

ORDINANCE NO. 06-13

ROLL CALL

VOTING	YES	NO
G. WAYNE ANDERSEN <i>Mayor (votes only in case of tie)</i>		
ROD DART <i>Council member</i>	X	
RICHARD M. DAVIS <i>Council member</i>	X	
BRANDON B. GORDON <i>Council member</i>	X	
STEVE LEIFSON <i>Council member</i>	X	
KEIR A. SCUBES <i>Council member</i>	ABSENT	

I MOVE this ordinance be adopted: Councilmember Gordon

I SECOND the foregoing motion: Councilmember Davis

ORDINANCE 06-13

AN ORDINANCE AMENDING THE CITY'S SIGN REGULATIONS

WHEREAS, Spanish Fork City has adopted a sign ordinance in order to regulate sizes and locations of signs so as to protect property values, equalize business opportunities, provide for a vibrant commercial economy, and accommodate the safe flow of traffic, both vehicular and pedestrian; and

WHEREAS, as economic development occurs and technology changes, the sign ordinance needs to be updated to provide the intended benefits to businesses and residents; and

WHEREAS, needs have changed, justifying a change in the sign ordinance;

NOW THEREFORE, be it ordained and enacted by the Spanish Fork City Council as follows:

I.

Spanish Fork Municipal Code §§5.26.020 (General Provisions), 030 (Prohibited Signs), 040 (Permitted Permanent Signs), 050 (Permitted Temporary Signs), 060 (Billboards), 070 (Nonconforming Signs), and 090 (Permits and Fees) are hereby amended and renumbered, §5.36.090 (Exempt Signs) is hereby repealed, and two new sections, §5.26.020, entitled "Definitions" and §5.36.100, entitled "Remedies and Violations" are created as follows:

5.36.020. Definitions.

Political Campaign: An effort to elect a candidate to elective office or to pass or defeat a measure appearing on the ballot of a primary, general, or special election.

Sign: Any device used for visual communication which is intended to attract the attention of the public and is visible from the public rights-of-way or other properties. The term "sign" shall not include any flag, badge or insignia of any governmental unit nor shall it include any item of merchandise normally displayed within a show window of a business.

Sign, A-frame: Are portable signs, usually equilateral triangular shaped, such that the short side provides a base for two sign copies facing opposite directions.

Sign, Awning: Signs which are placed on or integrated into a fabric or other material canopies which are mounted on the exterior of a building.

Sign, Banner: A sign made of fabric or other pliable material.

Sign, Billboard: A freestanding ground sign which is designed or intended to draw attention to a business, product, or service that is not sold, offered, or existing on the property where the sign is located.

Sign, Directional: An on-premise sign that includes information assisting in the flow of pedestrian or vehicular traffic such as enter, exit, and one-way.

Sign, Directory: A sign, other than an identification sign, listing the names, uses, or locations of the various businesses or activities conducted within a building or group of buildings, which is centrally located and intended to provide on-site directions.

Sign, Freestanding: A sign which is erected on its own self-supporting permanent structure, detached from any supporting elements of a building.

Sign, Menu Board and Preview Menu Board: A permanently mounted sign displaying the menu and prices for a drive thru restaurant.

Sign, Monument: A freestanding sign whose sign face extends to the ground or to a base.

Sign, Nonconforming: A sign lawfully erected and maintained prior to the adoption of this ordinance which does not conform with the requirements of this ordinance.

Sign, Permanent: A sign intended and designed for permanent display in a fixed location.

Sign, Pylon: A freestanding sign other than a monument sign, erected and maintained on a mast(s) or pole(s) and not attached to any building.

Sign, Projecting: A sign attached to a building or other structure and extending in whole or in part more than fourteen (14) inches beyond the building.

Sign, Reader Panel: A sign designed to permit immediate change of copy either manually or electronically.

Sign, Temporary: A sign not intended or designed for permanent display.

Sign, Wall: A sign mounted flat against and projecting less than fourteen (14) inches from, or painted on the wall of a building with the exposed face of the sign parallel to the face of the wall.

Sign, Window: Temporary or Permanent signs affixed to the interior or exterior of a window, or placed immediately next to a window pane so as to attract the attention of persons outside the building.

5.36.030 General Provisions.

1. All signs shall comply with the City's Clear Vision Area requirements.
2. All signs shall be structurally designed, constructed, and maintained in accordance with all applicable provisions of the current edition of the building code adopted by the Utah Uniform Building Code Commission.
3. Signs shall not be located in a manner which interferes with pedestrian travel or poses a hazard to pedestrians.
4. Signs may be illuminated or non-illuminated, unless otherwise restricted herein. The source of the sign's illumination shall not be visible from any street, sidewalk, or adjacent property. This

shall not preclude the use of neon sign elements.

5. Freestanding signs shall be incorporated within a landscaped planter area of at least twenty-five square feet, unless waived by the Development Review Committee.
6. Sign area shall be measured as follows:
 - a. Sign copy mounted or painted on a background panel or area distinctively painted, textured, or constructed as a background for the sign copy shall be measured as that area contained within the sum of the smallest rectangle(s) that will enclose both the sign copy and the background.
 - b. Sign copy mounted as individual letters or graphics against a wall, fascia, mansard, or parapet of a building or other structure that has not been painted, textured or otherwise altered to provide a distinctive background for the sign copy shall be measured as a sum of the smallest rectangle(s) that will enclose each word and each graphic in the total sign.
7. Sign height shall be measured as the vertical distance from the top of the highest element of the sign or sign structure to the base of the sign, or native grade of the site if the base of the sign extends more than one (1) foot above the native grade.

5.36.040 Prohibited Signs

Any sign not specifically permitted by this ordinance is prohibited.

5.36.050 Permitted Permanent Signs

Permanent signs are limited to on-site advertising, may be illuminated or non-illuminated, must be located outside of any Clear Vision Areas, Reader Boards are permitted, and permanent signs are subject to meeting any applicable requirements found in the current edition of the building code adopted by the Utah Uniform Building Code Commission.

1. Wall Signs.
 - a. A primary wall sign may not occupy more than fifteen (15) percent of the flat wall area of the primary elevation.
 - b. Secondary wall signs are allowed provided they do not exceed five (5) percent of that wall area.
 - c. The permitted sign area for a wall may be divided into more than one sign provided that the signs do not cumulatively exceed the allowed sign area for that particular wall.
 - d. Permanent window signs shall count as wall signs for purposes of calculating maximum allowable sign area.
2. Monument Signs.

Monument Signs shall be permitted for churches, schools, individual businesses, and multi-tenant developments. One monument sign shall be permitted per street frontage for each development unless a pylon sign is installed on that frontage. Monument signs shall be limited to the following criteria unless a Project Signage Plan is approved:

 - a. Monument signs must have at least a one (1) foot high pedestal.
 - b. The illuminated cabinet or message display area may not exceed five (5) feet in height for a total of six (6) feet.
 - c. The maximum copy area per side of a monument sign is forty-eight (48) square feet.

Monument signs shall be permitted for individual businesses and multi-tenant developments. One monument sign shall be permitted per street frontage for each development unless a pylon sign is installed on that frontage.
3. Pylon Signs.

Pylon signs are permitted for non-residential individual businesses and multi-tenant developments that occupy sites that are one acre in size or larger. One pylon sign shall be permitted per street frontage for each development unless a monument sign is installed on

that frontage. Pylon signs shall be limited to the following criteria unless a Project Signage Plan is approved:

- a. Pylon signs that advertise retail uses, including restaurants:
 - i. May be a maximum of thirty-five (35) feet in height.
 - ii. May not exceed two-hundred (200) square feet in size unless specifically authorized herein.
 - b. Pylon signs that advertise non-retail businesses and developments :
 - i. May be a maximum of fifteen (15) feet in height.
 - ii. May not exceed sixty (60) square feet in size unless specifically authorized herein.
4. Directional Signs.
Directional signs, when required to assist the flow of traffic, may not exceed six (6) square feet in copy area or a height of three (3) feet.
5. Directory Signs.
Directory signs, when required to identify businesses or buildings in multi-tent or multi-building developments, are not to exceed six (6) feet in height and forty-eight (48) square feet of copy area.
6. Projecting Signs
Projecting signs may extend up to six feet from a building façade, so long as they do not project into a public right-of-way, and may contain thirty-six square feet of copy area on each side.
7. Menu Boards.
One (1) preview menu board and one (1) ordering menu board are allowed for each drive-thru business. Preview menu boards and ordering menu boards may not exceed six (6) feet in height or twenty-four (24) square feet in copy area.
8. Project Signage Plans.
Application may be made to have a Project Signage Plan approved to permit taller signs with greater copy area, as well as additional signs as part of a Project Signage Plan. Qualifying projects must contain at least 5 acres in area and must have at least 50,000 square feet of building space. Developments with Project Signage Plans may have monument signs and pylon signs which exceed the height and area requirements set forth in this Chapter. Applicants may also request that a greater number of signs be allowed than what this Chapter otherwise permits.
Applications for Project Signage Plans are made by submitting detailed descriptions of the proposed signs and proposed sign locations to the Community Development Department. The application will be forwarded to the Planning Commission for recommendation, and to the City Council for approval.
In reviewing applications for Project Signage Plan approval, the Planning Commission and City Council shall consider the impact of the proposed signs on surrounding properties, the advantages the proposed signage may create in generating commerce in Spanish Fork City, the aesthetics of the proposed signs, and visibility from travel lanes on State or Federal highways.
Once approved, Project Signage Plans may not be modified without making new application with the City.

5.36.060 Permitted Temporary Signs

Temporary signs must be located outside of any Clear Vision Areas and conform to the provisions found in this Chapter. Government entities and non-profit organizations may install temporary signs on public and private property to give notice of events and functions. Temporary signs are limited to on-site advertising unless expressly allowed for in this Chapter.

1. Banner Signs.

Banner signs must be affixed to the building façade so as to be secure and flush to the wall surface. Banner Signs are permitted to advertise as many as four (4) thirty (30) day periods each year for each property. One roof-mounted banner sign is permitted for each residential subdivision. Roof-mounted banner signs may not extend above the roofline of the structure they are installed upon. Roof-mounted banner signs must be located on a home in the subdivision they are advertising. Roof-mounted banner signs may not be larger than sixteen (16) feet by forty (40) feet.

2. Freestanding Temporary Signs.

Freestanding temporary signs may be constructed of a variety of materials and shall be securely installed so as to be immovable without some measure of disassembly. Freestanding temporary signs may be up to eight (8) feet tall and may have up to thirty-two (32) square feet of copy area on each side unless, further restrictions are described below:

- a. One (1) freestanding temporary sign may be installed to advertise vacant parcels of land that are five (5) acres or larger unless the parcel has frontage on more than one (1) public right-of-way. Should the parcel have frontage on more than one (1) public right-of-way, then an additional freestanding temporary sign may be installed for each additional frontage.
- b. One (1) freestanding temporary sign may be installed to advertise vacant non-residential buildings unless the parcel has frontage on more than one (1) public right-of-way. Should the parcel have frontage on more than one (1) public right-of-way, then an additional freestanding temporary sign may be installed for each additional frontage.
- c. Two (2) freestanding temporary signs may be installed to advertise residential subdivisions. Two (2) off-site freestanding temporary signs per builder are allowed, subject to obtaining a sign permit. Off-site freestanding temporary signs must contain the name of the development and its address. For purposes of regulating off-site directional signs, a development is recognized as a residential subdivision by having a currently approved preliminary plat.
- d. One (1) temporary freestanding sign is allowed on a construction site. The temporary freestanding sign may identify the name of the project, the names of the developer, contractor, architect, subcontractor, and financier of the project and the projected completion date. The sign may only be installed after building permits have been issued for the project. The sign shall be removed prior to the issuance of a certificate of occupancy for the project.
- e. One (1) temporary freestanding sign is allowed to advertise a home or vacant lot. Temporary freestanding signs that advertise a home or vacant lot may be up to six (6) feet tall and may have up to twelve (12) feet in copy area on each side.
- f. Two (2) off-site temporary freestanding signs are permitted for each open house for the sale of property. Each sign shall have a maximum area of six (6) square feet and a maximum height of three (3) feet. Signs must be placed on private property with the permission of the owner or lessee of the property.
- g. Freestanding temporary signs may be used to advertise political campaigns. Temporary freestanding signs that advertise political campaigns may be installed as soon as a candidate files for elective office, or, for other issues on the ballot, as soon as the issue is qualified to be on the ballot, and must be removed within seven (7) days following the election. Temporary freestanding signs that advertise political campaigns in residential zoning districts shall have a maximum height of five (5) feet and a maximum copy area of six (6) square feet. Temporary freestanding signs that advertise political campaigns in non-residential zoning districts shall have a maximum height of eight (8) feet and a

maximum copy area of thirty-two (32) square feet.

- h. Freestanding temporary signs may be used to advertise polling locations. Temporary freestanding signs identifying a location as a polling place may be placed ten (10) days prior to an election. Such signs shall not support a candidate or cause, but merely identify the polling place and provide other general information about the upcoming election.

3. A-frame Signs.

A-frame signs may not exceed sixteen (16) square feet of overall size. One A-frame sign is allowed per business and may only be placed in the front of the business. A-frame signs may be placed in the public right-of-way so long as they are not in a travel lane, parking lane, road shoulder, or obstructs pedestrian travel on a sidewalk. A-frame signs must be sufficiently secured so that it won't readily fall over or otherwise create a hazard to persons or property. A-frame signs may only be displayed during open business hours in commercial and industrial zoning districts. A-frame signs shall be maintained in a well-kept condition.

4. Window Signs.

Window signs may be used for business identification and advertising of any service, product, person, business, place, or activity on the premises. Window signs may cover up to fifty (50) percent of the area of the window on which the sign is located.

5.36.070 Billboards

Billboards are permitted in the following locations and subject to the following restrictions:

1. Billboards are permitted:
 - a. Along I-15 from 3100 North to 1600 North and mile post number 259 to mile post number 258 (heading south). These billboards must be at least 500 feet from any other billboard on the same side of the interstate highway and located in an industrial zone.
 - b. Along State Road 6 from the junction with Highway 89 southeasterly for 0.84 miles. These billboards must be at least 750 feet from any other billboard on the same side of the highway and located in an industrial zone.
2. Must be within 100 feet of I-15 or US Highway 6.
3. Must be at least 400 feet from any R-1 or R-3 residential districts.
4. Cannot exceed a height of fifty (50) feet or twenty-five (25) feet above roadway grade level, whichever is less.
5. May be double-faced or back-to-back if the separation of panels does not exceed five (5) feet.
6. Each side may have a sign area not to exceed 675 square feet.
7. Footing and structure details must be furnished to the City Building Official prior to issuance of a building permit.
8. Must be monopole. The monopole and all appurtenances to the sign must be painted black.
9. Utah Department of Transportation must issue a permit for the proposed location prior to commencing construction, or prior to City conducting any inspections pursuant to its permit.

5.36.080 Nonconforming Signs

Nonconforming signs shall be removed or brought into conformance with this ordinance when:

1. More than fifty percent (50%) of the reproduction cost of the sign or sign structure has been damaged or destroyed or has deteriorated to such an extent that the cost of repairs exceeds fifty percent (50%) of the reproduction cost of the sign or sign structure.
2. The property undergoes development or redevelopment in accordance with the Design Review section of Title 15.

5.36.090 Permits and Fees

1. Building and sign permits shall be obtained prior to erecting, placing, constructing or altering any sign except window signs, freestanding temporary signs that advertise open houses for the sale of property, freestanding temporary signs that advertise a home or vacant lot, freestanding temporary signs that advertise political campaigns, freestanding temporary signs that advertise polling locations, and A-frame signs.
2. The permit fees shall be in the amount established by City Council resolution or in the annual budget.
3. An application for a sign permit shall be made on forms provided by the Community Development Department. The following information will be required on all sign permit applications:
 - a. Address of the property.
 - b. Business name of the applicant.
 - c. Business owner's name, address, and telephone number.
 - d. Sign contractor's name, address, and telephone number.
 - e. Valuation of the sign(s).
 - f. Inventory of all existing signs on the property showing the type, dimensions, and location of each sign.
 - g. Fully dimensioned plans and elevations showing the dimensions, design copy, and location of each proposed sign.
 - h. Plans indicating the scope and structural detail of the work to be done; including details of all connections, supports, footings, and materials.
 - i. Required information for an electrical permit for all electric signs.
 - j. Color, material, and letter samples when the sign is subject to design review.

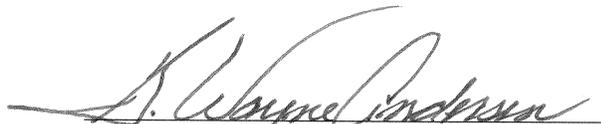
5.36.100 Remedies and Violations.

1. Signs placed on public property or in public rights-of-ways may be removed without notice.
2. Violations of this Chapter are Class C Misdemeanors.

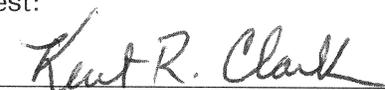
II.

This ordinance shall become effective twenty days after passage and publication

DATED this 7th day of May, 2013


G. WAYNE ANDERSEN, Mayor

Attest:


Kent R. Clark, City Recorder

