

Millcreek, Utah
Ordinance No. 17 _____

**AN ORDINANCE AMENDING MILLCREEK'S LAND USE ORDINANCES BY
REPEALING THE MD-1 ZONE (MIXED DEVELOPMENT-1 ZONE)**

WHEREAS, the Millcreek Council ("Council") met in regular session on May ____, 2017, to consider among other things, adopting an ordinance amending Millcreek's land use ordinances by repealing the MD-1 Zone (Mixed Development-1 Zone); and

WHEREAS, Utah Code Ann. § 10-9a-503 provides in part that the Council may amend any provisions of a land use ordinance; and

WHEREAS, Utah Code Ann. § 10-9a-503 also provides that the Council may not make any amendment to its land use ordinances unless the amendment was first submitted to the planning commission for its recommendation; and

WHEREAS, Utah Code Ann. § 10-9a-502 provides planning commission shall provide notice as required by Subsection 10-9a-205(1)(a) and, if applicable, Subsection 10-9a-205(4) and hold a public hearing on the proposed land use ordinances; and

WHEREAS, on April 7, 2017, the planning commission caused the required notice to be published; and

WHEREAS, on April 19, 2017 the proposed amendment was submitted to the planning commission for its recommendation; and

WHEREAS, on April 19, 2017, the planning commission held the required public hearing; and

WHEREAS, at the April 19 ,2017, planning commission meeting the Millcreek Planning Commission recommended approval of the proposed amendment; and

WHEREAS, the Millcreek Code of Ordinances, provides among other things, that before finally adopting any such amendment, the Council shall consider the application during a public meeting which has been properly noticed in compliance with the provisions of Title 52, Chapter 4, of the Open and Public Meetings Act; and.

WHEREAS, the Council considered the application during a public meeting on May 8, 2017,; and

WHEREAS, Council finds that it is in the best interest of the citizens of Millcreek to amend its land use ordinances.

NOW THEREFORE, be it ordained by the Council that Title 19 Zoning be amended, repealing the MD-1 Zone, as attached (designated by interlineating the words to be deleted and underlining the words to be added).

This Ordinance, assigned no. 17-__, shall take immediate effect as soon as it shall be published or posted as required by law and deposited and recorded in the office of the City's recorder.

PASSED AND APPROVED this __ day of May, 2017.

MILLCREEK COUNCIL

By: _____
Jeff Silvestrini, Mayor

ATTEST:

Leslie Van Frank, Acting City Recorder

CERTIFICATE OF CITY RECORDER

I, Leslie Van Frank, Millcreek's acting City Recorder, do hereby certify that Millcreek's Ord. No. 17-__ was passed by the City Council on _____, 2017, and was published in the Salt Lake Tribune on _____, 2017.

Leslie Van Frank, Acting City Recorder

Chapter 19.06 - ZONES, MAPS, AND ZONE BOUNDARIES

Sections:

19.06.010 - Zones established.

For the purpose of this title, the City is divided into classes of zones, as follows:

Forestry zone	F-1	
Forestry multifamily zone	FM-10	Eff. 8/19/75
Forestry multifamily zone	FM-20	Eff. 8/19/75
Forestry and recreation zone	FR-0.5	Eff. 8/19/75
Forestry and recreation zone	FR-1	Eff. 8/19/75
Forestry and recreation zone	FR-2.5	Eff. 10/21/87
Forestry and recreation zone	FR-5	Eff. 8/19/75
Forestry and recreation zone	FR-10	Eff. 8/19/75
Forestry and recreation zone	FR-20	Eff. 8/19/75
Forestry and recreation zone	FR-50	Eff. 8/19/75
Forestry and recreation zone	FR-100	Eff. 8/19/75
Residential zone	R-1-3	
Residential zone	R-1-4	Eff. 8/19/82
Residential zone	R-1-5	Eff. 8/19/82
Residential zone	R-1-6	
Residential zone	R-1-7	Eff. 1/28/77
Residential zone	R-1-8	
Residential zone	R-1-10	

Residential zone	R-1-10C	
Residential zone	R-1-15	Eff. 2/1/80
Residential zone	R-1-21	
Residential zone	R-1-43	
Residential zone	R-2-6.5	
Residential zone	R-2-8	
Residential zone	R-2-10	
Residential zone	R-2-10C	
Residential zone	R-4-8.5	
Residential zone	S-1-G	
Residential zone	R-M	
Residential zone	RMH	Eff. 5/15/80
Agricultural zone	A-1	
Agricultural zone	A-2	
Agricultural zone	A-5	Eff. 2/19/71
Agricultural zone	A-10	Eff. 2/19/71
Agricultural zone	A-20	Eff. 2/19/71
Foothill agricultural zone	FA-2.5	Eff. 7/15/82
Foothill agricultural zone	FA-5	Eff. 7/15/82
Foothill agricultural zone	FA-10	Eff. 7/15/82
Foothill agricultural zone	FA-20	Eff. 7/15/82

Mixed development zone	MD-1	Eff. 6/7/90
Mixed development zone	MD-3	Eff. 6/7/90
Office research park and development zone	O-R-D	
Commercial zone	C-1	
Commercial zone	C-V	Eff. 6/12/71
Commercial zone	C-2	
Commercial zone	C-3	
Manufacturing zone	M-1	
Manufacturing zone	M-2	
Airport overlay zone	AOZ	Eff. 4/30/76
Hillside protection zone	HPZ	Eff. 10/10/80

19.06.020 - Zoning maps.

Each of the sections of the City which are amended or zoned by this title are shown on the maps on file with Salt Lake County planning and development services division on behalf of the City, and such maps are made by this reference, as such, a part of this title as if fully described and detailed herein.

19.06.030 - Filing of this title and zoning maps.

This title and the maps shall be filed in the custody of the county clerk on behalf of the City and may be examined by the public subject to any reasonable regulations established by the county clerk.

19.06.040 - Boundary location rules.

Where uncertainty exists as to the boundary of any zone, the following rules shall apply:

- A. Wherever the zone boundary is indicated as being approximately upon the centerline of a street, alley or block, or along a property line, then, unless otherwise definitely indicated on the map, the centerline of the street, alley or block, or such property line, shall be construed to be the boundary of the zone;
- B. Whenever such boundary line of such zone is indicated as being approximately at the line of any river, irrigation canal or other waterway or railroad right-of-way, or public park, or other public land, or any section line, then in such case the center of the stream, canal or waterway, or of the railroad right-of-way, or the boundary line of such public land or such section line shall be deemed to be the boundary of the zone;
- C. Where the application of the above rules does not clarify the zone boundary location, the land use hearing officer shall interpret the map.

Chapter 19.55 - MD-1 AND MD-3 MIXED DEVELOPMENT ZONES

Sections:

19.55.010 - Purpose of provisions.

The purpose of the mixed use development zone is to provide a variety of uses (limited commercial, office and residential) as an appropriate transition between high-traffic arterial streets and nearby residential uses. This district is intended to ensure compatibility of new development and residential conversions with existing and future residential development. It is also intended to ensure as well as encourage assemblage of properties in a unified plan with a coordinated and harmonious development which will promote outstanding design without unsightly and unsafe strip commercial development. Specific measures to mitigate negative impacts of mixed use developments include standards for perimeter walls, vehicular access, lighting, signage, etc., which will be required at the time of design and site plan approval. Landscaping shall be as specified in Chapter 19.77 of this title.

19.55.020 - Design and site plan approval.

Design and site plan approval including, but not limited to, architecture, building materials, lighting, signage, vehicular access and noise for all development in the MD-1 and MD-3 zones is required by the planning commission as a conditional use pursuant to the requirements of Sections 19.84.020 through 19.84.130. Landscaping shall be as specified in Chapter 19.77 of this title.

19.55.030 - Permitted uses.

A. Permitted uses in the MD-1 zone include:

- ~~— Accessory uses and buildings customarily incidental to a permitted use or a conditional use;~~
- ~~— Agriculture;~~
- ~~— Antique shop;~~
- ~~— Art gallery;~~
- ~~— Art needlework shop;~~
- ~~— Art shop and/or artist supply;~~
- ~~— Bank or financial institution;~~
- ~~— Barber shop;~~
- ~~— Beauty shop;~~
- ~~— Bed and breakfast homestay;~~
- ~~— Boardinghouse;~~
- ~~— China and/or silver shop;~~
- ~~— Copy service;~~
- ~~— Floral shop;~~
- ~~— Gift shop;~~
- ~~— Greeting card sales;~~
- ~~— Handicraft shop;~~

- Hobby and/or crafts shop;
- Home occupation;
- Household pets;
- Key and lock service;
- Manicuring, pedicuring and electrolysis of hair;
- Medical, optical and dental labs;
- Notions;
- Office, business or professional;
- Optometrist and/or oculist;
- Parking lot;
- Photographer;
- Public and quasi-public uses;
- Residential facility for elderly persons;
- Residential facility for persons with a disability;
- Stationery shop;
- Tailor shop;
- Temporary buildings for uses incidental to construction work.

B. Permitted uses in the MD-3 zone include:

Accessory uses and buildings customarily incidental to a permitted use or a conditional use;

- Agriculture;
- Antique shop;
- Art gallery;
- Art needlework shop;
- Art shop and/or artist supply;
- Bank or financial institution;
- Barber shop;
- Beauty shop;
- Bed and breakfast homestay;
- Boardinghouse;
- Bookstore;
- China and/or silver service;
- Copy service;
- Floral shop;
- Gift shop;
- Greeting card sales;
- Handicraft shop;

- Health food store;
- Hobby and/or crafts shop;
- Household pets;
- Key and lock service;
- Manicuring, pedicuring and electrolysis of hair;
- Medical, optical and dental labs;
- Notions;
- Office, business or professional;
- Office supply;
- Optometrist and/or oculist;
- Parking lot;
- Pharmacy;
- Photographer;
- Public and quasi-public uses;
- Residential facility for elderly persons;
- Stationery shop;
- Tailor shop;
- Temporary buildings for uses incidental to construction work;
- Travel bureau.

19.55.040 - Conditional uses.

A. Conditional uses in the MD-1 zone include:

- ~~Bed and breakfast inn; which may include a restaurant and conference meeting rooms;~~
- ~~Bicycle shop;~~
- ~~Bookstore;~~
- ~~Class B beer outlet;~~
- ~~Clothes cleaning, dyeing and pressing agency;~~
- ~~Day care/preschool center;~~
- ~~Health food store;~~
- ~~Laundry, automatic self-help type;~~
- ~~Lodginghouse;~~
- ~~Nursery and greenhouse excluding retail sales;~~
- ~~Nursing home;~~
- ~~Planned unit development;~~
- ~~Private educational institution;~~
- ~~Private nonprofit recreational grounds and facilities;~~
- ~~Reception center;~~

- ~~— Residential uses with a maximum density of seven units/acre, including group dwellings, planned unit developments, apartments, multiple dwellings, etc.;~~
- ~~— Restaurant, excluding fast-food or drive-through window;~~
- ~~— Restaurant liquor license;~~
- ~~— Shared parking;~~
- ~~— Shoe repair shop;~~
- ~~— Short-term rental;~~
- ~~— Tanning studio;~~
- ~~— Veterinary, provided the operation is completely enclosed within an air-conditioned soundproofed building. The noise from the animals shall not be audible at the property line;~~
- ~~— Wedding chapel.~~

B. Conditional uses in the MD-3 zone include:

- Bed and breakfast inn; which may include a restaurant and conference meeting rooms;
- Bicycle shop;
- Bookstore;
- Class B beer outlet;
- Clothes cleaning, dyeing and pressing agency;
- Day care/preschool center;
- Gymnastics, dance, dramatic, cosmetic, modeling and art studios;
- Health food store;
- Laundry, automatic self-help type;
- Lodginghouse;
- Mortuary;
- Music store;
- Nursery and greenhouse;
- Nursing home;
- Planned unit development;
- Private educational institution;
- Private nonprofit recreational grounds and facilities;
- Reception center;
- Residential uses with a maximum density of twelve units/acre, including group dwellings, planned unit developments, apartments, multiple dwellings, etc.;
- Restaurant, excluding fast-food or drive-through window;
- Restaurant liquor license;
- Shared parking;
- Shoe repair shop;
- Short-term rental;
- Tanning studio;

— Veterinary, provided the operation is completely enclosed within an air-conditioned soundproofed building. The noise from the animals shall not be audible at the property line;

— Wedding chapel.

19.55.050 - Hours of operation.

Commercial uses shall not be open for business before six a.m. or after eleven p.m.

19.55.060 - Businesses and uses—Conditions.

The uses specified in this chapter for the ~~MD-1 and~~ MD-3 zones shall be permitted only under the following conditions:

- A. No manufacturing is allowed;
- B. No outside storage of any stock, motor vehicles or other property is allowed except for two delivery vehicles three-quarter ton or smaller.

19.55.070 - Area and width.

In the ~~MD-1 and~~ MD-3 zones the minimum lot area and width shall be as follows:

A. ~~MD-1 Zone.~~

- ~~1. Minimum lot area: one acre;~~
- ~~2. Minimum lot width: two hundred feet.~~

B. MD-3 Zone.

- 1. Minimum lot area: three acres;
- 2. Minimum lot width: two hundred fifty feet.

19.55.080 - Yard requirements.

In the ~~MD-1 and~~ MD-3 zones the minimum yard requirements for all main and accessory buildings are as follows:

A. ~~MD-1 Zone.~~

- ~~1. Front yard: thirty feet;~~
- ~~2. Side yard: thirty feet;~~
- ~~3. Rear yard: thirty feet.~~

B. MD-3 Zone.

- 1. Front yard: thirty feet;
- 2. Side yard: thirty feet;
- 3. Rear yard: thirty feet.

The planning commission may vary the yard requirements for conversion of an existing use to a mixed development use.

19.55.090 - Building height.

- A. ~~No building or structure located in an MD-1 zone shall contain more than one and one-half stories or exceed twenty feet in height.~~

- B. No building or structure located in an MD-3 zone shall contain more than three stories, except a building or structure located within fifty feet of a residential zone boundary line or a residential use shall not contain more than two stories.
- C. No residential building shall contain less than one story.
- D. The planning commission may vary the height requirements for conversion of an existing use to a mixed development use.

19.55.100 - Coverage restrictions.

In the ~~MD-4~~ and MD-3 zones no building or group of buildings with their accessory buildings, shall cover more than forty percent of the area of the lot.

19.55.110 - Perimeter wall.

All mixed use developments shall have a decorative tinted concrete or masonry wall on all rear and side yards not fronting on a public street.

All perimeter walls shall be a minimum of six feet high unless the planning commission requires a higher wall as part of the conditional use approval.

19.55.120 - Landscaping.

Landscaping shall be as specified in Chapter 19.77 of this title.

19.55.130 - Lighting.

The maximum height of luminaries shall be eighteen feet unless the planning commission requires a lower height as part of the conditional use approval. The light shall be low intensity, shielded from uses on adjoining lots, and directed away from adjacent property in a residential zone or an adjacent residential use. All parking luminaries, except those required for security, must be extinguished one hour after the end of business hours. The exception for security lighting applies to twenty-five percent of the total luminaries used, unless the planning commission approves a higher percentage as part of the conditional use approval.

19.55.140 - Noise.

The noise level emanating from any use or operation shall not exceed the limits in the health department health regulation number twenty-one, or its successor, regarding noise control. The noise level shall not in any case exceed five decibels above the ambient level of the area measured at the property line. For the purposes of compliance with health regulation number twenty-one all properties located within a mixed development zone shall be considered residential.

19.55.150 - Screening.

When off-street parking areas are situated across the street from a property in a residential zone, a masonry wall or berm a minimum of three feet in height shall be erected in the landscaped front yard or landscaped side yard which faces on a street on corner lots to adequately screen the parking areas from the residential properties.

- B. All ground-mounted mechanical equipment including, but not limited to, heating and air conditioning units, and trash receptacle areas shall be completely screened from surrounding properties by a masonry wall or shall be enclosed within a building.
- C. The design of all roof appurtenances including, but not limited to, air conditioning units, and mechanical equipment shall be approved by the planning commission to minimize visibility from on-site parking areas, adjacent public street and adjacent residentially zoned property.
- D. All utility connections shall be designed to be compatible with the architectural elements of the site so as not to be exposed except where necessary. Pad-mounted transformers and/or meter box

locations shall be included in the site plan with an appropriate screening treatment. Power lines and other utility cables shall be installed underground where possible.

19.55.160 - Access.

The number of access points along public streets shall be minimized by sharing and linking parking areas with adjacent properties. Reciprocal ingress and egress, circulation and parking agreements shall be required to facilitate the ease of vehicular movement between adjoining properties. On corner sites access points shall be located as far from the corner as reasonably possible and in no case less than forty feet from the point of intersection of the property lines. Vehicular circulation shall be designed to limit the intrusion of traffic into residential areas, and minimize access on streets used by schoolchildren.

19.55.170 - Odor.

No use shall be permitted which creates odor in such quantity as to be readily detectable beyond the boundaries of the site.

19.55.180 - Design considerations.

In order to meet the purposes of this chapter the planning commission shall consider the following prior to approval of any plan:

- A. Lots should be accumulated to provide the minimum lot area. Individual lots with an area smaller than the minimum lot area are not suitable for a mixed development.
- B. The development shall provided on-site amenities and appropriate buffering to adjacent properties and uses.
- C. The scale of the development shall be in character with the surrounding land uses.
- D. Safe access shall be provided within the site and to public streets.
- E. The development shall have a residential character if adjacent to residential areas.

19.55.190 - Consistency with general plan.

Mixed development uses shall be consistent with the general plan.

Chapter 19.80 - OFF-STREET PARKING REQUIREMENTS

Sections:

Article I. - General Provisions

19.80.010 - Purpose.

The purpose of this chapter is to reduce street congestion and traffic hazards in the City by incorporating efficient, attractive facilities for off-street parking, loading, and internal automobile and pedestrian circulation as an integral part of every use of land.

19.80.020 - Off-street parking required.

- A. At the time any building or structure is erected, enlarged, increased in capacity, or any use is established, off-street parking shall be provided in accordance with the requirements in this chapter.
- B. Plans Required to Obtain Building Permit. All applications for a building permit shall be accompanied by a site plan showing a parking layout that complies with the provisions of this chapter that shows ingress and egress, loading areas, internal automobile and pedestrian circulation, and landscaping. The plan shall be reviewed and approved by the planning and development services division consistent with the provisions of this chapter. Parking requirements may be calculated separately for each business or land use in a building.

19.80.030 - Specifications.

- A. Parking Stall Size. Each off-street parking space shall be at least nine feet by eighteen feet for diagonal or ninety-degree spaces, or eight by twenty feet for parallel spaces, exclusive of access drives or aisles. Parking stalls adjacent to a column or wall must have an additional two feet of width to accommodate ingress/egress from the vehicle. Access to parking spaces shall be from private roadways and not from public streets.
- B. Parking Lot Policies. The City may adopt policies regarding aisle widths, angled parking, and turn-around areas for parking lots, and parking stall sizes for valet parking.
- C. Surfacing. Except for "provisional parking areas" as allowed under Section 19.80.110 of this chapter, any off-street parking area located in an R-, C-, M-, MD-, or O-R-D zone shall be surfaced with an asphaltic or portland cement or other binder pavement, so as to provide a durable and dustless surface, shall be so graded and drained as to dispose of all surface water accumulated within the area, and shall be so arranged and marked as to provide the orderly and safe loading or unloading and parking and storage of vehicles. Surfacing requirements for parking areas located in FR-, FM-, A-, FA-, and S-1-G zones shall take into account the proposed land use, location of the property, and impact of paved parking.
- D. Maintenance. Every parcel of land hereafter used as a public or private parking area, including commercial parking lots and automobile, farm equipment, or other open-air sales lots, shall be developed and maintained in accordance with the requirements set out in this chapter.
- E. Screening. The sides and rear of any off-street parking area for more than five vehicles which adjoins or faces an institutional use or residential building shall be effectively screened by a masonry wall or solid visual barrier fence unless otherwise provided for more specifically by the requirements of the zoning district in which such parking area is located. Such wall or fence shall be not less than six feet in height and shall be maintained in good condition without any advertising thereon.
- F. Landscaping. All parking areas shall contain landscaping in compliance with the provisions of Chapter 19.77 of this title.

- G. Lighting. Lighting used to illuminate any off-street parking area shall be so arranged as to direct light away from adjoining premises and from street traffic. No light source (light bulb, fluorescent tube, or other direct source of light used to illuminate a parking area) shall be visible beyond the property line of any off-street parking area.
- H. Coverage. No off-street parking area shall occupy more than sixty-five percent of the property not occupied by buildings.

19.80.035 - Parking in R-1 and R-2 Residential Zones.

- A. Driveways. A driveway shall be provided for vehicular access from the street or right-of-way to the required parking spaces of any dwelling in an R-1 or R-2 zone. The driveway shall be constructed of a durable, hard surface such as: concrete (including permeable concrete), asphalt (including permeable asphalt), brick, pavers, stone, or block. The number, location, and width of driveways shall comply with the specifications set forth in sections 14.12.110 and 14.36.060 of the City Code of Ordinances. Driveways over one hundred fifty feet in length are subject to approval by the fire service provider. The area within the front yard of any single- or two-family dwelling not occupied by a driveway or parking surface set forth above shall be landscaped in compliance with the applicable provisions of this title regulating landscaping.
- B. Private vehicles. Private vehicles parked on residential property in any R-1 or R-2 zone shall comply with the following:
 - 1. If parked or stored on a paved surface in compliance with section 19.80.030.C or 19.83.035.A, a private vehicle may be located in the front yard, side yard, or rear yard of a dwelling.
 - 2. If parked or stored on any other type of surface, private vehicles must be behind the front line of the dwelling and screened from view from public streets or neighboring properties with a six-foot, tall (minimum) opaque fence.
- C. Recreational Vehicles. Recreational vehicles parked or stored on residential property in any R-1 or R-2 zone shall comply with the following:
 - 1. If parked or stored on a paved surface in compliance with section 19.80.030.C or 19.83.035.A, a recreational vehicle may be located in the front yard, side yard, or rear yard of a dwelling. Additionally, a recreational vehicle may be parked or stored on a parking pad which is constructed of six inches of compacted gravel. This area must be kept weed free.
 - 2. If parked or stored on any other type of surface, recreational vehicles must be behind the front line of the dwelling and screened from view from public streets or neighboring properties with a six-foot tall (minimum) opaque fence.
- D. Commercial vehicles. Commercial vehicles shall not be parked or stored on residential property in an R-1 or R-2 zone, except in the following circumstances:
 - 1. Commercial vehicles may be parked on a property in conjunction with lawfully- permitted construction, maintenance, or site development activities so long as said activities are diligently pursued.
 - 2. One commercial vehicle may be parked behind the front line of the dwelling and, screened from view from public streets or neighboring properties with a six-foot tall (minimum) opaque fence.
 - 3. One commercial vehicle may be parked in the front yard or side yard of a dwelling, in the R-1 or R-2 zones upon issuance of a permit by planning and development services, as long as all of the following criteria are met:
 - a. No other commercial vehicle is parked or stored on the property.
 - b. The operator of the vehicle is required to be on call 24 hours a day to use the vehicle in response to an emergency;
 - c. The commercial vehicle is parked on a paved surface in compliance with section 19.80.030.C or 19.80.035.A;

- d. The commercial vehicle is parked entirely on private property, not parked on or over the street or sidewalk; and
- e. The commercial vehicle does not exceed Class 5 (two-axle, six tire single unit trucks) in Federal Highway Administration vehicle classification.

Article II. - Parking Requirements

19.80.040 - Number of spaces required.

- A. Except where variations and exceptions are allowed under Sections 19.80.070 through 19.80.100 of this chapter, a number of parking spaces equal to the sum of the required number of parking spaces for all uses on a property, including multiple uses within the same building, shall be provided. Except in cases where a site-specific traffic study demonstrates a need for additional parking, no parking area for more than twenty stalls shall exceed the number of stalls required below unless the additional parking is installed as "provisional parking" under Section 19.80.110 of this chapter. The number of off-street parking spaces required shall be as follows:
 - 1. Amusement center (arcade), one space per one hundred square feet of floor area;
 - 2. Automobile or machinery sales and service garages, two spaces plus one space for each four hundred square feet of floor area;
 - 3. Banks, post offices, business and professional offices, one space for each two hundred fifty square feet of gross floor area;
 - 4. Bowling alleys, five for each alley;
 - 5. Churches, one space for each six and one-half feet of linear pew or three and one-half seats in an auditorium; provided, however, that where a church building is designed or intended to be used by two congregations at the same time, one and one-half parking spaces shall be provided for each three and one-half seats in the auditorium. For buildings designed or intended to be used for conferences or other special meetings involving more than the regular congregations, additional parking shall be required as determined by the planning commission;
 - 6. Dancehalls and assembly halls without fixed seats, exhibition halls, except church assembly rooms in conjunction with auditorium, three spaces for each one hundred square feet of floor area used by assembly or dancing;
 - 7. Day care center for children, four spaces plus one space per five hundred square feet of floor area;
 - 8. Dormitory building, one space for each tenant;
 - 9. Dwellings, multiple, two spaces for each dwelling unit. In multi-family developments and dwelling groups where private covered parking is utilized, additional parking for guests shall be required. The planning commission shall determine the amount of guest parking required to meet the parking needs of each development;
 - 10. Dwellings, single-family, two spaces for each dwelling unit. For single-family dwellings, the parking spaces may be arranged one behind the other;
 - 11. Funeral homes, mortuaries, reception centers, one space for each forty square feet of floor area in assembly room;
 - 12. Furniture and appliance stores, household equipment or furniture repair shop, one space for each six hundred square feet of gross leasable area;
 - 13. Hospitals and convalescent hospitals, two spaces per bed for the total capacity of building;

14. Hotels, motels and motor hotels, one space for each living or sleeping unit, plus parking for all accessory uses as defined in this title;
 15. Indoor firearms and/or archery range, two spaces per shooting point;
 16. Manufacturing plants, research or testing laboratories, bottling plants, one space for each person employed on the highest employment shift;
 17. Medical or dental clinics, six spaces for each doctor's office;
 18. Nursing homes, four spaces plus one space per each five beds;
 19. Recreation, four spaces per court for tennis courts, three spaces per court for racquetball courts, two spaces per court for squash courts;
 20. Residential health care facility:
 - a. Four spaces for facilities with five or less residents, the parking spaces may be arranged one behind the other,
 - b. Four spaces plus one space per each five beds;
 21. Restaurants or private nonprofit clubs, one space for each two and one-half seats or three spaces per one hundred square feet of floor area, whichever is greater;
 22. Retail stores, shops, etc., except as provided in this subsection, one space for each two hundred fifty square feet of gross floor area;
 23. Rooming and lodging homes, one space for each tenant;
 24. Schools, one space for each three and one-half seats in an auditorium, plus one space for each administrator and faculty;
 25. Shopping centers and other multi-tenant retail buildings, five spaces for each one thousand square feet of gross leasable area;
 26. Sports arenas, auditoriums, theaters, assembly halls and meeting rooms, one space for each three and one-half seats of maximum seating capacity;
 27. Trailer sales, five spaces minimum, or five percent of the total site area excluding the landscaped areas, whichever is greater;
 28. Wholesale establishments, warehouses, service and maintenance centers and communication equipment buildings, one space for each person employed during the highest employment shift;
 29. Bed and breakfast homestay, two spaces for each dwelling unit plus one space for each guestroom;
 30. Short-term rental, two spaces per dwelling unit plus one additional space for each bedroom exceeding two bedrooms. For buildings with two dwelling units or less, the third and fourth spaces, when required, can be in tandem with the first two spaces required;
 31. Bed and breakfast inn, one space for each person employed on the highest employment shift, plus one space for every guestroom, plus parking for all accessory uses defined in this title;
 32. Residential facility for elderly persons, two spaces for the dwelling unit plus two spaces for visitors, the parking spaces may be arranged one behind the other;
 33. Apartments for elderly persons, one space for each dwelling unit;
 34. Outdoor display and sales, including garden centers, nurseries, lumber yards, building materials sales yards; one space for each one thousand square feet of display and sales area.
- B. Number of Parking Spaces for Uses Not Specified. For any use of buildings not specified in this section, or for uses of a seasonal or temporary nature, the off-street parking requirement shall be determined by the division director being guided, where appropriate, by comparable ordinances from

other jurisdictions, accepted planning industry standards, or the requirements set forth in this section for uses or buildings which, in the opinion of the division director, are similar to the use or building under consideration.

- C. Accessible Parking Spaces. For nonresidential parking areas, the accessible parking spaces required to satisfy the Americans with Disabilities Act shall be provided within the total number of stalls required above. For multi-family residential developments, the accessible stalls shall be provided in addition to the number of stalls required above.
- D. Bicycle Parking. To encourage the use of bicycles for personal transportation as an alternative to motor vehicles, requirements are established herein to provide bicycle parking at regional, community, neighborhood, and other transportation and travel destinations.
 - 1. Bicycle parking facilities shall be provided for any new commercial, office, manufacturing, industrial, multi-family residential, recreational, public and/or quasi-public use for which automobile parking is required; or for modification or change of any use listed above that results in the need for additional automobile parking facilities, as follows:
 - a. The number of bicycle parking spaces required shall be equal to five percent of the vehicular parking spaces required for such use, with a minimum requirement of two spaces, and a maximum requirement of twelve.
 - b. Bicycle parking spaces shall be:
 - i. Located on the same lot as the principal use;
 - ii. Located and designed to prevent damage to bicycles by cars;
 - iii. Located so as not to interfere with pedestrian movements;
 - iv. Located in a highly visible, well-lighted area that is located near entrance(s) to the building;
 - v. Located to provide safe access from the spaces to the public right-of-way or bicycle lane;
 - vi. Designed to accommodate a range of bicycle shapes and sizes, and to allow the frame and wheel(s) of each bicycle to be supported and secured against theft without interfering with adjacent bicycles;
 - vii. Anchored to resist removal by vandalism and resistant to rust or corrosion.
 - 2. Bicycle parking spaces which meet the above requirements may be located within the building.
 - 3. The proposed bicycle parking spaces shall be clearly shown on the site plan indicating location and type.

19.80.050 - Off-street loading.

For every building or part thereof not provided with docking facilities which has a gross floor area of ten thousand square feet or more, and which is to be occupied by a commercial or industrial use to or from which delivery of materials or merchandise is regularly made by motor vehicle, there shall be provided and maintained on the same lot with such building at least one off-street loading space, plus one additional space for each additional twenty thousand square feet or major fraction thereof. Each loading space shall be not less than ten feet in width, twenty-five feet in length, and fourteen feet in height. Such space may occupy any required yard or court only if it is enclosed by a brick or stone wall not less than six feet in height.

19.80.060 - Gasoline pump requirements.

- A. Gasoline pumps shall be set back not less than twenty-four feet from any street property line, and not less than thirty feet from any residential zone boundary line. If the pump island is set at an angle

on the property, it shall be so located that automobiles stopped for service will not extend over the property line.

- B. Canopies constructed to provide a weather shield over gasoline pump islands shall be set back not less than six feet from any street line and not less than ten feet from any residential zone boundary.

Article III. - Variations and Exceptions

19.80.070 - Valet parking program.

- A. A valet parking program is defined as a parking plan which has personnel retained to assist parking at a drop-off area and exclusively controls the parking of vehicles into valet spaces until they are returned to a pick-up area. The plan shall identify the following
 - 1. The location of parking spaces, pick-up areas, drop-off areas, and egress/ingress;
 - 2. The involvement of personnel; and
 - 3. General operating procedures.
- B. Eight percent of the required parking spaces shall be reserved as self-parking spaces and shall be indicated as such on the plan. Self-parking spaces shall meet the requirements of Section 19.80.030.

19.80.080 - Shared parking.

- A. Notwithstanding any other parking requirements provided in this chapter, when different land uses occupy the same or adjacent lot(s) in the R-M, C-1, C-2, C-3, C-V, M-1, M-2, MD-4, MD-3, or the O-R-D zones, the total number of off-street parking spaces required for each use (see Section 19.80.040 of this chapter) may be combined and shared upon approval as provided herein. A proposal for sharing of off-street parking shall be presented to the planning and development services division director for site plan review and approval. Conditional use applications which require planning commission approval, and for which shared parking is being proposed as part of the application, must have planning commission approval for the shared parking.
- B. In determining the total requirements for shared parking facilities, the division director or planning commission shall use Table 19.80.080(a), set out below, according to the following guidelines:
 - 1. For each applicable general land use category, calculate the number of spaces required for a use as if it were the only use (refer to the schedule of minimum off-street parking requirements).
 - 2. Use the figures for each individual land use to calculate the number of spaces required for that use for each time period specified in the table (six time periods per use).
 - 3. For each time period, add the number of spaces required for all applicable land uses to obtain a grand total for each of the six time periods.
 - 4. Select the time period with the highest total parking requirement and use that as the total number of parking spaces required for the site on a shared parking basis.
- C. For uses not listed in Table 19.80.080(a), the division director shall determine the required parking for the six time periods.

Table 19.80.080(a)

General Land Use	Weekdays	Weekends
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Category	12:00 a.m.—7:00 a.m.	7:00 a.m.—6:00 p.m.	6:00 p.m.—12:00 a.m.	12:00 a.m.—7:00 a.m.	7:00 a.m.—6:00 p.m.	6:00 p.m.—12:00 a.m.
Office & Industrial	5%	100%	5%	0%	5%	0%
Retail	5%	100%	80%	5%	100%	60%
Restaurant	50%	70%	100%	70%	50%	100%
Hotel	100%	65%	100%	100%	65%	100%
Residential	100%	50%	80%	100%	75%	75%
Theater/entertainment	5%	20%	100%	5%	50%	100%
Place of worship	0%	30%	50%	0%	100%	75%

19.80.090 - Planning commission exceptions.

Upon a finding by the planning commission that a proposed site plan is in harmony with the general plan of the community in which it is located and that effective tools have been employed in the creation of a transit oriented development, community re-development project, or walkable community project, the planning commission may reduce the number of required parking stalls for any proposed development. In approving any such reduction, the planning commission may use such tools as: recommendations from the planning and development services staff a site-specific traffic study conducted by a qualified engineering firm, American Planning Association guidelines, Envision Utah guidelines, and/or Urban Land Institute guidelines.

19.80.100 - Community parking credits.

Upon a finding by the planning commission for conditional uses or the planning and development services division director for permitted uses, that parking is available either on public property or on property leased by a public entity for community parking, which parking is conveniently located to a particular land use, credits may be given toward the parking requirement for said land use. In cases where multiple businesses or land uses qualify to use the same parking spaces for community parking credits, the credits shall be pro-rated for each land use. In calculating the pro-rated community parking credits, the planning commission or division director shall consider such factors as: the amount of frontage a property has on the street, the total number of parking stalls required for a given land use, and the potential for future development in the immediate vicinity creating further demand for parking spaces. The planning commission or division director may also use Table 19.80.080(a) for land uses in different general categories to consider shared community parking.

19.80.110 - Provisional parking.

"Provisional parking" is defined as an area or areas within a parking lot where parking spaces which are shown on the approved parking plan are landscaped rather than paved. The following conditions apply to provisional parking areas:

1. Provisional parking spaces must be shown on the site plan as complying with the parking stall size requirements of this chapter as well as the maneuverability and aisle requirements of planning commission policy.
2. Provisional parking spaces may be landscaped in such a way that they can be used for parking on a seasonal or temporary basis.
3. After one year's time from the issuance of the land use permit, a property owner may request a review of the provisional parking. Upon a finding by the planning commission for conditional uses or the division director of planning and development services for permitted uses that the additional parking is needed, approval shall be granted for the provisional parking to be paved.
4. The planning commission may set conditions of approval as part of any conditional use permit that utilizes provisional parking as allowed under Section 19.84.050 to provide for monitoring and future review of the parking plan.

Chapter 19.82 - SIGNS

Sections:

19.82.010 - Purpose.

The purpose of this chapter is to eliminate excessive and confusing sign displays that create potential hazards to motorists, pedestrians, property, and also to maintain a responsible communication system by setting requirements for the location, size, height and lighting of signs that will be compatible with adjoining land uses, architecture and landscape, and that will preserve and improve the aesthetic values and visual qualities of the City.

19.82.020 - Definitions.

As used in this chapter:

"A-frame sign" means temporary and/or movable sign constructed with two sides attached at the top so as to allow the sign to stand in an upright position.

"Advertising sign." See "off-premises sign."

"Alterations" means a change or rearrangement in the structural parts or design whether by extending on a side, by increasing in area or height, or by relocating or change in position.

"Animated sign" means a sign which induces motion or rotation of any part by mechanical, or artificial means, or subdued color changes.

"Animation" means simulated movement created by the display of a series of pictures or images, creating the illusion of movement.

"Awning sign" means a sign designed in awning form that is an illuminated or nonilluminated space frame structure attached to a building or other permanent structure.

"Balloon sign" means advertisement supported by a balloon anchored to the premises where the advertised use is conducted, product or commodity sold, service performed, or business name is located.

"Beacon light" means:

- a. Any light with one or more beams, capable of being directed in any direction or directions, or capable of being revolved automatically; or
- b. A fixed or flashing high-intensity light, such as a spotlight, a floodlight, or a strobe light.
- c. "Beacon light" shall not include searchlights.

"Billboard bank" means an accounting system established by the county on behalf of the City to keep track of the number of billboard signs and the square footage of each billboard sign removed pursuant to Section 19.82.185 of this chapter.

"Billboard credit" means an entry into a billboard owner's billboard bank account that indicates the number of billboard sign locations and the square footage of each billboard sign.

"Billboard owner" means the owner of a billboard in the City.

"Billboard sign" means an off-premises advertising sign.

"Business sign" means an on-premises sign.

"Construction sign" means a sign identifying an existing or proposed development project which may contain the name of the project, name and address of construction firms, architects, engineers, developers, etc.

"Dissolve" means an image transition effect accomplished by varying the image intensity or pattern, where the first image gradually appears to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the subsequent image.

"Electronic message center" or "EMC" means a mechanism or device which uses a combination of lights, or lighted or unlighted panels which are controlled electrically and electronically to produce words, symbols, pictures or messages which may change within a given panel area.

"Embellishment, cut-out or extension" means an extension of the billboard resulting in increased square footage as part of an artistic design to convey a specific message or advertisement.

"Existing billboard" means a billboard that is either constructed, or for which an application for a land use permit was received and approved by the planning and development services division and state authorities where necessary, prior to May 18, 2004. Billboards that have received prior approval from the county at a particular location must be approved by the state by June 2, 2005. If no state approval is given, the county approval shall expire on said date and the permit shall become null and void.

"Fade" means an image transition effect accomplished by varying the intensity of the image, where the first image gradually reduces intensity to the point of not being legible and the subsequent image gradually increases intensity to the point of legibility.

"Flashing sign" means a sign which has or appears to have motion or rotation of the lighting elements or displays flashing or intermittent light.

"Flat sign" means a sign erected parallel to and attached to the outside wall of a building and extending not more than twenty-four inches from such wall with messages or copy on the face side only.

"Floodlighted sign" means a sign made legible in the absence of daylight by devices which reflect or project light upon it.

"Footcandle" means the English unit of measurement for illuminance, which is equal to one lumen, incident upon an area of one foot.

"Ground sign" means a sign supported by a fixed permanent frame support in the ground.

"Illuminance" means the photometric quantity most closely associated with the perception of brightness and a measurement of the intensity of light falling on a surface at a given distance from the light source.

"Illuminated sign" means a sign which has characters, letters, figures, designs or outlines illuminated by electric lights or luminous tubes.

"Image" means the display of text, numbers or the likeness of an object or living thing of any type on an EMC.

"Image display duration" means the period of time that an image remains static.

"Image transition duration" means the period of time in which one image changes to another on an electronic message center.

"Interior sign" means a sign located within a building so as to be primarily visible only from within the building in which the sign is located.

"Mobile sign" means a sign mounted on trailer or frame, lighted or unlighted, which is not permanently attached to a structure or the ground.

"Monument sign" means a sign which is incorporated into the landscape or architectural design scheme and displaying the name of uses or buildings.

"Nameplate sign" means a sign indicating the name and/or occupation of a person legally occupying the premises or indicating a legal home occupation thereon.

"Nonconforming billboard" means an existing billboard that is located in a zoning district or otherwise situated in a way that is not permitted by the provisions of this chapter.

"Nonconforming sign or sign structure" means a sign or sign structure or portion thereof lawfully existing at the effective date of this chapter or any amendment hereto which does not conform to all height, area, yard, spacing, animation, lighting, use or other regulations prescribed in the zone in which it is located after the effective date of this chapter or any amendment hereto.

"Off-premises sign" means a sign directing attention to a use, product, commodity or service not related to the premises upon which the sign is located.

"On-premises sign" means a sign directing attention to a use conducted, product or commodity sold, service performed or business name upon the premises on which it is located.

"Overhanging sign" means a sign which projects twelve inches or more over the roof of a building.

"Pedestal sign" means a temporary and/or movable sign supported by a column(s) and a base so as to allow the sign to stand in an upright position.

"Political sign" means a sign advertising a candidate or candidates for public elective office, or a political party, or a sign urging a particular vote on a public issue decided by ballot.

"Projecting sign" means a sign attached to a building or canopy and extending in whole or part more than twenty-four inches beyond any wall of the building or canopy.

"Promotional sign board" means a permanently attached changeable copy sign not exceeding twenty square feet per face with one or two faces back to back for the display of promotional items offered for sale on the premises.

"Property sign" means a sign related to the property upon which it is located and offering such information as address, name of occupant for residential uses, sale or lease of the property, warning against trespassing, any hazard, or other danger on the property.

"Roof sign" means a sign which is erected partly or wholly on the roof of the building. Notwithstanding the foregoing, a sign structure having main supports embedded in the ground shall not be considered to be a roof sign even if the sign's supports pass through a roof, canopy or parapet of a building.

"Scintillate" or "scintillating" means light flashes, light sparkling, light starbursts, light twinkling, light pulsating or any other image transition effect or animation in which an image instantly and repeatedly changes for the purpose of attracting attention.

"Service sign" means a sign that is incidental to a use lawfully occupying the property upon which the sign is located and which sign is necessary to provide information to the public, such as direction to parking lots, location of restrooms, entrance and exits, etc. A service sign shall also include signs

providing information about sale of agricultural products produced upon the premises. A business trade mark or logo may appear on the sign provided it is secondary to the information portion of the sign.

"Sign" means and includes every advertising message, announcement, declaration, demonstration, display, illustration, insignia surface or space erected or maintained in view of the observer thereof for identification, advertisement or promotion of the interests of any person, entity, product or service. "Sign" also includes the sign structure supports, lighting system and any attachments, ornaments or other features used to draw the attention of observers.

"Sign area" means the area of a sign that is used for display purposes, excluding the minimum frame and supports. In computing sign area, only one side of a back-to-back or double-faced sign shall be computed when signs are parallel or diverge from a common edge by an angle of not more than forty-five degrees.

In relation to signs that do not have a frame or a separate background, sign area shall be computed on the basis of the least rectilinear line with a maximum of eight sides, triangle or circle large enough to frame the display.

Sign areas in the shape of a sphere, prism, cylinder, cone, pyramid, square or other such shapes shall be computed as one-half of the total surface area.

"Sign maintenance" means that signs shall be maintained in a safe, presentable and good condition, including the replacement of defective parts, repainting, cleaning and other acts required for the maintenance of the sign.

"Sign setback" means the minimum distance that any portion of a sign or sign structure shall be from any street right-of-way line and yard line coterminous with a street.

"Sign structure" means anything constructed or erected supporting a sign which requires location on or below the ground or attached to something having location on or below the ground.

"Snipe sign" means a sign which is attached to a public utility pole, fixture poles, canopy supports, or the supports for another sign.

"Static" means no motion of any type or form.

"Temporary sign," as regulated by this title, shall include any sign, banner, pennant, valance or advertising display constructed of paper, cloth, canvas, light fabric, cardboard, wallboard or other light materials, with or without frames, intended to be displayed out of doors for a short period of time.

"Time and temperature device" means any mechanism that displays the time and/or temperature but does not display any commercial advertising or identification.

"Video" means simulated movement created by the display of a series of images creating the illusion of continuous movement.

"Wall sign" means a sign that is either painted on a wall or its facing by not having a sign frame or separation from the wall or facing.

"Window sign" means a sign permanently attached and located within a building so as to be visible through a window or door outside of the building.

19.82.025 - Noncommercial signs.

Any sign authorized under this chapter is allowed to contain noncommercial copy in lieu of any permissible copy.

19.82.030 - Interpretation.

A. Properties divided by public streets are not adjacent.

- B. The sign requirements contained in this chapter are declared to be the maximum allowable.
- C. Sign types not specifically allowed as set forth within this chapter shall be prohibited.
- D. Where other ordinances are in conflict with the provisions of this chapter, the most restrictive ordinance shall apply.

19.82.040 - Conformity required.

- A. Except as provided in this title, a sign shall not be erected, raised, moved, placed, reconstructed, extended, enlarged or altered, unless in conformity with the regulations specified in this chapter.
- B. A nonconforming sign shall not be reconstructed, raised, moved, placed, extended or enlarged unless the sign is changed so as to conform to all provisions of this title. Alterations shall also mean the changing of the text or message that the sign is conveying from one use of the premises to another use of the premises and the changing of the ownership of the sign when that ownership necessitates a change in the text or message of the sign. Alterations shall not be interpreted to include changing the text or copy of electronic message centers, off-premises advertising signs, theater signs, outdoor bulletin or other similar signs which are designed to accommodate changeable copy.

19.82.050 - Exceptions.

- A. When a parcel of land is five acres or larger, the planning commission may consider an on-premises sign proposal for a development on such parcel that is less restrictive than the regulations set forth in this chapter, as a conditional use providing there is a determination that the proposed sign exceptions are:
 - 1. Not in conflict with the purpose of this chapter;
 - 2. In architectural harmony with the development and other buildings and uses adjacent to the development.
- B. Signs not regulated by this chapter:
 - 1. On-premises advertising signs that are attached to windows or walls and are clearly of a temporary nature, which promote specific sales;
 - 2. Signs which are associated with school or church events and functions, which are clearly of a temporary nature;
 - 3. Interior signs;
 - 4. Time and temperature devices;
 - 5. Searchlights.

19.82.060 - Comprehensive sign plan.

When an application for the first permit (building permit or conditional use permit) on a parcel of ground is submitted to the county on behalf of the City, it shall be accompanied by a complete comprehensive sign plan for all existing, proposed or future signs on the parcel of ground.

19.82.070 - Building permit exceptions.

Building permits are required for signs except for property signs, political signs and nameplates conforming to the provisions of this chapter. (See Section 19.82.050(B).)

19.82.080 - Size computation.

- A. The following shall be used when calculating sign sizes: When more than one use occupies a lot, the frontage may be used to calculate the sign size for one total ground or projecting sign, not for each

use. The total may then be divided between the uses. There may be any number of flat or wall signs, provided their total does not exceed the percentage of wall area coverage allowed.

- B. A property line which abuts a nonaccess freeway, road, street or right-of-way may not be used in computing sign area.

19.82.085 - Height of ground signs.

The height of ground signs, except as otherwise specified in this chapter, shall be measured from the grade at the property line of the yard in which the sign is located, but shall not exceed the height allowed in the zone.

19.82.090 - Imprint of ownership required.

The imprint of the sign owner and sign erector of all signs shall be in plain and public view.

19.82.100 - Off-premises sign requirements.

Off-premises signs erected along the interstate or the primary highway system as defined by the state shall conform with the provisions of the Utah Outdoor Advertising Act.

19.82.110 - Visibility at intersections.

- A. There shall be a minimum clearance of ten feet between the ground and any part of a projecting sign or ground sign, as measured from the grade of the intersecting streets and located within the clear view of an intersection, which is a triangular area formed by the street property lines and a line connecting them at points forty feet from the intersection of the street lines. Any portion of a sign structure within the clear view of an intersection and nearer the ground than ten feet may not exceed ten inches in width, thickness or diameter.
- B. A service sign located within the clear view of an intersection shall not exceed two feet in height.

19.82.120 - Signs on public property.

No sign shall be located on publicly owned land or inside street rights-of-way except signs required and erected by permission of an authorized public agency. Signs shall include, but not be limited to, handbills, posters, advertisements or notices that are fastened, placed, posted, painted or attached in any way upon any curbstone, lamppost, telephone pole, telegraph pole, electric light or power pole, hydrant, bridge, tree, rock, sidewalk or street.

19.82.130 - Lighted signs.

- A. A lighted sign shall not be installed which permits the light to penetrate beyond the property in such a manner as to annoy or interfere with the use of adjacent properties.
- B. Such lights alleged to violate subsection A of this section by the adjacent property owners or development services division director shall be subject to a public hearing before the planning commission as to the validity of the alleged violation. If such light is determined to be in violation, the owner of the light shall take appropriate, corrective action as directed.

19.82.135 - Electronic message center requirements for on-premises signs.

- A. An electronic message center shall only display static images. An electronic message center shall not display scrolling text, video images, or scintillating images.
- B. The minimum image display duration shall be four seconds.
- C. The maximum image transition duration shall be three seconds. Transitions from one static image shall fade out and fade or dissolve in to the next static image without the use of flashing, animation, or movement.

D. All electronic message centers shall be equipped with a sensor or other device that automatically determines the ambient illumination and must be programmed to automatically dim according to ambient light conditions. The nighttime illuminance of an electronic message center shall not increase ambient lighting conditions by more than three-tenths footcandles when measured perpendicular to the electronic message center face at a distance determined by the following formula:

$$\text{Measurement Distance (in feet)} = \text{The square root of [Area of electronic message center face in square feet) } \times 100]$$

E. Where allowed as a conditional use, conditions may be imposed by the planning commission regarding hours of sign operation, sign height, sign size, and/or setbacks from property lines to mitigate impacts on nearby residential properties, to protect critical viewsheds as established in the general plan, or to prevent potential traffic hazards.

F. Electronic message center conditional use requirements, allowed sign types, and allowable sizes by zone are set forth in Table 19.82.135.

Table 19.82.135
ELECTRONIC MESSAGE CENTER CONDITIONAL USE REQUIREMENTS, ALLOWED SIGN TYPES,
AND ALLOWABLE SIZES BY ZONE

	Allowed Sign Types	Conditional or Permitted Use Approval	Allowable EMC Size as a Percentage of Total Allowable Sign Size Per Table 19.82.190 ¹
MD-1, MD-3	Monument	Permitted	50%
	Ground	Conditional use permit required if within 300 linear feet or less of a residence; otherwise, permitted	50%
C-2	Monument	Permitted	70%
	Ground	Conditional use permit required if within 300 linear feet or less of a residence; otherwise, permitted.	50%
C-3	Monument	Permitted	80%
	Ground	Conditional use permit required if within 300 linear feet or less of a residence; otherwise, permitted.	50%
M-1	Monument	Permitted	100%
	Ground	Conditional use permit required if within 300 linear feet or less of a residence; otherwise, permitted.	75%

	Monument	Permitted	100%
M-2	Ground	Conditional use permit required if within 300 linear feet or less of a residence; otherwise, permitted.	75%
All other zones	None	NA	NA

Table 19.82.135 footnotes:

1. The planning commission may approve an increase in the allowable EMC sign size through the conditional use process as described in Section 19.82.135E.

19.82.140 - Mobile sign.

One mobile sign may be used for each use for a period of sixty days following the issuance of a permit to construct a permanent sign for that use. Upon inspection and approval of the permanent sign, or upon expiration of the sixty-day period, whichever first occurs, the mobile sign must be removed. Mobile signs may not employ animation, flashing lights or intermittent lights.

19.82.150 - Traffic hazard prohibited.

Signs or other advertising structures shall not be erected at the intersection of any streets or driveways in such manner as to obstruct free and clear vision, or at any location where by reason of the position, shape or color, it may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal device, or make use of the words "Stop," "Drive-in," "Danger," or any other words, phrases, symbols or characters in such manner as to interfere with, mislead or confuse vehicle operators.

19.82.160 - Maintenance—Removal of sign.

- A. All signs and advertising structures shall be maintained in good condition.
- B. Signs relating to a product no longer available for purchase, or to a business which has closed or moved, shall be removed or the advertising copy removed within thirty days of such unavailability, closure or relocation.
- C. Owners of signs or advertising copy not removed within the required thirty days shall be given written notice sent by certified mail. If not removed by the owner within the thirty-day period, the sign or copy will be removed by the county at the expense of the owner.

19.82.170 - Prohibited signs.

Signs not specifically allowed by this chapter are prohibited. Without restricting or limiting the provisions of this section, the following signs are specifically prohibited: A-frame, snipe and pedestal signs.

19.82.180 - Action to remove or abate violation.

- A. The mayor or attorney shall be empowered to institute any appropriate action or proceeding in any case where any sign is erected, constructed, reconstructed, altered, repaired, converted or maintained, or in any case where any sign is used in violation of any county ordinance, to accomplish the following purposes:

1. To prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use;
 2. To restrain, to correct or abate such violation;
 3. To abate and remove unsafe or dangerous signs. If an unsafe or dangerous sign is not repaired or made safe within ten working days after giving notice as provided in subsection B of this section, the building inspector or development services division director may at once abate and remove the sign, and the person having charge, control or benefit of any such sign shall pay to the county costs incurred in such removal within thirty calendar days after written notice of the costs is mailed to such person.
- B. Notice by the county shall mean written notice sent by certified mail to persons having charge or control or benefit of any sign found by the development services division director to be unsafe.

19.82.185 - Off-premises signs—Billboards.

- A. Purpose. This section provides for the reasonable regulation of off-premises signs with the intent of enhancing the aesthetics of existing and future billboards, mitigating negative impacts, promoting safety and protecting property values that further the goals and planning policies of the City.
- B. Cap on Number of Off-Premises Signs. The number of off-premises signs allowed in the City shall be limited to the number of off-premises signs that are existing as defined herein as of May 18, 2004. This cap shall automatically decrease as off-premises signs are annexed into a municipal jurisdiction or removed and not relocated.
- C. Location. Off-premises signs shall be allowed in the C-1 zone as a conditional use. Off-premises signs shall be allowed in the C-2, C-3, M-1 and M-2 zones as a permitted use.
- D. Size. Off-premises signs shall not exceed six hundred seventy-two square feet in the C-2, C-3, M-1 and M-2 zones. Off-premises signs located in a C-1 zone shall not exceed three hundred square feet in size.
- E. Height. The maximum height of an off-premises sign shall be thirty-five feet in a C-1 zone. The maximum height of an off-premises sign shall be forty-five feet above the grade level of the road in the C-2, C-3, M-1 and M-2 zones or, when oriented for freeway viewing only and located within three hundred feet of the nearest freeway lane, twenty-five feet above freeway grade level or fifty feet overall, whichever is greater.
- F. Separation. The minimum distance between off-premises signs larger than three hundred square feet shall be five hundred lineal feet as measured along the same side of the street including intersections. The minimum distance between off-premises signs three hundred square feet or less in size shall be three hundred lineal feet as measured along the same side of the street including intersections. All off-premises signs must be at least one hundred fifty radial feet from any other off-premises sign.
- G. Setbacks. The minimum setback shall be eighteen inches for off-premises signs. The sign's front-yard setback shall be measured from the future right-of-way line (see Transportation Improvement Plan). The closest edge of an off-premises sign shall not project into any required setback area. The minimum setback between an off-premises sign and any residential zone boundary shall be one hundred fifty feet.
- H. Lighting. Lighting shall be confined to the sign face, and the lighting source shall not be directly visible.
- I. Design. Off-premises signs shall utilize either the "mono-pole" or the "bi-pole" design and shall be continually maintained structurally and on the copy face. The back of the sign and the structure behind the sign shall be painted a dark color. Tri-vision sign faces shall be permitted and, if illuminated, must be externally illuminated. Internally illuminated off-premises signs, electronic display (outdoor video advertising) and electronic message centers are only allowed adjacent to the

interstate freeway system and limited to no more than one change to the copy face in a twenty-four hour period. Two-decked off-premises signs are prohibited in all zones.

- J. Credits for Removal. Prior to the removal of any off-premises sign, the owner shall obtain a permit for the demolition of the off-premises sign. Permits may be provided following application to the Salt Lake County Planning and Development Services Division on behalf of the City. The Salt Lake County Planning and Development Services Division on behalf of the City shall by letter inform the City. After any off-premises sign is demolished, the Salt Lake County Planning and Development Services Division on behalf shall create a "billboard bank account" for the sign owner. The account shall reflect credits for the off-premises sign square footage as well as the date of removal. Any off-premises sign credits not used within thirty-six months of their creation shall expire and be of no further value or use. An off-premises sign owner may sell or otherwise transfer off-premises signs and/or billboard bank account credits. The transfer of any billboard bank account credits does not extend their thirty-six-month life as provided in this section. Demolition of an off-premises sign that has two advertising faces shall receive billboard bank account credits for the square footage of each sign face.
- K. Relocation. The owner of an existing off-premises sign may remove an existing off-premises sign from any site to an approved location only after a permit for relocation is obtained upon substantiation of compliance with this chapter. Prior to approval of a permit for relocation, the sign owner (applicant) shall submit to the county a notarized affidavit signed by the property owner, a copy of the lease agreement or other document to be signed by the property owner, indicating at a minimum the duration of the lease and renewal provisions. Additionally, prior to approval of a permit for relocation, Salt Lake County Planning and Development Services Division on behalf shall by letter inform the affected community council chairman and affected planning commission chairman that application for an off-premises sign permit has been received. Off-premises signs moved to approved locations shall conform to all off-premises sign requirements of the new location. Off-premises signs moved from one location to another must be installed in the new approved location within the period allotted by the International Building Code (IBC). A new off-premises sign permit shall only be issued if the applicant has billboard bank account credits of a sufficient number of square feet. When the permit for construction of a new off-premises sign is issued, the Salt Lake County Planning and Development Services Division on behalf shall deduct from the sign owner's billboard bank account the square footage of the new off-premises sign. If the new off-premises sign uses less than the entire available square footage credits, any remaining square footage credits shall remain in the sign owner's billboard bank account.
- L. Council Review and Monitoring. The council shall, on a regular six-month schedule be updated at a regular public meeting to changes in status and effectiveness of the provisions related to off-premises signs in the City.
- M. Severability and Conflict. This section and its various parts are hereby declared to be severable if a court of competent jurisdiction declares any subsection, clause, provision or portion of this section invalid or unconstitutional. No court decision will affect the validity of either this section as a whole or any parts not declared invalid or unconstitutional by that decision. If any part of this section is found to be in conflict with any other provision of the county, the most restrictive or highest standard will apply, prevail and govern.

19.82.190 - On-premises signs allowed in zoning districts.

On-premises signs allowed, by zones, shall be as set out in Table 19.82.190.

Table 19.82.190

SIGNS ALLOWED, BY ZONES					
ZONE	SIGN	SIZE	HEIGHT	LOCATION	OTHER
(1) All zones	Construction	32 sq. ft. plus 1 sq. ft. for each 10 ft. of frontage over 30 to a maximum of 96 sq. ft. per lot	12 ft. max.	On private property	Sign must be removed 6 months from final building or conditional use inspection that allows occupancy or when 100% of the facilities are occupied, whichever occurs first
		Construction signs located on the development for subdivisions of 5 lots or more, may be 32 sq. ft. plus 2 sq. ft. for each additional lot over 5 to a maximum of 128 sq. ft. total per subdivision	12 ft. max.	On private property	Signs must be removed within 30 days after the last lot is sold
		Signs for subdivisions of 5 lots or more and not located on the development may be 32 sq. ft. plus 1 sq. ft. for each lot over 5 to a maximum of 64 sq. ft. per sign	12 ft. max.	On private property	All signs must be approved by the planning commission for a period not to exceed one year which may be renewed upon application received at least 30 days prior to the previous approval expiration date
		Construction signs for multifamily developments of more than 20 units and not located on the development shall not exceed a maximum of 10 ft. vertical and 20 ft. horizontal	12 ft. max.	On private property	All signs must be approved by the planning commission for a period not to exceed one year. Approval may be renewed by the planning commission

	Nameplate on premises	3 sq. ft. maximum per use		Attached to main structure	
	Political	16 sq. ft. maximum	6 ft. max.	On private property and not closer than 10 ft. to a driveway	Shall be removed 15 days following the final voting day
	Property on-premises	6 sq. ft. maximum	6 ft. max.	On private property	
	Service on premises	6 sq. ft. maximum	3 ft. when free-standing	On private property	
	Monument on premises (see other zones for specific requirements which supersede these requirements)	One per lot, 32 sq. ft. plus 1 sq. ft. for every 10 ft. of frontage over 30 ft. to a maximum of 64 sq. ft.	6 ft. max.	On private property and set back 6 ft. from property lines	One sign per street frontage and landscaped appropriately for the site. Allowed with public or quasi-public buildings or uses, planned unit developments, golf courses, cemeteries, dwelling groups, day care/preschool centers, or other uses permitted in the zone or as approved in conjunction with a conditional permit approval
	Flat on-premises (see other zones for specific requirements which supersede these requirements)	5% of a wall area		Attached to a building	Allowed with public or quasi-public buildings, planned unit developments, golf courses, cemeteries, dwelling groups, or other uses permitted in the zone or as approved in conjunction with a conditional permit

					approval
<p>Illumination may be built into or attached onto the signs listed above when:</p> <p>(1) Lighting is allowed in the specific zone; or</p> <p>(2) The development occupies more than 500 feet continuous frontage on the street the sign will face and the sign is not closer than 200 feet to a property not allowed an illuminated sign;</p> <p>(3) Flat signs that are exposed to dwellings on adjacent properties shall not be illuminated (property divided by public streets are not adjacent).</p>					
(2) S-1-G, R-4-8.5, R-M, RMH	Ground or projecting on-premises	One per lot, 32 sq. ft., plus 1 sq. ft. for each 10 ft. of frontage over 30 ft. on a street but not to exceed 64 sq. ft.	20 ft. max. ground sign	15 ft. setback	Illumination may be built into or attached onto a sign if the development occupies more than 500 ft. continuous frontage on a street that the sign will face unless exposed to a dwelling on adjacent property
	Flat on-premises	15% of a wall area		Attached to a building	Signs that are exposed to dwellings on adjacent properties shall not be illuminated
	Window on-premises	8 sq. ft. maximum per use			Signs shall not be illuminated
	Monument on-premises	One per lot, 32 sq. ft. plus 1 sq. ft. for every 10 ft. of frontage over 30 to a maximum of 64 sq. ft.	6 ft. max.	18-inch minimum setback	A monument sign can only be utilized if no ground or projecting sign is used
(3) C-1, C-1-L, C-V	Ground or projecting on-premises	One per lot, 48 sq. ft. plus 1 sq. ft. for each 4 ft. of frontage over 30, but not to exceed 128 sq. ft.	25 ft. max.	15 ft. setback	Illumination may be built into or attached to signs unless exposed to a dwelling on adjacent property or a residential zone boundary in which case it may be allowed with conditional use approval
	Window on-	12 sq. ft. maximum per			

	premises	use			
	Flat or wall on-premises	15% of a wall area			Illumination may be built into or attached to signs unless exposed to a dwelling on adjacent property or a residential zone boundary in which case it may be allowed with conditional use approval. A flat or wall sign may only be used if an awning sign is not used
	Temporary on-premises				See Section 19.82.140
	Monument on-premises	One per lot, 32 sq. ft. plus 1 sq. ft. for every 4 ft. of frontage over 30 to a maximum of 64 sq. ft.	6 ft. max.	18-inch minimum setback	A monument sign can only be utilized if no ground or projecting sign is used
	Awning on-premises	25% of a wall area may be covered with an awning, and 50% of an awning may be covered with graphics	8 ft. min. above the ground 0 ft. above bldg. wall	8 ft. maximum projection from bldg. May be on three walls of a building	Attached to building. Primary graphics on face or street side of structure. An awning sign may only be used if a flat or wall sign is not used
All regulated signs in C-V zones located in canyon areas of the county require conditional use approval.					
(4) C-2, C-3	C-2 Ground or projecting on-premises	48 sq. ft. plus 1 sq. ft. for each foot of frontage over 30 on a street to a maximum of 256 sq. ft. Property abutting a freeway with no frontage on a dedicated street may have one sign as a conditional use located within 30 ft. of the freeway not to exceed	30 ft. max.	18-inch setback, 1 sign per 300 ft. frontage or part thereof	Illumination may be built into or attached to signs unless exposed to a dwelling on adjacent property or a residential zone boundary in which case it may be allowed with conditional use approval. Rotation and subdued light change may be allowed with

		<p>256 sq. ft. and the height shall not exceed 25 ft. above freeway grade. A property having frontage on a dedicated street which connects directly to an on or off ramp of I-15 and is within 600 ft. of the main traveled way of I-15 may have one sign up to 60 ft. high, but not to exceed 25 ft. above freeway grade level and 400 sq. ft.</p>			<p>conditional use approval.</p>
	<p>C-3 Ground or projecting on-premises</p>	<p>48 sq. ft. plus 1 1/2 sq. ft. for each foot of frontage over 30 on a street to a maximum of 300 sq. ft. Property abutting a freeway with no frontage on a dedicated street may have one sign as a conditional use located within 30 ft. of the freeway not to exceed 300 sq. ft. and the height shall not exceed 25 ft. above freeway grade. A property having frontage on a dedicated street which connects directly to an on or off ramp of I-15 and is within 600 ft. of the main traveled way of I-15 may have one sign up to 60 ft. high, but not to exceed 25 ft. above freeway grade level and 400 sq. ft.</p>	<p>30 ft. max.</p>	<p>No setback required, 1 sign per 300 ft. frontage or part thereof</p>	<p>Illumination may be built into or attached to signs unless exposed to a dwelling on adjacent property or a residential zone boundary in which case it may be allowed with conditional use approval. Rotation and subdued light change may be allowed with conditional use approval.</p>
	<p>Balloon on-premises</p>				<p>Balloon signs are subject to conditional</p>

					use approval
	Roof on-premises	Same as ground or projecting sign	10 ft. above roof max.		Roof sign may substitute for a ground or projecting sign but is subject to conditional use approval. The planning commission may deny a sign or set more restrictive conditions. Signs shall be installed so that the support structure is not visible
	Window on-premises	16 sq. ft. maximum per use			
	Promotional sign boards on-premises	1 sq. ft. for each linear ft. of frontage to a maximum of 20 sq. ft. per sign	Maximum ht. equals the sign setback, but not more than 10 ft.		Maximum of 1 sign per street front, permanently anchored to the ground, and subject to conditional use approval. Illumination may be built into or attached to signs unless exposed to a dwelling on adjacent property or a residential zone boundary in which case it may be allowed with conditional use approval
	Flat or wall on-premises	20% of a wall area			Illumination may be built into or attached to signs unless exposed to a dwelling on adjacent property or a residential zone boundary in which case it may be allowed with conditional use approval. A flat or wall sign may only be used if an awning sign is not

					used
	Temporary on-premises				See Section 19.82.140
	Monument on-premises	32 sq. ft. plus 1 sq. ft. for every 4 ft. of frontage over 30 on a street to a maximum of 64 sq. ft.	6 ft. max.	18-inch minimum setback, 1 sign per 300 ft. frontage or part thereof	A monument sign can be utilized in lieu of a ground or projecting sign
	Awning on-premises	25% of a wall area may be covered with an awning, and 50% of an awning may be covered with graphics	8 ft. min. above the ground 0 ft. above bldg. wall	8 ft. maximum projection from bldg. Must be on private property. May be on three walls of a building	Attached to building. Primary graphics on face or street side of structure. An awning sign may only be used if a flat or wall sign is not used
(5) M-1, M-2	Ground or projecting on-premises	48 sq. ft. plus 1 sq. ft. for each foot of frontage over 30 on a street to a maximum of 256 sq. ft. A property having frontage on a dedicated street which connects directly to an on or off ramp of I-15 and is within 600 ft. of the main traveled way of I-15 may have one sign up to 60 ft. high, but not to exceed 25 ft. above freeway grade level and 400 sq. ft.	35. ft. max.	15 ft. setback, 1 sign per 300 ft. frontage or part thereof	Illumination may be built into or attached to sign.
	Balloon on-premises				Balloon signs are subject to conditional use approval
	Roof on-	Same as ground or	10 ft.		Roof sign may

	premises	projecting sign	above roof max.		substitute for a ground or projecting sign but is subject to conditional use approval. The planning commission may deny a sign or set more restrictive conditions. Signs shall be installed so that the support structure is not visible
	Window on-premises	16. sq. ft. maximum per use			
	Flat or wall on-premises	20% of a wall area			A flat or wall sign may only be used if an awning sign is not used
	Temporary on-premises				See Section 19.82.140
	Monument on-premises	32 sq. ft. plus 1 sq. ft. for every 4 ft. of frontage over 30 on a street to a maximum of 64 sq. ft.	6 ft. max.	18-inch minimum setback, 1 sign per 300 ft. frontage or part thereof	A monument sign can be utilized in lieu of a ground or projecting sign
	Awning on-premises	25% of a wall area may be covered with an awning, and 50% of an awning may be covered with graphics	8 ft. min. above the ground 0 ft. above bldg. wall	8 ft. maximum projection from bldg. May be on three walls of a building	Attached to building. Primary graphics on face or street side of structure. An awning sign may only be used if a flat or wall sign is not used
(6) F-R, F-M	Same as Section (3) of this table for C-1 and CV				All regulated signs require conditional use approval

(7) MD-1, (7 (7) MD-3	Flat on-premises	5% of a wall area			Illumination excluding luminous tubes may be built into or attached to signs. Sign design shall reflect the architectural design scheme of the project. All signs require conditional use approval
	Monument on-premises	32 sq. ft. plus 1 sq. ft. for every 4 ft. of frontage over 30 on a street to a maximum of 64 sq. ft.	6 ft. max.	18 inch minimum setback, 1 sign per 300 ft. frontage or part thereof	Illumination excluding luminous tubes may be built into or attached to signs. Sign design shall reflect the architectural design scheme of the project. All signs require conditional use approval
(8) O-R-D	Monument on-premises	32 sq. ft. plus 1 sq. ft. for every 4 ft. of frontage over 30 on a street to a maximum of 64 sq. ft.	6 ft. max.	25 ft. minimum setback, 1 sign per 300 ft. frontage or part thereof	Illumination excluding exposed neon or lighted accent stripes may be built into or attached to signs. Sign design shall reflect the architectural design scheme of the project. All signs require conditional use approval
	Flat on-premises	5% of a wall area which faces a street	Not higher than 15 ft. above the finished grade of the building	Attached to the wall of a building which faces a street	Illumination excluding exposed neon or lighted accent stripes may be built into or attached to signs. Signs that are exposed to dwellings on adjacent properties shall not be illuminated. Sign design shall reflect the architectural design scheme of the project. All signs require conditional use approval