

**CITY OF MOAB, UTAH
ORDINANCE #2022-07**

An Ordinance Amending the Moab Municipal Code (MMC) with Clarifying Language Identifying Prohibited LED and LCD Display Technologies; and Amending the MMC with Clarifying Language Identifying Exempt, Temporary, and Prohibited Signs; and Amending the MMC Sign Code Definitions; and Relocation of Section 15.44 Sign Code to new Section 17.93 Sign Code, with Incorporation of Generally Duplicated Sections into Consolidated Sections.

WHEREAS, the City has enacted Title 17 Zoning, of the Moab Municipal Code (“MMC”) that governs land use and development regulations within the City Limits; and

WHEREAS, existing Sign Code regulations are located under various titles and sections of Title 15 Building and Construction, and Title 17 Zoning, with active regulation of Signs under Planning and Zoning approval and compliance; and

WHEREAS, consolidation of such regulatory sections into a single location under Title 17 Zoning would allow for better public interface and understanding, with more consistent and clear regulation of Sign Code requirements; and

WHEREAS, incorporation of generally duplicated sections into singular sections, located in a centralized tile section would reduce language discrepancy for Sign Code regulations; and

WHEREAS, current Sign Code sections for exempt, temporary, and prohibited signs do not include specific or clarifying language necessary for common regulatory actions of permitting and prohibiting specific types of signs, with additional language allowing for more consistent and clear regulation; and

WHEREAS, updating the Sign Code Definitions Section with existing and new clarifying language would allow for more clear regulation and enforcement; and

WHEREAS, Grand County has updated their Land Use Code to identify digital display technologies, including updated language in the MMC that has consistent language and would create continuity between the two land use jurisdictions; and

NOW, THEREFORE BE IT ORDAINED that the Moab City Council approves Ordinance #2021-18, Development Code Text Amendment, as follows:

SECTION 1. RELOCATE TITLE SECTION 15.44 SIGN CODE TO NEW SECTION 17.93 SIGN CODE UNDER TITLE 17 ZONING.

1. Rename all subsections of previously located Sign Code 15.44, with new Sign Code Section location 17.93
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SECTION 2. INCORPORATE SECTIONS 17.09.430, 17.09.440, 17.09.450, 17.09.460, AND 17.09.470 INTO NEW SECTION 17.93 SIGN CODE, UNDER EXISTING SECTIONS GENERAL PROVISIONS, SIGNS IN RESIDENTIAL ZONES, SETBACKS-COMPUTATION, PERMIT-REQUIRED.

1. .17.93.030 [INCLUDING 17.09.430. & 17.09.460]General provisions.
(As a reference use the Uniform Building Sign Code, Utah State Department of Transportation.) Advertising signs shall be regulated as set out in Sections 17.93.010 through 17.09.465. A sign permit shall be required for the placement, construction, and/or alterations of all signs, unless a sign qualifies as an exempt sign or an identified temporary sign. Except in those zones where nonaccessory signs are permitted, all signs shall display thereon only information pertaining to products or services sold on the premises. (Ord. 00-03 (part), 2000: Ord. 92-02 § 3, 1992)
2. .17.93.080 [INCLUDING 17.09.440] Signs in residential zones.[NO TEXT ADDED]
 - a. No advertising signs of any kind shall be allowed in any residential zone, except signs pertaining to the sale or lease of residential property, name plates, institutional signs, or signs indicating the existence of an office of a professional person, a home occupation, guest apartment and/or bed and breakfast establishment.
 - b. Lighted signs in residential zones must be indirect and no more than twenty-five watts total.
 - c. Residential signs, except for apartments and public and religious institutional signs, shall not exceed four square feet.
 - d. Apartments and guest apartments may be allowed up to sixteen square feet of signage if they have more than four units; four-plexes, tri-plexes and two-household dwellings may be allowed up to eight square feet of signage. (See Sections 15.44.200 and 15.44.210 for exceptions to the four square feet rule).
 - e. Political signs in residential zones may not exceed four square feet and are subject to all other restrictions as listed in Section 15.44.200(E).
 - f. Freestanding signs in residential zones may not exceed five feet in height measured from grade. (Ord. 19-13 § 21 (part), 2019; Ord. 00-03 (part), 2000: Ord. 92-02 § 3.09, 1992)
3. .17.93.160 [INCLUDING 17.09.450] Setbacks-Computation.
All advertising signs shall be set back from public streets a distance at least equal to the distance that buildings are required to be set back within the zone in which the signs are located. Signs in C-4 zones have a twenty-five-foot setback with the exception of monument signs, which shall be set back at least two feet from the City right-of-way. Signs may not block traffic visibility.
If a sign is located at an intersection, the following rules apply:
 - a. Signs located within a twenty-five-foot triangle (measured twenty-five feet from the street corner both ways) must be under two and one-half feet tall, or should have over eight feet of clearance to the bottom of the sign. This

triangle shall be maintained in an open manner so as to provide proper clear view area.

b. (Ord. 00-03 (part), 2000: Ord. 92-02 § 4.05, 1992)

4. .17.93.250 [INCLUDING 17.09.470] Permit--Required.

If a sign requiring a permit under the provisions of this chapter is to be placed, constructed, erected or altered on a lot, the sign owner shall secure a sign permit from the official prior to the construction, placement, erection or alteration of such a sign. Regardless of cost, no sign shall be erected or placed within the City without first making application for and obtaining building permit therefor, except temporary window and political posters, temporary signs pertaining to the sale of adjacent property, and nameplates for identification signs indicating the existence of an approved home occupation or professional office. In addition to the requirements of this title, all signs located within six hundred sixty feet of the right-of-way line of a federally designated highway shall conform to the standards and regulations for such signs established by the state. Any approval or permits hereinabove required and construction or placement of a sign shall not be commenced until all approvals and permits have been obtained. (Ord. 00-03 (part), 2000: Ord. 92-02 § 10.01, 1992)

SECTION 3. RELOCATE TITLE SECTION 17.09.465. SIGNS – PERMITTED ILLUMINATION, TO NEW SECTION 17.93 SIGN CODE, WITH NEW LOCATION 17.93.075 SIGNS - PERMITTED ILLUMINATION.

1. .17.93.075 Signs – Permitted illumination.

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

A. Standards for Externally Illuminated Signs.

1. Lighting for externally illuminated signs must be aimed and shielded so that light is directed only onto the sign face and does not trespass onto adjacent streets, roads or properties or into the night sky.
2. Lighting for externally illuminated signs must be mounted at the top of the sign (or within two feet of the top of a wall mounted sign), except for freestanding monument style signs which may be illuminated by ground mounted lighting.
3. Lighting shall consist of no more than four individual fixtures (or lamps) per sign face and produce a maximum of forty thousand lumens per fixture.
4. All sign lighting shall be included in the calculation of total light output.

Permitted and Prohibited External Sign Lighting Configurations {IMAGE}

- B. Standards for Internally Illuminated Signs.
 - 1. Only sign text areas and logos may be illuminated on an internally illuminated sign.
 - 2. Internally illuminated signs shall use semi-opaque materials for sign text and logos such that the light emanating from the sign is diffused. Transparent or clear materials are not allowed for sign text and logos. Nontext portions of the sign (e.g., background and graphics other than the logo) shall be made of completely opaque material.
 - C. Standards for Backlit Signs.
 - 1. The light source shall not be visible.
 - 2. Backlit signs shall only allow indirect illumination to emanate from the sign. For example, signs that create a “halo” effect around sign copy are allowed.
 - D. Standards for Illuminated Window Signs.
 - 1. Businesses may display a maximum of two illuminated window signs positioned to be primarily visible outside the business structure.
 - 2. Illuminated window signs shall not exceed four square feet in area.
 - 3. Illuminated window signs shall not be illuminated when the business is closed. (Ord. 19-03 Att. 1 (part), 2019)
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**SECTION 4. AMEND THE LANGUAGE IN NEW SECTION 17.93.070.
INTERMITTENT LIGHT, FLASHING OR MOVING LIGHTS PROHIVITED.**

- 1. .17.93.070 Intermittent light, flashing or moving lights prohibited.
 - a. Lighted signs that flash, blink, create the appearance of movement, have moving light elements, or which otherwise change brightness, color, or lighting intensity, including intermittent display, lampbanks that change electronically, including time and temperature signs, are strictly prohibited. Christmas lights that are displayed during the month of December are exempt from this provision. All lighted signs shall additionally comply with Section 17.09.465.
 - b. Illuminated Fuel Price Sign. Illuminated Fuel Price Signs shall be permitted if they comply with the following standards:
 - A. Operate with auto-dimming from 70% Full Brightness during Daylight Hours to 10% Brightness during Nighttime Hours.
 - B. Displays will include numerical digits only, excluding Time/Temp Displays.
 - C. Intervals of change would be permitted once every 12 hours.
 - c. Electronic variable message signs (EVMS), and electronic or digital display technologies (LED, LCD, etc.) are prohibited.
 - d. Real time video projected on outdoor display screens, outdoor video projection screens, and outdoor LED screens or outdoor display screens of any type are prohibited for use as signs, including in windows.

- e. Lighted signs on property near a residential area shall be subdued and shall not be allowed to penetrate beyond the property in such a manner as to annoy or interfere with nearby residential properties. (Ord. 19-03 Att. 1 (part), 2019; Ord. 14-10 (part), 2014; Ord. 00-03 (part), 2000; Ord. 92-02 §§ 3.07, 3.08, 1992)
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SECTION 5. ADD PROHIBITED SIGN TYPE LANGUAGE TO NEW SECTION 17.93.190, AMEND TEMPORARY SIGNS LANGUAGE IN NEW SECTION 17.93.200, ADD SIGN TYPE DEFINITIONS TO NEW SECTION 17.93.390.

1. .17.93.190 Prohibited signs.

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

- a. **Parked Vehicle Signs.** Parked vehicles with a sign painted or placed on them and parked for the expressed intent of directing attention to a business are prohibited. This provision does not include vehicles used regularly in the course of conducting daily business activities.
- b. **Signs On Public Rights-of-Way.** No private sign shall be placed on public rights-of-way.
- c. **Signs Attached to Public Property.** No private sign shall be attached to public property or public utility poles.
- d. **Signs are not permitted on benches or other public service fixtures except bicycle racks.** Signs on bicycle racks may not exceed one square foot in size.
- e. **Feather Type Signs,** unless secured to a permitted display apparatus, shall be prohibited.
- f. **Prohibited Signs include those referenced in 17.93.070.** Intermittent light, flashing or moving lights prohibited. (Ord. 00-03 (part), 2000; Ord. 92-02 § 5-5.03, 1992)

2. .17.93.200 Temporary signs.

a. **General Provisions.**

1. Temporary signs shall be figured in the total square footage allowed per lot.
2. Sign owners must, designate areas where temporary signs will be displayed.
3. Temporary signs displayed outside of designated areas require a permit.
4. Temporary signs must be maintained and in good condition while being displayed.
5. Signs less than six square feet in size and associated with an event or sale less than thirty (30) days shall be permitted through a sign permit application with no fee charged.

f. Political Campaign Signs.

1. Political campaign signs shall not require a permit, and shall pertain to a specific election and shall be displayed not earlier than forty-five calendar days prior to that election.
2. Political campaign signs shall not be located closer than one hundred fifty feet to any designated polling place.
3. Political campaign signs shall not exceed thirty-two square feet in commercial zones and four square feet in residential zones.
4. Political campaign signs shall be removed within one day after the election day. The candidate or persons responsible for the placement of a political campaign sign shall be responsible for its removal.

3. 15.44.390. Definitions

a. General Definitions.

(+). "Feather Type sign" means a temporary type sign with flexible fabric attached to one side of a rigid or flexible pole, generally in the shape of a feather or similar shape, with or without text which is used primarily for advertising or attention-getting, also known as Blade signs.

PASSED by the City Council in a public meeting on April 25, 2022, by the following vote:

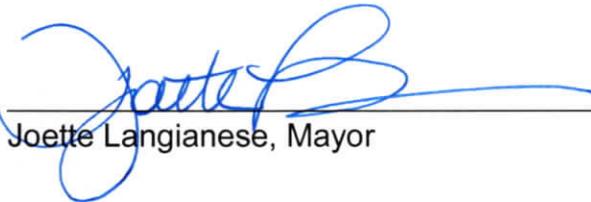
MOAB CITY COUNCIL:

Those voting aye: Jones, Derasary, Taylor, Kunteson-Boyd

Those voting nay: N/A

Those abstaining: Wojciechowski

Those absent: N/A



Joette Langianese, Mayor

April 26, 2022

Date

ATTEST: 

Sommar Johnson, Clerk/Recorder

