

ORDINANCE NO. 07/08/2003 O-8

AN ORDINANCE AMENDING THE SIGN REGULATIONS OF THE MIDVALE CITY ZONING AND SUBDIVISION ORDINANCE; ALSO PROVIDING A SAVING CLAUSE AND AN EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, pursuant to Sections 10-9-401 through 10-9-405 Utah Code Annotated 1953 as amended, the City has authority to make and amend a zoning plan which divides the City into zoning districts and within those districts to regulate the erection, construction, reconstruction, alteration, and uses of buildings and structures and the uses of land; and

WHEREAS, it is necessary to amend existing regulations from time to time to address the needs of the community; and

WHEREAS, the Planning Commission held a public hearing on May 14 and 28, 2003 to review some specific amendments to the City's sign regulations and has made recommendations thereon to the City Council; and

WHEREAS, the City Council of Midvale City, Utah held a public hearing on July 8, 2003, which meeting was preceded by notice by publication in the Salt Lake Tribune, on June 24, 2003, and has taken into consideration citizen testimony, and has determined that these sign amendments are appropriate and within the best interests of the City as a whole.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Midvale City, Utah as follows:

Section 1. The following chapters and sections of the Midvale City Zoning and Subdivision Ordinance are hereby amended as follows:

Italics – new language

~~Strikethrough~~ – deleted language

1. Revise flat/wall sign language in the 7200 South Overlay; State Street Commercial; Transit Oriented Development; Bingham Junction; Sharon Steel; Regional Commercial; and Clean Industrial zones (Sections 17-7-6.8; 17-7-7.10; 17-7-8.9; 17-7-9.10; 17-7-10.8; 17-7-12.10; 17-7-13.10) as follows:

FLAT/WALL SIGNS: Up to three (3) building walls may be used for flat or wall signage. The maximum sign area shall be fifteen percent (15%) of the wall surface of the front of the building; five percent (5%) for the side; and five percent (5%) for the back or side. The following four (4) types of wall signs are allowed, all others are prohibited:

- i. An externally illuminated aluminum sign panel with cut out and/or channel letters illuminated by a specified cut-off flood light fixture mounted to the building.

- ii. An internally illuminated aluminum sign panel with cut out and/or reverse channel letters illuminated by neon tubes or florescent lamps behind the sign panel and/or letters.
- iii. An externally illuminated individually fabricated channel letter form using a specified cut-off floodlight fixture mounted to the building.
- iv. An internally illuminated reverse channel letter mounted to the building.

2. In the 7200 South Overlay; State Street Commercial; Bingham Junction; Sharon Steel; Historic Commercial; Regional Commercial; and Clean Industrial zones (Sections 17-7-6.8; 17-7-7.10; 17-7-9.10; 17-7-10.8; 17-7-11.9; 17-7-12.10; 17-7-13.10) revise the temporary sign language as follows:

TEMPORARY SIGNS. The following provisions regulate the use of temporary signs. *If a temporary sign type is not specifically designated, it is prohibited.*

- 1. Attachment. Temporary signs may not be permanently attached to the ground, buildings or other structures.
- 2. Banner Signs. One banner sign attached in a temporary manner is allowed per primary building wall. Banners may not exceed forty-eight (48) square feet, *and must be mounted flush on the wall with all corners securely fastened to the wall. Banners must be kept in a good condition at all times, i.e. tattered, torn, or faded banners must be removed. A temporary sign permit is not required. A banner may not be used as primary signage for a business for more than three (3) months from the business opening. Banners may be installed for a period not to exceed twenty-one consecutive days or sixty-three days per calendar year.*

3. In the State Street Commercial; Bingham Junction; Sharon Steel; Regional Commercial; and Clean Industrial zones (Sections 17-7-7.10; 17-7-9.10; 17-7-10.8; 17-7-12.10; 17-7-13.10) revise the temporary sign language as follows:

- 3. Mobile Changeable Copy Signs. One mobile changeable copy sign may be used for each street frontage of a building, for a maximum period of fourteen consecutive days, not to exceed twenty-eight days in a calendar year. Each sign shall require a *temporary* sign permit for each period. Said signs shall be in full conformance with all building and electrical codes. Said signs shall not exceed thirty-two (32) square feet in size and six (6) feet in height, and shall conform to all setbacks, clearances, and other general provisions of this title.
- 4. Signs: Balloon Sign/Inflated Sign Displays. One balloon sign *or inflated sign display* is allowed to be displayed on site for a period of ~~twenty-one (21)~~ *fourteen (14)* consecutive days per calendar quarter up to three (3) times per calendar year. A *temporary* sign permit shall be required for each display period. *The signs shall meet all minimum*

building setbacks for the zone, and shall be adequately tethered so as not to extend into the airspace above the public right-of-way or constitute a safety hazard.

4. In the 7200 South Overlay; State Street Commercial; Transit Oriented Development; Bingham Junction; Sharon Steel; Historic Commercial; Regional Commercial; and Clean Industrial zones (Sections 17-7-6.8; 17-7-7.10; 17-7-8.9; 17-7-9.10; 17-7-10.8; 17-7-11.9; 17-7-12.10; 17-7-13.10) add a provision for temporary grand opening signage as follows:

***Grand Opening Events Signs.** Promotional signage, such as pennants, streamers, banners, balloon signs, inflated sign displays, may be used for grand opening events for new businesses. Such promotional signage must be initiated within the first three (3) months of a new business receiving a Certificate of Occupancy, and may be used for a maximum of thirty (30) consecutive days. Said signs shall be used in such a manner so as not to constitute a safety hazard. A temporary sign permit shall be required. Promotional signage shall not include illuminated signs or devices.*

5. In the RM-12 (multi-family residential) and RM-25 (multi-family residential) zones (Sections 17-7-3.12 and 17-7-4.12) revise the banner sign language as follows:

BANNER SIGNS. One banner sign is allowed per primary building wall. ~~Banners may be installed for a period not to exceed twenty one (21) consecutive days or sixty three (63) days per calendar year.~~ *Banners may not exceed forty-eight (48) square feet; must be mounted flush on the wall with all corners securely fastened to the wall. Banners must be kept in a good condition at all times, i.e. tattered, torn, or faded banners must be removed. A temporary sign permit is not required. A banner may not be used as primary signage for a business for more than three (3) months from the business opening.*

Update Tables 17-7-3.12 and 17-7-4.12 to include 48 s.f. maximum sign area and eliminate general restriction for banner signs.

6. In the Regional Commercial zone (Section 17-7-12.10) add A-frame signs as a permitted sign type with the following provision:

***A-FRAME SIGNS:** One free standing A-frame signboard per ground level tenant may be placed on the sidewalk of at least ten feet (10') in width, provided the sign does not interfere with pedestrian movement. The signboard copy space shall not exceed three feet (3') in height and two feet (2') in width with a maximum sign height of four feet (4').*

Update Table 17-7-12.10 to include A-Frame signs with 6 s.f. maximum sign area, 4 foot maximum sign height and a general restriction to include "One per ground level tenant. Must not impede pedestrian movement."

7. In the State Street Commercial; Bingham Junction; Sharon Steel; Regional Commercial; and Clean Industrial zones (Sections 17-7-7.10; 17-7-9.10; 17-7-10.8; 17-7-12.10; 17-7-13.10) add a provision for pole banner signs as follows:

POLE BANNERS: *One pole banner sign per privately owned, on-site light pole may be used. Such signs shall be a maximum size of two feet (2') by five feet (5'). shall hang vertically, and shall be securely attached to the light pole at the top and bottom corners of the banner. Banners must be kept in good condition at all times, i.e. tattered, torn, or faded banners must be removed. A sign permit is required.*

Update Tables 17-7-7.10; 17-7-9.10; 17-7-10.8; 17-7-12.10; 17-7-13.10 to include pole banners.

8. In Chapter 17-2-DEFINITIONS add or revise the following definitions:

Balloon Sign. A temporary 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; or the balloon itself when size exceeds three feet in any direction; or *balloon sculptures made of individual balloons when the overall size exceeds three feet in any direction.*

Inflated Sign. *A temporary advertisement consisting of balloons and other devices supported by the pressure of forced or heated air or of lighter-than-air gases anchored to the premises where the advertised use is conducted, product or commodity sold, service performed, or business name is located.*

Pole Banner Sign. *A sign made of cloth, canvas or nylon attached vertically to a light pole located on the property where the advertised use is conducted, product or commodity sold, service performed, or business name is located. (Diagram).*



Section 2. If any part of this ordinance or the applications thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction

to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

Section 3. This ordinance shall be effective upon publication of a summary thereof.

PASSED AND APPROVED this ____ day of _____, 2003.

JoAnn B. Seghini, Mayor

ATTEST:

Christeen C. Pratt, CMC
City Recorder

Date of first publication: _____