



OCTOBER 14, 2021
PLANNING COMMISSION MEETING 6:00 P.M.

Consistent with provisions of the Utah Open and Public Meetings Act, Utah Code Ann. § 54-2-207(4), the Moab Planning Commission Chair has issued written determinations supporting the decision to convene electronic meetings of the Planning Commission without a physical anchor location. Due to the health and safety risks related to the ongoing COVID-19 pandemic and considering public health orders limiting in-person gatherings, Moab City Planning Commission will continue to hold meetings by electronic means. The public is invited and encouraged to view and participate in the Planning Commission's electronic meetings by viewing the

City's YouTube channel: <https://www.youtube.com/MoabCityGovernment>. Individuals wishing to participate in the Citizens to be Heard portion of the should submit their comments using this form: [Public Comment Form](#). Comments submitted for the Citizens to be Heard portion of the agenda will be incorporated into the meeting minutes as part of the permanent record.

1. 6:00 P.M. Call To Order

2. Citizens To Be Heard

To have your comments considered for the Citizens to Be Heard portion of the electronic meeting, please fill out the form found here:

HTTPS://DOCS.GOOGLE.COM/FORMS/D/E/1FAIPQLSECP3KYU0F_F8J6J5ROFAEUPTNKW938GR8DVWEOJJH-AQFNGA/VIEWFORM?VC=0&C=0&W=1

You must submit your comments by 5:00 pm on the day of the meeting. Please limit your comments to 400 words

3. Action Item

- 3.1. Action Item - Consideration And Possible Recommendation Of Moab City Resolution #31-2021, A Resolution Conditionally Approving The Lawrence Minor Subdivision 2021 Of Property Located At 479 Bowen Circle Moab, Utah 84532

Briefing and possible action

Documents:

[LAWRENCE MINOR SUBDIVISION 2021 CC AGENDA SUMMARY 101421.PDF](#)
[EXHIBIT 1 RESOLUTION 31-2021 LAWRENCE MINOR SUBDIVISION 2021 101421.PDF](#)
[EXHIBIT 2 VICINITY MAP LAWRENCE MINOR SUBDIVISION 2021 101421.PDF](#)
[EXHIBIT 3 DRAFT SURVEY PLAT LAWRENCE MINOR SUBDIVISION 2021 101421.PDF](#)

4. Discussion Item

- 4.1. Discussion Item - Sign Code Relocation And Possible Amendments

Discussion on draft Ordinance #2021-18, Text Amendment to the Moab Municipal Code, including: Relocation of Section 15.44 Sign Code to new Section 17.93 Sign Code; and Relocation of Titles 17.09.430, -440, -450, -460, -465, and -470, to new section Title 17.93 Sign Code; and Amending the MMC with clarifying language identifying prohibited LED and LCD Display Technologies; and Amending Moab Municipal Code with clarifying language identifying Exempt, Temporary, and Prohibited Signs; and Amending the MMC Sign Code Definitions.

Documents:

[SIGN CODE AMENDMENT 2021-18 AGENDA SUMMARY 101421.PDF](#)

EXHIBIT 1 SIGN CODE 15.44.PDF
EXHIBIT 2 ZONING SIGN CODE.PDF
EXHIBIT 3 GRAND COUNTY ORDINANCE 630.PDF
EXHIBIT 4 PC 2021-18 PROPOSED TEXT AMENDMENTS 101421.PDF

5. Future Agenda Items

6. Adjournment

Moab Planning Commission Agenda Item

Lawrence Minor Subdivision 2021

Meeting Date: October 14, 2021

Title: Consideration and Possible Recommendation of Moab City Resolution #31-2021 – A Resolution Conditionally Approving the Lawrence Minor Subdivision 2021 of Property Located at 479 Bowen Circle Moab, Utah 84532.

Disposition: Discussion and Possible Action

Staff Presenter: Cory P. Shurtleff, Assistant Planner

Attachment(s):

- Exhibit 1: Draft Moab City Resolution #31-2021
- Exhibit 2: Vicinity Map
- Exhibit 3: Draft Plat

Options:

1. Forward a Positive Recommendation to City Council on Resolution #31-2021, with or without modifications; or
2. Continue or table item and give specific direction to the applicant and City Staff as to additional information needed to make a decision; or
3. Forward a Negative Recommendation, giving specific findings for the decision.

Recommended Motion: I move to forward a Positive Recommendation to City Council on Moab City Resolution #31-2021 – A Resolution Conditionally Approving the Lawrence Minor Subdivision 2021 of property located at 479 Bowen Circle, Moab, UT, subject to the following condition:

1. The existing structure located on Lot 2 of the Lawrence Minor Subdivision 2021 must be removed or relocated in compliance with property setbacks within Lot 2 of the Lawrence Minor Subdivision 2021 before final recording of the Plat.

Applicant: Taylor Lawrence, 479 Bowen Circle, Moab, Utah

Background:

Applicant and property owner, Taylor Lawrence, submitted the City of Moab Minor Subdivision Application on September 20, 2021, for the two-lot subdivision of property located at 479 Bowen Circle, Moab UT. On September 20, 2021, the application was reviewed for completeness and submitted for review and recommendation by the Moab Planning Commission on October 14, 2021

Project Summary:

Location: 479 Bowen Circle, Moab UT 84532
Property Owner: Taylor Lawrence
Applicant: Taylor Lawrence

Parcel Size: 12819.2 sf (.29 acres)
Proposed Lot 1: 5443 sf
Proposed Lot 2: 7357 sf
Zoning: R-2 Single-Household and Two-Household Residential Zone
Proposed Use: Residential

Narrative Summary:

The property owner is proposing to subdivide the existing property, currently used for a primary dwelling residence and accessory dwelling unit residence. As a condition of approval, the property owner would be required to remove or relocate the existing structure on Lot 2, to conform with setback requirements created by the Lot 2 property lines during the subdivision, prior to the Plat being recorded. The property owner's intention is to remove the existing structure on Lot 2 and develop Lot 2 as a residential use, while continuing to operate the existing dwelling use on Lot 1. When development on Lot 2 is completed, the property owner is planning to remove the existing dwelling on Lot 1 and develop Lot 1 as a residential use.

This proposed action has been previously approved by City Council through Moab Resolution #34-2020, on August 11, 2020. The applicant contacted the City of Moab Planning Department regarding options to file an extension for this approved Minor Subdivision Resolution on September 13, 2021, however the resolution approval had already lapsed at this time. This required the applicant to resubmit the Minor Subdivision application to re-approve and maintain entitlement for one year, with the option of one, 1 year extension.

Process:

MMC Section 16.08.020 allows for exceptions to the final plat hearing process for minor subdivisions of five lots or less. These applications must be reviewed by the Planning Commission and referred to Council with a recommendation, as noted below.

"MMC Section 16.08.020, *Exceptions--Final plat*, discusses the process and required documents

In subdivisions of less than five lots, land may be sold after recording of a plat, if all the following conditions are met:

- A. The subdivision plan shall have been approved by the planning commission, the planning coordinator, the city engineer, the city attorney, other agencies the zoning administrator deems necessary, and the city council;
- B. The subdivision is not traversed by lines of a proposed street, and does not require the dedication of any land for street or other purposes;
- C. Each lot within the subdivision meets the frontage width and area requirements of the zoning title or has been granted a variance from such requirements by the appeal authority;
- D. All final plat requirements shall be complied with;
- E. All provisions of Chapter 16.20 of this title shall be complied with; and
- F. The water supply and sewage disposal shall have been approved by the utility supervisor

CITY OF MOAB RESOLUTION NO. 31-2021

A RESOLUTION CONDITIONALLY APPROVING THE LAWRENCE MINOR SUBDIVISION 2021 AT 479 BOWEN CIRCLE, MOAB, UT 84532, AS REFERRED TO COUNCIL BY THE MOAB PLANNING COMMISSION

WHEREAS, The following describes the intent and purpose of this resolution:

- a. Taylor Lawrence, (Applicant), have applied for a Minor Subdivision of the property located at 479 Bowen Circle, Moab, Utah; and
- b. Applicant submitted to the City of Moab the appropriate application and documents for review and approval of the proposed two-lot minor subdivision as required in MMC Chapter 16.08.020; and
- c. The property is in the R-2 Single-Household and Two- Household Residential Zone and the proposed uses are allowed as permitted uses; and
- d. Owner desires to subdivide the parcel into two lots. Lot 1 at 5,443 square feet and Lot 2 at 7,357 square feet; and
- e. The proposed lots satisfy the dimensional requirements of the R-2 Zone; and
- f. The Moab Planning Commission reviewed the application for the Lawrence Minor Subdivision in a regularly scheduled meeting held on October 14, 2021, and subsequently conditionally recommended approval to the City Council in accordance with MMC Chapter 16.08.020 that allows a minor subdivision of less than five (5) lots to be reviewed without a public hearing; and
- g. The Moab City Council reviewed the application and considered the Planning Commission and Staff recommendations in a public meeting held on October 25, 2021; and
- h. Following the consideration of the technical aspects of the pertinent code sections, the Moab City Council, pursuant to Resolution #31-2021, hereby finds, that the subdivision can meet or exceeds the pertinent code requirements.

NOW, THEREFORE, BE IT RESOLVED BY THE MOAB CITY COUNCIL, the application for the Lawrence Minor Subdivision 2021 is hereby **APPROVED**, with the following conditions:

1. The existing structure located on Lot 2 of the Lawrence Minor Subdivision must be removed or relocated in compliance with property setbacks within Lot 2 of the Lawrence Minor Subdivision before final recording of the Plat.

PASSED AND APPROVED in open Council by a majority vote of the Governing Body of Moab City Council on October 23, 2021.

SIGNED: _____
Emily Niehaus, Mayor

ATTEST: _____
Sommar Johnson, Recorder



Sundial Dr

400 East

(R-2)

479 Bowen Cir

(R-3)

300 South

Bowen Circle

Locust Ln

Google Earth

30 South 100 East #2
Moab, UT 84532
435.259.8171

NOT VALID WITHOUT
ORIGINAL SIGNATURE

NOTE:
THIS SURVEY SHALL NOT BE USED WITH AN AFFIDAVIT OR LETTER OF ANY KIND
TO CORRECT OR AMEND THE SURVEY. THIS SURVEY IS THE FINAL SURVEY
FOR THE LANDS DESCRIBED HEREIN. ANY CHANGES, AMENDMENTS, MODIFICATIONS,
CORRECTIONS, OR REVISIONS TO THIS SURVEY SHALL BE MADE BY A LICENSED
SURVEYOR IN ACCORDANCE WITH THE PROFESSIONAL LAND SURVEYING ACT,
OF THE FEDERAL COPYRIGHT ACT, DIGITAL MILLENNIUM COPYRIGHT ACT, TO COPY OR MODIFY AND
REUSE THIS SURVEY BEYOND THE DATE AND SCOPE RED DESERT LAND SURVEYING LLC, ITS ASSOCIATES,
AND/OR AGENTS SHALL NOT BE LIABLE FOR USE OF THIS SURVEY BY ANY OTHER
ENTITIES OR PERSONS FOR ANY PURPOSE BEYOND THE ORIGINAL DATE, SCOPE,

PROJECT TYPE:
SUBDIVISION

PROJECT ADDRESS:
479 BOWEN CIRCLE
MOAB, UTAH 84532

PROJECT LOCATION:
GRAND COUNTY, UTAH

PREPARED FOR:
TAYLOR LAWRENCE

SHEET 1 OF 1

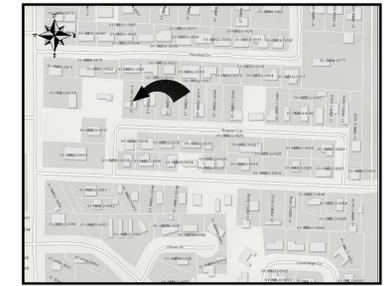
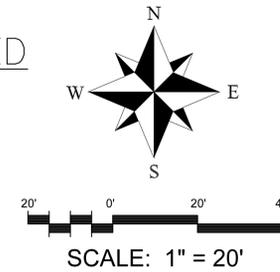
DATE:
10/23/19

JOB NUMBER:
142-19

NICHOLS PLAT

FINAL PLAT OF
LOT 20, BOWEN PLAT AMENDED

A SUBDIVISION LOCATED WITHIN THE NORTHEAST QUARTER
SECTION 1, TOWNSHIP 26 SOUTH, RANGE 21 EAST
SALT LAKE BASE AND MERIDIAN



VICINITY MAP

NOT TO SCALE

SURVEYOR'S CERTIFICATE

I, Lucas Blake, do hereby certify that I am a Professional Land Surveyor, and that I hold License No. 7540504, as prescribed under the laws of the State of Utah. I further certify that by authority of the owners, I have made a survey of the tract of land shown on this plat and described hereon, and have subdivided said tract of land into lots and streets, together with easements, hereafter to be known as

LOT 20, BOWEN PLAT AMENDED

and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

BOUNDARY DESCRIPTION

Beginning at the Southwest corner of Lot 20, Bowen Plat, Nichols-Bowen Subdivision, and proceeding along said lot line the following four courses: thence North 02°14'00" East 160 feet; thence South 87°46'00" East 80.00 feet (RECORD=5 87°24' E); thence South 02°14'00" West 160.00 feet; thence North 87°46'00" West 80.00 feet to the point of beginning, containing 12,800 square feet, 0.30 acres, more or less.

OWNER'S DEDICATION

Know all men by these presents that the undersigned are the owners of the above described tract of land, and hereby cause the same to be divided into lots, parcels and streets, together with easements as set forth to be hereafter known as

LOT 20, BOWEN PLAT AMENDED

and do hereby dedicate for the perpetual use of the public all roads and other areas shown on this plat as intended for public use. The undersigned owners also hereby convey to any and all public utility companies a perpetual, non-exclusive easement over the public utility easements shown on this plat, the same to be used for the installation, maintenance and operation of utility lines and facilities. The undersigned owners also hereby convey any other easements as shown on this plat to the parties indicated and for the purposes shown hereon.

ACKNOWLEDGMENT

STATE OF _____ }
COUNTY OF _____ } S.S.

ON THE _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME,

_____ WHOM DID ACKNOWLEDGE
TO ME THAT THEY SIGNED THE FOREGOING OWNER'S DEDICATION FREELY AND VOLUNTARILY AND FOR
THE USES AND PURPOSES STATED THEREIN.

NOTARY PUBLIC
NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____

SURVEY NARRATIVE

The property has been accurately surveyed with the intent to subdivide land. The basis of bearing is N 87°46'00" W along the centerline of Bowen Circle.

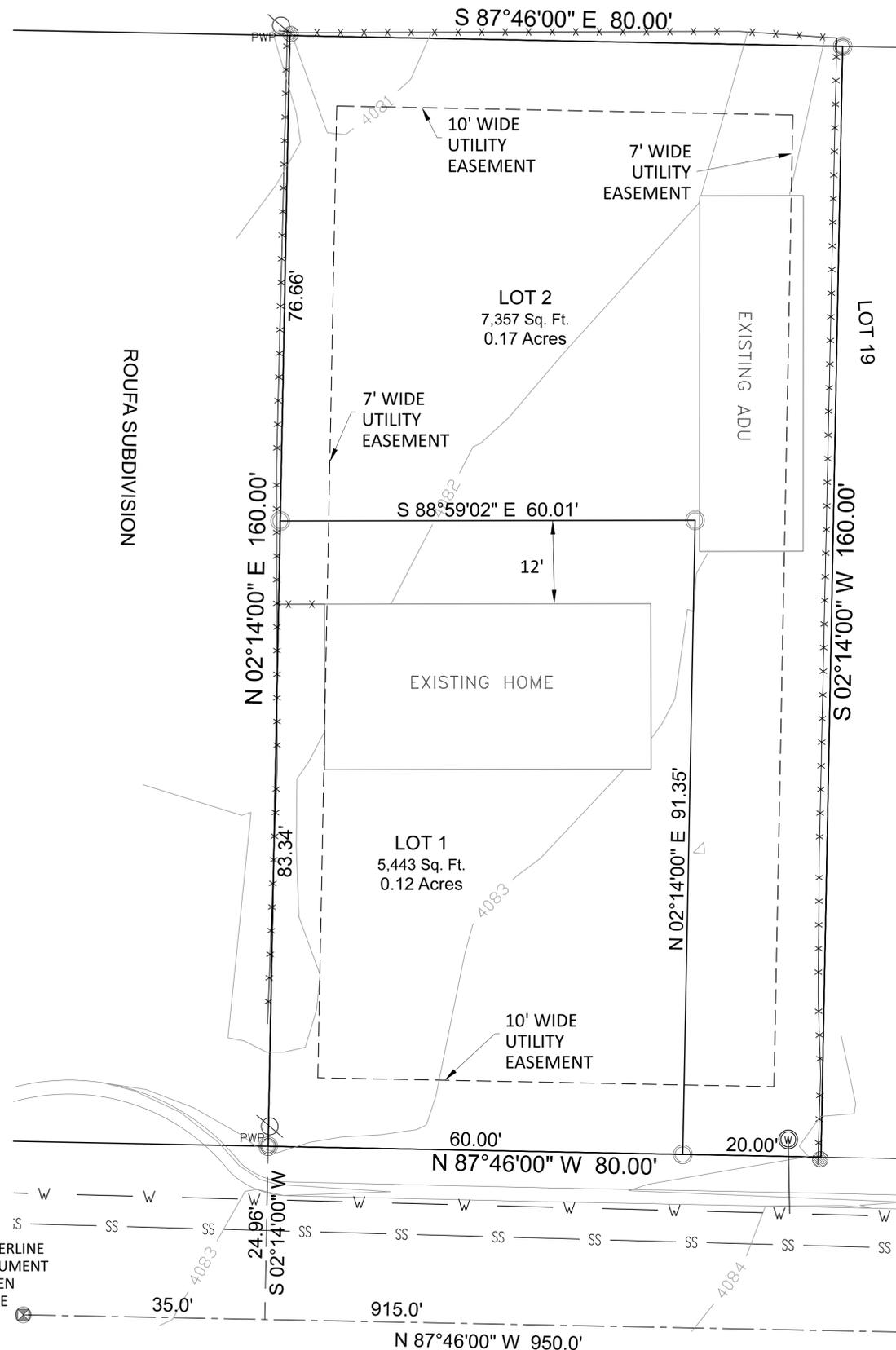
The purpose of the survey is to subdivide the parcel into two lots.

5/8" x 24" rebar with survey cap to be placed at all lot corners or rights of way. Off-set pins to be placed in the back of the curb where applicable, in lieu of rebar and cap at front corners.

STANDARD LEGEND

- PROP. CORNER FOUND
- PROP. CORNER SET
- ⊕ CENTERLINE MONUMENT
- (R) RECORD DATA
- (M) MEASURED DATA
- (C) CALCULATED DATA
- △ BLOCK CORNER
- ⊕ SECTION MONUMENT
- ⊕ HYDRANT
- ⊕ SEWER MANHOLE
- SS—SS— SAN. SEWER LINE
- W—W— WATER LINE
- — — — — FENCE
- — — — — ASPHALT
- — — — — 4505 — — — — — CONTOURS

ROUFA SUBDIVISION



CENTERLINE MONUMENT
BOWEN CIRCLE

CENTERLINE MONUMENT
BOWEN CIRCLE

APPROVAL BY MOAB CITY PUBLIC WORKS

APPROVED THIS _____ DAY OF _____ AD, 20____

DIRECTOR

APPROVAL BY MOAB CITY ATTORNEY

APPROVED THIS _____ DAY OF _____ AD, 20____

CITY ATTORNEY

APPROVAL BY MOAB CITY ENGINEER

APPROVED THIS _____ DAY OF _____ AD, 20____

CITY ENGINEER

APPROVAL BY MOAB CITY PLANNING COMMISSION

APPROVED THIS _____ DAY OF _____ AD, 20____

CHAIR

APPROVAL BY MOAB CITY COUNCIL

APPROVED THIS _____ DAY OF _____ AD, 20____

MOAB CITY MAYOR

ATTEST:

COUNTY RECORDER NO. _____

STATE OF UTAH, GRAND COUNTY, RECORDED AT THE REQUEST OF _____

DATE _____ BOOK _____ PAGE _____ FEE _____

COUNTY RECORDER

Moab Planning Commission Agenda Item

Development Code Text Amendment to Sign Code Discussion

Meeting Date: October 14, 2021

Title: Discussion on draft Ordinance #2021-18, Text Amendment to the Moab Municipal Code, including: Relocation of Section 15.44 Sign Code to new Section 17.93 Sign Code; and Relocation of Titles 17.09.430, -440, -450, -460, -465, and -470, to new section Title 17.93 Sign Code; and Amending the MMC with clarifying language identifying prohibited LED and LCD Display Technologies; and Amending Moab Municipal Code with clarifying language identifying Exempt, Temporary, and Prohibited Signs; and Amending the MMC Sign Code Definitions.

Disposition: Discussion

Staff Presenter: Cory P. Shurtleff, Assistant Planner

Attachment(s):

- Exhibit 1: Sign Code 15.44
- Exhibit 2: Zoning Sign Code 17.09.430- 17.09.470
- Exhibit 3: Grand County Ordinance 630
- Exhibit 4: Proposed Text Amendments in Ordinance #2021-18

Background:

Grand County recently updated their Sign Code to address Digital Display Technologies, it has been recommended that Moab City update sections of its Sign Code to create consistency and continuity between jurisdictions for this type of prohibited sign. With this specific text amendment to the Moab Municipal Code, it would make sense to at the same time also address the necessary changes needed in the MMC Sign Code. These changes include consolidating the various locations in the MMC where signs are regulated, into a single location under Title 17 Zoning. Text amendments also include creating new clarifying language identifying exempt, temporary, and prohibited signs. These changes would also be reflected in updates to the Sign Code Definitions section.

Process:

MMC Section 17.04.070. requires that the Planning Commission and City Council consider the following Text Amendment Approval criteria.

It is the burden of the applicant to provide “good cause” to support a proposed text amendment. For the purpose of establishing and maintaining sound, stable and desirable development within the City of Moab, amendments to the Land Use Code are committed to the sound discretion of the City Council based upon the following nonexclusive list of criteria:

- A. Is the proposed use substantially similar to other authorized uses permitted within the subject zoning district?
- B. Is the proposed use a relatively new use type or development concept that was

not anticipated at the time of the adoption of the City's General Plan?

C. Is the amendment consistent with the policies and goals of the General Plan?

D. Will the amendment create significant adverse impacts upon neighboring properties within or adjacent to the zoning districts which would be affected by the change?

E. Is it in the public interest to approve the proposed amendment?

F. Is the amendment likely to lead to a positive redevelopment of a specific area or zone?

G. Will the amendment provide a variety of options for residents in terms of economic development, affordable housing, or other benefits?

H. Is the amendment appropriate considering the existing conditions in the zoning district, the established relationships between zoning districts, existing land uses and densities, and the scale of both existing and proposed development? (Ord. 08-03 (part), 2008

Chapter 15.44

SIGN CODE

Sections:

- 15.44.010 Purpose.**
- 15.44.020 Scope.**
- 15.44.030 General provisions.**
- 15.44.040 Size and height limitations.**
- 15.44.050 Projecting and suspended signs.**
- 15.44.060 Roof signs.**
- 15.44.070 Intermittent light, flashing or moving lights prohibited.**
- 15.44.080 Signs in residential zones.**
- 15.44.090 Public and religious signs in residential zones.**
- 15.44.100 Flags.**
- 15.44.110 Computations.**
- 15.44.120 Height-Computation.**
- 15.44.130 Area of individual signs-Computation.**
- 15.44.140 Area of multifaced signs-Computation.**
- 15.44.150 Number of freestanding signs per lot-Computation.**
- 15.44.160 Setbacks-Computation.**
- 15.44.170 Shopping centers/office building complexes-Sign allowance.**
- 15.44.180 Off-premises signs.**
- 15.44.190 Prohibited signs.**
- 15.44.200 Temporary signs.**
- 15.44.210 Exempt signs.**
- 15.44.220 Design, construction, maintenance and liability.**
- 15.44.230 Abandoned signs.**
- 15.44.240 Permit procedures and enforcement.**
- 15.44.250 Permit--Required.**
- 15.44.260 Applications.**
- 15.44.270 Fees.**
- 15.44.280 Action on application.**
- 15.44.290 Inspections.**
- 15.44.300 Renewal of sign permits.**
- 15.44.310 Lapse of sign permit.**
- 15.44.320 Registration of existing signs.**

- 15.44.330 Nonconforming sign.**
- 15.44.340 Violations.**
- 15.44.350 Notice, enforcement and penalties.**
- 15.44.360 Unsafe, illegal and nonmaintained signs.**
- 15.44.370 Removal of signs.**
- 15.44.380 Right of appeal/variance.**
- 15.44.390 Definitions.**

15.44.010 Purpose.

A. Signs are an important issue for the City, its business owners and local residents. When abused, signs can create a visual blight which detracts from the quality of the environment and the experience of visitors to Moab. When signs are unduly restricted, however, it may create a hardship for merchants who rely on effective signage to identify their establishments and thus be successful in their business venture. All signs and lighting impact the economics, aesthetic value and character of a community. It is thus in the City's best interest to adopt a sign code which protects the public health, safety and welfare of its citizens and business community. It is the intent of the City to create an atmosphere of partnership with the business community in order to achieve economic stability of Moab while at the same time protecting residential areas and resources that draw visitors to Moab.

B. It is the purpose of the sign ordinance to:

1. Promote traffic and pedestrian safety;
2. Reduce visual clutter;
3. Increase the readability and effectiveness of signs;
4. Encourage individuality and creativity;
5. Promote city beautification;
6. Encourage fair business representation through signage; and
7. Enable the fair and consistent enforcement of these sign provisions. (Ord. 00-03 (part), 2000; Ord. 92-02 § 1, 1992)

15.44.020 Scope.

This chapter shall govern and control the erection, remodeling, enlarging, moving, alteration, operation and maintenance of all signs within all zones. It also provides penalties for violations of this code. Nothing contained in this chapter shall be deemed a waiver or variance of the provisions of any other articles or sections in this code applicable to signs. Signs located in areas governed by several sections of this code shall comply with all such

sections. In the case of contradicting requirements or provisions, the more restrictive shall apply. (Ord. 00-03 (part), 2000; Ord. 92-02 § 2, 1992)

15.44.030 General provisions.

A sign permit shall be required for the placement, construction, and/or alterations of all signs, unless a sign qualifies as an exempt sign or an identified temporary sign. The provisions in Sections [15.44.040](#) through [15.44.100](#) are required before a permit shall be granted. (Ord. 00-03 (part), 2000; Ord. 92-02 § 3, 1992)

15.44.040 Size and height limitations.

A. On Highway.

1. *Height Limitations.* There shall be a twenty-eight-foot height limitation for all signs that front on a highway (includes freestanding, wall and roof signs).
2. *Size Limitations.* The size limitations for signs fronting a highway are as follows:
 - a. Two hundred fifty-six square feet maximum square footage per lot;
 - b. One hundred sixty square feet per individual sign face;
 - c. Formula for maximum square footage is two square feet for each linear foot of frontage along a public right-of-way;
 - d. The total square footage on a lot with two tenants must be divided between the tenants with proportions decided by the tenants and/or landlord(s).

B. Off Highway.

1. *Height Limitations.* There shall be a twenty-foot height limitation for all signs that front off of a highway (includes freestanding, wall and roof signs).
2. *Size Limitations.* The size limitations for signs that do not front a highway are as follows:
 - a. One hundred sixty square feet maximum square footage per lot;
 - b. Formula for maximum square footage is one square foot for each linear foot of frontage along a public right-of-way;
 - c. The total square footage on a lot with two tenants must be divided between the tenants with proportions decided by the tenants and/or landlord(s). (Ord. 00-03 (part), 2000; Ord. 92-02 § 3.01--3.04, 1992)

15.44.050 Projecting and suspended signs.

- A. Projecting and suspended signs shall have a height limit maximum of twenty-eight feet or the height of the wall of the building, whichever is lower.
- B. They shall have an eight-foot minimum vertical clearance above sidewalks, walking areas, or rights-of-way and thirty-six square feet maximum size per sign face.
- C. Owners of projecting signs that project over public rights-of-way must furnish proof of liability insurance for such signs before being issued a permit. (Ord. 00-03 (part), 2000; Ord. 92-02 § 3.05, 1992)

15.44.060 Roof signs.

- A. No roof sign shall exceed four feet above the wall line or top of the exterior wall; however, if the peak of the roof is over four feet above the wall line, roof signs cannot exceed the height of the peak.
- B. All roof signs must adhere to a twenty-eight-foot overall height limitation. (Ord. 00-03 (part), 2000; Ord. 92-02 § 3.06, 1992)

15.44.070 Intermittent light, flashing or moving lights prohibited.

- A. Lighted signs that flash, blink, create the appearance of movement, have moving light elements, or which otherwise change brightness, color, or lighting intensity, including intermittent display, lampbanks that change electronically, including time and temperature signs, are strictly prohibited. Christmas lights that are displayed during the month of December are exempt from this provision. All lighted signs shall additionally comply with Section [17.09.465](#).
- B. Electronic variable message signs (EVMS) are prohibited.
- C. Real time video projected on outdoor display screens, outdoor video projection screens, and outdoor LED screens or outdoor display screens of any type are prohibited for use as signs, including in windows.
- D. Lighted signs on property near a residential area shall be subdued and shall not be allowed to penetrate beyond the property in such a manner as to annoy or interfere with nearby residential properties. (Ord. 19-03 Att. 1 (part), 2019; Ord. 14-10 (part), 2014; Ord. 00-03 (part), 2000; Ord. 92-02 §§ 3.07, 3.08, 1992)

15.44.080 Signs in residential zones.

- A. No advertising signs of any kind shall be allowed in any residential zone, except signs pertaining to the sale or lease of residential property, name plates, institutional signs, or signs indicating the existence of an office of a professional person, a home occupation, guest apartment and/or bed and breakfast establishment.

- B. Lighted signs in residential zones must be indirect and no more than twenty-five watts total.
- C. Residential signs, except for apartments and public and religious institutional signs, shall not exceed four square feet.
- D. Apartments and guest apartments may be allowed up to sixteen square feet of signage if they have more than four units; four-plexes, tri-plexes and two-household dwellings may be allowed up to eight square feet of signage. (See Sections [15.44.200](#) and [15.44.210](#) for exceptions to the four square foot rule).
- E. Political signs in residential zones may not exceed four square feet and are subject to all other restrictions as listed in Section [15.44.200\(E\)](#).
- F. Freestanding signs in residential zones may not exceed five feet in height measured from grade. (Ord. 19-13 § 21 (part), 2019; Ord. 00-03 (part), 2000: Ord. 92-02 § 3.09, 1992)

15.44.090 Public and religious signs in residential zones.

- A. Public, public educational or religious institutional signs shall be located entirely upon the premises of that institution, shall not exceed an area of fifty square feet per frontage and shall comply with Section [17.09.465](#).
- B. If mounted on a building, these signs shall be flat wall signs and shall not project above the roof line; if ground mounted, the top shall be no more than five feet above ground level.
- C. Nonprofit, charitable and private institutional signs in residential zones shall not exceed four square feet. (Ord. 19-03 Att. 1 (part), 2019; Ord. 00-03 (part), 2000: Ord. 92-02 § 3.10, 1992)

15.44.100 Flags.

Flags other than government flags, i.e., country and state, shall be added towards the maximum allowable signage. Flag poles that display government flags shall not exceed thirty-five feet in height in commercial zones. (Ord. 00-03 (part), 2000: Ord. 92-02 § 3.11, 1992)

15.44.110 Computations.

The following principles set out in Sections [15.44.120](#) through [15.44.180](#) shall control the computation of signs. (Ord. 00-03 (part), 2000: Ord. 92-02 § 4, 1992)

15.44.120 Height-Computation.

The height of a sign shall be computed as the distance from the highest attached component or the sign to the nearest sidewalk, curb, or street crown, whichever is highest. (Ord. 00-03 (part), 2000: Ord. 92-02 § 4.01, 1992)

15.44.130 Area of individual signs-Computation.

The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets zoning ordinance regulations and is clearly incidental to the display itself. (Ord. 00-03 (part), 2000; Ord. 92-02 § 4.02, 1992)

15.44.140 Area of multifaced signs-Computation.

The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back-to-back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than forty-two inches apart, the sign area shall be computed by the measurement of one of the faces. (Ord. 00-03 (part), 2000; Ord. 92-02 § 4.03, 1992)

15.44.150 Number of freestanding signs per lot-Computation.

A. *Primary Frontage.* One freestanding sign per lot; one additional freestanding sign is permitted if property has more than two hundred feet of frontage (for exceptions, see Section [15.44.170](#)). Two freestanding signs on one property must be separated by one hundred feet and the second sign shall not be higher than fifty percent of the allowed height.

B. *Secondary Frontage.* One freestanding sign is allowed on each additional frontage and shall not be higher than fifty percent of the allowed height. Two freestanding signs on one property must be separated by one hundred feet, and the second sign shall not be higher than the fifty percent of the allowed height. (Ord. 00-03 (part), 2000; Ord. 92-02 § 4.04, 1992)

15.44.160 Setbacks-Computation.

Signs may not block traffic visibility.

If a sign is located at an intersection, the following rules apply:

A. Signs located within a twenty-five-foot triangle (measured twenty-five feet from the street corner both ways) must be under two and one-half feet tall, or should have over eight feet of clearance to the bottom of the sign. This triangle shall be maintained in an open manner so as to provide proper clear view area.

B. All advertising signs shall be set back from public streets a distance at least equal to the distance that buildings are required to be set back within the zone in which the signs are located. Signs in C-4 zones have a twenty-five-foot setback with the exception of monument signs, which shall be set back at least two feet from the City right-of-way. (Ord. 00-03 (part), 2000; Ord. 92-02 § 4.05, 1992)

15.44.170 Shopping centers/office building complexes-Sign allowance.

Only one freestanding sign is allowed for shopping centers and office building complexes which lease to three or more businesses on one lot of record. The group freestanding sign identifying the shopping center/office building complexes and its businesses may use all sign area allowed for that lot. In addition, individual businesses may have one square foot of signage for each front line of building up to a maximum of one hundred twenty-eight square feet per business to identify their building. (Ord. 00-03 (part), 2000; Ord. 92-02 § 4.06, 1992)

15.44.180 Off-premises signs.

Off-premises signs shall be regulated the same as on-premises signs. The total allowable square footage of signage per lot for both off-premises and on-premises signs is determined according to the total linear street frontage of the lot upon which the sign is located. (Ord. 00-03 (part), 2000; Ord. 92-02 § 4.07, 1992)

15.44.190 Prohibited signs.

Signs which are erected after the adoption of this code and do not comply with the provisions of this chapter are prohibited. Other prohibited signs include the following:

- A. *Parked Vehicle Signs.* Parked vehicles with a sign painted or placed on them and parked for the expressed intent of directing attention to a business are prohibited. This provision does not include vehicles used regularly in the course of conducting daily business activities.
- B. *Signs On Public Rights-of-Way.* No private sign shall be placed on public rights-of-way.
- C. *Signs Attached to Public Property.* No private sign shall be attached to public property or public utility poles.
- D. Signs are not permitted on benches or other public service fixtures except bicycle racks. Signs on bicycle racks may not exceed one square foot in size. (Ord. 00-03 (part), 2000; Ord. 92-02 § 5-5.03, 1992)

15.44.200 Temporary signs.

A. *General Provisions.*

1. Temporary signs shall be figured in the total square footage allowed per lot.

2. Sign owners must, designate areas where temporary signs will be displayed.
 3. Temporary signs displayed outside of designated areas require a permit.
 4. Temporary signs must be maintained and in good condition while being displayed.
 5. Signs less than six square feet in size and associated with an event do not require a permit.
- B. *Mobile Changeable Copy Signs.* Mobile changeable copy signs shall not exceed thirty-two square feet and shall not be displayed for more than thirty consecutive days.
- C. *Balloon Signs.* Balloon signs are allowed to be displayed for up to thirty days per lot per year.
- D. *Construction Signs.*
1. No more than one construction sign identifying a project to be built and the project participants shall be allowed per lot.
 2. Construction signs in residential zones shall not exceed six square feet in area and five feet in height. In commercial zones the sign area shall not exceed fifty square feet and shall not exceed eight feet in height.
 3. Construction signs must not exceed the time period of construction and/or the day the business opens, whichever comes first, and shall be counted into the square footage of the total footage allowed for the lot.
 4. An additional thirty-two square feet is allowed in commercial zones for artist renditions of the project.
 5. Proposed development signs may be allowed for ninety days prior to ground breaking.
- E. *Political Campaign Signs.*
1. Political campaign signs require a permit (the fee for which is specified in the Master Fee Schedule, Chapter [3.50](#)), shall pertain to a specific election and shall be displayed not earlier than forty-five calendar days prior to that election.
 2. Political campaign signs shall not be located closer than one hundred fifty feet to any designated polling place.
 3. Political campaign signs shall not exceed thirty-two square feet in commercial zones and four square feet in residential zones.
 4. Political campaign signs shall be removed within one day after the election day. The candidate or persons responsible for the placement of a political campaign sign shall be responsible for its removal.
- F. *Real Estate Signs.*
1. In residential zones, real estate signs shall not exceed six square feet and shall not exceed five feet in height.
 2. In commercial zones, real estate signs shall not exceed thirty-two square feet.

3. Real estate signs must be placed on the premises of the property being sold.
4. Only one real estate sign per street frontage, per real estate company is allowed. (Ord. 19-29 (part), 2019; Ord. 00-03 (part), 2000; Ord. 92-02 § 6-6.05, 1992)

15.44.210 Exempt signs.

Sign permits are not required for the following signs unless the limitations and requirements of this section cannot be met. In such cases a sign permit is required.

- A. *Public Signs.* Signs era noncommercial nature, erected by, or on the order of, a public officer in the performance of his duty, such as, but not limited to safety signs, danger signs, trespassing signs, traffic signs, memorial plaques, signs of historical interest, informational signs and the like.
- B. *Integral Signs.* Names of buildings, dates of erection, monumental citations, commemorative tablets and the like when carved into stone, concrete or similar material or made of metal or other permanent-type construction and made an integral part of the structure.
- C. *Private Traffic Direction Signs.* Signs directing traffic movement into a premises or within a premises not exceeding two square feet in area for each sign. Horizontal directional signs on paved areas and flush with paved areas are exempt from these standards. Only one exempt directional sign is allowed per frontage, per lot.
- D. *Service Sign.* 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. These signs shall not exceed two square feet in size.
- E. *Name Plates.* A nameplate shall contain only the name and address of a resident.
- F. *Temporary Decorations.* Temporary decorations or displays clearly incidental and associated with national or local holiday celebrations for a period not to exceed ninety days per year, per lot.
- G. *Nonbusiness Temporary Signs.* Temporary signs not associated with businesses may be displayed not more than thirty days per year or exceed six square feet in size. Examples include garage sale signs, puppies-for-sale signs, agricultural produce sales, etc.
- H. *Rear Entrance Signs.* Rear entrance signs, when associated with pedestrian walk-through buildings. These signs shall not exceed sixteen square feet in area and shall be flush-mounted, identifying only the name of the establishment and containing directional information.
- I. *Menu Signs.* Menu signs at drive-in restaurants which are not readable from the nearest public right-of-way; and signs not visible beyond the boundaries of the lot or parcel upon which they are located or from any public right-of-way.
- J. *Private Warning or Instructional Signs.* Private warning or instructional signs such as "No Soliciting," "No Trespassing," "Beware of Dog," or other similar types of signs not exceeding two square feet per sign.

K. *Murals*. Murals must be painted or attached to the walls of buildings and are exempt from this chapter except for the lettering and logo portion of the mural.

L. *Pennants, Window Dressings and Window Banners*. Pennants, window dressings and window banners are exempt from the provisions of this chapter. (Ord. 00-03 (part), 2000: Ord. 92-02 § 7-7.12, 1992)

15.44.220 Design, construction, maintenance and liability.

A. All signs shall be designed, constructed, and maintained to comply with applicable provisions of the Uniform Building Code, electrical code and all other codes of the City.

B. All signs shall be maintained and in good structural condition.

C. Sign owners are liable for their signs.

D. The City, the official and other agents of the City shall in no way be liable for damages caused by signs. (Ord. 00-03 (part), 2000: Ord. 92-02 § 8, 1992)

15.44.230 Abandoned signs.

A sign which meets the following criteria shall be considered an abandoned sign:

A. A sign which identifies an establishment, service(s), goods, or product(s) which are no longer provided on the premises where the sign is located. A sign which remains in such condition for a period of one month and which sign is otherwise conforming, shall have its copy vacated within thirty days from when the stated circumstances commenced. If the copy remains vacant for a period of six months or more from the date the stated circumstances commenced, the sign structure shall be removed by the sign owner. Removal shall be within five working days following the expiration of the six-month period.

B. A sign which identifies a time, event or purpose which has passed or no longer applies. Such sign shall be removed by the sign owner within three working days from time the event or purpose has passed or no longer applies.

C. An off-premises advertising sign which is vacant of copy or which advertises an establishment, service(s), goods or product(s) which no longer exist. Such sign which remains in the defined condition for a period of one month, shall be removed by the sign owner within five working days of the end of the one-month period.

D. When building mounted and painted wall signs or murals are removed, the face of the structure shall be treated to conform to surrounding building conditions. Such removal shall not leave any evidence of the sign's existence. (Ord. 00-03 (part), 2000: Ord. 92-02 § 9, 1992)

15.44.240 Permit procedures and enforcement.

The following procedures set out in Sections [15.44.250](#) through [15.44.330](#) are required to obtain a sign permit in the City. (Ord. 00-03 (part), 2000; Ord. 92-02 § 10, 1992)

15.44.250 Permit--Required.

If a sign requiring a permit under the provisions of this chapter is to be placed, constructed, erected or altered on a lot, the sign owner shall secure a sign permit from the official prior to the construction, placement, erection or alteration of such a sign. (Ord. 00-03 (part), 2000; Ord. 92-02 § 10.01, 1992)

15.44.260 Applications.

- A. All applications for sign permits of any kind and for approval shall be submitted to the official.
- B. One application and permit may include multiple signs on the same lot.
- C. An application for construction, creation, or installation of a new sign or for the structural alteration of an existing sign shall be accompanied by detailed drawings to scale of all existing and proposed signs on a lot and must show:
 - 1. The height of all signs on a lot;
 - 2. The square footage of all individual signs on a lot;
 - 3. The total combined square footage of all signs on a lot;
 - 4. A site plan indicating length of street frontage, location of buildings, parking lots, driveways, landscaped areas and all existing and proposed signs on the site--includes wall signs, projecting signs, suspended signs, roof signs, freestanding signs, window signs, murals, flags, etc.;
 - 5. The overall dimensions, design, structure, materials, proposed copy and illumination specifications of all signs requiring a permit on a lot; and
 - 6. Photograph(s) of the lot. (Ord. 00-03 (part), 2000; Ord. 92-02 § 10.02, 1992)

15.44.270 Fees.

- A. Each application for a sign permit shall be accompanied by the applicable fee, which shall be established by resolution by the City Council. (Ord. 06-11 (part), 2006; Ord. 00-03 (part), 2000; Ord. 92-02 § 10.03, 1992)

15.44.280 Action on application.

Within five days of the date of submittal of an application the official shall review it for completeness and compliance. If the applicant complies to all the sign ordinance regulations, the official shall issue a permit to erect or alter such sign according to specifications in the application within fifteen days upon receipt of a completed application. If the official finds the application incomplete, the official shall send to the applicant a written notice of the application's deficiencies, with appropriate corrections or references to the applicable section of this chapter. (Ord. 00-03 (part), 2000: Ord. 92-02 § 10.04, 1992)

15.44.290 Inspections.

The official shall cause an inspection for each permit issued for the erection of new signs and the structural alteration of existing signs. If the signs do not comply, the official shall issue the applicant written notice of the deficiencies and shall allow thirty days from the date of notice for the deficiencies to be corrected. If the deficiencies are not corrected by such date, the permit shall lapse. If sign(s) comply upon final inspection, the official shall sign a final inspection notice and the permit becomes binding until changes are made to the permitted sign or ownership of the sign changes. The official may also periodically inspect lots to see that sign owners comply to the provisions of this chapter. (Ord. 00-03 (part), 2000: Ord. 92-02 § 10.05, 1992)

15.44.300 Renewal of sign permits.

It is the intent of this chapter for the renewal sign permitting process to be tied in with yearly business license renewal. If sign owners comply to the provisions of this chapter and make no structural alterations or changes to their existing registered and permitted signs, the City shall automatically renew sign permits every year by June 30th. The renewal sign permit fee shall be waived if the sign owner has not constructed, placed, erected, or structurally altered existing registered signage to a lot. A new application must be processed and an applicable fee shall be charged for signs constructed, placed, erected, or structurally altered to existing registered signage to a lot. (Ord. 00-03 (part), 2000: Ord. 92-02 § 10.06, 1992)

15.44.310 Lapse of sign permit.

- A. A sign permit shall lapse automatically if the permit is not renewed or if the business license for the premises lapses or is revoked.
- B. Sign permits shall lapse for abandoned signs.
- C. Once a sign permit lapses, a new sign permit is required with the appropriate fees. (Ord. 00-03 (part), 2000: Ord. 92-02 § 10.07, 1992)

15.44.320 Registration of existing signs.

- A. After the ordinance codified in this chapter is approved, all signs (including previously permitted signs) must be registered with the City by the sign owner within a two-year period.
- B. Sign owners that have not received a previous permit for their sign(s) must obtain a sign permit.
- C. Existing nonconforming signs that do not comply with this chapter shall be kept on record with the City. (Ord. 00-03 (part), 2000; Ord. 92-02 § 10.08, 1992)

15.44.330 Nonconforming sign.

A nonconforming sign may not be moved to a new location, structurally altered, enlarged, or replaced unless it is made to comply with the provisions of this chapter. If a nonconforming sign changes ownership, the sign(s) must comply with the provisions of this chapter within six months of close of purchase. (Ord. 00-03 (part), 2000; Ord. 92-02 § 10.09, 1992)

15.44.340 Violations.

- A. The following constitute violations of this chapter:
 - 1. The installation, maintenance, operation or alteration of any sign which is not in compliance with the provisions of this chapter or this municipal code.
 - 2. The installation, maintenance, operation, or alteration of any sign in a manner contrary to any plan or permit issued by the City.
 - 3. The installation, operation, maintenance or alteration of any sign requiring a permit without first obtaining a permit or after a permit has been revoked.
 - 4. Failure to remove a sign that is installed, operated, maintained or altered in violation of this chapter or this municipal code.
 - 5. Failure to renew a sign permit upon expiration. (Ord. 00-03 (part), 2000; Ord. 92-02 § 10.10, 1992)

15.44.350 Notice, enforcement and penalties.

- A. For purposes of enforcement, each day that a sign is maintained or operated in violation of this chapter or this municipal code shall constitute a separate offense, punishable as provided under this section.
- B. Prior to any enforcement action, the City code enforcement officer shall issue a written notice of violation to any person, firm or entity owning or operating a sign in violation of this chapter or the provisions of this municipal

code, which notice shall allow the sign owner or operator thirty calendar days in which to correct or abate any violation.

C. Any violation which is not corrected within thirty calendars days of written notice from the City shall be subject, at the option of the City, to administrative, civil and criminal enforcement as provided in this chapter.

D. The City may commence a civil action to enjoin or abate any ongoing or continuing violation of this chapter or this municipal code. In any civil action an injunction may issue upon proof of a violation of this chapter or this municipal code and without further showing of irreparable harm. Violations of this chapter constitute a Class B misdemeanor, as defined under the Utah Code, as amended, and as such, the court may attach a fine up to one thousand dollars for each violation. Additionally, the City is entitled to recover its reasonable attorney fees and court costs in any civil action where a violation is established.

E. In addition to all other remedies for violations, any business that fails or refuses to abate or correct any sign violation under this chapter or this municipal code following the issuance of a written notice of violation shall be subject to a business license revocation, as provided under Chapter [5.04](#) of this municipal code.

F. City code enforcement personnel shall have no authority to issue or renew a sign permit for a sign which is not in conformity with the provisions of this chapter or this municipal code. The official may suspend or revoke a permit issued under the provisions of this chapter if it is discovered that the permit was issued in error as a result of incorrect, incomplete, or inaccurate information supplied by the applicant or its agent, or where the permit is otherwise found to have been wrongfully issued as a result of misrepresentation by the permittee. A permit issued in violation of law or under a mistake of fact made by the permittee shall not confer any vested property right upon the applicant. Prior to revocation under this section, the official shall deliver written notice to the applicant explaining the basis for the revocation.

G. Upon final inspection by code enforcement personnel, the issued permit is binding until such time changes are made to the permitted sign or ownership of the sign changes. (Ord. 00-03 (part), 2000; Ord. 92-02 § 10.11, 1992)

15.44.360 Unsafe, illegal and nonmaintained signs.

The official shall issue written notice of violation to the sign owner found in violation of this code or any sign found unsafe, illegal or not maintained. (Ord. 00-03 (part), 2000; Ord. 92-02 § 10.12, 1992)

15.44.370 Removal of signs.

If any unsafe sign is not repaired or made safe within five days after giving such written notice, the official shall remove the sign. If any sign is found in violation of this code, illegal, or not maintained and is not made conforming to this code within thirty days after given written notice, the official may remove such sign(s). The sign owner shall pay the City within thirty days after written notice the cost incurred to remove such sign(s). (Ord. 00-03 (part), 2000; Ord. 92-02 § 10.13, 1992)

15.44.380 Right of appeal/variance.

A. Any person who is issued a written notice of violation, or any person who is denied a sign permit, or who objects to the conditions attached to a sign permit, or any interpretation of this chapter or this municipal code by the code enforcement officer may appeal that decision or seek a variance before the appeal authority by filing a written notice of application within thirty calendar days of any adverse decision, notice or order. Failure to appeal or apply for a variance within the time provided shall render the decision final and result in waiver of any further rights to contest or review the decision.

1. Hearings before the appeal authority shall be conducted informally. The appeal authority shall be empowered to hear all relevant testimony and review all documents and items of physical evidence in reaching its decision. The appeal authority in Utah has jurisdiction only in variances for minor departures from the regulation. Persons seeking a variance are entitled to see the By-Laws of the Appeal Authority, Land Use Development and Management Act, Title [10](#), Chapter 9, Cities and Towns, which outlines procedures for a variance.
2. The appeal authority's authority to render decisions is limited to the following:
 - a. Appeals of staff decisions concerning the application or interpretation of this chapter or this municipal code to a sign permit, permit application or written notice of violation.
 - b. Variances to the strict application of this chapter or this municipal code where an applicant can show extreme or unreasonable hardship, special circumstances due to site constraints or surrounding land uses, or where a variance is essential to the enjoyment of a substantial property right associated with the parcel.
 - c. The applicant bears the burden of proof in showing an error of interpretation of this code by the staff, and in showing entitlement to a variance. Variances shall be permitted only where consistent with the spirit of this municipal code. A variance cannot substantially affect the General Plan nor be contrary to public interest. In no case shall the appeal authority issue a variance resulting in the expansion in scope of a nonconforming use.
3. The appeal authority may attach conditions to any variance to mitigate the harmful effects of the variance, address concerns of neighboring property owners or otherwise promote the policies contained in this chapter and this municipal code. A sign variance shall run with the property to which it attaches for so long as the sign shall remain in use. An interruption in use for a period of six consecutive months or more shall result in the lapse of the variance.
4. The appeal authority shall have thirty calendar days to hear and render their binding decision. The decision of the appeal authority can be contested and/or appealed only through the judicial system per Utah State Law. (Ord. 10-06, 2010; Ord. 00-03 (part), 2000; Ord. 92-02 § 11, 1992)

15.44.390 Definitions.

A. General Definitions.

1. "Alteration" means a change or rearrangement in the structural part of design whether by extending on a side, by increasing in area or height, or by relocating or change in position. Alterations shall include changes to all support and frame members including panels. Alterations shall not be interpreted to include changing outdoor bulletin or other similar signs which are designed to accommodate changeable copy.
2. *Building, Front Line of.* "Front line of building" means the line of that face of the building or structure nearest the front line of the lot. This face includes sun parlors, bay windows, covered and/or uncovered porches whether enclosed or unenclosed, but does not include uncovered steps less than four feet above grade and eaves overhanging less than two feet.
3. "Clear view area" means a triangular area formed by the intersection of lines extended from the front facet of the curb and a line connecting them at points twenty-five feet from the intersection of the lines.
4. "Frontage" means the distance for which a lot line of a zone lot adjoins a public street, from one lot line intersecting such street to the furthest distant lot line intersecting the same street.
5. "Illegal sign" means any sign erected or altered after the effective date of the ordinance codified in this chapter governing signs from which this chapter was derived, not complying with the provisions thereof, unless such provision was expressly waived or granted a variance, is an illegal sign.
6. "Lot" means any piece or parcel of land, the boundaries of which have been established by some legal instrument of record, that is recognized and intended as a unit for the purpose of transfer of ownership.
7. "Nonconforming sign or sign structure" means a sign or sign structure or portion thereof lawfully existing at the time of its construction which does not conform to all height, area, yard spacing, animation, lighting or other regulations prescribed in the zone in which it is located.
8. "Official" means the City's designated official to enforce this chapter.
9. "Shopping center" means any group of three or more businesses on one lot of record.
10. "Sign" means any device, fixture, placard or structure that uses any color, form, graphic, illumination, symbol or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.
11. "Sign face" means one continuous surface with no visual breaks separated from any other sign face by at least six inches.
12. "Sign owner" means the owner, user, property owner, applicant or person having charge or control of a sign.
13. "Sign setback" means the minimum distance that any portion of a sign or sign structure shall be from any street right-of-way line.

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

B. The following are individual sign definitions which are specific types of signs included within the general definitions above.

1. "Animated sign" means a sign which involves motion or rotation of any part, created by artificial means, or which displays flashing, revolving or intermittent lights, including EVMS or other electric, electronic or computer changeable signs, including time and temperature signs.
2. "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.
3. "Banner sign" means any sign of lightweight fabric or similar material. National, state or municipal flags are not considered banners.
4. "Beacon" means any light with one or more beams directed into the atmosphere or directed at one or more points not on the same zone lot as the light source; also, any light with one or more beams that rotates or moves.
5. "Changeable copy sign" means a sign, or portion thereof, on which copy is changed manually in the field; e.g., readerboards with changeable letters.
6. "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.
7. "Electronic variable message sign (EVMS)" means a sign using electronics to display copy or graphics with changeable message where the lettering is made up of lights or matrix elements.
8. "Flag" means any fabric, banner or bunting containing distinctive colors, patterns, or symbols, used as a symbol of a government, political subdivision or other entity.
9. "Flashing sign" means a sign which has or appears to have motion or rotation of the lighting elements, or displays flashing or intermittent light including EVMS and time and temperature signs.
10. "Freestanding sign" means a permanent sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure.
11. "Illuminated sign" means a sign in which a source of light is used in order to make the message readable. This definition shall include internally and externally lighted signs.
12. "Monument sign" means a sign less than six feet in height above the curb. It is to be flush to the ground or a gap less than twelve inches from the ground permanently affixed, and is to be incorporated into the landscape or architectural design scheme and has to display the name of the building, occupants and/or business.

13. "Name plate" means a sign indicating the name and/or address of a person legally occupying the premises.
14. "Off-premises sign" means an advertising sign which directs attention to a use, product, commodity or service not related to the premises on which the sign is located.
15. "On-premises sign" means a sign directing attention to a use conducted, product, commodity sold, service performed or business name upon the premises on which it is located.
16. "Pennant sign" means any lightweight plastic, fabric or other material, whether or not containing a message of any kind, suspended from a rope, wire or string, usually in series, designated to move in the wind.
17. "Portable sign" means a sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels, signs converted to sidewalk signs, balloons used as signs and umbrellas used for advertising.
18. "Projecting sign" means a sign which is affixed to an exterior wall or building or structure solely supported by and projecting away from the building.
19. "Property sign" means a sign related to the property upon which it is located and offering such information as address, name of occupancy for residential uses, sale or lease of the property, warning against trespassing, any hazard, or other danger on the property.
20. "Proposed development sign" means a sign announcing intent to construct a new development project.
21. "Real time video" or "video players" means projection of real time video footage, or any video footage, to an LED or any other display screen.
22. "Roof sign" means a sign which is erected partly or wholly on the roof of the building. This includes any sign mounted to a building which extends above the highest portion of the roof structure. 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.
23. "Suspended sign" means a sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.
24. "Temporary sign" means 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 outdoors for a limited period of time.
25. "Wall sign" means a sign that is either painted on a wall or its facing; or a sign which is affixed to an extension wall or building or structure and which does not project more than eighteen inches from the building or structure wall.
26. "Window sign" means any sign, picture, symbol or combination thereof, designed to communicate information about an activity, business, commodity, event, sale or service, that is placed inside a window or

upon the window panes or glass and is visible from the exterior of the window. (Ord. 14-10 (part), 2014; Ord. 00-03 (part), 2000; Ord. 92-02 § 12, 1992)

The Moab Municipal Code is current through Ordinance 21-14, passed July 13, 2021.

Disclaimer: The City Recorder's Office has the official version of the Moab Municipal Code. Users should contact the City Recorder's Office for ordinances passed subsequent to the ordinance cited above.

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[City Website: moabcity.org](http://moabcity.org)

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17.09.430**Signs--Generally.**

(As a reference use the Uniform Building Sign Code, Utah State Department of Transportation.) Advertising signs shall be regulated as set out in Sections [17.09.440](#) through 17.09.470. (Prior code § 27-3-25 (part))

17.09.440**Signs--Residential zones.**

No advertising signs of any kind shall be allowed in any residential zone, except signs pertaining to the sale or lease of residential property, and except for nameplate or signs indicating the existence of an office of a professional person and a home occupation. (Prior code § 27-3-25(A))

17.09.450**Signs--Setback.**

All advertising signs shall be set back from public streets a distance at least equal to the distance that buildings are required to be set back within the zone in which the signs are located. (Prior code § 27-3-25(B))

17.09.460**Signs--Information permitted.**

Except in those zones where nonaccessory signs are permitted, all signs shall display thereon only information pertaining to products or services sold on the premises. (Prior code § 27-3-25(C))

17.09.465**Signs – Permitted illumination.**

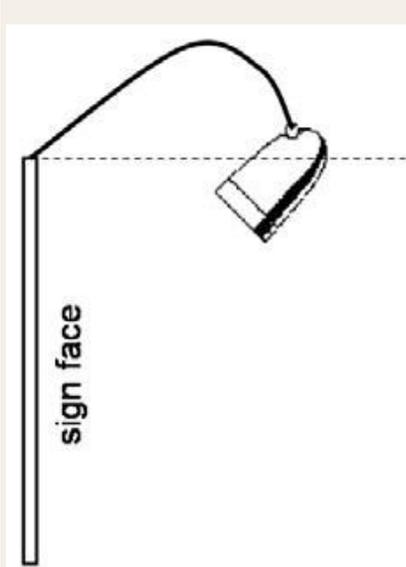
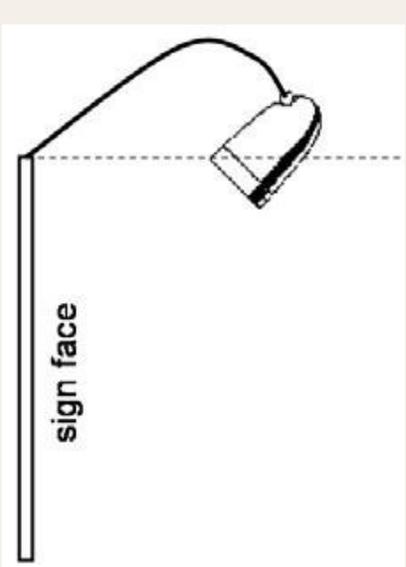
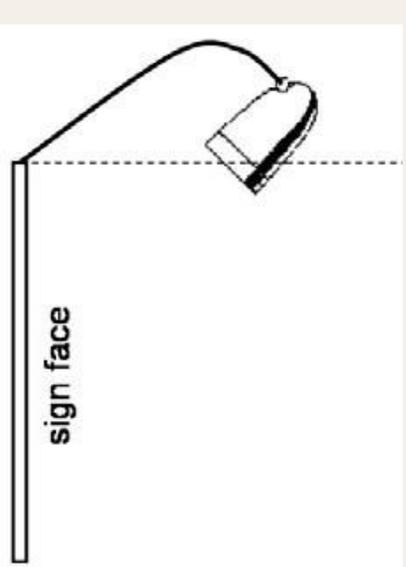
Signs may be unlighted, lighted externally, lighted internally, or backlit. All sign lighting must be designed, directed, and shielded in such a manner that the light source is not visible beyond the property boundaries where the sign is located. Lighting for signs must be directed such that only the sign face is illuminated. All lighted signs must have stationary and constant lighting. All sign lighting is included in the calculation of total light output for a property.

A. Standards for Externally Illuminated Signs.

1. Lighting for externally illuminated signs must be aimed and shielded so that light is directed only onto the sign face and does not trespass onto adjacent streets, roads or properties or into the night sky.

2. Lighting for externally illuminated signs must be mounted at the top of the sign (or within two feet of the top of a wall mounted sign), except for freestanding monument style signs which may be illuminated by ground mounted lighting.
3. Lighting shall consist of no more than four individual fixtures (or lamps) per sign face and produce a maximum of forty thousand lumens per fixture.
4. All sign lighting shall be included in the calculation of total light output.

Permitted and Prohibited External Sign Lighting Configurations

Allowed		Not Allowed
 <p>sign face</p> <p>Fully Shielded</p>	 <p>sign face</p> <p>Fully Shielded</p>	 <p>sign face</p> <p>Unshielded</p>

B. Standards for Internally Illuminated Signs.

1. Only sign text areas and logos may be illuminated on an internally illuminated sign.
2. Internally illuminated signs shall use semi-opaque materials for sign text and logos such that the light emanating from the sign is diffused. Transparent or clear materials are not allowed for sign text and logos. Nontext portions of the sign (e.g., background and graphics other than the logo) shall be made of completely opaque material.

C. Standards for Backlit Signs.

1. The light source shall not be visible.
2. Backlit signs shall only allow indirect illumination to emanate from the sign. For example, signs that create a “halo” effect around sign copy are allowed.

D. Standards for Illuminated Window Signs.

1. Businesses may display a maximum of two illuminated window signs positioned to be primarily visible outside the business structure.
2. Illuminated window signs shall not exceed four square feet in area.
3. Illuminated window signs shall not be illuminated when the business is closed. (Ord. 19-03 Att. 1 (part), 2019)

17.09.470

Signs--Permits required.

Regardless of cost, no sign shall be erected or placed within the City without first making application for and obtaining building permit therefor, except temporary window and political posters, temporary signs pertaining to the sale of adjacent property, and nameplates for identification signs indicating the existence of an approved home occupation or professional office. In addition to the requirements of this title, all signs located within six hundred sixty feet of the right-of-way line of a federally designated highway shall conform to the standards and regulations for such signs established by the state. Any approval or permits hereinabove required and construction or placement of a sign shall not be commenced until all approvals and permits have been obtained. (Prior code § 27-3-25(D))

**GRAND COUNTY, UTAH
ORDINANCE NO. 630 (2021)**

**AN ORDINANCE AMENDING ORDINANCE NO. 588 AND LAND USE CODE
SECTIONS 6.5.4 (PROHIBITED SIGNS), 6.5.5(D) (PERMITTED SIGNS;
ILLUMINATION), AND 10.2 (DEFINITIONS)**

WHEREAS, Utah Statute § 17-53-223 grants the legislative body power to enact and pass all ordinances and rules and make all regulations, not repugnant to law, necessary for carrying into effect or discharging the powers and duties conferred by same, and as are necessary and proper to provide for the safety, and preserve the health, promote the prosperity, improve the morals, peace, and good order, comfort, and convenience of the county and its inhabitants, and for the protection of property in the county;

WHEREAS, the previously named Grand County Council adopted the *Grand County Land Use Code* (“Land Use Code” or “LUC”) on January 4, 1999 with Ordinance No. 299 and amended it February 19, 2008 with Ordinance No. 468 for the purpose of regulating land use, subdivision and development in Grand County in accordance with the General Plan;

WHEREAS, the Grand County Commission (the “Commission”) adopted Ordinance No. 588 (“Dark Skies Ordinance”) on April 2, 2019 after public hearing and determination that it was in the best interest of the citizens of the County;

WHEREAS, Utah’s Natural Bridges National Monument is the world’s first International Dark Sky Park, and Grand County is one of four Utah Counties with two or more International Dark Sky Parks;

WHEREAS, preserving Grand County’s dark night skies provides an economic benefit by encouraging visitors to stay longer as well as supporting astro-tourism specific businesses;

WHEREAS, Utah has some of the darkest skies in the world, the the Utah Office of Tourism advertises dark sky places as part of their promotion of Utah at www.visitutah.com, and the Fall 2020 Business Summit hosted by the Utah Governor’s Office of Economic Development highlighted presentations on the Economics of Dark Sky Communities;

WHEREAS, electronic messaging signs and digital billboards are harmful to the nighttime environment and electronic or digital billboard display technologies cannot be shielded, causing their light to flood the night sky, which wastes energy, contributes to light pollution, and harms the County’s economy; and

WHEREAS, the Grand County Commission desires to amend Ordinance No. 588 and LUC Sections 6.5.4, 6.5.5(D), and 10.2 to expressly prohibit electronic billboards in the unincorporated area of Grand County;

NOW, THEREFORE, BE IT ORDAINED that the Grand County Commission hereby amends Ordinance No. 588, in relevant part, and Land Use Code Sections 6.5.4, 6.5.5(D), and 10.2 (Definitions) as follows:

See Exhibit A.

To immediately preserve the peace and health of the County, its inhabitants, and its dark skies, this Ordinance shall take effect immediately upon publication in the *Times Independent* pursuant to Utah Statute § 17-53-208.

ADOPTED by the Commission in a public meeting on April 6, 2021 as follows:

Those voting aye: Clapper, Hadler, Hedin, McGann, Stock, Walker, Woytek

Those voting nay:

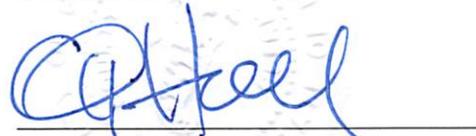
Those absent:

Grand County Commission:

ATTEST:



Mary McGann, Chair



Quinn Hall, Clerk/Auditor

Exhibit A

Section 6.5.4 (Prohibited Signs)

Prohibited signs include the following signs:

- A. Signs advertising business, activity, product or service not conducted on the premises upon which sign is located, such as billboards;
- B. Signs employing mercury vapor, low pressure and high pressure sodium, metal halide lighting, internal illumination, and plastic panel rear-lighted;
- C. Signs on roofs, dormers, and balconies;
- D. Signs containing statements, words, or pictures of an obscene, indecent or immoral character;
- E. Signs that contain or consist of ribbon streamers, strings of light bulbs, spinners, or other similarly moving devices;
- F. Signs that have a moving part or are portable or wheeled;
- G. Signs painted or mounted upon the exterior side or rear walls of any principal or accessory building or structure, except as otherwise permitted hereunder; and
- H. Signs employing flashing, intermittent, or moving light(s) such as electronic or digital display technologies (LED, LCD, etc).

Section 6.5.5(D) Permitted Signs Illumination

1. Signs may be unlighted, lighted externally, lighted internally, or backlit. All sign lighting must be designed, directed, and shielded in such a manner that the light source is not visible beyond the property boundaries where the sign is located. Lighting for signs must be directed such that only the sign face is illuminated. All lighted signs must have stationary and constant lighting. Flashing, intermittent, or moving light(s) including electronic or digital display technologies (LED, LCD, etc.) are prohibited pursuant to Section 6.5.4(H), as amended.

Section 10.2 (Definitions)

Sign Any letter, figure, character, mark, plane, point marquee sign, design poster, pictorial, picture, stroke, stripe, line, trademark, reading matter, or billboard of illuminated or non-illuminated surface that shall be so constructed, placed, attached, painted, erected, fastened, or manufactured in any manner whatsoever, so that the same shall be used for the attraction of the public to any place, subject, person, firm, corporation, public performance, article, machine, or merchandise whatsoever, that is displayed in any manner whatsoever out of doors.

**Planning Commission Discussion Item
Proposed Text Amendments in Ordinance #2021-18
October 14, 2021**

Amending the MMC with clarifying language identifying prohibited LED and LCD Display Technologies; and Amending Moab Municipal Code with clarifying language identifying Exempt, Temporary, and Prohibited Signs; and Amending the MMC Sign Code Definitions.

To: Planning Commission
From: Cory Shurtleff, Assistant Planner
Date: October 14, 2021
Subject: Proposed Code Text Amendments in new Sign Code Section 17.93

Background

The purpose of proposed Ordinance #2021-18, is to approve text amendments to the Moab Municipal Code, including: Relocation of Section 15.44 Sign Code to new Section 17.93 Sign Code; Relocation of Titles 17.09.430, -440, -450, -460, -465, and -470, to new section Title 17.93 Sign Code; Amend the MMC with clarifying language identifying prohibited LED and LCD Display Technologies; Amend Moab Municipal Code with clarifying language identifying Exempt, Temporary, and Prohibited Signs; and Amend the MMC Sign Code Definitions.

Purpose of the Amendments:

The Moab Municipal Code has multiple title sections that regulate Sign Code, the proposed amendments would consolidate Sign Code regulations into a single title Section under Title 17 Zoning, creating the new Title Section 17.93 Sign Code.

The proposed amendments would also create new clarifying language identifying prohibited LED and LCD Display Technologies in Intermittent light, flashing or moving lights prohibited, and Prohibited Signs. (Previously located at 15.44.070 and 15.44.190, now relocated at 17.93.070 and 17.93.190).

The proposed amendments would add additional clarifying language identifying Exempt, Temporary, and Prohibited Signs (Previously located at 15.44.190, 15.44.200, 15.44.210, now located at 17.93.190, 17.93.200, 17.93.210).

The amendments include new Sign Type definitions added to the Sign Code Definitions section (Previously 15.44.390, now relocated to 17.93.390).

Assumptions

- MMC Sign Code was previously regulated between Title 15 Building and Construction, and Title 17 Zoning; however signs are actively regulated with Planning and Zoning approval and compliance. Relocating all relevant MMC Sections pertaining to Sign regulation to Title 17 Zoning, under a single Title

Section 17.93 Sign Code, would better reflect operations and consolidate regulatory sections of the MMC.

- Grand County has updated their Digital Display Technologies Land Use Code definitions; Updating the Moab Municipal Code with consistent language would solidify continuity between the two jurisdictions.
- The current Sign Code Sections including Exempt, Temporary, and Prohibited signs do not include specific or clarifying language necessary for common regulatory actions of permitting or prohibiting specific types of signs. Additional language would allow for more consistent and clear regulation.
- The current Sign Code Definitions section has limited definitions of sign types, currently requiring interpretation on some common variable types of signs. Updating the definitions section would allow for more consistent and clear regulation.

Sections needing amendment

- Title 15.44 Sign Code and all subsections therein – Relocated to new section Title 17.93 Sign Code with all subsections therein.
- Sections 17.09.430, -440, -450, -460, -465, and -470 – Relocated to new section Title 17.93 Sign Code: 17.93.430, -440, -450, -460, -465, and -470.
- Title Section 17.93.070 Intermittent light, flashing or moving lights prohibited and Title Section 17.93.190 Prohibited Signs, with new clarifying language identifying prohibited LED and LCD Display Technologies.
- Title Section 17.93.190 Prohibited Signs, Title Section 17.93.200 Temporary Signs, and Title Section 17.93.210 Exempt Signs, with clarifying language.
- Title Section 17.93.390 Definitions, with updated Sign Type Definitions.

Proposed Amendments

1. Relocate Section 15.44 Sign Code to new Section 17.93 Sign Code
2. Relocate Titles 17.09.430, -440, -450, -460, -465, and -470, to new Section Title 17.93 Sign Code: 17.93.430, -440, -450, -460, -465, and -470.
3. ~~15.44.070~~ 17.93.070 Intermittent light, flashing or moving lights prohibited.
 - A. Lighted signs that flash, blink, create the appearance of movement, have moving light elements, or which otherwise change brightness, color, or lighting intensity, including intermittent display, lampbanks that change electronically, including time and temperature signs, are strictly prohibited. Christmas lights that are displayed during the month of December are exempt from this provision. All lighted signs shall additionally comply with Section 17.09.465.
 - B. Electronic variable message signs (EVMS), and electronic or digital display technologies (LED, LCD, etc.) are prohibited.

- C. Real time video projected on outdoor display screens, outdoor video projection screens, and outdoor LED screens or outdoor display screens of any type are prohibited for use as signs, including in windows.
- D. Lighted signs on property near a residential area shall be subdued and shall not be allowed to penetrate beyond the property in such a manner as to annoy or interfere with nearby residential properties.

4. 15.44.190. Prohibited signs.

Signs which are erected after the adoption of this code and do not comply with the provisions of this chapter are prohibited. Other prohibited signs include the following:

- A. **Parked Vehicle Signs.** Parked vehicles with a sign painted or placed on them and parked for the expressed intent of directing attention to a business are prohibited. This provision does not include vehicles used regularly in the course of conducting daily business activities.
- B. **Signs On Public Rights-of-Way.** No private sign shall be placed on public rights-of-way.
- C. **Signs Attached to Public Property.** No private sign shall be attached to public property or public utility poles.
- D. Signs are not permitted on benches or other public service fixtures except bicycle racks. Signs on bicycle racks may not exceed one square foot in size.
- E. Blade Signs, unless secured to a permitted display apparatus, shall be prohibited.
- F. Prohibited Signs include those referenced under 17.93.070.
- ~~D.~~ ***** Additional changes pending discussion*****

5. 15.44.200. Temporary signs.

A. General Provisions.

- 1. Temporary signs shall be figured in the total square footage allowed per lot.
- 2. Sign owners must, designate areas where temporary signs will be displayed.
- 3. Temporary signs displayed outside of designated areas require a permit.
- 4. Temporary signs must be maintained and in good condition while being displayed.
- 5. Signs less than six square feet in size and associated with an event or sale less than 30 days ~~do not require a permit.~~ shall be permitted through a sign permit application with no fee charged.
- 5. ***** Additional changes pending discussion*****

6. 15.44.210 Exempt signs.

Sign permits are not required for the following signs unless the limitations and requirements of this section cannot be met. In such cases a sign permit is required.

- A. Public Signs. Signs of a noncommercial nature, erected by, or on the order of, a public officer in the performance of his duty, such as, but not limited to safety signs, danger signs, trespassing signs, traffic signs, memorial plaques, signs of historical interest, informational signs and the like.
- B. Integral Signs. Names of buildings, dates of erection, monumental citations, commemorative tablets and the like when carved into stone, concrete or similar material or made of metal or other permanent-type construction and made an integral part of the structure.
- C. Private Traffic Direction Signs. Signs directing traffic movement into a premises or within a premises not exceeding two square feet in area for each sign. Horizontal directional signs on paved areas and flush with paved areas are exempt from these standards. Only one exempt directional sign is allowed per frontage, per lot.
- D. Service Sign. 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. These signs shall not exceed two square feet in size.
- E. Name Plates. A nameplate shall contain only the name and address of a resident.
- F. Temporary Decorations. Temporary decorations or displays clearly incidental and associated with national or local holiday celebrations for a period not to exceed ninety days per year, per lot.
- G. Nonbusiness Temporary Signs. Temporary signs not associated with businesses may be displayed not more than thirty days per year or exceed six square feet in size. Examples include garage sale signs, puppies-for-sale signs, agricultural produce sales, etc.
- H. Rear Entrance Signs. Rear entrance signs, when associated with pedestrian walk-through buildings. These signs shall not exceed sixteen square feet in area and shall be flush-mounted, identifying only the name of the establishment and containing directional information.
- I. Menu Signs. Menu signs at drive-in restaurants which are not readable from the nearest public right-of-way; and signs not visible beyond the boundaries of the lot or parcel upon which they are located or from any public right-of-way.
- J. Private Warning or Instructional Signs. Private warning or instructional signs such as "No Soliciting," "No Trespassing," "Beware of Dog," or other similar types of signs not exceeding two square feet per sign.
- K. Murals. Murals must be painted or attached to the walls of buildings and are exempt from this chapter except for the lettering and logo portion of the mural.
- L. Pennants, Window Dressings and Window Banners. Pennants, window dressings and window banners are exempt from the provisions of this chapter.

L.M. *****Additional changes pending discussion*****

7. 15.44.390. Definitions.

~~A.~~ General Definitions.

~~A.~~

B. *** Additional changes pending discussion***

Criteria for Code Text Amendments

Section 17.04. 070 of the Moab Municipal Code requires that the Planning Commission and City Council consider the following criteria:

- A. Is the proposed use substantially similar to other authorized uses permitted within the subject zoning district?
- B. Is the proposed use a relatively new use type or development concept that was not anticipated at the time of the adoption of the City's General Plan?
- C. Is the amendment consistent with the policies and goals of the General Plan?
- D. Will the amendment create significant adverse impacts upon neighboring properties within or adjacent to the zoning districts which would be affected by the change?
- E. Is it in the public interest to approve the proposed amendment?
- F. Is the amendment likely to lead to a positive redevelopment of a specific area or zone?
- G. Will the amendment provide a variety of options for residents in terms of economic development, affordable housing, or other benefits?
- H. Is the amendment appropriate considering the existing conditions in the zoning district, the established relationships between zoning districts, existing land uses and densities, and the scale of both existing and proposed development?

Items for Discussion

Staff is requesting feedback regarding possible amendments and

Planning Commission Action

At this time there is no proposed action, discussion will inform the changes included in the proposed draft Ordinance #2021-18 scheduled for Public Hearing October 28, 2021, and Planning Commission Consideration and Possible Recommendation to City Council.

