CITY OF LOGAN, UTAH
ORDINANCE NO. 1-16

AN ORDINANCE AMENDING TITLE 17 THE LAND DEVELOPMENT CODE OF LOGAN CITY, UTAH

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF LOGAN, STATE OF UTAH AS FOLLOWS:

SECTION 1: That certain code entitled “Land Development Code, City of Logan, Utah” Chapter 17.40: “Signs” is hereby amended as attached hereto as Exhibit A, respectively:

SECTION 2: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, on the 15th day of September, 2015.

AYES: Simmons, Needham, Allen, Daines
NAYS: Daines
ABSENT: None

ATTEST:
Teresa Harris, City Recorder

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the 15th day of September, 2015.

MAYOR’S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this 15th day of September, 2015.

Craig Petersen, Mayor
MEMORANDUM TO MUNICIPAL COUNCIL

DATE: September 1, 2015
FROM: Mike DeSimone, Director
SUBJECT: LDC Text Amendment – Temporary Signs

Summary of Planning Commission Proceedings

Project Name: Temporary Signs
Request: Code Amendment
Project Address: City-wide
Recommendation of the Planning Commission: Approval with modification

On August 13, 2015, the Planning Commission recommended that the Municipal Council approve a request to amend the Land Development Code Chapter 17.40 (Signs) to modify temporary sign regulations and "clean-up" other code language.

Planning Commissioners vote (6 - 0):
Motion for Recommendation: T. Nielsen
Second: S. Sinclair
Nay: none

Attachments:
Staff Report
Ordinance 15-016
PC Meeting Minutes
REPORT SUMMARY...

<table>
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<th>Project Name:</th>
<th>Temporary Signs</th>
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<td>Proponent/Owner:</td>
<td>Community Development Department</td>
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<td>Project Address:</td>
<td>Citywide</td>
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<td>Request:</td>
<td>Code Amendment</td>
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<td>Legislative</td>
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<td>Submitted By:</td>
<td>Mike DeSimone, Director</td>
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RECOMMENDATION
Staff recommends that the Planning Commission recommend approval to the Municipal Council for the following amendments to the Land Development Code (LDC): Sections 17.40 (Signs).

REQUEST
This proposed amendments to Section 17.40 (Signs) of the Land Development Code include the following:

Section 17.40.120 Banners
The proposed amendment to Banner Signs includes a provision to permit banner flags (also called sails, feathers, teardrops) and includes some clean-up language.

Section 17.40.140 Prohibited Signs
The proposed amendment under subsection 17.40.140.S clarifies that "balloons" are not a prohibited sign or item under the Sign Code.

The banner signs are becoming more common and we have had a number of requests to allow them. We have also had businesses request that we clarify whether balloons are permitted versus prohibited as a number of businesses use balloons during promotional events.

There are also a few minor "clean-up" language changes which are highlighted in red.

GENERAL PLAN
The Land Development Code was prepared and adopted to implement the vision expressed in the General Plan. These proposed amendments to the Signs Chapter expand and/or clarify temporary signage and are consistent with the General Plan.

STAFF RECOMMENDATION AND SUMMARY
Staff would recommend that the Planning Commission forward a recommendation of approval to the Council for their consideration.

PUBLIC COMMENTS
As of the time the staff report was prepared, no public comments had been received.
PUBLIC NOTIFICATION
Legal notices were published in the Herald Journal on July 23, 2015, posted on the City's website and the Utah Public Meeting website on July 14, 2014, and noticed in a quarter page ad on July 26, 2015.

AGENCY AND CITY DEPARTMENT COMMENTS
No comments have been received.

RECOMMENDED FINDINGS FOR APPROVAL
The Planning Commission bases its decisions on the following findings:

1. Utah State Law authorizes local Planning Commission to recommend ordinance changes to the legislative body (Municipal Council).
2. The Code Amendment is done in conformance with the requirements of Title 17.51 of the Logan Municipal Code.
3. The proposed Code Amendments expand and/or clarify temporary signs to permit flag banners and balloons.
4. The provisions of these amendments are consistent with the overall goals and objectives of the Logan General Plan.
5. No public comment has been received regarding the proposed amendment.
regarding the sign including the name address and phone number and the dates or
date range the sign is displayed; and

13. Temporary Signs do not require sign permits prior to installation.

§17.40.120 Banners

A. Banners shall be allowed as follows:
   1. Banners shall not exceed forty-eight (48) square feet in area;
   2. Banners shall be located on private property with the owner’s permission;
   3. Banners shall not be placed in the public right of way or on public property;
   4. Banners shall not be placed in the sight distance triangle;
   5. Banners shall be securely attached flush to the wall of primary buildings, except for
      Banner Flags, which shall be securely anchored into the ground;
   6. Commercial banners shall be maintained in safe condition. Banners that are
      damaged, faded, torn, broken, or displayed in such a manner to be a safety hazard
      shall be subject to immediate removal;
   7. Banners shall not be mounted between poles;
   8. Banners shall not be mounted between a building and a pole;
   9. Banners shall not be mounted on a fence;
   10. Banners shall not hang below the bottom of awnings, canopies, or other overhangs
       or between columns or pillars;
   11. Banners shall not be mounted on freestanding signs;
   12. Banners are only permitted in the TC, IP, CC, COM, MU, & CS zoning districts;
   13. A maximum of two (2) banners may be placed on any one property;
   14. Banners shall not be displayed for longer than sixty (60) consecutive days and no
       more than two (2) times in any calendar year; and
   15. Banners shall include a notation or certificate on the back of the banner listing a
       responsible person to contact regarding the banner including the name address and
       phone number and the dates or date range the sign is displayed.

B. Holiday Promotional Periods. In addition to the specific standards contained in Section
   17.40.120, a business may advertise a special service, product, or sale during the
   following holiday periods defined in Table 17.40.120. Only one additional banner
   sign, not exceeding 48 square feet in size, is allowed during these periods. Such banner
   shall meet the stipulations of Section 17.40.120.A, and must be removed by the
   end of the first business day after the associated holiday.

C. Community Event Banners. In addition to the specific standards contained in Section
   17.40.120, a non-profit entity may advertise or promote a Community Event using
   temporary banners that are consistent with the requirements of Section 17.40.120.A,
   excepting the following:
   1. Up to five (5) temporary banners advertising a community event shall not be
      displayed for longer than ten (10) days and shall be removed by the end of the first
      business day after the associated event, and up to ten (10) additional temporary
      banners may be displayed on the day prior to the associated event and shall be
      removed by the end of the first business day after the associated event;
   2. A community event banner may be placed in the public right of way or on public
      property with written permission from Logan City;
   3. A community event banner may be attached to a fence; and
   4. A community event banner may be placed off-site provided the community event
      banner is used to help direct traffic and people towards the event.
§17.40.150. Signs in the Public Right-of-Way
A. No Signs shall be allowed in the Public Right-of-Way, except for the following:
1. Emergency warning signs erected by a governmental agency, public utility or contractor authorized to work within the right-of-way;
2. Public signs erected by or on behalf of a governmental entity to post legal notices, convey public information, and direct or regulate pedestrian or vehicular traffic;
3. Community or public events may have signs within the public right-of-way as approved by the Department of Community Development and the City Administration Department;
4. Informational signs of a public utility regarding its poles, lines, pipes or other facilities;
5. Temporary signs identified elsewhere in this chapter as being permitted in the right-of-way are not subject to the prohibition of this section;
6. Perpendicular (blade) signs as permitted in this chapter are not subject to the prohibition of this section; or
7. Cache Valley Transit District (CVTD) bus stop shelter advertisements as defined in Section 17.40.170.
B. Removal.
Any sign installed or placed on public property, except in conformance with the provisions above, shall be forfeited to the public and subject to confiscation. In addition to other remedies, the City shall have the right to recover from the owner or person placing such a sign the full costs of its removal and disposal.

§17.40.160. Electronic Message Display (EMD)
A. Permit Required.
1. All EMD signs shall require a Sign Permit.
2. Off premise advertising of a commercial nature is prohibited on all EMD’s. Signs may only advertise for businesses operating on the same property or within the same approved project, and as outlined in the approved Sign Permit.
3. Exception to off premise advertising: Public Service Announcements. All EMD’s are permitted to conduct Public Service Announcements of a non-commercial and temporary nature.
B. Permitted Zones.
1. EMD’s shall only be permitted in the Commercial (COM), Commercial Services (CS), Town Center (TC), Industrial Park (IP), Public (PUB) & Recreation (REC) zoning districts.
2. EMD’s are prohibited in the Logan Center Street Historic District.
3. EMD’s located in the COM, CS, TC, and IP zoning districts are prohibited within 300’ of a Neighborhood Residential Zoning District.
The Logan City Planning Commission will hold a public hearing to receive input on the following:

**PC 15-037 LDC Amendment – 17.15 & 17.19 Minimum Side Setbacks** Logan City requests amendment to the Land Development Code sections 17.15 & 17.19 to adjust the minimum side yard setback in the Mixed Residential (MR), Campus Residential (CR), Commercial (COM), Commercial Services (CS), Industrial Park (IP) and Airport (AP) zones to allow for common wall construction.

**PC 15-038 Bridgerland Meadows Zone Change** Don Barringer, authorized agent/owner, requests a rezone of 3.46 acres (a portion of Phase IV) from MR-12 to MR-20 located at 1530 North 500 West.

**PC 15-039 Whispering Oaks Zone Change** Joshua Wiscombe/Jensen, Raymond & Judy Z Trust, authorized agent/owner, request a zone change from Resource Conservation (RC) to Mixed Use (MU) on 1.10 acres located at 2250 S. Hwy 89/91.

**PC 15-040 LDC Amendment – 17.40 Temp Signs** Logan City requests amendment to the Land Development Code section 17.40 to clarify temporary signs.

The Municipal Council is tentatively scheduled to hold a workshop on these items on **Tuesday, Sept 1, 2015** and a public hearing on **Tuesday, Sept 15, 2015**. Both meetings will be held in the Logan City Municipal Council Chambers at 290 North 100 West at 5:30 pm. Contact the Department of Community Development at 716-9021 or www.loganutah.org for more information.
STATE OF UTAH
COUNTY OF CACHE, ss

On this 21st day of September, A.D. 2015 personally appeared
before me JAIME MAW who being first being duly sworn, deposes and says that
(s)he is the Principal Legal Clerk of the Cache Valley Publishing Co., publishers of The Herald Journal
a daily newspaper published in Logan City, Cache County Utah, and that the
Legal Notice, a copy of which is hereto attached was published in said
newspaper for 1 issue(s) and that said notice also published on utahlegals.com
on the same days(s) as publication in said newspaper

Commencing on the following days:
09/20/2015

__________________________, Principal Legal Clerk

Subscribed and sworn to before me on this 21st day of September, A.D. 2015

__________________________, Notary Public
Commissioned in the State of Utah
My Commission expires 10/18/2015

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LOGAN MUNICIPAL COUNCIL

SUMMARY OF AN ORDINANCE - The following ordinances
were adopted and approved by the Logan Municipal Council,
Logan, Utah on September 15, 2015.

ORD. 15-15 An ordinance amending the Land Development
Code Sections 17.15 & 17.19 to adjust the minimum side yard
in the Mixed Residential (MR), Campus Residential (CR),
Commercial (COM), Commercial Services (CS), Industrial
Park (IP) and Airport (AP) zones to allow for common wall
construction.

ORD. 15-16 An ordinance amending the Land Development
Code Section 17.40 to clarify temporary signs.

These ordinances are effective immediately upon publication.
Full texts of the ordinances may be reviewed at the office of
the Logan City Recorder, City Hall, 290 North 100 West,
Logan, Utah during regular business hours.

Teresa Harris, City Recorder
Publication Date: September 20, 2015