

ORDINANCE 2000-8

AN ORDINANCE AMENDING THE UNIFORM ZONING ORDINANCE OF TOOELE COUNTY, CHAPTER 24, SIGN REGULATIONS

THE COUNTY LEGISLATIVE BODY OF THE COUNTY OF TOOELE ORDAINS AS FOLLOWS:

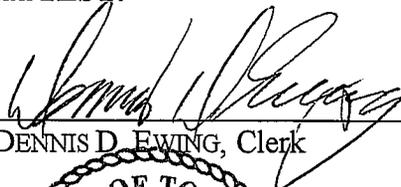
SECTION I - SECTION AMENDED. Section 24, Sign Regulations, of the Uniform Zoning Ordinance of Tooele County is hereby amended to read as attached hereto, which attachment is by this reference made a part hereof.

SECTION II - REPEALER. Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

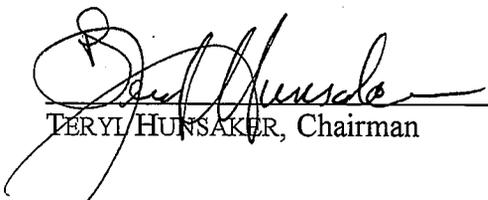
SECTION III - EFFECTIVE DATE. This ordinance shall take effect fifteen (15) days after its passage, provided the same has been published, with the name of the members voting for and against the same, for at least one publication in one issue of a newspaper published in and having general circulation in Tooele County.

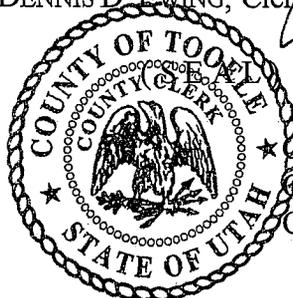
IN WITNESS WHEREOF, the legislative body of Tooele County passed, approved and enacted this ordinance this 4th day of April 2000.

ATTEST:


DENNIS D. EWING, Clerk

TOOELE COUNTY COMMISSION


TERYL HUNSAKER, Chairman



Commissioner Hunsaker voted aye
Commissioner Griffith voted aye
Commissioner Rockwell voted aye

Ordinance 2000-8

APPROVED AS TO FORM:

A handwritten signature in cursive script, appearing to read "Douglas J. Ahlstrom".

DOUGLAS J. AHLSTROM
Tooele County Attorney

CHAPTER 24

SIGN REGULATIONS

Section

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24-1. Purpose.

It is the purpose of this chapter to:

(1) regulate signs and to authorize signs that are compatible with their surroundings, legible under the circumstances in which they are seen, sensitive to the environment, and are conducive to promoting traffic safety and the convenience and enjoyment of public travel by preventing visual distraction;

(2) protect pedestrians, attract tourists, preserve and enhance property values, establish first-class business and commercial districts, and eliminate fire hazards; and

(3) promote short- and long-term civic beauty and order by establishing standards and regulations for sign design, location, size, type, compatibility, and aesthetics.

24-2. Scope.

(1) The intent of this chapter is to regulate the design and placement of commercial and governmental identification and communication devices and structures that are built specifically to identify, inform, and direct patrons to a particular merchant, store, establishment, or service. It is not the intent to regulate the content of public speech.

(2) The regulations of this chapter apply to both on-premise and off-premise signs, but do not apply to hand-held placards and similar devices traditionally used for public protest and the exercise of free speech. Any non-commercial message may be substituted for any commercial message permitted under this chapter.

24-3. Interpretation.

(1) The regulations of this chapter are declared to be the maximum allowable. If the zoning administrator determines that an application needs further interpretation, a planning commission shall review the proposal.

(2) If a person proposes or retains a sign that exceeds the standards of this chapter, he may apply to the board of adjustment for a variance.

24-4. Enforcement.

(1) Any sign not expressly allowed by this chapter is prohibited.

(2) The zoning administrator or an authorized representative shall enforce this chapter and is empowered and directed to:

(a) issue permits to construct, alter, or repair signs. The expiration date for such permits shall be 180 days in conjunction with building permits.

(b) ascertain that all signs, constructions, and all reconstructions or modifications of existing signs are built in conformance with the zoning ordinance by conducting or causing to be conducted:

(i) an initial inspection after construction, including an inspection of temporary electrical signs.

(ii) a reinspection of any sign for which a permit was issued but which, upon initial inspection, was not built in complete compliance with the regulations of this chapter.

(c) institute an appropriate action or proceeding in any case where any sign is illegally erected, constructed, reconstructed, altered, repaired, converted, or maintained, or in any case where any sign is used in violation of any county ordinance or code. To this end the zoning administrator may:

(i) issue a written notice of violation to the person having charge or control or benefit of any sign found to be unsafe, dangerous, or in violation of this chapter, particularly when the Tooele County is contemplating removal of the sign;

(ii) request issuance of a criminal information against violators;

(iii) abate and remove unsafe or dangerous signs not repaired or made safe within five working days after the owner has received written notice;

(iv) abate and remove illegal signs not made conforming within 30 days after written notice has been given.

(v) abate and remove temporary signs posted upon private property without a permit

or which are otherwise illegal, which, after written notice, have not been made conforming after 72 hours either through removal or by obtaining a temporary sign permit;

(vi) remove any sign posted upon public property, but shall not destroy the sign for a period less than 30 days from the date of removal.

(vii) abate and remove non-maintained or abandoned signs or signs identifying a discontinued use. The zoning administrator shall require each such sign to be removed from the building or premises when such sign has not been repaired or put into use by the owner, person having control or person receiving benefit of such structure within 45 days after written notice is given to such person.

(3) Any person ordered to alter or remove any sign, or any person whose application for a sign permit has been denied because of conflict with regulations stated herein, may appeal to the board of adjustment by serving a written notice to the department of engineering within ten days of the order or denial. An applicant may also appeal to the board of adjustment for an alleged error by the zoning administrator or staff.

(4) The person having charge, control, or benefit of or who posted any sign removed by Tooele County shall pay to Tooele County within 30 days after written notice is mailed to such person the costs incurred in such removal.

(5) In no case shall the failure to remove illegal signs constitute approval by Tooele County of their illegal placement.

24-5. Nonconforming Signs.

(1) To minimize confusion and unfair

competitive disadvantage to those businesses which are required to satisfy pre-existing sign standards, Tooele County intends to apply firm regulation of existing nonconforming signs with a view to their eventual elimination. This goal shall be achieved by strictly construing limits on change, expansion, alteration, abandonment, restoration, and by amortization. Excluding normal maintenance and repair, a nonconforming sign shall not be moved, altered or enlarged unless it is brought into complete compliance with this chapter. The following alterations are exempt from this provision:

(a) face changes in multi-tenant signs; and

(b) copy changes in permanent signs which were originally approved with a changeable copy feature by the zoning administrator.

(2) Within 45 days after vacation of an existing business, all on-site nonconforming signs must be removed or brought into compliance by the property owner. If removal does not occur, Tooele County may remove the entire nonconforming sign, both face and structure. An abandoned sign may not regain any legal nonconforming status later, even if the original business re-occupies the property.

(3)(a) Upon appeal by a sign owner or business, the board of adjustment may grant a special exception to allow the retention, alteration, movement, or expansion of a nonconforming sign, provided the board determines that:

(i) the nonconforming sign poses an alternative equivalent means of meeting the intent of this chapter and Tooele County's comprehensive plan;

(ii) the action will not impose a burden on other properties beyond that posed by a

conforming sign; and

(iii) approval will provide a forum for free expression or other benefits to the public. Unfair competitive disadvantage of businesses in Tooele County whose signs do comply with this chapter is to be construed as a burden to be considered by the board of adjustment.

(b) A new business generally shall not qualify for a special exception for reuse of a nonconforming sign left by a previous business. Purely economic factors such as the expense of removing or altering a nonconforming sign or of purchasing a new conforming sign are not to be considered as reasons for granting a special exception by the board.

(c) The board may attach reasonable conditions with which the petitioner must comply as a condition of approval of a special exception.

(d) The duration of the special exception shall not extend beyond that period allowed by the board of adjustment from the date the exception is granted.

(e) Any special exception shall be conditioned on the posting of a bond sufficient to cover the cost of timely removal of such sign.

(f) The board of adjustment may attach to a special exception a reasonable limit on the period of noncompliance of nonconforming signs.

24-6. Prohibited Sign Devices.

(1) The following sign devices used to attract pedestrian or vehicular attention are prohibited in any zone:

(a) hot or cold air balloons or inflatables, except as specifically allowed by this chapter for temporary signs or as part of a grand opening period or special promotion;

(b) any sign which flashes, blinks, uses

chaser lights, or moves in any way, animate or inanimate, except commercial signs with time/temperature or electronic message center capability, and except for subtle lighting changes of low intensity;

(c) statuary bearing the likeness or suggestion of any product or logo;

(d) projecting signs;

(e) snipe signs;

(f) rapidly spinning wind-driven signs;

(g) temporary signs, except as allowed in Section 24-9;

(h) signs on bus benches;

(i) any truck, trailer, or other vehicle conspicuously or regularly parked on- or off-premise with an advertising message or logo displayed to attract attention to a business, product or promotion;

(j) graffiti;

(l) spotlights directed into the night sky except as part of an approved promotional period for temporary signs; and

(m) off-premise signs including billboards, except as allowed herein.

(2)(a) No person shall paint, mark or write on, post or otherwise affix any hand-bill or sign to or upon any sidewalk, crosswalk, curb, curbstone, park strip, street lamp post, hydrant, tree, shrub, tree stake or guard, railroad trestle, electric light or power or telephone or telegraph or trolley wire pole, or wire appurtenance thereof or upon any lighting system, public bridge, drinking fountain, life saving equipment, street sign or traffic sign.

(b) Any hand-bill or sign found posted upon any public property contrary to the provisions of this section may be removed by the sheriff's department, the road division, or the zoning administrator. The person responsible for any such illegal posting shall

be liable for the cost incurred in the removal thereof.

(c) Nothing in this section shall apply to the installation of a metal plaque or plate or individual letters or figures in a sidewalk commemorating an historical, cultural, or artistic event, location, or personality for which the department of engineering or an authorized public agency has granted a written permit.

(d) Nothing in this section shall apply to the painting of house numbers upon curbs.

24-7. Signs Allowed Without a Permit.

(1) The following signs are allowed in any zoning district, except on public property, unless specified otherwise, without a permit:

(a) directional or instructional signs such as for rest rooms, telephones, walkways, or parking lot entrances and exits, that are located entirely on-premise and do not in any way advertise a business or commercial activity, but such signs shall not exceed four square feet in area or four feet in height;

(b) "no trespassing" or "no dumping" signs, but they may not exceed 16 square feet in area for a single sign and are limited to four signs at four square feet for each lot unless the zoning administrator makes a written finding that more or larger signs are required to prevent violation;

(c) plaques or name plate signs not more than two square feet which are fastened directly to the building;

(d) religious symbols, commemorative plaques of recognized historical agencies, or identification emblems of religious orders or historical agencies, provided that no such sign shall exceed eight square feet in area and provided further that all such signs be placed flat against the building;

(e) neighborhood identification signs of masonry, wall, landscaping and other similar materials or features, provided the legend of such sign or display shall consist of only the neighborhood name and/or address;

(f) institutional use signs for churches, public schools, public utility companies, libraries, governmental buildings, parks, public golf courses, etc., but such uses are allowed one monument sign of 32 square feet, but if the institution has more than one frontage and is located on an arterial street, then an additional sign of the same size is allowed;

(g) the flags, emblems, or insignia of any corporation, nation or political subdivision, but corporation flags may not exceed 12 square feet and may be flown in tandem with the State or National flag; provided large flags flown in high wind may cause a noise nuisance and are subject to removal upon investigation;

(h) public necessity signs installed by a unit of the government for control of traffic and other regulatory purposes including street signs, danger and warning signs, railroad crossing signs, hospital signs, directional or warning signs for public service companies, utilities or institutions, or signs erected by or on the order of a public officer in the performance of his public duty;

(i) memorial signs or tablets with the names of buildings and date of erection cut into any masonry surface or inlaid so as to be part of the building;

(j) notice bulletin boards not over 32 square feet in area for medical, public, charitable or religious institutions where the same are located on the premises of such institutions and are oriented solely to the interior of the property and are not used to

direct exterior vehicular attention to any product or service of the institution;

(k) holiday decorations and non-commercial signs of a primarily decorative nature, clearly incidental and customary and commonly associated with any national, local, or religious holiday, and such signs may be of any type, number, area, but they shall be contained entirely within the boundaries of the lot or premise on which they are erected and should be placed so as to avoid confusion with authorized traffic lights and signals and shall conform to traffic safety standards, and shall be removed within a reasonable period after the holiday is over;

(l) changing copy or message on a permitted sign that has an approved marquee, reader board, electronic message center, or other replaceable copy area;

(m) political or campaign signs on behalf of candidates for public office or measures on election ballots, except:

(i) Such signs may not be erected earlier than 30 days prior to a primary or general election and shall be removed no later than two weeks following the election. Candidates who lose an election shall remove signs by the Monday following the election. Signs relating to elections on special issues may be installed and must be removed on the same basis. However, written permission of the property owner must be obtained before they are erected.

(ii) Campaign signs for candidates of public office or an issue on an upcoming election may not be placed on public property or in any public right-of-way.

(iii) Campaign signs may not be placed closer than 150 feet to a building where an official voting station is located.

(n) agricultural signs identifying

permitted agricultural uses, but such signs shall be on-premise signs not exceeding 48 square feet in area, and they may be placed on arches that serve as a gate or entrance.

(2) Any one sign on private property shall not exceed 64 square feet in aggregate area and, if freestanding, shall not exceed eight feet in height. Such sign shall not be erected in a manner as to constitute a roof sign.

(3) There may be only one non-illuminated sign not to exceed twelve square feet in sign area, per lot or premises for sale of agricultural products grown or raised on site.

(4) Community signs require review by the department of engineering, including recommendation of the zoning administrator and/or other pertinent county departments, for compliance with the following criteria:

(a) No sign shall be permitted that is unsafe for vehicular or pedestrian traffic, is inappropriate with respect to location, size, time or duration of display, or is maintained in a deteriorated condition. Such a sign:

(i) must be made of durable, weather resistant, material;

(ii) must use logos or symbols instead of copy where possible, where copy would cause a distraction to vehicular traffic; and

(iii) may be located at various gateway areas to Tooele County, along major streets and important intersections adjacent to non-residential properties;

(iv) shall be uniform in size for each individual display and shall be no larger than four feet wide and ten feet tall. Signs attached to a building may be larger but must be appropriate in scale and location as approved by the zoning administrator.

(6) Freestanding community signs shall be allowed on parcels with the permission of the owner and approval of the zoning

administrator. The size of the sign shall be according to the following standards:

Less than 5 acres: 32 square feet

5 to 10 acres: 64 square feet

10 to 20 acres: 96 square feet

20 or more acres: 128 square feet

Maximum height: 15 feet

(7) Freestanding community signs may not be attached to another temporary sign or a permanent traffic or business sign.

(8) Freestanding community signs may be part of a "rotating permanent feature" of the Tooele County or community for such events as:

(a) the Benson Grist Mill;

(b) holidays;

(c) cultural or arts events;

(d) change in seasons;

(e) the Deseret Peak Recreational Convention Center;

(f) general community promotions, such as business with the prohibition of commercial endorsement or name on any such sign; and

(9) Freestanding community signs for any single purpose or event may not be displayed for more than 30 days. However, the zoning administrator may approve community purpose signs for long-term purposes subject to review on a 90-day basis.

(10) Signs in residential [R-1], rural residential [RR], and residential multifamily [R-M] zoning districts announcing the location, availability, or development of property are necessary and do not require a permit, subject to the following:

(a) On-Premise Development Identification Signs:

(i) Individual Lots: One sign announcing the name of the construction/development company is allowed. The area of the sign may

not exceed 16 square feet nor six feet in height. The sign may not be erected more than five days prior to the beginning of construction for which a building permit has been issued. It must be removed before final occupancy.

(ii) Subdivisions or Planned Unit Developments: One development promotional sign may be placed on the premises of each development having five or more lots or approved unit sites in any residential zone. The size allowed for the sign depends on the number of lots to be developed:

5-24 units (lots):	64 square feet
25-49 units:	96 square feet
50 or more units:	128 square feet
Maximum height:	12 feet

Such signs shall be removed within five years of the issuance of the first building permit in the project or if the lots are sold out before five years, immediately upon sale of the last lot.

(b) On-Premise Real Estate Signs:

(i) Signs advertising the sale, rent, or lease of property shall be limited to one real estate sign on each lot. Each such sign shall not exceed six square feet in size and six feet in height.

(ii) One real estate sign per street frontage is allowed for any multi-use residential or professional office building or lot intended for such and may not exceed 32 square feet in area or eight feet in height. If the parcel is over two acres in size, the sign may not exceed 64 square feet.

(iii) Model home signs shall not exceed 16 square feet in area nor exceed six feet in height and shall be placed entirely upon the premises of the model.

(iv) Temporary/Open House Real Estate Signs shall not exceed six square feet in area

and four feet in height. Advertising real estate open for inspection may be placed on private property in the vicinity of the property open for inspection. They may be placed in the parking strip with the consent of the immediately adjacent property owner. They shall not be attached to trees, poles or street signs. Open house signs should be displayed only during those hours and days during which the house is open for actual inspection.

(c) On-Premise Signs for Home Occupations in Residential Zones do not require a permit. They may have one non-illuminated flat wall sign two square feet in area which identifies the name of the business. This applies to uses operated out of a single family home.

(11) Signs in commercial and industrial zones announcing the location, availability, or development of property are necessary and require no permit subject to the following:

(a) On-Premise Development Identification Signs: Signs announcing or identifying the future development of commercial or industrial property are allowed at the rate of one per street frontage. Such signs may not be erected before the proposed development has been submitted for site plan review. They must be removed before final inspection or before permanent signs are installed. The size of the sign depends on the number of acres involved in the project as follows:

Less than 2 acres:	32 square feet
2 to 5 acres:	48 square feet
5 to 10 acres:	64 square feet
10 to 20 acres:	96 square feet
More than 20 acres:	128 square feet
Maximum height:	15 feet

(b) On-Premise Real Estate Signs:

(i) One on-premise real estate sign

advertising the sale of property per street frontage is allowed for any lot and may not exceed 16 square feet in area or eight feet in height. If the parcel is over two acres in size, the sign may not exceed 32 square feet.

(ii) One on-premise real estate sign advertising the sale of property per street frontage is allowed for any planned center, building or lot zoned for such and may not exceed 32 square feet in area or eight feet in height. If the parcel is over two acres in size, the sign may not exceed 64 square feet.

(iii) One on-premise sign advertising commercial or industrial space for lease or sale, for space within a multi-tenant building or for a pad within the same center is allowed. The sign must be securely attached to the vacancy in question. It may not exceed 24 square feet in area.

(c) Other Allowed Signs:

(i) Window signs which are painted on or temporarily affixed to the window surface shall cover no more than 25% of any single window or 25% of the entire surface area of a group of windows and shall not be so affixed as to block clear view of exits or entrances or to create a safety hazard. This applies also to inside illuminated signs that are within eight inches of the window surface.

(ii) Menu boards for drive-in restaurants are to be reviewed and approved by the zoning administrator. The following shall apply although the zoning administrator may approve them at different locations depending upon circumstances:

(A) Only two menu boards are allowed per site and must be located behind the front landscaped setback area.

(B) The maximum area shall not exceed 35 square feet per sign and six feet in height.

(iii) Gasoline Price Signs. One double faced sign for each type of fuel sold is allowed per gas island with a maximum of four sets per station. The area of said sign may not exceed four square feet each.

24-8. Signs Requiring a Permit.

(1) The streetscape is the combination of vehicles, buildings, signs, landscaping, roads, utility poles, etc., that dominate the view of the driver or pedestrian. The streetscape tells residents and visitors how Tooele County as a whole feels about the environment, safety, aesthetics, and its sense of order, among other things. A useful, attractive, and safe streetscape is one that necessarily regulates the size, location, and design of business signs. Because a proliferation of poorly designed, oversized, and inappropriately located signs in commercial and industrial areas can be detrimental to the achievement of effective, safe and attractive streetscapes, it is important that the permanent signs in these areas receive permits.

(2) Commercial and industrial uses are generally more intensive than those found in residential zones. Signs for such uses are designed by size, location, and style to attract attention and provide services to the public. Business signs of any kind in residential neighborhoods can diminish the quality of life for which those zones were specifically created. However, there may be some residential uses which merit a sign, though much smaller and subdued than in commercial or industrial zones.

(3) It is the intent and purpose of this section to establish regulations and design standards for signs in commercial, industrial and residential areas that will allow the business to identify itself while allowing Tooele County

to create and maintain safe and aesthetically pleasing streetscapes regardless of the zone.

(4) All multi-tenant centers or buildings must submit a proposal for all on-premise signs to the planning commission for design and placement approval. For parcels of land seven acres or larger and with frontage of 300 feet or more, a proposal for the overall design and placement of all on-premise signs shall be submitted. Such signs may vary from the regulations set forth in this section and shall be considered as a conditional use, providing there is a determination that the proposed sign exceptions are not in conflict with the purpose and intent of this Chapter and are in architectural harmony with uses adjacent to the development and with the understanding that existing signs may be required to be altered or removed.

(5) On-premise freestanding signs are allowed in commercial and industrial zones only as follows:

(a) Planned centers or parcels of less than ten acres shall have no freestanding signs. Only monument signs are allowed.

(b) For planned centers on parcels of ten acres or more, the zoning administrator may approve one freestanding sign per street frontage. No freestanding sign shall be allowed for any planned center or parcel having less than 300 feet of street frontage. Sign area shall not exceed 100 square feet. Sign height shall not exceed 25 feet. Signs must be at least 200 feet from an intersection corner.

(c) Reader boards, changeable copy areas and electronic message centers are allowed but discouraged. No such device may exceed 50% of the total sign copy area of the sign.

(d) On parcels adjacent to and fronting Interstate 80 or the I-80 frontage road, signs

shall have a height not greater than 25 feet above the traffic lane of Interstate 80. Such signs must be located within a 30-foot setback from property line on such parcel. The size of the sign shall comply with Section 24-15, Sign Area Allowance for Freestanding Signs. Businesses on parcels of less than seven acres that are adjacent to a freeway overpass or similar view-obscuring structure may request a conditional use permit from the planning commission for additional height allowance. The planning commission shall approve only minimal additions in height to provide reasonable visibility above the view-obscuring structure.

(6) The use of monument signs in commercial and industrial zones in place of freestanding signs is encouraged. The following shall apply:

(a) Monument signs are allowed for any size parcel provided the parcel has 30 feet of street frontage. The sign area allowed is determined by the length of street frontage along which the sign is to be placed and must comply with Section 24-15. Parcels with two street frontages are allowed a sign on each street. However, the signs must be separated by at least 100 feet as measured diagonally across the property from center to center of both signs or only one sign will be allowed. Signs within the visibility triangle may be allowed with the permission of the Tooele County engineer.

(b) Monument signs for Planned Commercial Centers:

(i) Monument signs shall have a logo/identification theme as part of the sign.

(ii) Planned commercial centers with two or more street frontages are allowed one sign on each street frontage. The signs must be separated by at least 100 feet as measured

diagonally across the property from center of sign. In no case shall the approved monument sign be placed closer than 100 feet to any other monument or freestanding pole sign located on the same side of street.

(iii) The area of the sign is determined by the length of the frontage along which the sign is to be placed, including the frontage of any freestanding buildings included within the planned commercial center. The sign area is determined as provided in Figures 1 and 2.

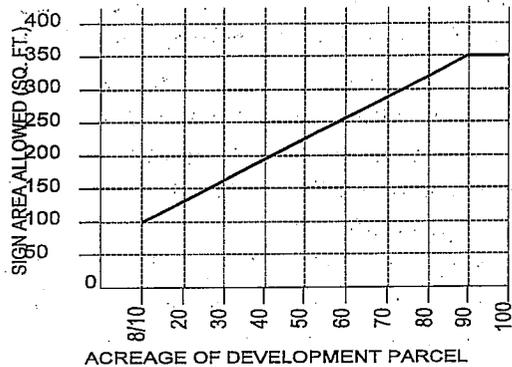


Figure 1 - Amount of sign area allowed in relation to the amount of land developed

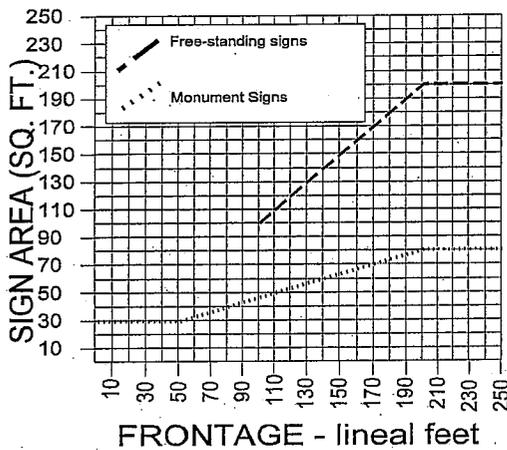


Figure 2 - The sign area in relation to the frontage of the parcel.

(iv) In the case of the development of a

planned commercial center on multiple parcels of property having common frontages, regardless of the number of separately owned parcels or buildings of separate occupancy within the planned commercial center, the frontage shall be considered to be the composite of the entire commonly used parcels or buildings and not the frontage of each individual business or occupancy. The overall frontage shall be used to calculate allowable sign area for the center identification sign as provided in Section 24-15.

(v) In the event a planned commercial center has several freestanding buildings, each permitted monument sign shall be separated from each other by no less than 100 feet.

(7) Freestanding buildings within a planned commercial center are governed by the following:

(a) They may have a monument sign provided that the freestanding building lot is contiguous to a major arterial street and has at least 100 feet of street frontage.

(b) Such buildings with two or more street frontages are allowed one sign on each frontage. The signs shall be separated by at least 100 feet as measured diagonally across the property from center of sign. In no case shall the approved monument sign be placed closer than 100 feet to any other monument, freestanding or pole sign located on the same side of street.

(c) The business or tenant occupying the freestanding building shall be allowed a monument sign upon determination of the zoning administrator that the sign is not in conflict with the purpose of this chapter and is in architectural harmony with uses adjacent to the development.

(d) The sign area is determined as provided in Section 24-15.

(8) Signs for freestanding buildings not associated with a planned commercial center are subject to the following:

(a) There shall be only one monument sign provided the parcel has at least 100 feet of street frontage.

(b) In the case of a freestanding building having two or more frontages, one sign may be placed on each street frontage provided the signs are separated by at least 100 feet as measured diagonally from center of sign. In no case shall the permitted monument sign be placed closer than 100 feet to any other monument, freestanding or pole sign located on the same side of street.

(c) The sign area shall be determined as provided in Section 24-15.

(d) Monument signs must have at least a one foot pedestal, and the illuminated cabinet may not exceed five feet for a total of six feet. The height to the top of the sign as measured from the street curb may vary depending upon landscaping, but the combined height of the sign and berming or landscaping may not exceed nine feet. The entire frontage of the property must be randomly bermed for this to occur, not just where the sign is to be positioned.

(e) Changeable copy areas and electronic message centers may be allowed, however, such devices shall not exceed 50% of the total sign area.

(8) Wall signs should be the primary form of identification for business uses. Each business is entitled to one wall sign if the following criteria are met:

(a) The sign may not occupy more than 15% of the flat wall area. If a sloping facade or roof exists, the sign may not exceed 15% of that area. A wall sign may not use a combination of both flat and sloping areas in

calculating the 15%. On a sloping roof the vertical projection is used to calculate area, not actual length of the slope.

(b) The 15% area may be divided into more than one sign with the approval of the planning commission.

(c) Painted signs applied directly to any building face must have specific approval of the zoning administrator.

(d) Wall signs with changeable copy, reader board, or electronic message capability are not allowed.

(e) Buildings or businesses with exposure on the sides and front may choose which wall to mount their sign upon. Signs are allowed on the rear of the building with planning commission approval.

(f) A proposal for a secondary wall sign may be approved by the zoning administrator if the sign does not exceed 5% of that wall. A sign on a third wall must be approved by the planning commission.

(g) Owners of buildings that have small offices inside, accessory or secondary to the main use, are required to create a building identification sign instead of trying to obtain a sign for every tenant. This is especially true for buildings with two or more levels.

(h) Wall signs on sloping roofs shall be erected so as to appear as a sign applied to a similarly vertical wall surface and finished in such a manner that the visual appearance from all sides is such that they appear to be part of the building itself. All such signs shall be installed or erected that there is no visual support structure such as guy wires or braces.

(j) No part of any wall sign or of the sign structure shall project above or below the highest or lowest part of the wall upon which the sign is mounted or painted.

(k) No wall sign including any light box or

structural part shall project more than 18 inches from the face of the building to which it is attached.

(9) Off-premise billboard signs are allowed only along the I-80 freeway corridor and state roads and will be regulated as follows:

(a) These signs must be oriented for viewing along I-80 and state roads. Off-premise billboards along I-80 must be located within one hundred feet of the nearest freeway lane and within one and one half miles of an existing freeway exit. Off-premise billboards along state roads must be located within 100 feet of a state road. Along I-80 and state roads off-premise billboards are only allowed in M-D and M-G Industrial or C-G and C-H Commercial Districts.

(b) Off-premise billboards shall have a maximum area of one side of a sign, whether single or double faced, of 675 square feet along the Interstate and 300 square feet along state roads.

(c) The maximum height of signs shall be 25 feet above the grade of the traveled way or ground level, whichever is higher.

(d) No sign shall be erected within 500 feet of another existing off-premise billboard sign along the Interstate and 1,500 feet along state roads. No off-premise billboard shall be erected within 1,500 feet of any residential district boundary.

(e) All such signs shall be of a monopole construction.

(10) Suspended signs used in place of wall signs are allowed if the architecture of the building or planned center lends itself to that design and a sign theme is submitted to and approved by the planning commission. The following shall apply:

(a) The zoning administrator must review any proposal for a suspended sign for

compatibility with the building;

(b) A suspended sign may not exceed 15% of the flat wall of the tenant space.

(c) No sign may project beyond the outside limit of the arcade, marquee, or canopy or facade to which it is attached.

(d) A suspended sign must have at least an eight-foot clearance above the sidewalk or seven feet above any landscaped area.

(e) There must be a minimum horizontal distance of five feet on both sides between suspended signs.

(11) Awning signs are allowed only under the following circumstances:

(a) The zoning administrator may approve any application for an awning sign which fully complies with this chapter.

(b) Awning signs in planned centers must be designed to conform to an approved sign theme.

(c) No awning signs will be allowed on multi-tenant buildings or in planned centers unless the building or center has consistent treatment.

(d) Awning signs shall be limited to single story buildings or to the first level only of multi-story buildings.

(e) Awning signs must function as true awnings by being placed over a doorway, window, or walkway to protect such from the elements.

(f) Awning signs are not allowed on or above sloping or mansard roof.

(g) The area of awning signs shall be a maximum of 15% of the primary wall upon which the sign is mounted. Awning signs for secondary walls are limited to 5% of the wall area.

(h) The area of copy and logo on awnings shall be limited to 40% of the awning. Illuminated signs on other sides shall be

permitted but without copy.

(i) Awning signs shall conform to all provisions of the Uniform Building Code.

(j) Illuminated or backlit, translucent, vinyl awnings are not permitted. Translucent letters or accents sewn into opaque canvas or acrylic awnings are permitted.

(k) Awning signs shall not project out from the wall more than eight feet, nor less than two feet. In the case of entrance canopies the awning may project out from the building over a walkway and must lead to a bona fide business entrance. Such canopies will be permitted if they are compatible with the architecture of the building.

(l) Awning signs shall not project above the roof line, defined as the highest part of the vertical wall.

(m) Awning signs shall maintain a minimum clearance of seven feet to the bottom of the valance and eight feet to the frame above the sidewalk and comply with all other clearance requirements.

(n) Awning signs shall be maintained in a clean, safe and attractive condition. Failure to do so will result in revocation of the sign permit.

(12) Signs on canopies over gas islands are regulated as follows:

(a) Sign copy and corporate logos shall be a maximum of 15% of one face of the canopy.

(b) Up to three sides of the canopy may be used for signs.

(c) The height to the top of the canopy may not exceed 20 feet from grade and no canopy fascia may exceed four feet in height.

(d) Individual letters, logos, or symbols may not exceed four feet in height or project out from the surface of the canopy more than 18 inches or project above or below the canopy face.

(e) Gas price signs are allowed on the monument sign or below the canopy over the pumps. One double faced sign for each type of fuel sold is allowed per gas island with a maximum of four sets per station. The area of said sign may not exceed four square feet each.

(13) Certain signs may be allowed by conditional use permit in residential zones. If deemed appropriate upon planning commission review, conditional uses are limited to one monument sign of 32 square feet. Such signs may not have changeable copy capability. Wall signs shall be regulated as set forth in this section. Multi-tenant buildings with monument signs must identify the center primarily. Home occupations are limited to non-illuminated flat wall signs no more than two square feet in area.

24-9: Temporary Signs.

(1) Temporary signs shall not be placed in or over a public right-of-way, may not flash, blink, spin, rotate, block traffic visibility, constitute a vehicular or pedestrian traffic hazard, or cause a public nuisance. They shall not be attached to telephone poles, fences, or trees. They must be firmly secured to the building or ground. Temporary signs may be attached to existing permanent signs only for the grand opening period. Temporary signs may cover or obscure an existing permanent sign only if the business has changed hands or changed names. No off-premise temporary signs are allowed except those specifically for real estate purposes or otherwise noted in this chapter.

(2) (a) Temporary signs announcing the initial opening of a business or the relocation or change of ownership of an existing business may be allowed provided the event

shall not continue for more than 60 days and that the permit is issued within the first year of operation. There shall be no more than two such signs allowed per business. A combination banner and portable sign is acceptable. The signs must comply with general size and location standards in this chapter and must be removed at the end of the 60 day period. A temporary sign permit is required.

(b) Signs advertising a business's special promotions require a permit. Such promotions shall not exceed two periods during the calendar year. Each period may not exceed seven days in length. The periods may be combined to run consecutively. A temporary sign permit is required. A banner or portable sign is allowed.

(c) Signs advertising the liquidation of inventory for a failing business require a permit, which shall not exceed 90 days. Such permit will be allowed only once for any business license. A banner or portable sign is allowed during this period.

(3) Temporary signs are allowed without a permit for:

(a) the following holidays:

Presidents Day - February, 5 days

Easter - March or April, 5 days

Memorial Day - May, 5 days

July 4th and July 24th, 5 days each

Labor Day - September, 5 days

Thanksgiving - November, 7 days

Hanukkah, Christmas, New Year's,

21 days starting December 15 and ending January 2.

One banner sign only is allowed during these periods. The sign must be mounted on the building. The sign must be removed by the end of the first working day after the holiday period ends.

(b) directions to subdivisions and planned unit developments, subject to the following:

(i) Written permission of the property owner must be obtained and presented to the zoning administrator before such signs are erected.

(ii) Three directional signs may be allowed for a developer to guide traffic to the site. They are limited to 32 square feet in area and eight feet in height and must be placed entirely upon private property. Two additional 16 square foot directional signs may be allowed by the zoning administrator if an unusual circumstance can be demonstrated. They may not encroach upon any public right-of-way and may not be located within the 40-foot traffic visibility triangle on corners except where they are not more than three feet in height or receive approval from the zoning administrator.

(iii) Such signs shall be removed within two years of the issuance of the first building permit in the project or if the lots are sold out before two years immediately upon sale of the last lot. An extension may be granted by the zoning administrator if a substantial number of the lots have not been sold at the end of the two year period.

24-10. Sign Permit Process.

No person shall erect, install, or paint any sign or change the face of any sign, whether it be temporary or permanent in nature, without obtaining a sign permit from the Tooele County Department of Engineering except as specified in this chapter. This includes new signs, signs to be added to existing buildings or uses, and existing signs that are to be enlarged, changed, or modified. New or existing signs installed or maintained without a permit will be required to be removed,

charged a penalty fee of \$100 or a double sign permit fee, whichever is greater, at the time the owner/operator of the sign makes application for a sign permit.

24-11. Site Plan Review and Sign Design.

(1) When new buildings or developments are presented for site plan review, signs proposed for the development shall be reviewed concurrently by staff. All planned centers and multi-tenant buildings must submit a sign theme for approval by the planning commission. The center must have an approved sign theme before any sign permits will be issued. If a plan for a sign package is not submitted at site plan review, the developer will be notified of sign ordinance standards and expected to submit plans that will adhere to the code.

(2) Applicants for sign permits should give serious consideration to the following elements when submitting plans for signs:

- (a) architectural compatibility;
- (b) color and style;
- (c) size, scale, proportion and balance;
- (d) location; and
- (e) landscaping.

(3) The zoning administrator may refer an application for a sign permit to the planning commission for approval or denial if the zoning administrator feels adherence to the criteria of this section is not shown in submitted plans.

24-12. Required Permit Information.

(1) Monuments and freestanding signs require the following information to be issued permits:

(a) a plot plan showing relationship of the sign to buildings, property lines, the setback from public rights-of-way, intersections,

easements and driveways;

(b) two accurately dimensioned, scaled drawings showing height, color, square foot dimensions, landscaping, sign composition, type of illumination, and how the sign will appear from the street;

(c) details of the sign construction including the electrical plan, foundation scheme, and value of the sign; and

(d) the number of acres and length of lineal frontage of property.

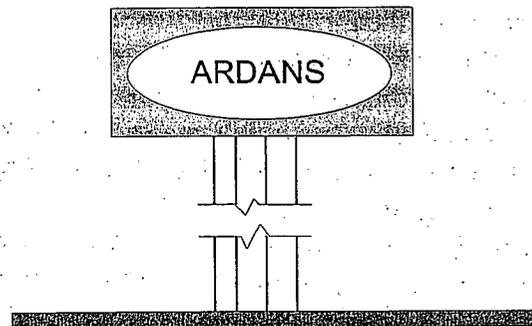


Figure 3 - Freestanding sign

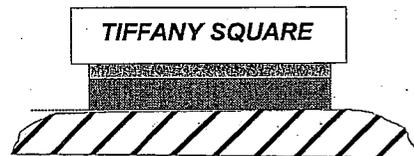


Figure 4 - Monument sign

(2) Wall signs require the following information before being issued a permit:

(a) two scaled drawings showing square foot dimensions of both the building and the sign, sign composition, and type of illumination;

(b) a profile drawing of how the sign will appear from the street and parking area and on

the building; and

(c) details of sign construction and attachment including electrical plan.

(3) Temporary signs require the following information to be issued permits:

(a) a plot plan showing relationship of the signs to buildings, property lines, the setback from public rights-of-way, intersections, easements and driveways; and

(b) the length of period for display and type of request.

(4) The following information is required on all sign permit applications:

(a) proof of current Tooele County business license;

(b) business address and phone number;

(c) address of property owner and phone number;

(d) general or electrical contractor license, phone and address; and

(e) value of the sign.

24-13. Permit Tag.

(1) Each new sign requiring a sign permit shall have affixed to the sign a certification tag, issued by the zoning administrator, visible from the sidewalk or nearest convenient location.

(2) Each tag shall be of a weatherproof material and will have a tag number which corresponds to the permit number retained in the department of engineering.

(3) The tag shall be issued by the department of engineering at the time the sign permit is issued and the permit fee paid.

(4) The sign owner or agent shall apply tags only to the sign for which the permit has been issued at a designated place on the sign where it is readily seen.

(5) All signs must have a sign builder's identification tag or signature. The tag or

signature must be made of durable weather-proof material and must be affixed to the sign where it is readily visible.

(6) Temporary nonconforming signs shall be posted with a tag statement on the new sign recognizing the temporary nonconforming nature of its approval. This tag statement should be of the same material as that of a permanent sign tag.

24-14. Safety and Location Standards For Permanent Signs.

(1) All signs erected in Tooele County shall comply with the provisions of the National Electrical Code, Uniform Building Code and this chapter as in effect at the time the permit is issued.

(2) No sign, fixture or device involving electrical wiring or connections shall be erected or installed except by a licensed and bonded contractor.

(3) All signs shall be engineered to demonstrate conformance with the applicable provisions of the Uniform Building Code. Where required by the chief building official, the permit application shall be accompanied by a drawing stamped by a structural engineer licensed by the State of Utah attesting to the adequacy of the proposed construction of the sign and its supports.

(4) All signs must be built of durable and permanent materials.

(5) Permanent power sources for signs must be concealed underground away from public view.

(6) No sign or other advertising structure shall be erected which in any manner may be confused with an official traffic sign or signal, or that bears words normally used in such signs, i.e., stop, go slow, caution, danger, warning. No sign or any advertising structure

shall be erected which by reason of its size, location, shape, content, coloring, or manner of illumination might be confused as a traffic control device. No sign shall have lighting which impairs the vision of anyone traveling upon a public street or distracts any driver so as to create a public nuisance. Specifically, no sign or group of signs may not exceed one foot-candle in brightness as measured at the property line

(7) No sign more than three feet in height above the top back of curb shall be erected at any intersection for vehicular traffic within a triangular area formed by the intersection of straight lines extended from the back of curb or future curb and a line connecting them at points 40 feet from the intersection of the lines. Monument signs may be erected in the above mentioned area if they are less than three feet above the curb grade to the top of the sign.

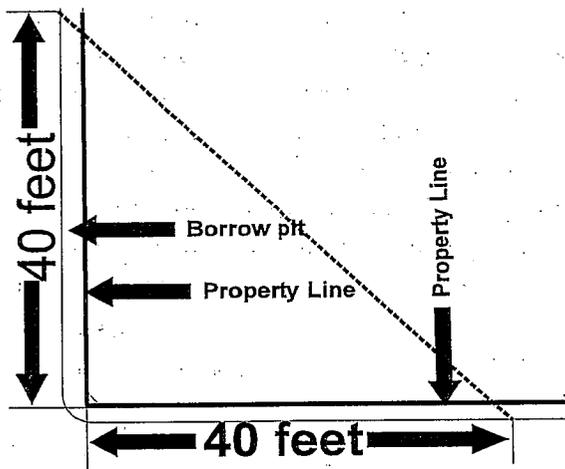


Figure 5 Clearview of intersecting roads, 40 foot clearview zone without sidewalk, curb and gutter.

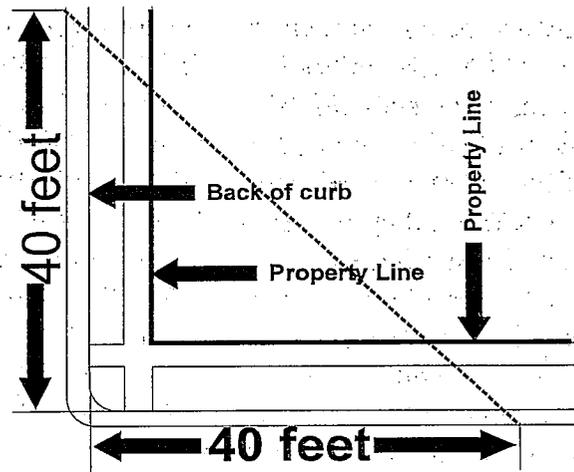


Figure 6 Clearview of intersecting roads, 40 foot clearview zone with sidewalk, curb and gutter.

(8) Deviations from the requirements of this section must be reviewed and approved by the Tooele County engineer, and may be approved only if found to maintain an acceptable degree of safety.

(9) The following rules apply for all signs:

(a) Freestanding signs shall not extend over any pedestrian or vehicular access area unless specifically approved by the county engineer.

(b) No part of any sign shall interfere with the use of any fire escape, exit, required stairway, door ventilator, or window.

(c) No sign shall be erected or maintained which has less horizontal or vertical clearance from communication lines and energized electrical power lines than that prescribed by the laws of the State of Utah or its agencies.

(d) No sign shall be located on publicly owned land or inside street rights-of-way, except signs owned and erected by permission of an authorized public agency or as specifically authorized in this chapter.

(e) Freestanding and ground or monument signs shall be located at least their height in distance from side property lines in order to

prevent damage to adjacent land in case a sign is toppled by accident or an act of God.

(10) Every sign shall be maintained in complete operating condition. The landscaped area in which any sign is placed shall be kept free from weeds, garbage, and debris. "Maintenance" includes the repair of facades where signs have been removed, the painting, cleaning, and repairing of the sign. "Maintenance" does not include structural alterations, cosmetic or style changes or enlargements of face changes.

(11) All freestanding or monument detached signs must be incorporated into a landscape design or planter box. Exceptions to this rule must be approved by the planning commission. The planning commission must also approve any permanent removal of landscaping for the purpose of situating a sign.

(12) All on-premise freestanding signs must have the structural supports covered or concealed with pylon covers. The actual structural supports shall not be exposed and the covers must be architecturally and aesthetically designed to match the building.

(13) All signs must be permanently mounted on foundations and footings which conform to the Uniform Building Code.

(14) All monument signs must have at least a one-foot opaque pedestal designed as part of the foundation which conceals any pole support. The pedestal should run at least 50% of the horizontal length of the sign, and there may not be any exposed space between the pedestal and the ground or landscaped area.

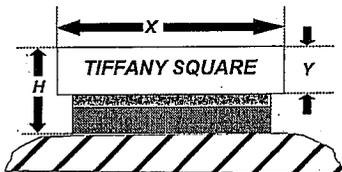


Figure 7 - Monument sign

(15) The light from the illumination of signs shall be carefully directed so that the light is not obtrusive or a nuisance to adjacent properties, particularly residential areas.

(16) All buildings shall be identified with a numbered or lettered street address in addition to optional business identification. The letters or numbers shall be at least four inches in height and of a contrasting color to that of the building.

24-15. Measurement of Regulated Sign Area.

(1) WALL SIGNS.

(a) Sign copy mounted or painted on a background panel or area distinctly painted, textured or constructed as a background for the sign copy shall be measured as that area contained within the outside dimensions of the background panel or surface. Any illuminated bands or illuminated structures which contain sign copy or corporate logos are by definition wall signs in their entirety and as such may not exceed 30% of the wall area. However, illuminated bands on canopies covering gasoline pump islands shall be regulated per Section 24-8(8).

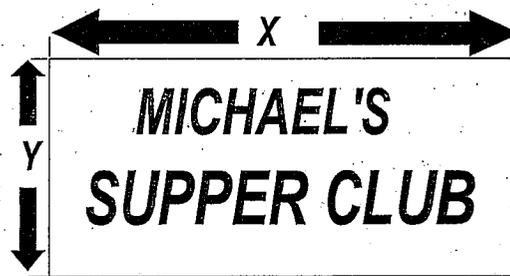


Figure 8 - Area measurement on a wall sign -

(b) For sign copy mounted as individual letters or graphics against a wall or fascia of a building or other structure that has not been painted, textured or otherwise altered to provide a distinctive background for the sign copy, the area shall be defined as the area enclosed by the smallest single rectangle that will enclose all of the lettering or graphics.

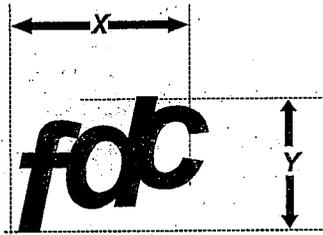


Figure 9 - Measurement of area on letters for a wall sign

(c) For sign copy on an illuminated sign or illuminated architectural element of a building, the entire illuminated surface or illuminated architectural element which contains sign copy shall be counted as sign area.

(2) MONUMENT SIGNS.

(a) The regulated area of a monument sign includes all parts of the sign or structure that contains words or symbols and information.

(b) The height of a monument sign shall be the distance from the highest point of the sign to the height of the street, curb or sidewalk.

(3) MULTIPLE FACE SIGNS, INCLUDING FREESTANDING AND MONUMENT SIGNS.

(a) The regulated area of a sign having a

single panel of copy is measured by the length times the width of the single face only.

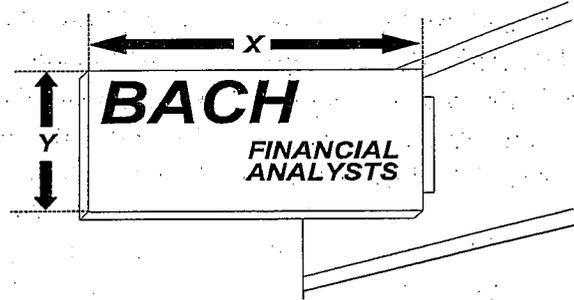


Figure 11 - Measurement of area of a sign

(b) If the interior angle between the top two faces is 45 degrees or less, the regulated area of the sign will be the area of one face only. If the angle between the two sign faces is greater than 45 degrees, the sign area is the sum of the areas of the two faces.

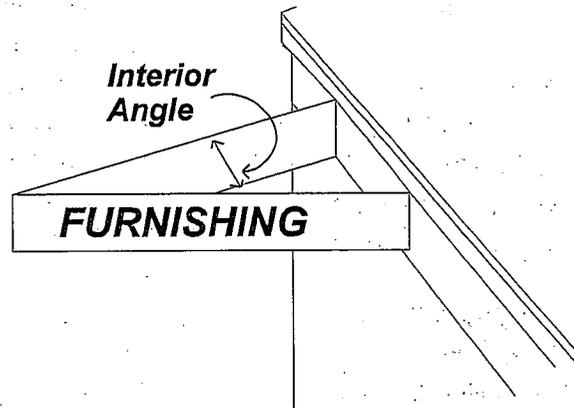


Figure 12 - Interior angle determination

(c) The sign area of a sign having three or

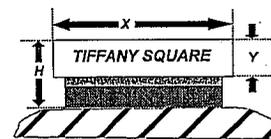


Figure 10 - Monument sign height, width and area.

more panels shall be the sum of the areas of the three or more faces.

(4) FREESTANDING SIGNS. The regulated area of a freestanding sign includes all parts that contain words or symbols and information. The height of a freestanding sign is the distance from the highest point of the sign to the top of the curb or sidewalk or crown of the street when there is no curb or sidewalk.

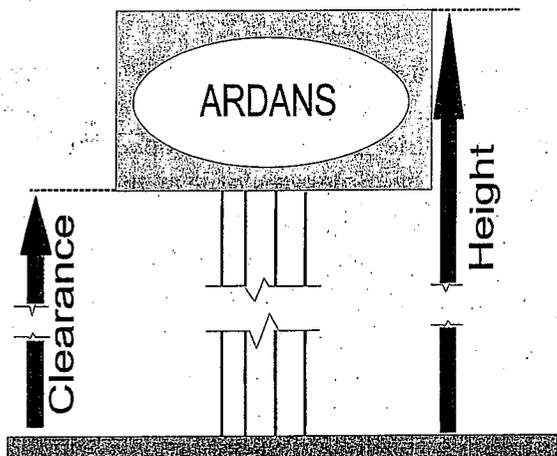


Figure 13 - Measure of height and clearance.

(5) NON-PLANER SIGNS. For spherical, free-form, sculptural, or other non-planer signs, the sign area shall be the sum of the areas of the four vertical sides of the smallest polyhedron that will encompass the sign structure.

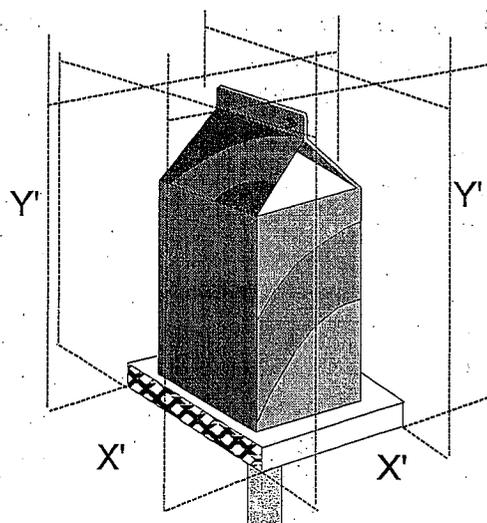


Figure 15 - How non-planer sign area is measured

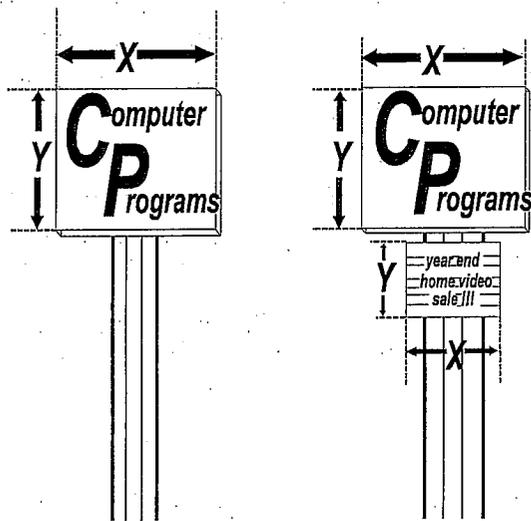


Figure 14- How the sign face(s) are measured.