, wall or structure so that the sign face is perpendicular or at an angle to the building face, wall or structure.
PUBLIC SIGN	Signs required or specifically authorized for a public purpose by aby law, statute or ordinance.
REFLECTIVE SIGN	A sign whose surface material reflects light so as to generate a contrast between the sign and adjacent surfaces or surrounding area.
ROOF LINE	The highest point of a structure, including parapets, but not to include spires, chimneys or heating or cooling mechanical devices.
ROOF-MOUNTED SIGN	Any sign located on, attached to or extending from any portion of a roof, mansard, eaves or parapet wall of a building.
~~**Sign**~~	~~A presentation or representation of words, letters, figures, designs, pictures or colors, publicly displayed so as to give notice relative to a person, a business, an article of merchandise, a service, an assemblage, a solicitation, or a request for aid; also, the structure or framework or any natural object on which any sign is erected or is intended to be erected or exhibited or which is being used or is intended to be used for sign purposes~~
SIGN	Any identification, description, illustration, symbol, insignia, medium, statue or other physical or visual device or representation, which is visible from outside the premises on which such device is located, designed to advertise, identify or convey information or direct or attract attention to a product, place, activity, person, institution or business.
SIGN FACE	The entire area of a sign on which copy could be placed.
~~**Sign, Height of**~~	~~The vertical distance from the average adjacent ground level to the top of the sign including the support structure and all design elements~~
Sign Structure	Any structure which supports, has supported or is designed to support a sign
SIGN, TEMPORARY	A sign displayed for short periods of time, generally not longer than one (1) month, as specified within the required sign permit.
SUSPENDED SIGN	A sign attached to and located below any permanent eaves, roof, canopy or awning and not mounted to a wall in any way.
UNIFIED COMMUNITY BUSINESS SIGN.	A temporary, movable sign sanctioned by the Town for local businesses to use that is the same for every business with the same copy type, color, material and size. Copy content is the only aspect of the sign that may be altered. The sign concept should be agreed on by participating business owners and is subject to Design Review by the Virgin Town Planning and Zoning Commission. Said sign concept may be changed upon the request of the business owners and approval of the Planning and Zoning Commission. If a new sign is approved, all old Unified Community Business signs shall be removed before the replacement signs are installed.
VIRGIN TOWN WELCOME SIGN	A sign owned by the Town that is located in a place of the Town's choosing and that serves the purpose of signifying entrance into the Town. Said sign would have space for community announcements and for advertising local businesses who choose to lease available sign space. The Town of Virgin shall retain control over the Virgin Town Welcome Sign(s)' design, color, size, material, content and location, but will work in consultation with local Virgin business owners in deciding such factors.
VISUALLY CONSISTENT	Giving a visual impression of continuity and harmony.

ATTACHMENT 2
Sign related definitions

WALL OR WALL-MOUNTED SIGN	A sign attached to, or painted on, and parallel to, a building or wall.
WINDOW SIGN.	Any sign printed, attached, glued or otherwise affixed to or behind a window or similar opening for purposes of viewing from outside the premises. This term does not include merchandise located in the window.