



LA VERKIN CITY PLANNING COMMISSION AGENDA

Regular Meeting

Wednesday, July 22, 2026, 6:00 pm.

City Council Chambers, 111 South Main Street

La Verkin, Utah 84745

A. Call to Order: Chair Allen Bice

Invocation by Invitation; Pledge of Allegiance

B. Approval of Agenda:

C. Approval of Minutes: June 10, 2026, regular meeting.

D. Reports:

City Council and Director of Operations will present updates on meetings and activities.

E. Business:

1. Discussion regarding the Sign Regulations Ordinance.
2. Discussion regarding the General Plan

F. Adjourn:

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Nancy Cline, City Recorder, (435) 635-2581, at least 48 hours in advance.

Certificate of Posting

The undersigned City Recorder does hereby certify that the agenda was sent to each member of the governing body, posted on the State website at <http://pnn.utah.gov> posted on the La Verkin City website at www.laverkin.gov and at the city office buildings 111 S. Main and 435 N. Main on July 17, 2026

Nancy Cline, City Recorder

LA VERKIN CITY PLANNING COMMISSION

Regular Meeting

Wednesday, June 10, 2026, 6:00 pm.

City Council Chambers, 111 South Main Street

La Verkin, Utah 84745

Present: Chair: Allen Bice; Commissioners: Sherman Howard, Amanda Pectol, Matt Juluson, and Christian Harrison; Staff: Derek Imlay, Brad Robbins, and Nancy Cline; Public: Kevin Smeadly.

A. Call to Order: Allen Bice called the meeting to order at 6:00 pm.

The invocation and Pledge of Allegiance were given by Christian Harrison.

B. Approval of Agenda:

The motion was made by Commissioner Sherman Howard to approve the agenda, second by Commissioner Christian Harrison. Sherman Howard-yes, Bice-yes, Juluson-yes, Pectol-yes, Harrison-yes. The motion carried unanimously.

C. Approval of Minutes: May 13, 2026, regular meeting

The motion was made by Commissioner Matt Juluson to approve the minutes for May 13, 2026, second by Commissioner Amanda Pectol. Sherman Howard-yes, Bice-yes, Juluson-yes, Harrison-yes, Pectol-yes. The motion carried unanimously.

D. Reports:

1. John Valenti reported on the City Council meeting held June 3, 2026.

Derek reported they are still working on the paperwork for the two big jobs. They have not gone out to bid yet.

E. Public Hearing

1. An Ordinance amending title 10 Chapter 10, "Off-Street Parking" of the La Verkin city code, establishing rules and regulations pertaining to off-street parking in the city.

Public Hearing opened at 6:04 p.m.

Patty Wise commented that she wasn't aware the planning commission had discussed off street parking in previous meetings. She thinks the public needs more information before being asked to give comments at a public hearing. She would like that so the public can participate and understand the issues.

Public Hearing closed at 6:06 p.m.

F. Business:

1. Discussion and possible action to recommend approval for an Ordinance amending title 10 Chapter 10, "off-street Parking" of the La Verkin city code, establishing rules and regulations pertaining to off-street parking in the city.

The planning commissioners commented they have had off street parking on the agenda twice before this meeting and discussed it both times to make changes.

Commissioner Sherman Howard clarified that the isles and stalls have been changed to bigger sizes at all degrees. It had been changed.

Commissioner Juluson commented about section 10-10-3 access individual space of one family, two family dwellings but it doesn't address triplex or fourplex housing.

Commissioner Bice replied that it states that except for one family, two families have access from the street, everything bigger has to be accessed from a private drive.

Commissioner Sherman Howard commented he liked the landscaping requirements, so they don't have too much asphalt and no landscaping.

Commissioner Juluson clarified that it refers to the night sky ordinance code for lighting.

The motion was made by Commissioner Christian Harrison to recommend approval for an Ordinance amending title 10 Chapter 10, "Off-Street Parking" of the La Verkin city code, establishing rules and regulations pertaining to off-street parking in the city, seconded by Commissioner Sherman Howard. Sherman Howard-yes, Bice-yes, Juluson-yes, Harrison-yes, Pectol-yes. The motion carried unanimously

2. Discussion regarding amendments to the Sign Ordinance.

Brad explained that the sign ordinance is the most difficult to amend. They did take out the planning commissioners approving all signs. It states a city employee. In page three definitions, dynamic display sign is a new definition and has a digital display sign that automatically changes its content as defined in the code. A monument sign is somewhat of a new definition for La Verkin. A monument sign is like the sign coming in from Hurricane. That's a monument sign instead of a pole sign or what's called the pylon sign. Again, a pylon sign is a new definition too. A pylon is basically the same as the park identification signage. It's still more common to have. A static sign is a sign that does not have anything rotating through it. It is just a sign, and they now have a definition for that. Forty-two is new: a tourist-oriented directional business sign. Basically, it is a sign that this city can utilize, and it can only be located on city property for tourist information for businesses. Those types of uses, as far as the permit process is concerned, they are going to acquire an application and pay a fee. The city will have ten days to make sure it fits the code requirements and issue it. The sign has to be maintained; it has to be inspected when it's constructed. They must maintain a business license. It's an assignment permit, meaning that if someone sells a business to somebody else, it can be freely assigned. In regard to prohibited signs, the city previously allowed roof signs to be permitted. Roof signs kind of went out of favor many, many years ago. There may be a few of them left, but normally you don't see roof signs anymore. Most cities prohibit them. In fact, one exists out there right now. It could stay as nonconforming until the time that business closes.

Commissioner Sherman Howard had a question about what the definition of a vehicular sign is. Would that include a sign on the door of a truck? Or a wrap on the vehicle?

Brad explained it is a sign like a billboard in the back of a truck or being pulled by a truck. They park it on the street somewhere. Other things that are prohibited would be notices, placards, billboards, posters, and cards. For example, you walk up to a streetlight, and it has signs stuck all over it. That's kind of what that is. Also, prohibiting signs in the public right-of-way except those authorized by a governmental agency. They should probably never allow political signs. The code already has limitations on political signs that are complicated and modified a little bit. They can't have them on public property or in the public right of way. They can't show up like at your parks or streets.

Commissioner Harrison asked about political signs on private property on State Street.

Brad commented if the city owned the property he wouldn't be allowed to have a sign there. They discussed the property and it's "in favor" of the city but someone else owns it.

Commissioner Bice commented that signs wouldn't be allowed on easements either.

Brad explained by putting this in the code if during political season signs show up where they are not allowed to be this would allow the city to remove them.

Commissioner Harrison wanted the definition of the corner cut off area.

Brad explained that there's what they call a corner cut off and it's defined by how many feet from one side of the street to the other side of the street. When you draw a line across, they can't put any signs in that area. The reason is because it blocks the visibility for people trying to turn. Thirty feet down one street, thirty feet the other, draw a line. a lot of corners where stop signs are, that's a very popular spot for political signs to go. This would disallow that. They shouldn't be impeding traffic; they shouldn't be blocking traffic; they shouldn't be causing visibility issues. The other thing that's in the code is that they have to get permission from the property owner to put a sign on it. You just can't put a sign on someone's property without them knowing about it without them giving permission.

Commissioner Harrison asked about context with these regulations to help him understand where would they be allowed, other than on people's private property with permission? His understanding was if it was on the space between the sidewalk and the road, you could put them there; that wouldn't be a problem. But that's technically city property between the sidewalk and the road, that'd be public property, therefore not allowed.

Brad explained it's always been that way that signs are only allowed on private property with permission. If somebody complains and says that sign is in the right of way in my jurisdiction, we used to have to go out and measure from the center line to see where these signs were located. If it was in the right of way, it got pulled out.

Commissioner Harrison felt these rules were really limited where the signs were allowed.

Brad explained it was always in the code but not being enforced unless they got a complaint. Number fifteen covers temporary signs and these are for fundraisers, civic events, those types of things, religious organizations. There are some time frames as to how they can do it. They fall under the same category. They cannot be in the right of way and have to be on private property. Number sixteen is flags, military banners, civic banners. A lot of cities, if you notice, they have a big sign of the military, and they'll have those hanging on utility poles and those kinds of things. With this new ordinance, you would now be allowed to do that, not that you couldn't before. It specifically says that you can do those things. The city can do for civic events whatever the city cites in that regard. Next is directory signs. The Flex project wanted some directory signs on the inside. They didn't have that in our codes. He added it to the code. If you go to where it says, "partial identification signs," all that's in yellow is new. We've set up some criteria for partial identification signs, pylon signs, monuments. They have to match the architecture of the building. They have to be set back out of what seems called a driveway, and a landscape planner can't overhang into the driveway. The sign has to be oriented towards the street and basically size wise for commercial property. The maximum, he believed, is two hundred and forty. But that's one square foot of sign for each one linear foot of garage. So, if you have two hundred and forty linear feet, they get two hundred and forty square feet. There are now criteria for wall signs, in which a wall sign can be on three sides of structure, but a wall sign adjacent to residential use cannot be illuminated. They have to be complimentary to the building. He added criteria for awning signs and window signs; there was a little bit in here about window signs. He advised that they can't have a window sign for more than one hundred and twenty calendar days per year, and not more than fifty percent of the window can be covered during that period of time. That does not include Christmas and holidays, these are just actual sales. The thought was to try to restrict people having windows full of product marquee signs, really these only involve theaters.

Commissioner Bice asked if it would include churches or schools or other people with other businesses with marquees.

Brad explained it might be because they have the number of seats. Theaters having a permit seating for at least one hundred people shall be permitted. He assumed churches could probably fall into that same category. Wall murals haven't been included before. These are historical, some people paint on the sidewalks. Basically, I just think the concept of workable work is for the city to make, of course, murals meet the intent of this chapter. It can't be a sign. It has to be something that's more historical oriented towards those things. The big one is dynamic display signs and the criteria for dynamic split signs, such as transition to fading, dissolving, scrolling, brightness. They have to have a dimmer control on them. No portion of the sign shall fluctuate light intensity in any way.

Commissioner Harrison clarified it must be a hard transition, then it just switches. They can't fade it, dissolve it, scroll it, or travel into it. Are those fading techniques a safety concern? What is the reasoning?

Brad replied that he looked at the code from CalTran for guidance. They have forty years of experience with signs.

Commissioner Bice suggested that it creates an illusion of movement. When you are driving, you don't want to be focused on something that looks like it's moving.

Brad added that the goal of all of this is that you are not just staring at that sign when you drive. That's why they don't allow them to flash every second. They're supposed to be about four seconds and then flash.

Commissioner Harrison clarified the movie theater and Zions bank in Hurricane Utah have animated signs that flash and show clips of movies and that would not be allowed under this sign ordinance.

Brad agreed and added that while you drive by the signs you are looking at them and not the road. Which is the purpose. He suggested taking it out of the code if the commissioners wanted to.

Commissioner Harrison asked what level of movement do they want to allow? He felt it was a little strict. The movie theater sign is really big while the banks sign is much smaller. He thinks the size should be considered. A small, animated sign would be ok but not a big one.

Commissioner Pectol asked if these restrictions would prevent potential commercial business owners from coming into La Verkin?

Derek replied that they currently have none of these restrictions in the sign ordinance. A business might shy away if they wanted a big, animated sign. The city council had a little push back when the Hot Springs applied for this type of sign. They were concerned about the size, distraction and light pollution. The council didn't want a lot of these types of signs. He advised it was good to allow these types of signs; they attract more business. He thought they could limit the size of animated signs. We don't want to be like Vegas.

Commissioner Pectol asked if they passed this tonight, could a business come in and ask for a conditional permit.

Derek replied that they could not. This would take it completely out. This ordinance makes them permitted or not. The Hot Springs applied before they changed the ordinance, that's how they got the conditional permit.

Commissioner Pectol asked if they could add it as an allowance so that commercial business could have an animated sign if they wanted to.

Commissioner Bice saw that as a problem because they could declare favoritism from one business than another if one gets permission, but another does not.

Commissioner Harrison agreed it could feel arbitrary at that point. They could open the city up to someone saying this isn't fair, and then you have to deal with litigations and lawsuits. They could claim bias.

Derek commented that their interaction and discussion is exactly what they wanted in this process. They are not in a hurry to pass this and would rather have a few discussions about it and with the different personal experiences they have a lot of good comments and suggestions. La Verkin needs commercial businesses to come in.

Commissioner Bice added that Number Two and Number five both state that they're doing it to ban things that create the illusion of movement.

Commissioner Juluson commented that Number Two is only on the transition. It's not on what the show is, just on how we go from one slide to the next.

Commissioner Harrison suggested instead of animation restrictions they use terms of effective size control and size management.

Brad replied that they have included that in the sign standards, a dynamic display is kind of restricted. The property has to be at least two acres in size before you can get one of these types of signs. It can't be more than sixty-four square feet. This would be for a larger commercial center not a small business.

Commissioner Juluson added that agreed with the transition limitations because when you are looking at something that's transitioning, you are going to watch to see what the next one is. If they take three or four seconds to make that transition as you are watching, you are missing the car in front of you. But if that's an instant transition you are more likely to see the car head. It's only between one slide to another slide. How do you get there? It's not a slow medium transition from one to the next.

Commissioner Harrison added that if they put down that the transitions are distracting, then it flows easily into the same thing of text that's moving across the screen, or any kind of video, is just as distracting as that transition. We end up back at a full band, which is where we currently stand. Maybe that's where we want to end up. He wanted to know where we wanted to end up. And if you start looking at transitions that are distracting, then you've got all the things distracting disallowed. A light-up sign in general is slightly distracting. There's a line somewhere. It's a matter of finding where we want to put that line.

Commissioner Pectol clarified the biggest it could be is 8X8 on two-acre lot. That's minimal.

Commissioner Harrison added that it was not incredibly large. And there's also the setback that has to be set back off of corners, set back off the street, which also helps that it's not right there on the edge. He asked if we have a certain setback from the street? I know we have a corner setback.

Brad replied that he didn't think so, they have the corner setback is all. It cannot be in the right of way or hangover the right of way.

Commissioner Pectol commented that it would slow traffic down naturally. She thought smaller signs would be more effective for commercial properties with the 8X8.

Commissioner Sherman Howard agreed to the restrictions and wanted to keep the small-town feeling.

Commissioner Bice added that if we pass this and find it's too restrictive, it'll be easier to go back and loosen it. If we don't pass it and find it's not restrictive enough, it'll be easier to go back and tighten it.

Commissioner Harrison thought there was a chance that since the Hot Springs have their conditional use permit that other businesses would want the same type and size sign. We might start getting more questions once the first one appears.

Derek explained he didn't think that many businesses would be able to afford it financially. The Hot Springs sign was about \$400,000. They don't have to decide tonight, they can continue to discuss it in the next meeting.

Commissioner Pectol asked Derek if he had ever had any projects come across his desk that this rule would have had them take their business elsewhere because they wanted a different sign.

Derek replied he has never had that be an issue.

Brad added that the amount of traffic that comes through to Zion would be a reason to have a business in La Verkin. He didn't feel like the limits on signs would discourage a business.

Brad continued to tourist oriented directional business signs. These are the signs that would have to be on city property, and there'd probably be one coming in from Hurricane, one coming in from Toquerville, maybe someday one coming in from Zion. He put together some criteria for that. It would be a static sign. Businesses that want to be on that sign, if you have no space available, what do you do? He suggested a lottery system for something like that. If that ever occurs and these signs have to be rotated out once a year. The static sign would just have the name of the business and the business logo. A dynamic display sign would allow as many businesses as you wanted to rotate. It could show civil events and addresses. He added some regulations like it has to be an actual real business that's open forty hours a week. It can't be a home occupation business. You are not supposed to drive traffic to home occupation businesses. Can't sexually explicit business or that type of business.

Derek added that the reason that he wanted to go down this road is to help businesses like the hot springs, and the RV resort, and you have a couple other businesses that get missed by the bypass. They are off of State Street and easy to miss. This signage would help with that. An example could be like the blue signs on the freeway saying, "Maverick" and all these other businesses. This would help them get their location out but not have so many signs throughout town.

Commissioner Bice asked if the sign would be owned and managed by the city.

Brad replied that the sign would have to be owned by the city.

Commissioner Harrison commented that the two safety construction signs that are announcing city events. He suggested having a dynamic city sign to be able to put city events on. He asked about the programming on that type of sign.

Brad replied that the city can be there as often as they want it. Then everybody else will start to get that type of exposure. Those are going to have to be city policies. He continued to explain A-frame signs or sandwich board signs. Those are the signs that you see sticking out in certain areas. We have some restrictions for those; it can't be obstructing a pedestrian pathway. They can't be more than thirty-six by twenty-four in size. It can be made of durable material. They have to come down at the end of the day. They can't just stay up all night long once the business is closed and during extreme weather events, that sign is not permitted.

Derek pointed out that the sandwich board signs are not currently allowed in the city, but businesses use them. If they didn't allow them, it would be taking away a source of advertising, and he didn't think they were harmful or unsafe. He didn't know why we didn't allow them all those years. We've not gone out and enforced it because there hasn't been an issue or a complaint. As long as they're set up right it accommodates an additional capability of advertising.

Brad continued with the sign standards. Included are banners, tents, and feather flags. A feather flag is the ones that are just kind of waving with the stick in the wind. Those would be allowed during special sales only, permitted for a maximum of ninety days, three times per year. It will allow businesses to have them, but they have to choose when they want to do it as opposed to just having them out permanently. We now have requirements for right of way signs. Residential signs, in the previous ordinance, were not allowed. They can have one now that only advertises the business and allows them to have a maximum four square foot sign in their yards. We kind of talked about all signs and pylon monument signs. Then it gets into non-conforming signs. This ordinance once adopted will be your most important ordinance.

Derek explained for the next meeting he would have a side-by-side comparison of the old ordinance with the changes and additions along with some images of different types of signs.

Commissioner Bice asked if UDOT has restrictions for SR 9 or SR 17.

Brad replied he checked Utah code and didn't find any. Once the ordinance is how they like it then Fay will need to look it over because one of the most litigious items in city code are over signs.

3. Discussion regarding the General Plan

The commission conducted an extensive review of proposed updates to the city's General Plan, with consultant Kevin Smedley guiding them through the transportation, housing, parks, and public facilities chapters. Outdated information, including a 2018 community survey, was recommended for removal throughout the document.

Transportation: The plan will incorporate the city's transportation master plan, including a future map of all roadways and trails. Discussion centered on allowing curvilinear road designs for new developments like the "Top Side" to accommodate topography, while maintaining the city's grid-based street numbering system. The commission supported adding a goal to expand the city's sidewalk network and clarified that the local bus stop is located on 300 North near the fire station.

Housing: The text was updated to reflect current conditions and projections. The commission discussed the city's approach to the state's moderate-income housing mandate, which becomes a requirement at a population of 5,000. As the city is projected to be 3-5 years from that threshold, the plan will acknowledge the future requirement without implementing specific strategies yet. Language regarding "mobile homes" was revised to clarify the distinction between prohibiting mobile home parks and allowing individual manufactured homes, which are seen as an affordable housing option. The plan will also encourage a variety of lot sizes.

Parks, Recreation, and Trails: The list of city park assets was updated. The commission supported adding goals to integrate more shade structures at playgrounds and to pursue the development of pickleball courts, a frequent request from residents. The plan will continue to reference potential development near Pah Tempe and a future multipurpose community center, potentially at the current elementary school site, to preserve future funding opportunities. The action step to "develop" a trails master plan was corrected to "maintain and update" the existing one.

Public Facilities and Utilities: This section was updated to remove sensitive infrastructure maps (e.g., water mains) for security reasons. The text regarding the sewer system was noted as outdated and will be revised to reflect that the city now operates its own treatment plant and reuse facility, no longer sending waste to Hurricane's lagoons. The plan also now addresses telecommunications and digital connectivity more broadly than just "high-speed internet" and affirms that new development must cover the cost of necessary infrastructure expansion.

G. Adjourn:

Commissioner Bice adjourned the meeting at 7:56 p.m.

Planning Commission Chair

Date Approved

CHAPTER 11

SIGN REGULATIONS

SECTION:

[10-11-1: Purpose And Objectives](#)

[10-11-2: General Requirements](#)

[10-11-3: Definitions](#)

[10-11-4: Permit Process](#)

[10-11-5: Classification Of Signs](#)

[10-11-6: Prohibited Signs](#)

[10-11-7: Exempt Signs](#)

[10-11-8: Sign Standards](#)

[10-11-9: Unlawful Signs, Sign Removal, And Indemnification](#)

[10-11-10: Disposal Of Signs](#)

[10-11-11: Area And Height Computation](#)

[10-11-12: Sign Standards Table For Residential, Industrial And Commercial Zones](#)

[10-11-13: Nonconforming Signs](#)

[10-11-14: Violations And Remedies](#)

10-11-1: PURPOSE AND OBJECTIVES:

- A. The purpose of these sign regulations is to encourage the effective use of signs as a means of communication in the city; to maintain and enhance the aesthetic environment and the city's ability to attract sources of economic development and growth; to improve pedestrian and traffic safety; to minimize the adverse effect of signs on nearby public and private property; and to enable the fair and consistent enforcement of these sign restrictions. Accordingly, the city adopts these regulations to provide for a healthy business environment considering safety aspects while maintaining those aesthetic qualities reflective of the natural surroundings. This chapter is adopted under the zoning authority of the city in furtherance of the more general purposes set forth in this zoning title. It supersedes all previous ordinances or sections pertaining to the same.
- B. The goals to be achieved by these regulations are:
 1. To establish a permit system to allow a variety of types of signs in commercial and industrial zones, and a limited variety of signs in other zones, subject to the standards and the permit procedures of this chapter;
 2. To allow certain signs that are small, unobtrusive and incidental to the principal use of the respective lots on which they are located, subject to the substantive requirements of this chapter, but without a requirement for permits;
 3. To provide for temporary signs without commercial messages in limited circumstances in the public right of way;
 4. To prohibit the construction of any new off premises signs throughout the city;
 5. To prohibit all signs not expressly permitted by this chapter;

6. To stimulate harmony within the community while allowing for competitive opportunities and protection of property values to preserve a healthy business environment and a sustainable economy;

7. To create a city image that reflects the surrounding natural scenic grandeur;

8. To establish a visual management corridor along scenic Highway 9;

9. Provision for the safety of pedestrians and motorists and promotion and protection of the public welfare; and

10. To provide for the enforcement of the provisions of this chapter. (Ord. 2005-41, 12-21-2005)

10-11-2: GENERAL REQUIREMENTS:

A. Applicability: A sign may be erected, placed, established, painted, created or maintained in the city only in conformance with the standards, procedures, exemptions and other requirements of this chapter.

B. Sign Approval: Except as otherwise provided, it shall be unlawful and an infraction to erect or maintain any sign or outdoor advertising structure in the city of LaVerkin without first obtaining the approval of the ~~planning commission~~ City for said sign or advertising structure, the giving of which shall be based upon the provisions of this title. Said approval shall not be required for exempt signs that meet the requirements of this title.

C. Variances: Any person or entity desiring a waiver or modification of the requirements of this chapter as applied to a sign that such person owns, leases, or in which such person holds some other beneficial interest, may apply to the board of adjustment for a variance in accordance with this title.

D. Appeals: Any person aggrieved by a decision of the ~~Staff planning commission~~ may appeal in writing within fifteen (15) days of said decision pursuant to this title. (Ord. 2005-41, 12-21-2005)

10-11-3: DEFINITIONS:

Words and phrases used in this chapter shall have the meanings set forth in this section. Words and phrases not defined in this section but defined in this zoning title shall be given the meanings set forth in such title. All other words and phrases shall be given their common, ordinary meaning, unless the context clearly requires otherwise. Section headings or captions are for reference purposes only and shall not be used in the interpretation of this chapter.

ABANDONED SIGN: A sign related to a former business located on property which remains unoccupied for a period of one hundred twenty days or more, or any sign which was erected for an occupant or business unrelated to the present occupant or business, and any sign which pertains to a time, event or purpose which no longer exists.

ANIMATED SIGN: Any sign that uses movement or change of lighting to depict action or create a special effect or scene. A sign on which the message changes more than eight (8) times per day.

AWNING SIGN: Any sign copy or logo attached to or painted on the flap or valance of an awning.

BALLOON: Any air or gas filled balloon or blimp attached to a string, rope or similar ligature, and tethered to a fixed place or object, including motor vehicle.

BANNER: Any sign of lightweight fabric or similar material that is permanently mounted to a pole or a building by a permanent frame at one or more edges. National flags, state or municipal flags, or the official flag of any institution or business, shall not be considered banners.

BEACON: Any light with one or more beams directed into the atmosphere or directed on one or more points not on the same zone lot as the light source; also, any light with one or more beams that rotate or move.

BILLBOARD: A freestanding sign that exceeds the maximum allowable dimensions of freestanding signs as set forth in this title.

BUILDING INSPECTOR: The building inspector of the city or his or her designee.

BUILDING MARKER: Any sign indicating the name of a building and date and incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material.

BUILDING SIGN: Any sign attached to any part of a building, as contrasted to a freestanding sign.

BULLETIN BOARD: A sign of permanent character, but with removable letters, words or numerals.

CANOPY SIGN: Any sign that is a part of or attached to an awning, canopy, or other fabric, plastic or structural protective cover over a door, entrance, window, or outdoor service.

CHANGEABLE COPY SIGN: A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign.

COMMERCIAL MESSAGE: Any sign wording, logo, or other representation that, directly or indirectly, names, advertises or calls attention to a business, product, service, or other commercial activity.

DEVELOPMENT SIGN: A temporary sign listing the address or name of the architect, landscape architect, engineer, planner, contractor or other person or firm participating in the development, construction or financing of a project on the premises on which the sign is located.

DIRECTIONAL SIGN: Any freestanding non-flashing sign, other than a highway marker or any sign erected and maintained by a public authority, which is primarily designed, erected and maintained to serve as a public convenience in directing persons to a place of importance or interest, to a structure, or to a use situated within the city.

DIRECTORY SIGN: A sign listing the tenants or occupants and their suite numbers of a residential, commercial, or industrial development project.

DYNAMIC DISPLAY SIGN: Is a digital display sign that automatically changes its content as defined in this code rather than showing a fixed static message.

FLAG: Any fabric, banner or bunting containing distinctive colors, patterns or symbols, used as a symbol of government, political subdivision or other official entity.

FLAGPOLE: A tall staff or pole on which a flag is raised; a strong rod or stick with a specialized utilitarian purpose.

FREESTANDING SIGN: Any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure.

GRAND OPENING: A promotional activity used by newly established businesses, occurring within 3-months following occupancy, to inform the public of their location and services or products available to the community. "Grand Opening" does not mean an annual or occasional promotion of retail sales by a business.

IDENTIFICATION SIGN: Any sign which indicates the business name or official entity.

INCIDENTAL SIGN: A sign, generally informational, that has a purpose secondary to the use of the zone lot on which it is located, such as "no parking", "entrance", "loading only", "telephone" and other similar directives. No sign with a commercial message shall be considered incidental.

LOT: Any piece or parcel of land or a portion of a subdivision, the boundaries of which have been established by some legal instrument of record that is recognized and intended as a unit for the purpose of transfer of ownership.

ILLUMINATED SIGN: A sign which emits or reflects lights from a source purposely placed to make the sign visible.

MARQUEE: Any permanent roof like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

MARQUEE SIGN: Any sign attached to, in any manner, or made a part of a marquee.

MONUMENT SIGN: A freestanding sign with a solid base that is equal to, or greater than, the width of the sign face, and incorporates the architectural theme and building materials of the building(s) located on the property in which the sign serves.

NONCONFORMING SIGN: Any sign that does not conform to the requirements of this chapter.

OFF SITE SIGN: Any sign which is not located on the business or activity site it identifies or advertises.

ON SITE SIGN: Any sign which directs attention to an occupancy, business, commodity, service or entertainment conducted, sold or offered only upon the premises where the sign is located.

PARCEL IDENTIFICATION SIGN: A freestanding on-site sign such as a monument or pylon sign.

PENNANT: Any lightweight plastic, fabric or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind. Individual pennants shall not measure more than eight inches by fifteen inches (8" x 15") triangle.

PERSON: Any association, company, corporation, firm, organization, or partnership, singular or plural, of any kind.

PORTABLE SIGN: Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs connected to A- or T-frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right of way, unless said vehicle is used in the normal day to day operations of the business.

PRINCIPAL BUILDING: The building in which is conducted the principal use of the lot on which it is located. Zone lots with multiple principal uses may have multiple principal buildings, but storage buildings, garages and other clearly accessory uses shall not be considered principal buildings.

PYLON SIGN: A freestanding sign that is permanently supported by one or more uprights, braces, or poles, or other similar structural components that are architecturally compatible with the main structure of the site.

PROJECTING SIGN: Any sign affixed to a building or wall in such a manner that its leading edge extends more than six inches (6") beyond the surface of such building or wall.

RESIDENTIAL SIGN: Any sign located in a district zoned for residential uses that contains no commercial message.

ROOF SIGN: Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure and extending vertically above the highest portion of the roof.

ROOF SIGN, INTEGRAL: Any sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six inches (6").

SETBACK: The distance from the property line to the nearest part of the applicable building or structure that uses any color, form, graphic, illumination, symbol or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.

SIGN: Any device, fixture, placard, or structure, including banners and flags, that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, show support for, or identify the purpose of a person, entity or cause, or to communicate information of any kind to the public.

STATIC SIGN: A sign that does not rotate, move, or have any appearance of changing or movement in the sign. A static sign is not a dynamic display sign.

STREET: A strip of land or way subject to vehicular or pedestrian traffic that provides direct or indirect access to property, including, but not limited to, alleys, avenues, boulevards, courts, drives, highways, lanes, places, roads, terraces, trails or other thoroughfares.

STREET FRONTAGE: The distance for which a lot line adjoins a public street, from one lot line intersecting said street to the farthest distant lot line intersecting the same street.

SUSPENDED SIGN: A sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.

TEMPORARY SIGN: Any sign that is used only temporarily and is not permanently mounted. The signs shall be removed when the event advertised is complete or within six (6) months of installation.

TEMPORARY SIGN: Any sign that is used only temporarily and is not permanently mounted.

TOURIST ORIENTED DIRECTIONAL/BUSINESS SIGN: Means the official city sign placed on city owned property to provide the traveling tourist information regarding attraction, service business identification and directional information for establishments related to the tourist's needs.

TIME/TEMPERATURE SIGN: An animated sign on which the only copy that changes is an electronic or mechanical indication of time or temperature.

VISUAL CORRIDOR: In recognition of the role that visitation to Zion national park plays in attracting economic development to the city of LaVerkin, there is hereby created a visual management corridor. This is defined as the area east of mile marker 13 on Highway 9 to the town of Virgin town limits. The boundaries for the purpose of regulating signage and building to minimize distraction of views and scenery will be three hundred feet (300') or all of any commercial zone abutting SR9, whichever is greater.

WALL SIGN: Any sign attached parallel to, but within six inches (6") of, a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface.

WINDOW SIGN: Any sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale or service, that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.

ZONE LOT: A parcel of land in single ownership that is of sufficient size to meet minimum zoning requirements for area, coverage and use, and that can provide such yards and other open spaces as required by zoning regulations. (Ord. 2005-41, 12-21-2005; amd. Ord. 2024-09, 3-6-2024)

10-11-4: PERMIT PROCESS:

A. **Permits In General:** The approval of the planning commission shall be evidenced by a permit issued by the building inspection division. All signs shall be constructed and all permits shall be issued in accordance with the provisions of the applicable building related code(s).

B. **Permit Requirements:**

1. A permit is required if a sign requiring a permit under the provisions of this chapter is to be placed, constructed, erected, or modified on a zone lot. The owner of the lot shall secure a sign permit prior to the construction, placement, erection, or modification of such a sign in accordance with the requirements of this section.

a. Flag Poles greater than twenty-five feet (25') in height are required to get a building permit from the city which includes plans and specifications stamped by a licensed structural and electrical engineer to assure proper grounding, strength, wind resistance, seismic loads, and other relevant engineering requirements as required by the building codes.

2. The property owner shall maintain in force, at all times, a sign permit for such sign in accordance with this section.

3. No sign permit of any kind shall be issued for an existing or proposed sign unless such sign is consistent with the requirements of this chapter.

C. **Off Premises Permits:** Permits for off premises nonconforming signs shall be renewed on an annual basis. Applications for permits, or for the renewal of permits, shall require the applicant to disclose the owner of the sign and the owner of the property on which the sign is or will be located, all relevant dates in regard to expiration of any lease or lease option, the date and cost of construction of the sign, the date and cost of any modification of the sign, the fair market value as appraised for property tax purposes, the date the sign will be depreciated for federal income tax purposes, the cost of operating the sign, and any other information reasonably required by the planning commission.

D. **Revocation:** A permit may be revoked and a sign removed pursuant to this code if the applicant for a permit makes a false or misleading statement in the permit application or renewal.

E. **Permit Procedures:** The following procedures shall govern the application for and the issuance of all sign permits under this chapter:

1. **Application For Permit:** All applications for sign permits shall be submitted to the building inspector on an application form provided by the building inspector. Any sign requiring a conditional use permit shall make application for planning commission review. Planning commission shall set the conditions for the signage in question. Any appeal of the planning commission decision shall go before city council.

2. **Fees:** Each application for a sign permit shall be accompanied by the applicable fees set forth in this section, which shall be established by the city council from time to time by resolution.

3. Completeness: Within five (5) days of receiving an application for a sign permit, the building inspector shall review it for completeness. If the building inspector finds that it is complete, the application shall then be processed. If the building inspector finds that it is incomplete, the building inspector shall, within such five (5) day period, send a notice to the applicant of the specific ways in which the application is deficient, with appropriate references to the applicable sections of this chapter.

4. Action On Plan:

a. Approve Or Reject: The building inspector shall either:

(1) Approve the proposed plan if the sign as shown on the plan and the plan itself conforms in every respect with the requirements of this chapter; or

(2) Reject the proposed plan if the sign as shown on the plan or the plan itself fails in any way to conform to the requirements of this chapter. In the case of a rejection, the building inspector shall specify in the rejection the section or sections of this chapter with which the plan is inconsistent.

b. Permits To Construct Or Modify: Signs identified in this chapter as requiring a permit may be installed or created only in accordance with a duly issued and valid sign construction permit from the building inspector. Such permits shall be issued only in accordance with the following requirements and procedures:

(1) Permit For New Sign Or Sign Modification: An application for construction, creation or installation of a new sign or for modification of an existing sign shall be accompanied by detailed drawings to show the dimensions, design, structure and location of each particular sign then in effect for the zone lot. One application and permit may include multiple signs on the same zone lot.

(2) Inspection: The building inspector shall cause an inspection of the zone lot for which each permit for a new sign or for modification of an existing sign is issued during the six (6) month period after the issuance of such permit or at such earlier date as the owner may request. If the construction is not substantially complete at the time of inspection, the permit shall lapse and become void. If the construction is substantially complete, but not in full compliance with this chapter and applicable codes, the building inspector shall give the owner or applicant notice of the deficiencies and shall allow an additional thirty (30) days from the date of inspection for the deficiencies to be corrected. If the deficiencies are not corrected by such date, the permit shall lapse. All records on permitted signs shall be kept and maintained at the city offices by the building inspector.

c. Term Of Permit; Renewable: The owner of a zone lot containing signs requiring a permit under this chapter shall at all times maintain in force a sign permit for such property. Sign permits shall be issued for individual zone lots, notwithstanding the fact that a particular zone lot may be included with other zone lots in a common signage plan. Sign permits shall be issued for twelve (12) months. Signs shall be automatically renewed so long as no changes have occurred or the sign permit has not lapsed.

(1) Initial Sign Permit: An initial sign permit shall be issued by the building inspector covering the period from the date of the inspection of the completed sign installation, construction, or modification through the last day of the calendar year.

(2) Lapse Of Sign Permit: A continuing sign permit shall lapse if not renewed or if the business license for the premises lapses, is revoked or is not renewed. A sign permit shall also lapse if the business activity on the premises is discontinued for a period of one hundred eighty (180) days or more and is not renewed within thirty (30) days of a notice from the city to the last permittee, sent to the premises, that the sign permit will lapse if such activity is not renewed.

(3) Assignment Of Sign Permits: A current and valid sign permit shall be freely assignable to a successor as owner of the property or holder of a business license for the same premises, subject only to filing such application as the building inspector may require and paying any applicable fee.

F. Fee Schedule: The fees for sign permits and plans shall be as established by resolution of the city council. This fee schedule may be modified from time to time by resolution. (Ord. 2005-41, 12-21-2005; amd. Ord. 2007-24, 8-15-2007; Ord. 2024-09, 3-6-2024)

A. Permit Requirements:

A permit is required if a sign requiring a permit under the provisions of this chapter is to be placed, constructed, erected, or modified on lot. The owner of the lot shall secure a sign permit prior to the construction, placement, erection, or modification of such a sign in accordance with the requirements of this section.

1. Application. Application for a sign permit shall be made in writing upon forms furnished by the city. The application shall be signed by either the owner and lessee or occupant of the premises upon which the sign is or will be located.

2. Fees. A fee for each sign permit shall be paid to the city prior to issuance of a sign permit in accordance with the schedule of fees established by resolution of the council.

3. Issuance. The city shall determine within ten days whether the proposed sign and proposed action concerning said sign, with respect to its construction, location and materials, conform to all applicable city ordinances, regulations and provisions of this code. Any permit may, at any time, be rescinded should any of the provisions of this chapter or any provision of this code or applicable regulations and ordinances be violated by permittee.

4. Maintenance. The property owner shall maintain in force, at all times, a sign permit for such sign in accordance with this section. The sign shall also be kept and maintained in an acceptable condition or the permit for the sign can be revoked by the city.

5. Inspection. The city shall cause an inspection of the zone lot for which each permit for a new sign or for modification of an existing sign is issued during the six (6) month period after the issuance of such permit or at such earlier date as the owner may request. If the construction is not substantially complete at the time of inspection, the permit shall lapse and become void. If the construction is substantially complete, but not in full compliance with this chapter and applicable codes, the city shall give the owner or applicant notice of the

deficiencies and shall allow an additional thirty (30) days from the date of inspection for the deficiencies to be corrected. If the deficiencies are not corrected by such date, the permit shall lapse. All records on permitted signs shall be kept and maintained at the city.

6. Lapse Of Sign Permit. A continuing sign permit shall lapse if the business license for the premises lapses, is revoked or is not renewed. A sign permit shall also lapse if the business activity on the premises is discontinued for a period of one hundred eighty (180) days or more and is not renewed within thirty (30) days of a notice from the city to the last permittee, sent to the premises, that the sign permit will lapse if such activity is not renewed.

7. Assignment of Sign Permits. A current and valid sign permit shall be freely assignable to a successor as owner of the property or holder of a business license for the same premises, subject only to filing such application to the city.

10-11-5: CLASSIFICATION OF SIGNS:

Every sign erected or proposed to be erected within the city of LaVerkin shall be classified by the planning commission in accordance with the definitions of signs contained in this chapter. Any sign which does not clearly fall within one of the classifications shall be placed in the classification which the sign, in view of its design, location, and purpose, most clearly approximates in the opinion of the planning commission. (Ord. 2005-41, 12-21-2005)

10-11-6: PROHIBITED SIGNS:

In addition to any sign not specifically permitted or allowed in accordance with this chapter, the following signs are prohibited:

- A. Billboards; Off Premises Signs: No outdoor off premises advertising signs shall be constructed or erected after the effective date hereof. Any replacement sign shall conform to all provisions of this chapter. This subsection is not meant to prohibit temporary signs off premises advertising yard sales, open houses, or other similar residential related activities.
- B. Others Specified: All signs not expressly permitted or allowed under this chapter or exempt from regulation hereunder in accordance with this chapter, are prohibited in the city. Such signs include, but are not limited to:

- 1. Beacons.

2. Roof Signs

3. Billboards.

- 3. Strings of lights not permanently mounted to a rigid background, except those exempt in this chapter.
- 4. Inflatable signs and tethered balloons.
- 5. Faded, torn or stained flags are prohibited.
- 6. Signs designed for emitting sound, smoke, or steam.

7. Natural object used as a sign. No sign shall be painted on or affixed to any natural object in its natural location such as, but not limited to, a boulder, tree, or cliff face.
8. Vehicle signs. Signs affixed upon a vehicle, trailer or the like, 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.
9. 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, sexes or ethnic groups. (Ord. 2005-41, 12-21-2005)
10. Signs erected so that any portion of its surface or supports interfere with the free use of a fire escape, or exit, or obstruct a required ventilator, door, stairway, or window.
11. Notices, placards, bills, posters, cards, stickers, banners, signs, advertisings, or other devices designed to attract the attention of the public that are posted or otherwise affixed upon any street furniture, right-of-way, public sidewalk, crosswalk, curb, lamppost, fencing, hydrant, tree, alley, telephone pole, public telephone, lighting system, or other public alarm or communication system; or that overhang any public lands or right-of-way.
12. Signs in the public right-of-way except as authorized by a recognized government agency. Signs placed in the public right-of-way will be subject to removal by the city.

10-11-7: EXEMPT SIGNS:

The following signs shall be exempt from permit regulation under this chapter:

- A. No Permit Required: The following signs shall be allowed without a sign permit under the noted conditions and shall not be included in the determination of type, number or area of signs allowed on premises. Any other signs exceeding the conditions specified in this section (i.e., number, size, type, or area), shall require a permit as prescribed in this chapter. Exempt signs are subject to the provisions of this chapter regarding the safety, maintenance, and repair of signs. Exempt signs shall be compatible with the overall purpose and intent of these regulations.
 1. Public notices; warnings: Any public notice or warning required by a valid and applicable federal, state or local law, regulation or ordinance.
 2. Interior signs: Any sign inside a building, not attached to a window or door, that is not legible from a distance of more than three feet (3') beyond the lot line of the zone lot or parcel on which such sign is located.
 3. Holiday lights, decorations: Holiday lights and decorations with no commercial message.

4. Traffic control signs: Traffic control signs on private property, such as stop, yield and similar signs, the face of which meet department of transportation standards and which contain no commercial message.
5. Construction signs: One nonilluminated sign per construction project not to exceed eight (8) square feet in area, nor six feet (6') in height, used to indicate owner, general contractor, architect, and other pertinent construction data. Such signs shall be erected no more than five (5) days prior to the beginning of construction for which a valid building permit has been issued, shall be confined to the construction site, and shall be removed within five (5) days of completion.
6. Directional or instructional signs: Signs not to exceed four (4) square feet in area, used to identify restrooms, public telephones, walkways or signs providing direction such as parking lot entrance and exit signs 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 primary 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 three feet (3') above grade. If wall mounted, no portion of such sign shall be placed higher than eight feet (8') above grade. Directional or instructional signs visible from the public right of way shall not exceed two (2) such signs per business or business center.

7. Flags:

- a. Flags flown on a temporary basis for purposes of honoring national or civic holidays.
 - b. Any official flag, pennant, or emblem of any nation, state, city or other political unit, provided all such flags or emblems shall not exceed twenty five feet (25') in height.
8. Government signs: Governmental signs for traffic control and other regulatory purposes, street signs, danger signs, and signs of public service companies indicating danger, notices issued by any court and aids to service or safety that are erected by or by order of a public officer in the performance of his public duty.
 9. Historical or memorial signs: Memorial signs or tablets erected by recognized historical agencies, names of buildings, dates of erection and related information, provided the sign be cut into any masonry surface or inlaid so as to be part of the building and does not exceed two (2) square feet in area.
 10. House numbers and nameplates: Signs not exceeding two (2) per address and each sign not to exceed two (2) square feet in area in all city zones.
 11. Open House Signs: Nonilluminated, off site, portable signs, placed on private property, containing directions to the location of an open house which is for sale, limited to one sign per intersection corner, not to exceed a total of five (5) such signs, provided the signs:
 - a. Shall not exceed four (4) square feet in area or four feet (4') in height; and

~~b. Shall be removed immediately following a scheduled open house.~~

7. Government signs: Governmental signs for traffic control and other regulatory purposes, street signs, danger signs, and signs of public service companies indicating danger, notices issued by any court and aids to service or safety that are erected by or by order of a public officer in the performance of his public duty.

8. Historical or memorial signs: Memorial signs or tablets erected by recognized historical agencies, names of buildings, dates of erection and related information, provided the sign be cut into any masonry surface or inlaid so as to be part of the building and does not exceed two (2) square feet in area.

9. House numbers and name plates: Signs not exceeding two (2) per address and each sign not to exceed two (2) square feet in area in all city zones.

10. Open House Signs: Nonilluminated, off site, portable signs, placed on private property, containing directions to the location of an open house which is for sale, limited to one sign per intersection corner, not to exceed a total of five (5) such signs, provided the signs:

- a. Shall not exceed four (4) square feet in area or four feet (4') in height; and
- b. Shall be removed immediately following a scheduled open house.

~~12. Political and campaign signs: Any number of nonilluminated political or campaign signs on behalf of candidates for public office or measures on election ballots, provided said signs shall:~~

~~a. Be placed, posted or erected no earlier than one day following the candidate filing deadline and shall be removed within four (4) days following election when candidate is either eliminated or elected;~~

~~b. Be placed only on private property with the permission of the property owner;~~

~~c. Not be located within or over the public right of way.~~

~~A fifty dollar (\$50.00) fine shall be levied for each day a sign is displayed after the four (4) day deadline for removal has expired.~~

11. Political Signs

a. No political sign shall be posted on any public property or in the public right-of-way. Political signs posted on public property or on the public right-of-way are subject to immediate removal by the city without prior written or verbal notification.

b. No political sign shall be posted in the corner cutoff area. Political signs posted in the corner cut-off areas are subject to immediate removal by the city without prior written or verbal notification.

c. All political signs pertaining to a particular election shall be removed within ten days after the date of the election. Any political sign that remains posted for more than ten days after the election to which it pertains shall also be deemed abandoned. The city may cause the summary removal of such abandoned signs and any signs which constitute an immediate peril to persons or property without further notice. In addition the city shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal of such sign.

12. Protective signs: Nonilluminated flat signs of not more than one square foot each, which contain words protective of an occupant, such as "no trespassing", "beware of dog", and the like, provided such signs be placed only at intervals of not less than thirty feet (30') or in compliance with the requirements of state law. The total number of signs allowed per property shall be reasonable in number, not to exceed six (6) such signs and shall comply with the intent of these sign regulations.

13. Real estate signs:

a. On each street frontage, for any lot or building, one nonilluminated sign that serves solely to advertise the actual intent to sell, rent or build to suit, provided:

(1) Such sign is located entirely within the property to which the sign applies;

(2) Each individual sign shall not exceed six (6) square feet, nor four feet (4') in height and the total combined sign area shall not exceed twelve (12) square feet; and

(3) The signs shall be removed within seven (7) days after the sale, rental or lease has been consummated.

14. Service station signs: For each service station or other business selling automotive fuel, one price sign for each street frontage. Each sign strip not to exceed eight (8) square feet in area. Total price sign shall not exceed eight feet (8') in height. In addition, one "self/mini/full serve" sign, not to exceed three (3) square feet in area, is allowed on each end of each pump island.

~~15. Temporary signs: Temporary signs not exceeding eight (8) square feet in area pertaining to:~~

~~a. Fundraisers or events of civic, philanthropic, educational or religious organizations; provided, that said signs are posted no more than fourteen (14) days prior to said event and are removed no more than seven (7) days after an event; or~~

~~b. Special commercial events, such as grand openings or sales, provided such sign be displayed no longer than fourteen (14) consecutive days. No more than one such sign per business shall be displayed at any one time and no more than two (2) such signs may be displayed during any twelve (12) month period.~~

~~B. Maintenance: Repainting, cleaning or other normal maintenance and repair of a sign not involving structural, design, color, or character changes or alterations shall not be considered as creating a sign insofar as requiring issuance of a sign permit. Such signs must be in conformance with all other building, structural, and electrical codes and~~

regulations of the city. Substitution of a new or different advertiser shall not be considered normal maintenance and shall be considered creating a new sign requiring the issuance of a sign permit. (Ord. 2005-41, 12-21-2005)

14. Temporary signs: Temporary signs not exceeding four (4) square feet in area pertaining to:

- a. Fundraisers or events of civic, philanthropic, educational or religious organizations; provided, that said signs are posted no more than fourteen (14) days prior to said event and are removed no more than two (2) days after an event and not to exceed 45 total days in a calendar year. Written permission of property owners where temporary signs will be located is required.

15. Flags, Military Banners and Civic Banners/Pennants: La Verkin City may install flags, banners, and/or pennants on city-owned utility poles and at other city owned locations to promote those who are serving and served in the military and other sanctioned civic functions. National, state, or local flags may be installed by the City at any time and for any duration.

16. Directory Signs. Signs located in the interior of a development meant to direct patrons to businesses. Signs shall not exceed 12 square feet in size and shall not be located in an area that restricts pedestrian or vehicular visibility.

10-11-8: SIGN STANDARDS:

1. General

All signs requiring permit approval shall comply with the following standards and regulations and these standards and regulations shall be considered minimum requirements in reviewing all applications for sign permits:

- A. **Materials:** All signs shall be constructed of permanent materials.
- B. **Attachment:** All signs shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame, or structure except for banners, flags, temporary signs, and window signs.
- C. **Visibility:** No sign shall be erected at the intersection of any streets in such a manner as to obstruct free and clear vision of traffic or create a safety hazard. or be installed in a designated corner cut-off area as defined in Title 10, Chapter 7 of this code.
- D. **Signs On Private Property:** Signs shall be allowed on private property in the city in accordance to specifications set forth in this chapter. and with written property owner permission.
- E. **Signs In The Public Right Of Way:** No signs shall be allowed in the public right of way, except as listed hereafter. Any sign installed or placed on public property, except in conformance with the requirements of this section, shall be forfeited to the public and subject to confiscation. In addition to other remedies hereunder, the city shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal of such sign.

2. Permanent Signs: Permanent signs, including:

- a. Public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information such as chamber of commerce at each city entrance, and direct or regulate pedestrian or vehicular traffic;
- b. Bus stop signs erected by a public transit company;
- c. Information signs of a public utility regarding its poles, lines, pipes or facilities; and
- d. Awning, projecting and suspended signs projecting over a public right of way in conformity with the conditions of this chapter.

3. Temporary Signs: Temporary signs in accordance with this chapter, meeting the following requirements:

- a. No Commercial Message: Such signs shall contain no commercial message; and
 - b. Emergency Signs: Emergency warning signs erected by a governmental agency, a public utility company, or a contractor doing authorized or permitted work within the public right of way.
- E. Fire Escapes: No sign shall be erected in such a manner that any portion of the sign or its support, will interfere with the use of any fire escape, exit, or standpipe, or obstruct any required stairway, door, ventilator, or window.
- F. Utility Lines: No sign shall be erected or maintained which has less horizontal or vertical clearance from communication lines and energized electrical power lines than that prescribed by the laws of the state of Utah or rules and regulations duly promulgated by agencies thereof.
- G. Clearance: No sign shall be erected in such a manner that any portion of the sign or its support will extend over a public or private walkway with a minimum clearance of less than twelve feet (12').
- H. School Zones: No sign shall be erected within twenty feet (20') of a school zone except for those signs designated in this section. (Ord. 2005-41, 12-21-2005)

3. Parcel identification/pylon/monument sign regulations.

The following requirements apply to parcel identification/pylon/monument signs in commercial and industrial zones. Parcel identification/pylon/monument signs are not allowed in residential zones. Two types of parcel identification signs are allowed: monument and pylon signs.

A. Unless expressly provided for in this chapter, including, no sign shall be erected or used on any property other than the one on which the business identified is located.

B. Signs must be complementary to the architectural design of the building. Sign proposals shall include color scheme, types of materials, typeface, and a general maintenance schedule.

C. Signs within required building setbacks shall generally be located within a landscape planter.

D. No portion of the sign shall be permitted to overhang or encroach into the public right-of-way.

E. Pylon/monument signs may be oriented (perpendicular or parallel) toward the frontage on which they are installed and must be located within the one-third of the lot adjacent to the frontage. Pylon signs shall be setback 50 feet from residential properties.

F. Pylon/monument signs may contain an address plate identifying the subject property. Numbers shall be a minimum of six inches in height and shall be clearly visible from the public right-of-way. Address plates shall not be calculated against the allowed sign area.

G. Pylon/monument signs are allowed in the commercial and industrial zones subject to the following conditions:

1. Pylon/monument signs are allowed within the landscaped building setback.

2. The number of Pylon/monument signs are allowed based on the following criteria:

(a) Commercial or office centers two (2) acres and greater:

(i) One sign per street frontage.

(ii) Each sign may list up to eight tenants.

(iii) The name of the center, which may be included on the parcel identification sign provided that it does not exceed 32 square feet, shall not be calculated against the maximum sign area.

(b) Commercial or office centers less than two (2) acres:

(i) One sign per street frontage.

(ii) Each sign may list up to four tenants.

(iii) The name of the center, which may be included on the pylon/monument sign provided that it does not exceed 32 square feet, shall not be calculated against the maximum sign area.

. Shall be placed perpendicular or parallel to the street and located to ensure that vehicular and pedestrian sight distances at entry driveways and sidewalks are not impaired.

H. An individual business within a multi-tenant commercial retail center with more than one building may be permitted to have a separate pylon/monument sign provided that all of the following requirements are met:

1. The business is in a separate structure on a separate legal lot;
2. The lot accommodates all of the parking needs of the business;
3. The lot has its own access from the street; and
4. The linear frontage of the parcel was not calculated as part of the sign area for the center's parcel identification sign.

I. An individual business within a multi-tenant office professional business or industrial center may be identified on a separate monument sign identifying up to three tenants, provided that all of the following criteria are met:

1. The center is only identified by one monument style parcel identification sign which contains only the name of the center and the address range of the buildings;
2. No more than one additional monument sign shall be permitted for each building per street frontage within the center, provided that no more than one sign per public street access is provided;
3. Signs shall be subject to all other provisions of the La Verkin Municipal Code; and
4. The aggregate total of all signs shall not exceed that which is permitted by the zone.

4. Wall Signs

The following requirements apply to any building sign including wall, awning, window, marquees, dynamic display, A frame, tourist oriented directional business signs and murals in commercial and industrial zones or as otherwise specified in this chapter. Wall signs should be compatible with the predominant visual elements of the building.

A. Wall signs.

1. No sign shall be erected or used on any property other than the one on which the business identified is located.
2. Wall signs shall be located on no more than three sides of the building and shall not extend above an eave or parapet, or above or below a fascia on which they are located. Wall signs on frontages adjacent to residential uses or zones shall not be illuminated.

3. Signs shall not be placed to obstruct any portion of a window or cover architectural elements (such as vertical piers, cornices, and similar elements).

4. Signs must be complementary to the architectural design of the building.

. Awning signs.

1. Lettering shall be allowed only on the awning flap or valance.

2. Only permanent signs that are an integral part of the awning or architectural projection shall be allowed. Temporary signs shall not be placed on awnings.

3. Awnings shall be regularly cleaned and kept free of dust and visible defects.

4. No portion of the awning shall be permitted to overhang or encroach into the public right-of-way.

5. The color of an awning sign should be compatible with and complementary to the color and material of the building to which it is attached.

C. Window signs. Sign permits are not required for window signs; however, they are subject to the following restrictions:

1. Signs shall be placed on the interior side of the window, except that holiday or seasonal window displays and temporary messages may be placed on the exterior side of the window.

2. A temporary window sign shall not be displayed for more than 120 days in a calendar year.

3. Not more than 50% of the window area may be covered.

D. Marquee signs. Are only allowed in commercial zones. Theatres having permanent seating for at least 100 persons shall be permitted one marquee per street frontage, provided that:

1. Is located on the premises of the theatre center; and

2. Is proportional in size to the number of theatre screens and the area of building frontage.

E. Under canopy signs.

1. The sign shall provide a clearance of 7'-6" from the underlying walkway.

2. The maximum square footage is eight square feet for each side; and no more than 3'-0" in height.

3. The signs may be illuminated or non-illuminated. Illuminated signs may have an internal or external light source.

F. Wall murals. Such signs are allowed to promote the culture and history of the city. The size of a mural shall be proportional to the building elevation where it is proposed. Applicants shall work with La Verkin City to ensure proposed murals meet the intent of this chapter.

G. Dynamic Display Signs. Any business using a dynamic display shall meet the requirements of this ordinance and the following operational standards:

1. Duration: The full sign image or any portion thereof must have a minimum duration of 25 seconds and must be a static display. No portion of the image may flash, scroll, twirl, change color, or in any manner imitate movement.

Transition: Fading, dissolving, scrolling, traveling, or any transition that creates the illusion of movement is prohibited.

3. Brightness: The dynamic display sign must not exceed a maximum illumination of 5,000 nits (candelas per square meter) during daylight hours and a maximum illumination of 500 nits (candelas per square meter) between dusk to dawn as measured from the sign's face at maximum brightness.

4. Dimmer Control: Electronic graphic display signs must have an automatic dimmer control to produce a distinct illumination change from a higher illumination level to a lower level for the time period between one half-hour before sunset and one half-hour after sunrise.

5. Fluctuating or Flashing Illumination: No portion of any dynamic display sign may fluctuate in light intensity or use intermittent, strobe or moving light or light that changes in intensity in sudden transitory bursts, streams zooms, twinkles, sparkles, or in any manner that creates the illusion of movement.

6. Video Display: No portion of any dynamic display sign may change its message or background in a manner or by a method of display characterized by motion or pictorial imager, or depict action or a special effect to imitate movement, or the presentation of pictorials or graphics displayed in a progression of frames that give the illusion of motion or the illusion of moving objects, moving patterns, or bands of light or expanding or contracting shapes.

H. Tourist Oriented Directional/Business Signs. Tourist oriented directional/business signs shall be regulated by the city and only be placed on city property solely at the discretion of the city. Such signs can be static signs or dynamic display signs. Tourist oriented directional/business signs shall meet the minimum criteria set forth in this ordinance as follows:

1. In order to be eligible for a tourist oriented directional/business sign a business shall be located within the La Verkin city limits and must have a valid business license during the entire time that the sign is displayed.

2. If the tourist oriented directional/business sign is a static sign, then the sign can only contain the name of the business and business logo.

3. The business must be open to the public at least 40 hours per week and six days per week, for a minimum of three continuous months per year, and maintain regular hours and schedules. Home occupation businesses are prohibited from advertising on tourist oriented directional/business signs.

4. Each business identified on a sign shall provide assurance of its conformity with all applicable laws concerning the public accommodation without regard to race, color, sex, culture, social origin or condition, or political or religious ideas.

5. No sexually explicit, vulgar or cuss words are allowed on signs.

6. If the tourist oriented directional/business sign is a static sign, businesses are allowed to advertise on city owned tourist oriented directional/business sign for a period of one year. If after one year, no other business has applied to be placed on the tourist oriented directional/business sign, a business can be granted an additional year of eligibility and so forth.

7. Initially, if more businesses apply to advertise on a static tourist oriented directional/business sign than space available, a lottery will be held to determine which businesses will initially be allowed to advertise on the tourist oriented directional/business sign. Businesses not selected as part of the lottery process will be allowed to advertise on the kiosks after the one year period expires for advertised businesses. Businesses having been able to advertise for one year will then be removed to allow for new businesses to advertise.

8. The design and colors of the tourist oriented directional/business kiosks shall be determined by the city.

9. A fee will be charged by the city to advertise on the tourist oriented directional/business kiosks. The fee will be established by resolution by the city council.

1. A-Frame/Sandwich Board Signs. Any business within a commercial zone in La Verkin City can display one A-Frame/Sandwich Board sign without a permit subject to the following criteria:

1 Signs must be placed on the same property as the location of the business.

2. Signs must not obstruct pedestrian pathways (minimum 4-foot clearance), be places in corner cut-off areas or obstruct vehicle sightlines.

3. Maximum dimensions for A-Frame/Sandwich Board signs shall be 36 inches high by 24 inches wide.

4. Signs must be made of durable, weather-resistant materials and kept in good condition.

5. Signs may only be displayed during business hours and must be removed when the business is closed.

6. Signs shall be prohibited during extreme weather events.

10-11-9: UNLAWFUL SIGNS, SIGN REMOVAL, AND INDEMNIFICATION:

Compliance With Code: All signs shall be maintained in good structural condition, in compliance with the appropriate detailed provisions of the building code relating to design, structural members, and connections. Signs shall also comply with the provisions of the national electrical code and additional construction standards hereinafter set forth in this section.

A. Abandoned Signs: Any sign, including all structural, support and other componential elements, which is located on a property, premises or structure which:

1. Becomes vacant and unoccupied for a period of one hundred eighty (180) days or more,
2. Pertains to a time, event or purpose which no longer applies, or
3. Pertains to an occupant or business different from the resident occupant or business

shall be deemed to have been abandoned. Abandoned signs shall be removed according to the provisions of this section.

~~A. Abandoned Signs: Any sign, including all structural, support and other componential elements, which is located on a property, premises or structure which:~~

B. Dangerous Or Defective Signs: No person shall maintain or permit to be maintained on any premises owned or controlled by him, any sign which is in a dangerous or defective condition. Dangerous or defective signs shall be removed in accordance with this section.

~~1. Becomes vacant and unoccupied for a period of one hundred eighty (180) days or more,~~

~~2. Pertains to a time, event or purpose which no longer applies, or~~

~~3. Pertains to an occupant or business different from the resident occupant or business~~
~~shall be deemed to have been abandoned. Abandoned signs shall be removed according to the provisions of this section.~~

~~B. Dangerous Or Defective Signs: No person shall maintain or permit to be maintained on any premises owned or controlled by him, any sign which is in a dangerous or defective condition. Dangerous or defective signs shall be removed in accordance with this section.~~

C. Unlawful Signs:

1. Any sign displayed, erected, installed, suspended, attached, moved, enlarged, replaced, converted or altered after the effective date hereof, which does not comply with the provisions of this title, shall be deemed unlawful. Any work in progress on such sign

shall be ordered by the ~~planning commission~~ City or designee to cease immediately and said sign shall be removed in accordance with the provisions of this section.

2. Signs which are not in compliance with this chapter and are therefore considered unlawful according to this section and which continue to be in noncompliance according to the provisions of these sign regulations, shall be deemed unlawful, and shall be removed according to the provisions of this section.
- D. Removal Of Signs: The ~~planning commission~~ City or designee shall cause to be removed any sign not in compliance with safety or maintenance standards, abandoned signs, dangerous or defective signs, or unlawful signs. The ~~planning commission~~ City or designee shall prepare a notice which shall describe the sign and specify the violation involved and which shall state that if the sign is not removed or the violation is not corrected within fifteen (15) days, the sign shall be removed in accordance with the provisions of this section.
1. Notices: All notices shall be mailed by certified mail to the owner of the property on which the sign is located, the owner of the sign and the occupant of the property. If any such person is unknown or cannot be found, notice shall be mailed to such person's last known address, if any, and shall be posted on said sign or on the premises.
 2. Time Periods: Any time periods provided in this section shall be deemed to commence on the date of the certified mailing. If more than one notice is sent by certified mail, the date of the first notice mailed shall apply. Signs may be required to be removed as a condition of a conditional use permit without further notice.
 3. Appeal: The sign owner or property owner on whose property the sign is located may appeal the determination ordering removal or compliance by filing a written notice of appeal with the planning commission within fifteen (15) days after mailing of the notice pursuant to this chapter.
 4. Emergency Abatement: Notwithstanding the above, in cases of emergency, the ~~planning commission~~ City or designee may cause the immediate removal of a dangerous or defective sign without notice. (Ord. 2005-41, 12-21-2005)

10-11-10: DISPOSAL OF SIGNS:

- A. Authority: Any sign removed by abatement by the ~~planning commission~~ City or designee pursuant to the provisions of this chapter shall become the property of the city and may be disposed of in any manner deemed appropriate by the city. The cost of removal and disposal shall be considered a debt owed to the city by the owner of the sign and the owner of the property, and may be recovered in an appropriate court action by the city. The cost of removal and disposal shall include all incidental expenses incurred by the city in connection with the sign removal and disposal.
- B. Emergency Removal: When it is determined by the ~~planning commission~~ City or designee that said sign would cause an imminent danger to the public safety, and contact cannot be made with the sign owner or property owner, no written notice shall have to be served. In

this emergency, the ~~planning commission~~ City or designee may correct the danger, all costs being charged to the sign owner and property owner.

- C. Sale Of Signs: If it shall be necessary for the ~~planning commission~~ City or designee to remove a sign pursuant to the provisions hereof, and it should be practical to sell or salvage any material derived in the aforesaid removal, the ~~planning commission~~ City may sell the same at private or public sale at the best price obtainable, and shall keep an account of the proceeds thereof. Such proceeds, if any, shall be used to offset the costs of removal to be charged to the sign owner or property owner. The city may file suit in court to collect any excess over such proceeds and the cost of such removal shall be levied as an assessment against the property on which the sign is located. (Ord. 2005-41, 12-21-2005)

10-11-11: AREA AND HEIGHT COMPUTATION:

The following principles shall control the computation of sign area and sign height:

- A. Single Faced Signs: The area of a sign face shall be computed by means of the smallest square, circle, rectangle, triangle or combination thereof that will encompass the extreme limits of the writing, representation, emblem or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing or decorative fence or wall when such fence or wall otherwise meets zoning ordinance regulations and is clearly incidental to the display itself.
- B. Multifaced Signs: The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two (2) identical sign faces are placed back to back so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than twenty four inches (24") apart, the sign area shall be computed by the measurement of one of the faces.
- C. Height: The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of:

1. Existing grade prior to construction; or
 2. The newly established grade after construction, exclusive of any filling, berming, mounding or excavating solely for locating the sign.
- In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the zone lot, whichever is lower.

- D. Maximum Total Permitted Sign Area For Zone Lot: The permitted sum of the area of all individual signs on a zone lot shall be computed by applying the formulas provided in this chapter to the lot frontage, building frontage, or wall area, as appropriate, for the zoning district in which the lot is located. Lots fronting on two (2) or more streets are allowed the permitted sign area for each street frontage. However, the total sign area that is oriented toward a particular street may not exceed the portion of the lot's total sign area allocation

Sign Type	Residential Zones	Size And Number Allowed	Industrial And Commercial Zones	Size And Number Allowable
Animated	Prohibited	X	Conditional use permit (commercial zones only)	Conditional use permit
			Permitted (industrial zone only)	Contact city for size and number
Dynamic Display	Prohibited	X	Permitted	Only allowed on commercially zoned or city properties. City property – no lot size requirement. Commercial property shall be greater than 2 acres in size. 64 square feet maximum. (See Section 10-11-8)
Banners, Pennants, Feather Flags	Prohibited	X	Permitted	Special sales only – Permitted for a maximum of 90 days 3 times per year. Banners, pennants or feather flags shall not be placed on fences, signs, poles, vehicles or other similar surfaces.
Banner	Allowed	5 percent wall area 1 per building	Allowed	5 percent wall area 1 per building 12 foot clearance
Beacon	Prohibited	X	Prohibited	X
Billboard	Prohibited	X	Prohibited	X
Building marker	Allowed Permitted	4 square feet	Allowed Permitted (industrial zone only)	4 square feet
			Permitted (commercial zones only)	Contact city for size and number
Canopy	Prohibited	X	Permitted	64 square feet
Under Canopy	Prohibited	X	Permitted	See Section 10-11-8
Changeable copy	Prohibited	X	Permitted	64 square feet
Flag/Flagpole	Allowed Permitted	16 foot clearance 25 foot height	Allowed Permitted	Contact City for size and number; see Note 6
				Flag pole cannot exceed the allowed height of the zone.

Freestanding	Permitted	32 square feet 5 foot height 10 foot setback	Permitted	64 square feet 25 foot height 10 foot setback
Identification	Allowed	5 percent total wall area	Allowed	20 percent total wall area
Incidental	Allowed	6 square feet	Allowed	64 square feet
Marquee	Prohibited	X	Conditional use permit (commercial zones only)	Conditional use permit
			Permitted (industrial zone only)	Contact city for size and number
Pennant	Prohibited	X	Allowed	2 per building 12 foot clearance
Portable	Permitted	20 square feet	Allowed	20 square feet
Projecting	Prohibited	X	Permitted	40 square feet 12 foot clearance
Residential	Allowed	20 square feet	Allowed	20 square feet
Roof	Prohibited	X	Permitted	40 square feet 1 per principal building
Roof/integral	X	X	Permitted	40 square feet 2 per principal building
Suspended	Prohibited	X	Permitted	20 percent total wall area 1 per entrance 12 foot clearance
Residential	Allowed	One	Prohibited	Must only identify the home occupation business and have a valid business license. Maximum 4 square feet in size.
Temporary	Allowed	32 square feet 4 square feet	Allowed Permitted	32 square feet per 50 foot frontage See Section 10-11-7

Time/temperature	X	X	Conditional use permit (commercial zones only)	Conditional use permit
			Permitted (industrial zone only)	Contact city for size and number
Wall	Allowed Prohibited	1 per building X	Allowed Permitted	20 percent total wall area
Window, permanent	Allowed	20 percent total area	Allowed	20 percent total area Commercial - 1 sq. ft. per lineal foot of building elevation. 32 sq. ft. by right - 200 square foot maximum. Industrial - 1 sq. ft. per lineal foot of building elevation. 40 sq. ft. by right - 200 sq. ft. maximum.
Window, temporary	Allowed	1 per building 20 percent total area	Allowed	No limitation
Pylon/Monument/Parcel Identification	Prohibited	X	Permitted - Maximum height of 25 feet.	Commercial properties 2 acres and greater: 1 sq. ft. per lineal foot of lot frontage. 32 sq. ft. by right; 240 sq. ft. maximum. Commercial properties less than 2 acres: 1 sq. ft. per lineal foot of lot frontage. 32 sq. ft. by right; 200 sq. ft. maximum. Industrial properties- 1 sq. ft. per lineal foot of lot frontage. 40 sq. ft. by right; 200 sq. ft. maximum 200 sq. ft. maximum.

Notes:

1. Total Signage:

a. Residential Zone: Total area of all signs, except building markers and flags, shall not exceed 64 total square feet.

- b. Commercial Zone: Total area of all signs, except building markers and flags, not to exceed 300 total square feet; and should be less than 10 percent of ground floor area.
- c. Industrial Zone: The total area of all signs, except building markers and flags, shall not exceed 300 square feet. The total sign area shall not exceed 10 percent of ground floor area of the principal building.
- 2. Typical Setback: Typical setbacks in residential and commercial zones shall be 10 feet unless otherwise specified.
- 3. Sign Location In Intersections: Signs shall be located such that there is at every street intersection, a clear view between heights of 3 feet and 10 feet within a triangular area formed by the corner and points on the curb 30 feet from the intersection or entranceway.
- 4. Lots Fronting Two Or More Streets: Lots fronting on 2 or more streets are allowed the permitted signage for each street frontage, but signage cannot be accumulated and used on 1 street in excess of that allowed for lots with only 1 street frontage.
- 5. Total Wall Area: Total wall area shall be computed without using window area.
- 6. Flagpoles with Flags Taller than 25 feet:
 - a. Where allowed:
 - i. Public Facilities Zone
 - ii. Tourist Resort Commercial Zone
 - b. Compliance with LaVerkin City night sky ordinance:
 - i. Lighting must illuminate from top down.
 - c. Building Permits: See 10-11-4.B.1.a.
 - d. Flag sizes and flagpole heights:

Flagpole Structure	Maximum Size of Flag
20 feet	4 ft x 6 ft
25 feet	5 ft x 8 ft
30-35 feet	6 ft x 10 ft
40-45 feet	6 ft x 10 ft or 8 ft by 12 ft
50-65 feet	8 ft x 12 ft or 10 ft x 15 ft

(Ord. 2005-41, 12-21-2005; amd. Ord. 2006-28, 7-19-2006; Ord. 2024-09, 3-6-2024)

10-11-13: NONCONFORMING SIGNS:

Except as otherwise provided herein, the owner of any zone lot or other premises on which exists a sign that does not conform with the requirements of this chapter or for which there is no current and valid sign permit shall be obligated to remove such sign or, in the case of a nonconforming sign, to bring into conformity with the requirements of this chapter.

- A. Signs Existing On Effective Date: For any sign existing in the city on the effective date hereof, an application for a sign permit must be submitted to the building inspector before the expiration of six (6) months from the effective date hereof. For any sign on property annexed later, applications for sign permits shall be submitted within six (6) months of the effective date of the annexation or within such period as may be established in an annexation agreement between the city and the landowner. Signs that are the subject of applications received after the applicable date set forth in this section shall be subject to all of the terms and conditions of this chapter and shall not be entitled to the protection of this chapter.

B. Nonconforming Existing Signs; Permits And Terms:

1. **Permit Issued:** A sign that would be permitted under this chapter only with a sign permit, but which was in existence on the effective date hereof or a later date when the property is annexed to the city, and which was constructed in accordance with the ordinances and other applicable laws in effect on the date of its construction, but which by reason of its size, height, location, design or construction is not in conformance with the requirements of this chapter, shall be issued a nonconforming sign permit if an application in accordance with subsection A of this section is filed within six (6) months of the above date or within six (6) months of property annexation.
2. **Term:** Such permit shall allow the signs subject to such permit, which were made nonconforming by the adoption of this chapter, to remain in place and be maintained for a period ending no later than five (5) years; provided, that no action is taken which increases the degree or extent of the nonconformity. Such signs are also subject to the provisions of subsection B4 of this section. A change in the information on the face of an existing nonconforming sign is allowed; however, any nonconforming sign shall either be eliminated or made to conform with the requirements of this section when any proposed change, repair or maintenance would constitute an expense of more than twenty five percent (25%) of the lesser of the original value or replacement value of the sign.
3. **Lapse Of Nonconforming Sign Permit:** A nonconforming sign permit shall lapse and become void under the same circumstances as those under which any other sign permit may lapse and become void.
4. **Sign Removal Required:** A sign that was constructed, painted, installed or maintained in conformance with a permit under this chapter, but for which the permit has lapsed or for which the time allowed for the continuance of a nonconforming sign has expired, shall immediately be removed by the property owner, including the supporting structure, upon the city's request. (Ord. 2005-41, 12-21-2005; amd. Ord. 2006-28, 7-19-2006)

A. **Nonconforming.** Except as otherwise provided herein, any sign or other advertising structure which, though not conforming to the provisions of this chapter, may continue, provided that the location of the sign is protected in place. The sign area can be altered to be consistent with the size requirement of the zone. Existing nonconforming signs that are removed or relocated on the property shall conform to the provisions of this chapter.

1. **Change in property size or configuration.** If the size or configuration of a parcel or building is changed the subdivision of the property, building addition, or demolition, the parcel and building identification signs on the resulting properties shall be made to conform to the sign regulations applicable to the newly created parcel or building at the time such change becomes effective.
2. **Repair and maintenance.** A nonconforming sign may be maintained or repaired.
3. **Sign removal required:** A sign that was constructed, painted, installed or maintained in conformance with a permit under this chapter, but for which the permit has lapsed or for which the time allowed for the continuance of a nonconforming sign has expired, shall immediately be removed by the property owner, including the

supporting structure, upon the city's request. (Ord. 2005-41, 12-21-2005; amd. Ord. 2006-28, 7-

Unless otherwise approved by the city, removal of nonconforming signs shall be accomplished in the following manner:

1. Signs painted on buildings, walls, or fences. By removal of the paint constituting the sign or by permanently painting over it in such a way that the sign shall not thereafter be or become visible; and
2. Other signs. By removal of said signs, including its dependent structures and supports, or by modification, alteration, or replacement thereof in conformity with the provisions of this chapter.

10-11-14: VIOLATIONS AND REMEDIES:

A. Specified Violations: Any of the following shall be a violation of this chapter and shall be subject to the enforcement remedies and penalties provided by this chapter, by this zoning title and by state law:

1. To install, create, erect or maintain any sign in a way that is inconsistent with any plan or permit governing such sign or the zone lot on which the sign is located;
2. To install, create, erect, or maintain any sign requiring a permit without such permit;
3. To fail to remove any sign that is installed, created, erected or maintained in violation of this chapter, or for which the sign permit has lapsed; or
4. To continue any such violation. Each such day of a continued violation shall be considered a separate violation when applying the penalty portions of this title.

B. Separate Violation: Each sign installed, created, erected, or maintained in violation of this chapter shall be considered a separate violation when applying the penalty portions of this title.

C. Specified Remedies For Enforcement: Any violation of this chapter or of any condition or requirement adopted pursuant hereto may be restrained, corrected, or abated, as the case may be, by injunction or other appropriate proceedings pursuant to state law. A violation of this chapter shall be considered a violation of this zoning title. The remedies of the city shall include the following:

1. Issuing a stop work order for any work on any signs on the same zone lot;
2. Seeking an injunction or other order of restraint or abatement that requires the removal of the sign or the correction of the nonconformity;
3. Imposing any penalties that can be imposed directly by the city under this zoning title;
4. Seeking in court the imposition of any penalties that can be imposed by such court under this zoning title; and

5. In the case of a sign that poses an immediate danger to the public health or safety, taking such measures as are available to the city under the applicable provisions of this zoning title and building code for such circumstances;

5. Reimbursement of enforcement costs from the property owner, including attorney fees; and

6. The city shall have such other remedies as are and as may from time to time be provided for or allowed by state law for the violation of this zoning title.

D. Cumulative Remedies: All such remedies provided herein shall be cumulative. To the extent that state law may limit the availability of a particular remedy set forth herein for a certain violation or a part thereof, such remedy shall remain available for other violations or other parts of the same violation. (Ord. 2005-41, 12-21-2005; amd. Ord. 2006-28, 7-19-2006)

DRAFT

PUBLIC FACILITIES

Chapter Contents

Introduction

~~Community Survey~~

Culinary Water

Secondary Water

Sewer System

Emergency Preparedness & Resilience

Serving Development on “Top Side / East Bench”

Goals & Policies

Potential Action Steps

INTRODUCTION

~~The intent of the public facilities chapter is to explain the various include~~ services within the city, such as water, sewage, electrical and natural gas. These services represent the public’s investment in the development and operation of La Verkin. Estimates can be made about the demand that will exist in the future for these services based upon population projections and other information. ~~The public facilities~~This chapter ~~should will~~ be reviewed periodically and updated as necessary in order to meet the evolving needs of the City.

Development in the future may cause a demand for ~~more expansion of~~ public utilities. It is La Verkin’s goal to ~~provide utilities to everyone equitably and for all parties to share equally in ensure that new development covers~~ the cost of new infrastructure.

COMMUNITY SURVEY

~~As part of the community survey, residents were asked which utilities are in most need of expansion or improvement. 29% said secondary water, 14.3% said high speed internet~~

(fiber), 7% said culinary water, and 14.3% said stormwater systems. These numbers should be used when determining what improvements should be improved as funds become available.

[Graph of survey results]

CULINARY WATER

La Verkin's culinary water system is supplied by water rights that come from two springs and a well (Upper Ash Creek, the Toquerville Spring, and Cottam Well – all of which are groundwater). ~~Currently, t~~The water is supplied by a water system which has two pumps and two treatment plants. According to ~~Utah Department of Environmental Quality~~2025 City Culinary Water Master Plan Update, in 2023 the system has had ~~1,660~~1,434 residential, ~~connections and three~~160 commercial ~~connections~~, 9 institutional, and 8 ~~construction/other connections~~. There are currently two storage tanks with a total capacity of 2,500,000 gallons.

~~In 2017, La Verkin City prepared a~~The Culinary Water Master Plan. ~~This plan~~ contains ~~some~~ projections of demand for culinary water 20 ~~to 40~~ years into the future. In ~~2015~~2023, residential connections used approximately ~~301~~262 gallons a day and business connections used approximately ~~1,382~~681 gallons a day. These rates are used to calculate estimates of demand for culinary water per day and minute. According to the master plan, in ~~20 years~~2045 there will be a ~~projected~~ demand for ~~561~~1,322 gallons per minute. The current culinary water can handle ~~1,753~~953 gallons per minute. Therefore it is expected that there will ~~need to be~~ sufficient additional capacity ~~for at least 20 starting within the next 8-10 years~~.

~~The plan projects demand for 975 gallons per minute with a surplus of 778 gallons per minute 40 years from now. A large portion of this surplus water will be provided An agreement with Washington County Water Conservation District will provide water for purchase from by the Cottam Well, which constitutes a large portion of the surplus in the system.~~ This means that the city ~~has will have~~ sufficient culinary water resources for the next 20 ~~to 40 years~~ if the growth of the population continues as projected.

SECONDARY WATER

The most recent master plan for secondary water was conducted in ~~2010~~2025. ~~Therefore, some of the numbers in this plan may be in need of revision.~~ La Verkin's secondary water system is ~~fed by~~supplied from a combination of water rights and is made-up of contract

holders and lessees. Most of the secondary water rights come from the Virgin River and are classified as Industrial or irrigation.

[Public Facilities Overview Map]

~~The contract holders are shareholders from the La Verkin Bench Canal Company that maintain a right of delivery of the previous shareholder allotment. However, the contract holders are not shared owners of the system, the secondary water system is solely owned by the City of La Verkin. The lessees are made up of residences that come on to the water system through the City. Contract holders have set amounts of allotments equivalent to 4.39 ac-ft per allotment per year. City allotments are used to supply the lessees of the system, and vary in usage. Residences without secondary lessee connections or contract allotments use culinary water for their outdoor usage.~~

~~The City has a total ability to allow 461 ac-ft. In 2010, supply exceeded demand with a surplus of 204 ac-ft. The projected use of secondary water in 2030 is a different story. The total supply required for secondary water rights according to the 2010 projections is 1,070 ac-ft, with a deficit of 609 ac-ft. That means the City's system is expected to need improvement by 2030 in order to handle the deficit.~~

~~Suggested improvements in the master plan include the education of system users to conserve water, water reuse, and securing additional water rights. Water source capacity will also need to be increased and the plan offered some solutions. Water right alteration can be explored since the water right amount had not yet been exceeded in 2010. This will only temporarily solve the source capacity deficiency and will need to be looked at in the near future as the system grows.~~

~~The City can build a storage tank to provide the additional flow at peak time, but this would be an expensive and temporary solution. The City can implement restrictions on usage at different times or have a rotation schedule to reduce the peak usage; this will also be a temporary solution. The City can acquire additional rights or make agreements with the Washington County Water Conservancy District to provide the additional source capacity needed.~~

~~Overall, the secondary water system needs the most attention according to master plans and public feedback. The 2010 master plan's suggestions can still be followed, but the plan should still be updated relatively soon.~~

Currently the system operates without any storage capacity. To improve water quality, pressure reliability, and system redundancy, a shared-use pond is planned. This facility will serve both LaVerkin City and WCWCD, with added storage capacity. In addition to the pond, improvements will be made to secondary water pipeline system in the city.

The “LaVerkin Pond & Pipeline Project” is expected to be under construction by Fall 2026 and finish within 180 days.

SEWER SYSTEM

The sewer system is managed by Ash Creek Special Service District (SSD). The gravity fed system ~~flowflows~~ southwest to Hurricane where it is treated through sewage lagoons. The system is adequate to meet the demand that is currently in La Verkin.

To meet future demand, the SSD ~~is making plans for recently completed~~ the Confluence Park Treatment Plant, ~~which would be located at the south end on the west side~~ of La Verkin. This ~~would greatly reduce the travel distance of the sewage in La Verkin,~~ which facility is designed to provide reclaimed water for residents of La Verkin, Toquerville, and Hurricane. It will allows for capacity expansion in La Verkin as well as neighboring communities.

The SSD is aware that there may be future development on the bluff east of La Verkin. They are working with La Verkin as well as Virgin to find ways to provide a sewer system if development occurs on top of the bluff.

EMERGENCY PREPAREDNESS AND COMMUNITY RESILIENCE [Discuss – is there an Emergency Response Plan or intent to develop one?]

It is possible that in the future La Verkin may experience an event or natural disaster that constitutes a state of emergency. These disasters may include flooding ~~from the river~~ or land/rockslides from the hillside surrounding the city.

Fires also have the potential to damage the community.

The best way the community can prepare for these type of occurrences is to have a plan in place with members of the community appointed with responsibilities that know what to do during the emergency.

SERVICING DEVELOPMENT ON THE “TOP SIDE / EAST BENCH”

It is La Verkin’s position that development will pay its own way. Meaning, that any planned community development up on the Top Side / East Bench must pay for the extension of services to the development. Any development that undertakes the process of extending services to their area will work closely with the City Public Works Department to determine whether planned systems will be able to adequately service the area.

Ownership of built services will be given to the City when construction is complete. Impact fees ~~should~~will also be considered to help mitigate the strain residential units might place on existing systems. This money ~~can~~would be used to obtain water rights, expand storage tanks, improve water treatment plants, and more. Most likely, a pump will need to be built to service the area with culinary water.

It ~~will~~is not ~~be~~ very likely that the first developer to open the area will want to pay for all the utilities since other developments in the future will benefit from the extension of services. In order to ~~avoid~~address this issue, the City can pursue the option of a development agreement that gives the option to have future developers pay ~~some~~their share of the initial cost of extending services back to the first developer who opened the area.

[Current Irrigation Overview map]

GOALS AND POLICIES

Goal 1. Service Equity

La Verkin will make every effort to allocate the cost of public services, facilities, and utilities in a fair and equitable way.

1. The costs of new development in La Verkin are ~~the primarily the~~primary responsibility of the developer.
2. La Verkin will continually refine ~~its the~~ Land Use Ordinances to clarify that the applicant for any land use application approval is responsible for all required infrastructure at the required level of service.
3. New and expanded public facilities and services are provided and financed through development service fees.

Goal 2. System Integrity

La Verkin will maintain its public systems' physical and fiscal integrity.

1. The City will periodically ~~conduct~~update specific master plans of ~~its our~~ different infrastructure systems in order to maintain an accurate understanding of capacity and performance issues.
2. As part of the annual budget process, rates for services will be reviewed and adjusted for inflation and projected demand.
3. Evaluate the implications of land use decisions on the city's long-term fiscal sustainability.

Goal 3. Secondary Water

Secondary water is ~~one of the most stressed systems~~ important in the community and ~~should be a priority for research and the system will be maintained and monitored for potential~~ improvement.

1. Conservation of secondary water is ~~preferred to investments in a~~ key component of system capacity. ~~[Or, given the upcoming improvements to the system is this needed??]~~
2. La Verkin supports safe and productive use of reclaimed water in ways that comply with state and federal law.
3. La Verkin supports the use of water-wise landscaping.

Goal 4. ~~High-Speed Internet~~ Telecommunications/Digital Connectivity

High-speed ~~internet~~ digital connectivity is ~~becoming more~~ important in today's society and will greatly improve the quality of life for La Verkin residents when improved.

1. La Verkin supports continual improvement of fiber and broadband service networks.
2. ~~Internet~~ Telecommunication facilities should blend in with and complement surrounding land uses and should not interfere with La Verkin's viewshed.

Goal 5. Sewer System

Before significant future development occurs, La Verkin needs to work with Ash Creek Special Service District to identify improvement projects.

1. La Verkin City supports the expansion of sewer capacity to the extent that the improvements align with the vision of ~~its~~ the general plan.

Goal 6. Emergency Preparedness

La Verkin will ensure that development occurs in a way that mitigates potential effects of natural hazards, and will work as a community to prepare for them.

1. The City ~~would like~~ seeks to coordinate and participate with all community-based preparedness efforts.

POTENTIAL ACTION STEPS

1. As resources permit, conduct public education initiatives regarding conservation of water use.

2. Compile and updated ~~the~~ secondary water system master plan that also explores issues such as conservation pricing policies.
- ~~3. Identify and implement data gathering and analysis of consumptive water use for secondary connections by leveraging smart meters.~~
- ~~4.3.~~ Consult with the State of Utah Broadband ~~Outreach~~ Center to discuss ways to improve high-speed internet service.

VIBRANT GATHERING PLACES or ACTIVITY CENTERS

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Civic Activity Centers

Commercial Activity Centers

Goals & Policies

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INTRODUCTION

In La Verkin we have already have areas with a focus on commercial or civic activities. It can benefit our City going forward to establish centers which enhance and expand these areas to create activity centers. Centers can be focused civically, commercially, or as a combination of uses, including mixed use, which has the potential for live, work, and play.

Centers enhance our quality of life by creating places where people gather – areas which are vibrant, attractive places with a variety of shopping, dining, living, and other commercial activities. They can also have a civic focus with parks, play fields, performance venues, as well as City offices. They are the places we like to take our family and friends.

CIVIL ACTIVITY CENTERS

The area of the city baseball field, City Community Center, and elementary school has the potential to become a dynamic civic area. Careful thought and community input would create a place where people like to gather and interact. They create a potential to reinforce and remember our City history and the legacy of those who came before.

As the Top Side is developed, there is the potential to create an area of civic activity, where park, playfield, playground, and performance facilities could enhance the quality of life for all La Verkin residents and visitors.

COMMERCIAL ACTIVITY CENTERS

State Street, south of 500 North, already has commercial activity. As the area continues to develop, it would benefit from a focus which encourages local businesses to work together and cooperate with the city to create an inviting setting which encourages pedestrian activity where people can visit multiple stores, restaurants, and even office space while they are out of their cars. The closeness of Wanlass Park allows for integration of civic and commercial activities.

Creating several nodes of commercial activity centers along State Street and working with the Utah Department of Transportation to provide a streetscape that is inviting, will lead to improved quality of life.

GOALS AND POLICIES

Goal 1. Provide for community activity centers

La Verkin will actively encourage the development of community activity centers.

1. La Verkin will utilize an existing committee or create a committee to help create a vision for community activity centers which will enhance the quality of life for our residents and visitors.
2. La Verkin will continually refine Land Use Ordinances to encourage the cooperation of the city, business owners, and residents in the development of activity centers.
3. La Verkin will require the development of the Top Side to include a civic activity center and that commercial development there will incorporate designs which help to create attractive commercial centers.

Goal 2. Provide for flexibility of activity centers

La Verkin will allow space for flexibility within community activity centers.

1. La Verkin will develop a process to objectively review proposals for uses that may not be included in the use table but can be shown to be viable and contribute to the quality of life for the city.
2. La Verkin will allow for temporary uses which be used to determine if some activities would be viable without the cost of full scale or brick and mortar buildings in the development of activity centers.

POTENTIAL ACTION STEPS

1. As resources permit, conduct public surveys and education regarding desired types of activities and the benefits to quality of life and community economic benefits.
2. Work with a community or focus group to refine ideas for civic, commercial, and possibly other activity centers in La Verkin.
3. Identify on a map the desired locations for activity centers.
4. Focus on connecting the various activity centers with existing and planned trails and pedestrian infrastructure to facilitate and encourage an active lifestyle.

