

COTTONWOOD HEIGHTS

ORDINANCE No. 315

AN ORDINANCE AMENDING SECTION 19.82.040 OF THE COTTONWOOD HEIGHTS CODE CONCERNING WALL SIGNS

WHEREAS, the “Municipal Land Use, Development, and Management Act,” UTAH CODE ANN. §10-9a-101 *et seq.*, as amended (the “*Act*”), provides that each municipality may enact a land use ordinance and a zoning map establishing regulations for land use and development; and

WHEREAS, pursuant to the Act, the municipality’s planning commission shall prepare and recommend to the municipality’s legislative body, following a public hearing, a proposed land use ordinance and a zoning map, or amendments thereto, that represents the planning commission’s recommendations for zoning the area within the municipality; and

WHEREAS, the Act also provides certain procedures for the municipality’s legislative body to adopt or amend the land use ordinance and zoning map for the City; and

WHEREAS, on 14 July 2005, the city council (the “*Council*”) of the city of Cottonwood Heights (the “*City*”) enacted its Ordinance No. 25 adopting a land use ordinance for the City and codifying such ordinance as Title 19 of the City’s code of ordinances (the “*Code*”); and

WHEREAS, thereafter, proposed amendments to Code section 19.82.040 (the “*Amendment*”) were proposed to the City’s planning commission (the “*Planning Commission*”) to address issues that arose following original adoption of Title 19 of the Code; and

WHEREAS, on 9 January 2019, a public hearing was held before the Planning Commission, where citizens were given the opportunity to provide written or oral comment concerning the proposed Amendment; and

WHEREAS, such public hearing before the Planning Commission was preceded by all required legal notices; and

WHEREAS, on 9 January 2019, the Planning Commission recommended that the Council approve adoption of the Amendment; and

WHEREAS, following additional public input and Council discussions concerning proposed Amendment, on 4 February 2019 the Council met in regular meeting to consider, among other things, adopting the Amendment; and

WHEREAS, after careful consideration of the recommendations of the Planning Commission, comments at the public hearing and additional public comment concerning the Amendment, and further Council analysis and discussions, the Council has determined that it is in the best interest of the health, safety and welfare of the citizens of the City to adopt and approve the Amendment;

NOW, THEREFORE, BE IT ORDAINED by the city council of the city of Cottonwood Heights as follows:

Section 1. **Adoption of Amendment.** The Council hereby adopts and approves the Amendment as set forth on the attached exhibit, which shows deleted provisions ~~struck through~~ or otherwise shown as deletions, and new provisions underlined or otherwise shown as additions

Section 2. **Action of Officers.** All actions of the officers, agents and employees of the City that are in conformity with the purpose and intent of this ordinance (this "**Ordinance**"), whether taken before or after the adoption hereof, are hereby ratified, confirmed and approved.

Section 3. **Severability.** All parts of this Ordinance are severable, and if any section, paragraph, clause or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or provision shall not affect the remaining sections, paragraphs, clauses or provisions of this Ordinance.

Section 4. **Repealer.** All ordinances or parts thereof in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

Section 5. **Effective Date.** This Ordinance, assigned no. 315, 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, or such later date as may be required by Utah statute.

PASSED AND APPROVED this 4th day of February 2019.

ATTEST:

By 
Paula Melgar, Recorder



COTTONWOOD HEIGHTS CITY COUNCIL

By 
Michael J. Peterson, Mayor

VOTING:

Michael J. Peterson	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Michael L. Shelton	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
J. Scott Bracken	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Tali C. Bruce	Yea <input type="checkbox"/>	Nay <input checked="" type="checkbox"/>
Christine Watson Mikell	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>

DEPOSITED in the Recorder's office this 4th day of February 2019.

POSTED this 5 day of February 2019.

19.82.040 Wall signs.

A. Where permitted. In the following zoning districts, a premises, and each occupant of a shopping center or multiuse building, may display wall or signs on walls adjacent to each street or highway on which it has frontage:

1. NC zone
2. CR zone
3. O-R-D zone
4. PF zone
5. MU zone

B. Signable area designation. The person displaying the sign shall select one signable area on each facade of the building that has frontage on a street or highway. As used in this subsection, a "signable area" is an area which is:

1. enclosed by a box or outline, or;
2. within a single continuous perimeter composed of a single rectangle, circle, triangle, or parallelogram enclosing the extreme limits of characters, lettering, illustrations, ornamentations, or other figures

Signable area measured for a wall sign:



C. Sign structure or sign display area allowed. The aggregate area of the wall signs displayed on a premises shall not exceed ~~the following percentages of the signable area:~~

~~1. No signable area for any use in city shall exceed 15% of the aggregate area of the wall where a sign is to be located, and in no case shall a wall sign exceed six feet in height.~~

D. How displayed. The sign structure or sign display area may be displayed as one or divided among two or more wall signs.

E. Additional limitations. Wall signs may be attached to or pinned away from the wall, but must not project from the wall by more than 12 inches and must not interrupt architectural details. Cabinet signs are not permitted as wall signs in the city.