



**BOUNTIFUL CITY
ADMINISTRATIVE LAW JUDGE APPEAL
Monday, November 8, 2021
10:00 AM**

NOTICE IS HEREBY GIVEN that the Bountiful City Appeal Authority will hold a meeting in the Planning Conference at Bountiful City Hall located at 795 South Main Street, Bountiful, Utah, 84010, at the time and on the date given above. The public is invited. Persons who are disabled as defined by the American with Disabilities Act may request an accommodation by contacting the Bountiful Planning Office at 298-6190. Notification at least 24 hours prior to the meeting would be appreciated.

1. Welcome and Introductions.
2. Consider an appeal of a decision by the Planning Department denying a Sign Permit at 395 North 200 West for Community Chiropractic, Dan George DC and Dallas George DC, appellants.

Appeal Staff Report



Subject: Appeal of a Denied Sign Permit
Address: 395 North 200 West, Community Chiropractic
Author: Francisco Astorga, AICP, Planning Director
Date: November 8, 2021

Summary of City's Request and Recommendations

Staff recommends that the Appeal Authority affirm the decision of the Bountiful City Planning Staff.

Description

Appeal Authority: Administrative Law Judge
Appellant: Dan George DC and Dallas George DC
Property Owner: DGSK PLLC (Dan G George, registered agent)
Location: 395 North 200 West
Zoning: General Commercial (C-G)
Reason for Review: The Appeal Authority for Bountiful City consists of an Administrative Law Judge. The Appeal Authority hears and decide appeals from decisions interpreting and applying land use ordinances/code.

Background

On July 15, 2021, an appeal was filed with the Bountiful City Planning Department by Dan George DC and Dallas George DC (Appellants) regarding the City's action denying a Sign Permit at 395 North 200 West, Community Chiropractic.

On July 1, 2021, the Bountiful City Planning Department denied a Sign Permit application at 395 North 200 West, Community Chiropractic. Sign Permits are issued by the Planning Department after they are reviewed and found in compliance with applicable codes.

On February 11, 2021, the Bountiful Planning Department received a Sign Permit from Matt Gilbert with iSignz & awnings regarding the existing sign at 395 North 200 West, Community Chiropractic. The proposed Sign Permit identified the scope of work to refurbish the existing four-sided pylon sign as follows:

- A. Illumination: Retro existing T12 fluorescent internal lighting to LED.
- B. Community Chiropractic logo and lettering: Replace routed copy backed with acrylic with new update logo reading: Community Chiropractic & Wellness Group.
- C. Electronic message centers: Replace (3) existing old obsolete displays with (3) new displays.
- D. Paint Display: Dark satin bronze.

As requested by the Appellants' attorney, Blake Johnson, the City accepted to schedule the appeal hearing outside of the required 45-day timeframe as outlined in the Bountiful City Land Use Code.

Supplemental Appeal

On October 22, 2021, the City received a supplemental material from Blake Johnson. The original appeal dated July 15, 2021, was filed within the required 14-day appeal period; however, the supplemental material was not. The City is unable to accept any supplemental material not originally presented within the initial appeal period. This Appeal Staff Report does not include the supplemental material, nor does it address any points made on the supplemental material.

Analysis

As indicated on the denial letter, the existing pole sign with three (3) electronic message centers (EMCs) referenced as "the Sign", does not comply with existing Sign Regulation (Ordinance) regarding:

1. the maximum sign height;
2. the total sign area;
3. the maximum EMC area; and
4. the prohibition of EMCs on a multiple face sign as EMCs are only allowed on single or double-sided planar signs.

The adopted policy of the Bountiful City Sign Regulations found in Chapter 19 of the Bountiful City Land Use Code, indicates:

14-19-107 NONCOMPLYING SIGNS

A. Regulation, containment, and elimination. In order to minimize confusion and unfair competitive disadvantage to those businesses which are required to satisfy the current Sign Code standards, the City intends to apply firm regulation of existing nonconforming signs with a goal of their eventual elimination. This goal shall be achieved by strictly construing limits on change, expansion, alteration, abandonment, and restoration. Excluding normal maintenance and repair, a noncomplying sign shall not be moved, altered, or enlarged unless it is brought into compliance with this Chapter. The following exceptions shall be permitted:

- 1. A face change in a noncomplying sign that does not encroach onto a public right of-way or easement, and that is not deemed a public safety hazard by the Planning Director or City Engineer.*
- 2. A copy change in a noncomplying permanent sign which was originally approved by the City with a changeable copy feature.*

[...]

Furthermore, Bountiful City Land Use Code § 14-3-102 (11) includes the following definition of ALTERATION (Sign):

Changing or rearranging any structural part or design of a sign, whether by extending on a side, by increasing in area or height, or in moving from one location or position to another, including sign face, enclosure, lighting, coloring, copy (except on reader board or changeable copy signs), or graphics.

The denial included the following regarding each specific aspect of the submitted Sign Permit:

A. Illumination: Retro existing T12 fluorescent internal lighting to LED.

The definition of ALTERATION (Sign) includes changing or rearranging any design of a sign, including lighting. Replacing the lighting from the existing T12 fluorescent lighting to LEDs is an alteration/change.

B. Community Chiropractic Logo and Lettering: Replace routed copy backed with acrylic with new update logo reading: Community Chiropractic & Wellness Group.

The definition of ALTERATION (Sign) includes changing or rearranging any design of a sign, including sign face or graphics. Replacing the routed copy backed with acrylic with a new updated logo is an alteration and change.

C. Electronic message centers: Replace (3) existing old obsolete displays with (3) new displays.

The definition of ALTERATION (sign) includes changing or rearranging any design of a sign, including sign face, enclosure, lighting, coloring, copy, or graphics. Replacing the three (3) existing displays with three (3) new displays is an alteration/change.

D. Paint Display: Dark satin bronze.

Painting the existing sign is normal maintenance and repair.

As indicated in the Sign Regulations, Land Use Code Chapter 19, a noncomplying sign shall not be moved, **altered**, or enlarged unless it is brought into compliance with the Sign Regulations. The Land Use Code clearly states that the City must apply firm regulation of existing nonconforming signs with a goal of their eventual elimination. Staff was not able to approve the submitted Sign Permit regarding the illumination (item A), the logo and lettering (item B), and replacing the three (3) EMCs (item C) because these requested alterations/changes do not bring the Sign into compliance with the current Code.

Staff found that painting the display dark satin bronze (item D) was not a sign alteration/change as defined in the Code, as long as the paint is used to maintain the Sign and not to change or rearrange the design of the sign, including sign face, coloring, or graphics, you may proceed without the need of a sign permit.

Based upon the identified items A, B, and C, consisting of alterations and changes to the existing Sign, the Sign Permit was denied.

The submitted appeal dated July 15, 2021, contains the following points in italics below:

- I. *Failure of the city to allow us to repair and maintain our sign*
 - o *City ordinances do not state that a specific brand or type of light bulbs or computer software must be used when maintaining signage. A change from fluorescent to LED bulbs - is in line with state objectives to reduce power consumption.*

City's response to item I:

The City does not require a specific brand or computer software to maintain the sign. As indicated on item C above, replacing the three (3) existing displays (EMCs) with three (3) new displays is an alteration/change (per the adopted definition of sign alteration), and is not maintenance or repair.

- II. *The city is applying current ordinances that were not in affect when our sign permit was issued and built*
 - o *We should be held to the sign ordinances when the sign was built under the grandfather clause*

City's response to item II:

The applicant is interpreting the Sign Regulations (Ordinance) incorrectly regarding noncomplying signs as the Code states that a noncomplying sign shall not be moved, altered, or enlarged unless it is brought into compliance with this Chapter. The proposal consisting of items A, B, and C fall under the definition of sign alteration.

- III. *Due to the cities demand (holding our building permit ransom), in 2007 we compromised and built one sign 200 Sq ft sign on the corner, instead of two 100 sq foot signs one on 400 North and the other 100 ft sign on 200 West*
 - o *200 foot sign was granted and variance approved on our building permit and site plan*

City's response to item III:

There aren't any records showing any issued Variances for the site.

- IV. *We have a legal nonconforming sign the repairs will not increase any current nonconformity*
 - o *We have a right to repair and maintain our sign*

City's response to item IV:

The applicant is interpreting the Sign Regulations (Ordinance) incorrectly regarding noncomplying signs as the Code states that a noncomplying sign shall not be moved, altered, or enlarged unless it is brought into compliance with the Sign Regulations. The proposal consisting of items A, B, and C fall under the definition of sign alteration, except for their request to paint.

- V. *Request a variance to be considered C-H*
- *200 West and 400 North are main arterial streets and for Bountiful, Utah and should be Zoned C-H with relation to sign ordinances*
 - *Main street to 500 West (highway 89) on 400 North should be considered a C-H zone with relation to sign ordinances*

City's response to item V:

The appellant has not submitted/requested a Variance from the Land Use Code, including the Sign Regulations (Ordinance). The appellant shared an opinion in how the Sign Regulations (Ordinance) should be regulated.

- VI. *City planners followed a new interpretation of the ordinances when the request for maintenance was submitted. After meeting on 5/12/2021 it was verbally agreed that all the repairs would not increase the degree of nonconformity.*

City's response to item VI:

Staff did not provide a verbal approval to the appellant. Staff does not provide verbal approvals. When the City approves or denies a Sign Permit, a paper copy of the approval or denial letter is issued in writing.

- VII. *City failed to respond to our sign permit within a timely manner multiple times, the most recent being, three weeks after our letter stating we are moving forward with the project because we had not received a response for our initial request.*
- *Discrimination*
- VIII. *Compensation from the City for Negligence, Discrimination and Loss Revenue*
- *The City failed to fairly apply city ordinances and violated our constitutional rights*
Including but not limited to our 1st, 5th and 14th amendment rights
 - *Due Process*
 - *do not respond in a "timely manner" over 5 1/2 months to respond*
 - *"Rip Cord effect"*

City's response to item VII & VIII:

The Sign Permit was submitted on February 11, 2021. Planning Dept. staff provided verbal comments to the sign contractor on February 25, 2021. The application was filed under Matt Gilbert with iSignz & awnings. Subsequent meetings with Appellant Dan George and the Planning Department took place on March 17, 2021, and on May 12, 2021, to discuss the challenges with the proposal regarding the Sign Regulations (Ordinance). The Appellant scheduled a meeting with the Bountiful City Mayor on June 7, 2021, to discuss the Sign Permit in which the Mayor invited the Planning Director, in which all three met. The final action letter was sent to the Appellant on July 1, 2021.

An e-mail was sent from Madsen Walker with Visibility Sign Company to the Planning Department on June 8, 2021. This was not the sign contractor/company that filed the Sign Permit in February 2021. The City did not respond to Mr. Walker's e-mail as no information

was provided showing official involvement with the submitted permit, i.e., documentation from iSignz & awings or from the Appellant. Mr. Walker cited Utah State Code section 10-6-160, which applies to plan review of a construction project for residential structures.

- IX. *Petition the city to allow us to remove the "box" to properly sandblast and paint the sign*
- *this allows us to limit the potential traffic issue that could arise from repairing the sign on site*
 - *This will limit the environmental impact of sandblasting and painting the sign on site*

City's response to item IX:

The City fails to see the relevancy of this reason/claim regarding.

- X. *Violated our Constitutional rights*

- XI. *Violated Utah State Law*

City's response to item X and XI:

Nothing has been presented by the Appellant that would need a response.

- XII. *Loss of revenue*

City's response to item XII:

Nothing has been addressed by the Appellant that would need a response. The alleged claim of loss of revenue does not have an effect in finding compliance with the Sign Regulations (Ordinance).

- XIII. *The size, shape, a face content, and 50/50 LED to fixed message will not change with our current repairs.*
- *The planned maintenance and repairs will allow our sign to become more compliant with current ordinances*

City's response to item XIII:

The applicant is interpreting the Sign Regulations (Ordinance) incorrectly regarding noncomplying signs. Based on the Sign Regulations (Ordinance) the applicant requests to alter the sign.

- XIV. *The maintenance and repairs are to beautify the city*
- *Community Chiropractic offers free advertising for local HS plays/events, city and state events and local charities*

City's response to item XIV:

The messages that the appellant may place on the EMCs are irrelevant in determining compliance with the Sign Regulations (Ordinance).

- XV. *Community Chiropractic has been a staple of Bountiful for 29 years*

- *Including a Time/Temperature sign for 29 years*
- *The sign is the main source of marketing for our business*

City's response to item XV:

The business itself, the business' tenure in the City, and the time/temp. message, are irrelevant in determining compliance with the Sign Regulations (Ordinance).

Recommendation and Order

The City recommends that the Administrative Law Judge affirm the decision of the Bountiful City Planning Department and deny the appeal.

Attachments

- A. Submitted Sign Permit
- B. Denial Letter by the City
- C. Submitted Appeal (July 15, 2021)
- D. Madsen Walker e-mail
- E. Bountiful City Land Use Code Chapter 19 – Sign Regulations (Ordinance)

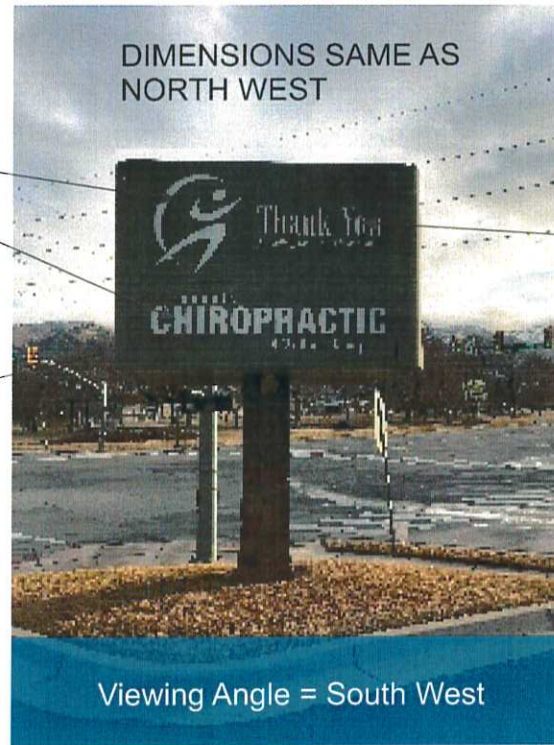
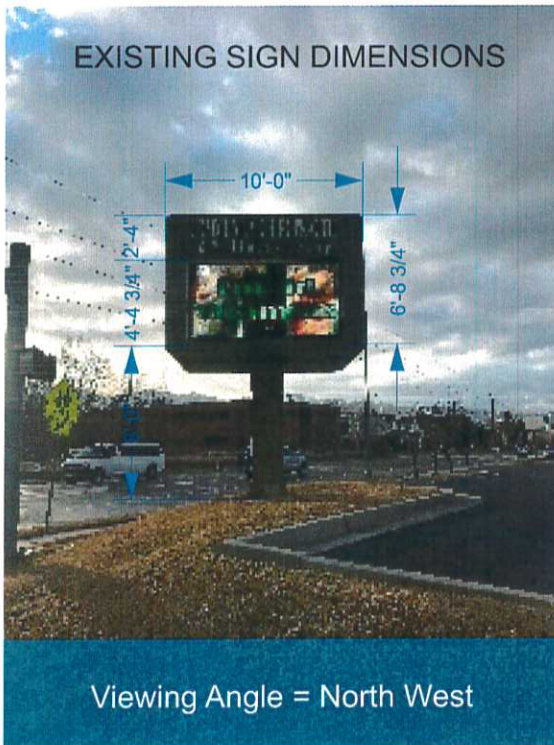


For Office Use Only	
Date Rec'd	<u>2-11-2021</u>
Permit #	<u>21147</u>
Permit \$	<u>426.27</u>
Zone	<u>C-9</u>
Final	_____

SIGN PERMIT APPLICATION

1. Date: 2/11/2021 Value of Project: \$ 27,800
2. Type of Sign: Wall/Window Pole Monument Temporary
 Menu Board Canopy/Awning Other
3. Name of Business: COMMUNITY CHIROPRACTIC
Property Address 395 N. 200 W. BOUNTIFUL UT 84010
Owner Name DR. GEORGE DGSK PLL
Owner Address 395 N. 200 W. BOUNTIFUL UT 84010
Owner Phone Number 801-295-6667
4. Sign Contractor: isignz & awnings
Contact MATT GILBERT
Email Address matg@isignzandawnings.com
Mailing Address 3651 S. 700 W. SALT LAKE CITY, UT 84119
Telephone # 801-833-1474 State Lic # 8078686-5601
5. Engineer or Electrical Contractor N/A
Contact Name _____
Email Address _____
Mailing Address _____
Telephone # _____ State Lic # _____
6. Name of Applicant MATT GILBERT

7. Planning Approval _____	Date _____
Comments: _____	
Engineering Approval _____	Date _____
Comments: _____	



LOGO

"THANK YOU FOR PUTTING YOUR HEALTH IN OUR HANDS":

* REPLACE ANY MISSING LETTERS CENTERS AND ACRYLIC BACKING

SEE PAGE 3. FOR REFURBISH DETAILS:

NOTE: THE COMPLETE EXISTING SIGN CABINET REFURBISH WILL "NOT" CHANGE THE OVERALL DIMENSIONS OR PROPORTIONS OF THE SIGN FACES OR LAYOUT...

SCOPE OF WORK: REFURBISH EXISTING FOUR SIDED PYLON SIGN AS FOLLOWS:

- A.) - ILLUMINATION: RETRO EXISTING T12 FLUORSCENT INTERNAL LIGHTING TO LED
- B.) - COMMUNITY CHIROPRACTIC LOGO AND LETTERING: REPLACE ROUTED COPY BACKED WITH ACRYLIC WITH NEW UPDATE LOGO READING: COMMUNITY CHIROPRACTIC & WELLNESS GROUP
- D.) - PAINT DISPLAY: DARK SATIN BRONZE

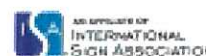
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Customer Approval:

Bountiful City - Administrative Law Judge Packet
November 8, 2021

Signature / Date

Proud member of:

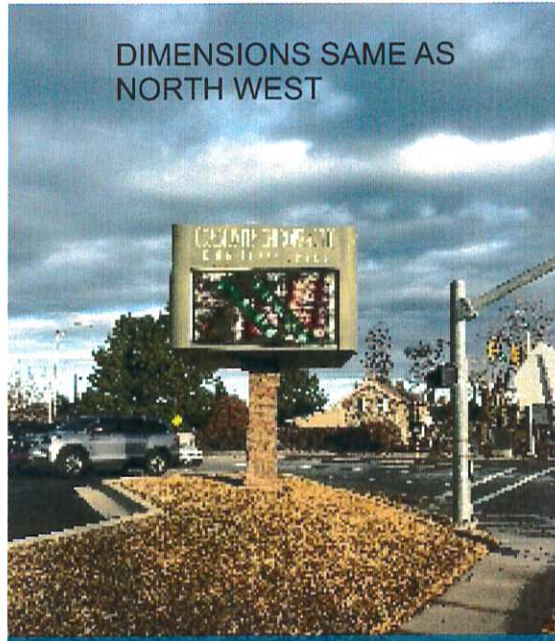


3651 South 700 West
Salt Lake City, UT 84119
(801) 833-1474

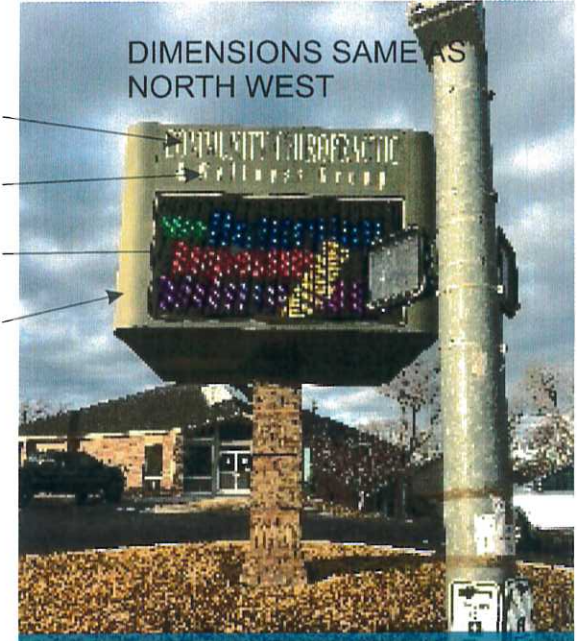




Viewing Angle = North West



Viewing Angle = South East



Viewing Angle = North East

SEE PAGE 3. FOR REFURBISH DETAILS:

**COMMUNITY CHIROPRACTIC
395 N. 200 W.
BOUNTIFUL, UT 84010**

SCOPE OF WORK: REFURBISH EXISTING FOUR SIDED PYLON SIGN AS FOLLOWS:

- A.) - ILLUMINATION: RETRO EXISTING T12 FLUORSCENT INTERNAL LIGHTING TO LED
- B.) - COMMUNITY CHIROPRACTIC LOGO AND LETTERING: REPLACE ROUTED COPY BACKED WITH ACRYLIC WITH NEW UPDATE LOGO READING: COMMUNITY CHIROPRACTIC & WELLNESS GROUP
- C.) - ELECTRONIC MESSAGE CENTERS: REPLACE (3) EXISTING OLD OBSOLETE DISPLAYS WITH (3) NEW DISPLAYS
- D.) - PAINT DISPLAY: DARK SATIN BRONZE

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November 8, 2021

Signature / Date _____

Proud member of:



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Salt Lake City, UT 84119
(801) 833-1474



CONSTRUCTION DETAILS:

*** ILLUMINATION:**

RETRO EXISTING FLUORESCENT INTERNAL LIGHTING TO PRINCIPAL LED AND POWER SUPPLIES INCLUDING NEW DISCONNECT SWITCH AND PHOTOCELL

*** COPY:**

"COMMUNITY CHIROPRACTIC & WELLNESS GROUP" CHANGE FOUR (4) FACES TO ROUTED OUT COPY WITH 1/2" (T) CLEAR PUSH-THRU ACRYLIC COPY

*** ELECTRONIC MESSAGE CENTERS:**

REMOVE AND DISCARD EXISTING FROM THREE (3) SIDES OF THE DISPLAY VERIFY SUFFICIENT ELECTRICAL EXISTS MODIFY STRUCTURE AND OPENING FOR INSTALLATION OF THREE (3) NEW DISPLAYS

*** COMMUNICATION:**

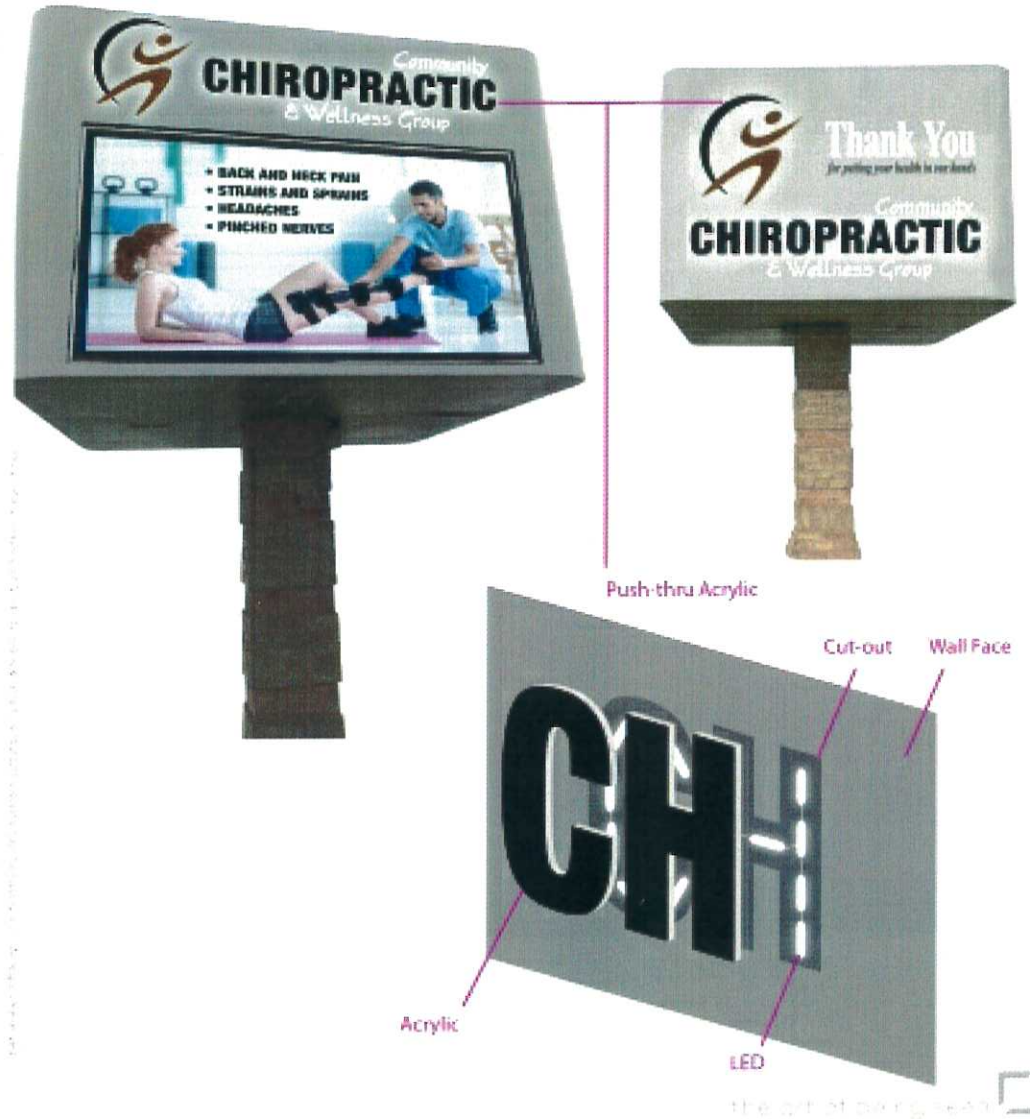
SETUP AND ESTABLISH WIRELESS ETHERNET

*** SURFACE PREPARATION:**

PREPARE ENTIRE DISPLAY FOR REPAINT

*** PAINT:**

ROLL APPLICATION OF PPG (DTM) DARK SATIN BRONZE



NOTE: THE COMPLETE EXISTING SIGN CABINET REFURBISH WILL "NOT" CHANGE THE OVERALL DIMENSIONS OR PROPORTIONS OF THE SIGN FACES OR LAYOUT...

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November 8, 2021

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(801) 833-1474





SIGN PLACEMENT REMAINS THE SAME

COMMUNITY CHIROPRACTIC
395 N. 200 W.
BOUNTIFUL, UT 84010

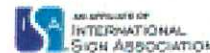
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SULLAWAY ENGINEERING
 12615 RANCHO BERNARDO RD. SUITE 260
 SAN DIEGO, CA 92198
 PROJECTMANAGER@SULLAWAYENG.COM
 (656) 312-3150
 www.sullawayeng.com

SIGN DESIGN ENGINEERING STANDARDS; FOR THE STATE OF UTAH

PROJECT NUMBER: 19359

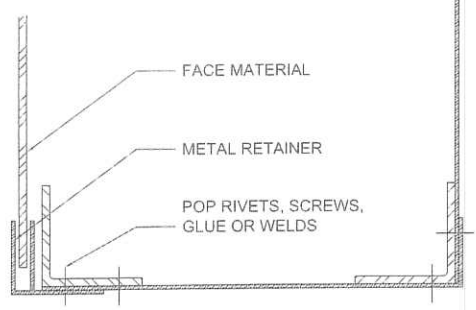
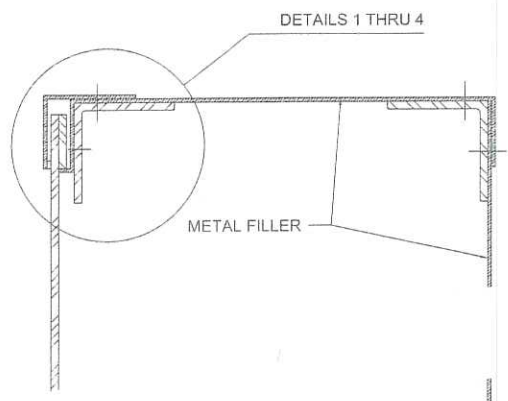
DATE: 11-6-2018
 SCALE: NO SCALE
 DRAWN BY: MFS
 DESIGNED BY: MFS

REVISIONS NO.	DATE
1	
2	
3	
4	
5	

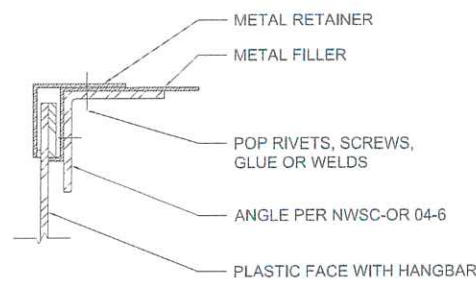
THIS ELECTRONIC SIGNATURE HAS BEEN AUTHORIZED BY ME



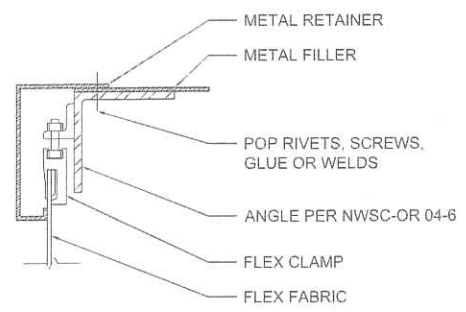
FASTENER	MATERIAL	SPACING (MAX.)
1/8" DIA. POP RIVETS	ALUMINUM	8" O.C.
1/8" DIA. POP RIVETS	STEEL	8" O.C.
1/4" DIA. PLUG WELD	ALUMINUM	6" O.C.
1/4" DIA. PLUG WELD	STEEL	8" O.C.
#7 SHEET METAL SCREWS	STEEL	10" O.C.



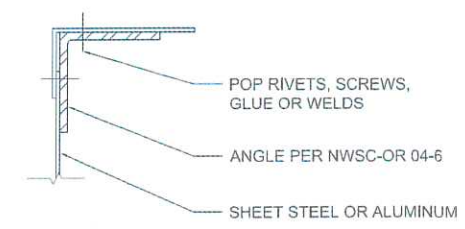
SECTION: SINGLE FACED CABINET, TYP.



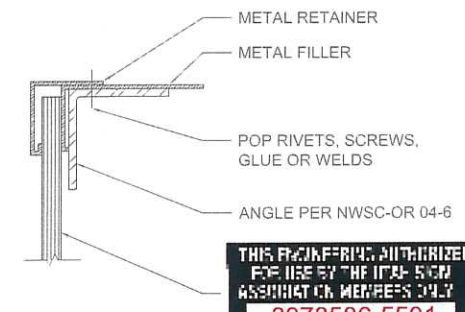
1 DETAIL



3 DETAIL



2 DETAIL



4 DETAIL

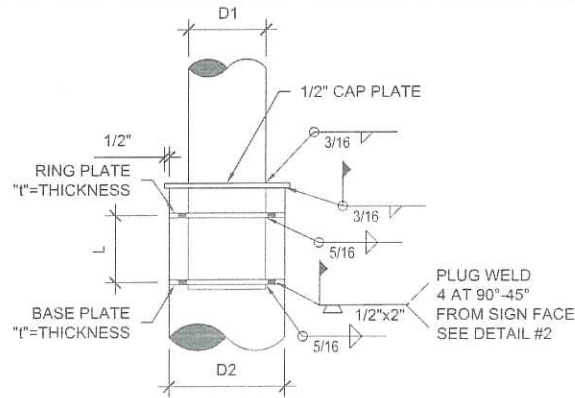
THIS PROJECT IS AUTHORIZED FOR USE BY THE UTAH SIGN ASSOCIATION MEMBERS ONLY
 8078586-5501

COMMUNITY CHIROPRACTIC
 395 N. 200 W.
 BOUNTIFUL, UT 84010

V = 105 MPH SHEET TITLE: CABINET DETAILS SHEET: S20

NOTES:

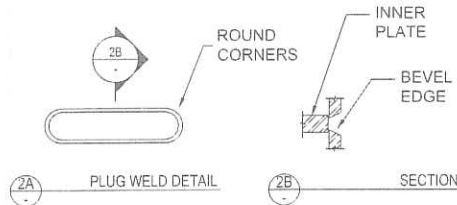
1. CABINET DESIGN IS FOR SINGLE AND DOUBLE FACE SIGNS.
2. THE SIGN FABRICATOR ACCEPTS THE RESPONSIBILITY THAT ALL SIGN FACE MATERIAL AND THEIR ASSEMBLIES SHALL BE ADEQUATE TO WITHSTAND THE DESIGN LOADS ESTABLISHED FOR OTHER ELEMENTS OF THE SIGN. METHODS OF ATTACHING SIGN FACES TO CABINETS SHALL BE IN ACCORDANCE WITH MATERIAL MANUFACTURER RECOMMENDATIONS AND SPECIFICATIONS, OR AT THE FABRICATOR'S OPTION, IN ACCORDANCE WITH THE APPROPRIATE ATTACHMENT METHODS SHOWN ON THESE STANDARDS.
3. MINIMUM THICKNESS OF CABINET SKIN MATERIAL SHALL BE 0.0239" SHEET METAL (24 GAUGE) OR 0.063" ALUMINUM.
4. SIGN FACE AND TIE-BACKS SHALL PROVIDE ADEQUATE RESISTANCE TO WIND LOADS AND SHALL DISTRIBUTE LOADS TO SIGN STRUCTURE. NUMBER AND SPACING OF TIE-BACKS SHALL BE DETERMINED BY SIGN MANUFACTURER.
5. TYPE OF SUPPORTS FOR FORMED AND CORRUGATED FACES SHALL BE AT THE DISCRETION OF THE MANUFACTURER DUE TO THE ADDITIONAL STRENGTHS OF THESE FACES.
6. ALL FLAT PLASTIC SIGN FACES OVER 6'-0" HIGH SHALL USE A HANGING BAR (DETAIL 1 ON SHEET S16)
7. TO COMPENSATE FOR THERMAL REACTION OF FACE PANELS, ALLOW 1/16" CLEARANCE PER LINEAR FOOT IN BOTH HEIGHT AND WIDTH, FOR ENGAGEMENT LENGTH IN RETAINERS, ALLOW 1/16" PER LINEAR FOOT FOR BOTH HEIGHT AND WIDTH. THE EXPANSION AND ENGAGEMENT MAY BE SPLIT BETWEEN SIDES OF THE SIGN. USE 3/4" AS A MINIMUM ENGAGEMENT LENGTH PER SIDE.
8. VANDALISM, LACK OF OR INADEQUATE MAINTENANCE, NEGLIGENCE OR SERVICING BY SOMEONE OTHER THAN THE MANUFACTURER SHALL VOID WARRANTY OF SIGN FACES



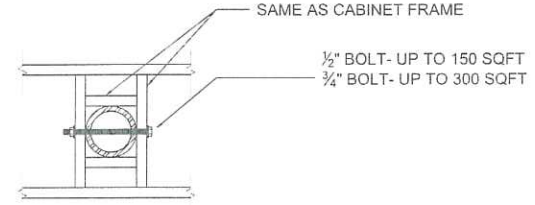
1 SPlice DETAIL

- NOTES:**
1. THIS DETAIL MAY BE USED FOR PIPE AND SQUARE TUBE SECTIONS.
 2. $L = 1.5 \times D1$ OR 12", WHICHEVER IS LARGEST

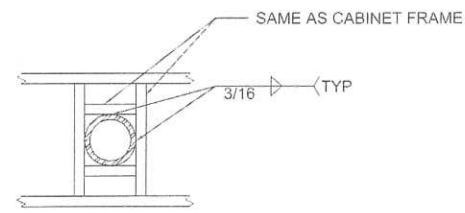
THICKNESS (t)
 FOR D1 THRU 16" DIA., USE $t = 1/2"$ PL.
 FOR 16" DIA. < D1 < 30" DIA., USE $t = 3/4"$ PL.
 FOR D1 > 30" DIA., USE $t = 1"$ PL.



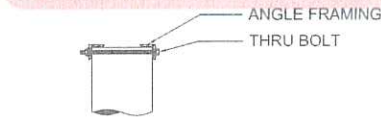
2A PLUG WELD DETAIL 2B SECTION



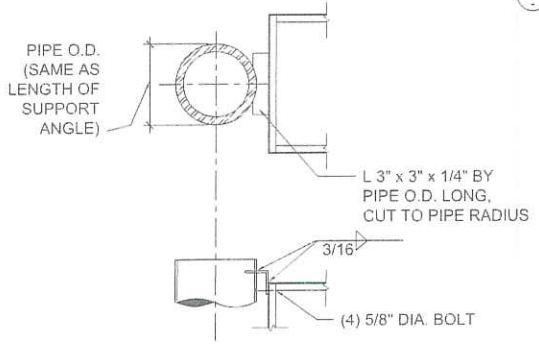
4 SADDLE DETAIL - BOLT



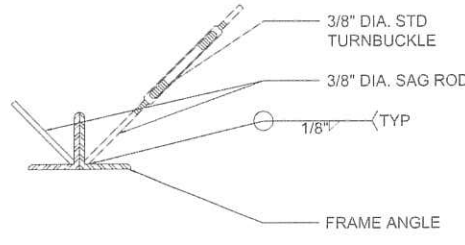
5 SADDLE DETAIL - WELD



6 SADDLE DETAIL - OPTION FOR POLE TOP



3 DETAIL - TWO POLE ATTACHMENT



2 DETAIL



SULLAWAY ENGINEERING
 10815 RANCHO BERNARDO RD., SUITE 200
 SAN DIEGO, CA 92198
 PROJECTMANAGER@SULLAWAYENG.COM
 (858) 312-5150
 www.sullawayeng.com

SIGN DESIGN ENGINEERING STANDARDS; FOR THE STATE OF UTAH

PROJECT NUMBER: 19359

DATE: 11-6-2018
 SCALE: NO SCALE
 DRAWN BY: MFS
 DESIGNED BY: MFS

REVISIONS:
 NO. DATE

- 1
- 2
- 3
- 4
- 5

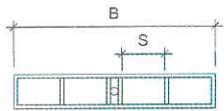
THIS ELECTRONIC SIGNATURE HAS BEEN AUTHORIZED BY ME



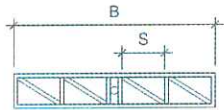
THIS PRINTING IS AUTHORIZED FOR USE BY THE UTAH SIGN ASSOCIATION MEMBERS ONLY
 8078586-5501

COMMUNITY CHIROPRACTIC
 395 N. 200 W.
 BOUNTIFUL, UT 84010

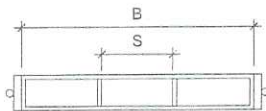
V = 105 MPH SHEET TITLE: STEEL DETAILS SHEET: S21



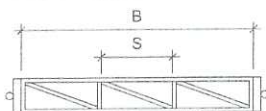
TYPE I-U (UNBRACED)



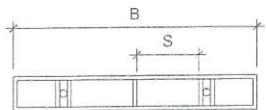
TYPE I-B (BRACED)



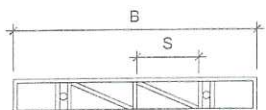
TYPE II-U (UNBRACED)



TYPE II-B (BRACED)



TYPE III-U (UNBRACED)

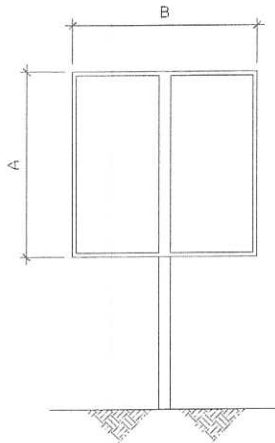


TYPE III-B (BRACED)

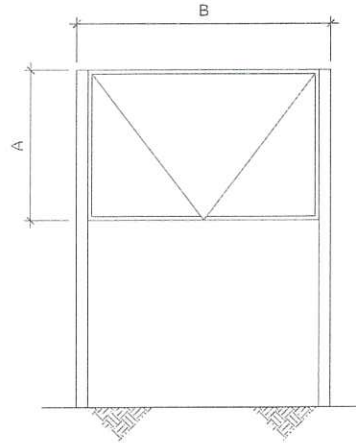
SECTIONS OF TOP AND BOTTOM OF CABINET FRAME

NOTE:
THE ANGLES LISTED MAY BE EITHER STEEL OR ALUMINUM

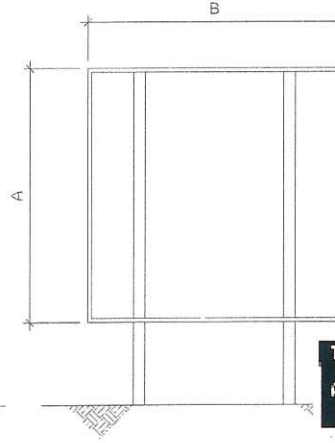
ANGLE SIZES FOR VARIOUS TYPES OF SIGN CABINETS						
SIZE (A x B)	TYPE I-U	TYPE I-B	TYPE II-U	TYPE II-B	TYPE III-U	TYPE III-B
4' x 10'	L 1-1/2" x 1-1/2" x 1/4"	L 1-1/2" x 1-1/2" x 3/16"	L 1-1/2" x 1-1/2" x 3/16"	L 1-1/2" x 1-1/2" x 3/16"	L 1-1/2" x 1-1/2" x 3/16"	L 1-1/2" x 1-1/2" x 3/16"
6' x 8'	L 1-1/2" x 1-1/2" x 1/4"	L 1-1/2" x 1-1/2" x 3/16"	L 1-1/2" x 1-1/2" x 3/16"	L 1-1/2" x 1-1/2" x 3/16"	L 1-1/2" x 1-1/2" x 3/16"	L 1-1/2" x 1-1/2" x 3/16"
5' x 10'	L 2" x 2" x 3/16"	L 1-1/2" x 1-1/2" x 3/16"	L 1-1/2" x 1-1/2" x 1/4"	L 1-1/2" x 1-1/2" x 3/16"	L 1-1/2" x 1-1/2" x 1/4"	L 1-1/2" x 1-1/2" x 3/16"
4' x 12'	L 2" x 2" x 3/16"	L 1-1/2" x 1-1/2" x 3/16"	L 2" x 2" x 3/16"	L 1-1/2" x 1-1/2" x 3/16"	L 2" x 2" x 3/16"	L 1-1/2" x 1-1/2" x 3/16"
8' x 8'	L 2" x 2" x 3/16"	L 1-1/2" x 1-1/2" x 3/16"	L 2" x 2" x 3/16"	L 1-1/2" x 1-1/2" x 3/16"	L 2" x 2" x 3/16"	L 1-1/2" x 1-1/2" x 3/16"
6' x 10'	L 2" x 2" x 3/16"	L 1-1/2" x 1-1/2" x 3/16"	L 2" x 2" x 3/16"	L 1-1/2" x 1-1/2" x 3/16"	L 2" x 2" x 3/16"	L 1-1/2" x 1-1/2" x 3/16"
10' x 10'	L 2-1/2" x 2-1/2" x 1/4"	L 2" x 2" x 3/16"	L 2" x 2" x 1/4"	L 2" x 2" x 3/16"	L 2" x 2" x 1/4"	L 2" x 2" x 3/16"
10' x 12'	L 3" x 3" x 1/4"	L 2" x 2" x 3/16"	L 2-1/4" x 2-1/4" x 1/4"	L 2" x 2" x 3/16"	L 2-1/2" x 2-1/2" x 1/4"	L 2" x 2" x 3/16"
10' x 15'	NONE	L 2" x 2" x 3/16"	L 3" x 3" x 1/4"	L 2" x 2" x 3/16"	L 3" x 3" x 1/4"	L 2" x 2" x 3/16"
6' x 20'	NONE	L 2" x 2" x 1/4"	L 3" x 3" x 1/4"	L 2" x 2" x 1/4"	L 3" x 3" x 1/4"	L 2" x 2" x 1/4"
10' x 20'	NONE	L 2" x 2" x 1/4"	NONE	L 2" x 2" x 1/4"	NONE	NONE
6' x 25'	NONE	L 2-1/2" x 2-1/2" x 1/4"	NONE	L 2-1/4" x 2-1/4" x 1/4"	NONE	NONE
8' x 25'	NONE	L 2" x 2" x 1/4"	NONE	L 2-1/4" x 2-1/4" x 1/4"	NONE	NONE
10' x 25'	NONE	L 2" x 2" x 1/4"	NONE	L 2-1/4" x 2-1/4" x 1/4"	NONE	NONE
8' x 30'	NONE	L 2" x 2" x 1/4"	NONE	L 2-1/4" x 2-1/4" x 1/4"	NONE	NONE
6' x 32'	NONE	L 2" x 2" x 1/4"	NONE	L 2-1/4" x 2-1/4" x 1/4"	NONE	NONE



ELEVATION SIGN TYPE I



ELEVATION SIGN TYPE II



ELEVATION SIGN TYPE III

THIS FACILITY IS AUTHORIZED FOR USE BY THE IFA-500 ASSOCIATION MEMBERS ONLY
8078586-5501

COMMUNITY CHIROPRACTIC
395 N. 200 W.
BOUNTIFUL, UT 84010

V = 105 MPH SHEET TITLE: CABINET ANGLE FRAMING SHEET: S13



SULLAWAY ENGINEERING
10615 RANDOCH BERNARDO RD, SUITE 260
SAN DIEGO, CA 92108
PROJECTMANAGER@SULLAWAYENG.COM
(858) 312-5150
www.sullawayeng.com

SIGN DESIGN ENGINEERING STANDARDS; FOR THE STATE OF UTAH

PROJECT NUMBER: 19359

DATE: 11-6-2018
SCALE: NO SCALE
DRAWN BY: MFS
DESIGNED BY: MFS

REVISIONS NO. DATE

- 1
- 2
- 3
- 4
- 5

THIS ELECTRONIC SIGNATURE HAS BEEN AUTHORIZED BY ME





10615 RANCHO BERNARDO RD. SUITE 260
 SAN DIEGO, CA 92198
 PROJECTMANAGER@SULLAWAYENG.COM
 (858)-312-5150
 www.sullawayeng.com

SIGN DESIGN
 ENGINEERING
 STANDARDS;
 FOR THE STATE
 OF UTAH

PROJECT NUMBER:
 19359

DATE: 11-6-2018
 SCALE: NO SCALE
 DRAWN BY: MFS
 DESIGNED BY: MFS

REVISIONS:
 NO. DATE

- △
- △
- △
- △
- △

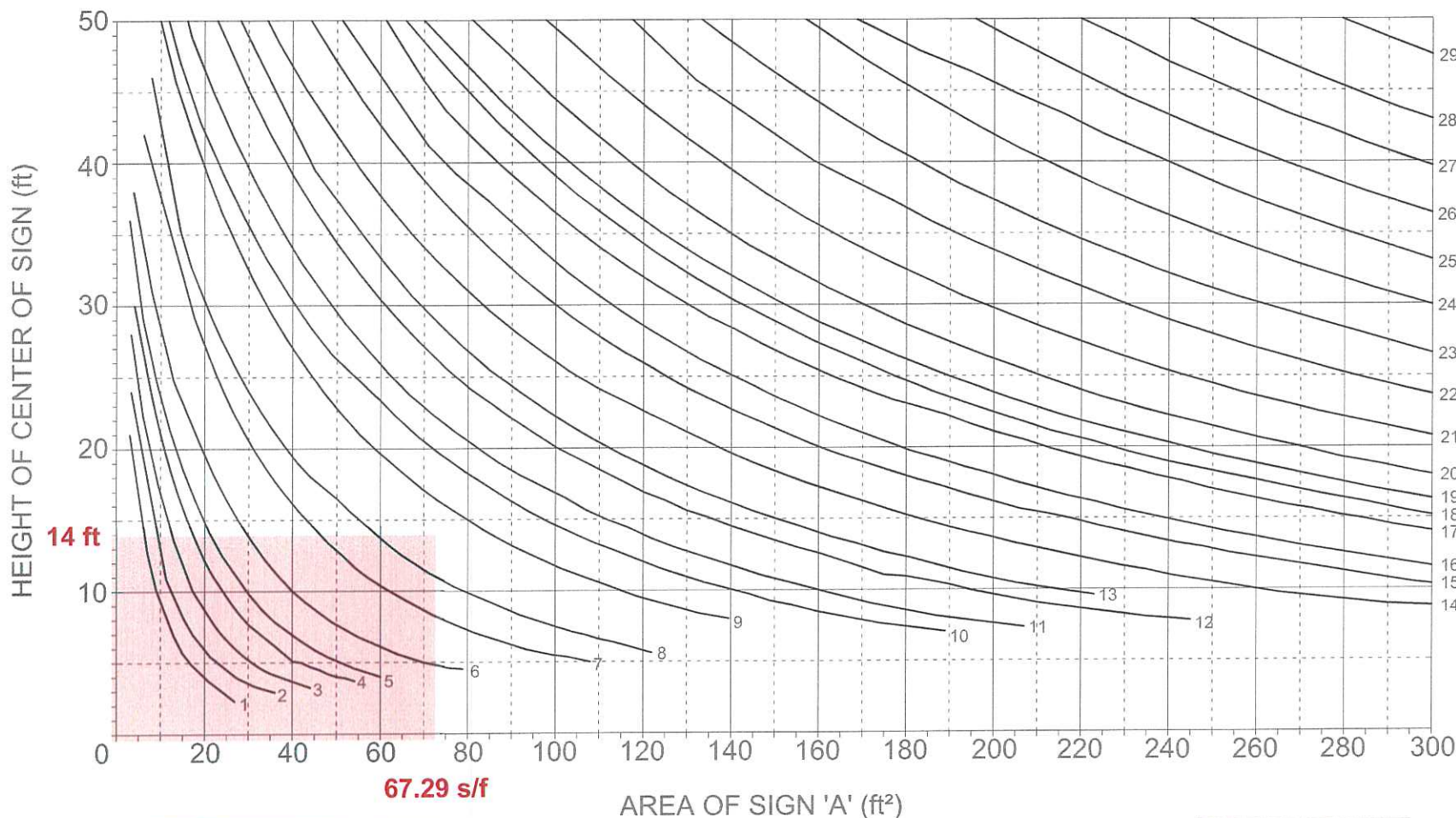
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 8078586-5501

COMMUNITY CHIROPRACTIC
 395 N. 200 W.
 BOUNTIFUL, UT 84010

V = 105 MPH SHEET TITLE: SHEET:
 SINGLE POLE - FOUNDATION S2



PILE SIZE (DIAMETER AND DEPTH IN FT)								
#	DIA.	DEPTH	#	DIA.	DEPTH	#	DIA.	DEPTH
1	1.50	4.0	11	2.50	9.0	21	4.00	12.0
2	2.00	4.0	12	3.00	9.0	22	4.00	13.0
3	1.50	5.0	13	2.50	10.0	23	4.50	13.0
4	2.00	5.0	14	3.00	10.0	24	4.50	14.0
5	1.50	6.0	15	3.50	10.0	25	5.00	14.0
6	2.00	6.0	16	3.00	11.0	26	5.00	15.0
7	2.00	7.0	17	3.50	11.0	27	5.50	15.0
8	2.50	7.0	18	4.00	11.0	28	6.00	15.0
9	2.50	8.0	19	3.00	12.0	29	6.00	16.0
10	3.00	8.0	20	3.50	12.0			

NOTES

1. PLOT POINT AND CHOOSE THE CURVE ABOVE THE POINT



10615 RANCHO BERNARDO RD. SUITE 200
SAN DIEGO, CA 92198
PROJECTMANAGER@SULLAWAYENG.COM
(658)312-0150
www.sullawayeng.com

SIGN DESIGN
ENGINEERING
STANDARDS;
FOR THE STATE
OF UTAH

PROJECT NUMBER:
19359

DATE: 11-6-2018

SCALE: NO SCALE

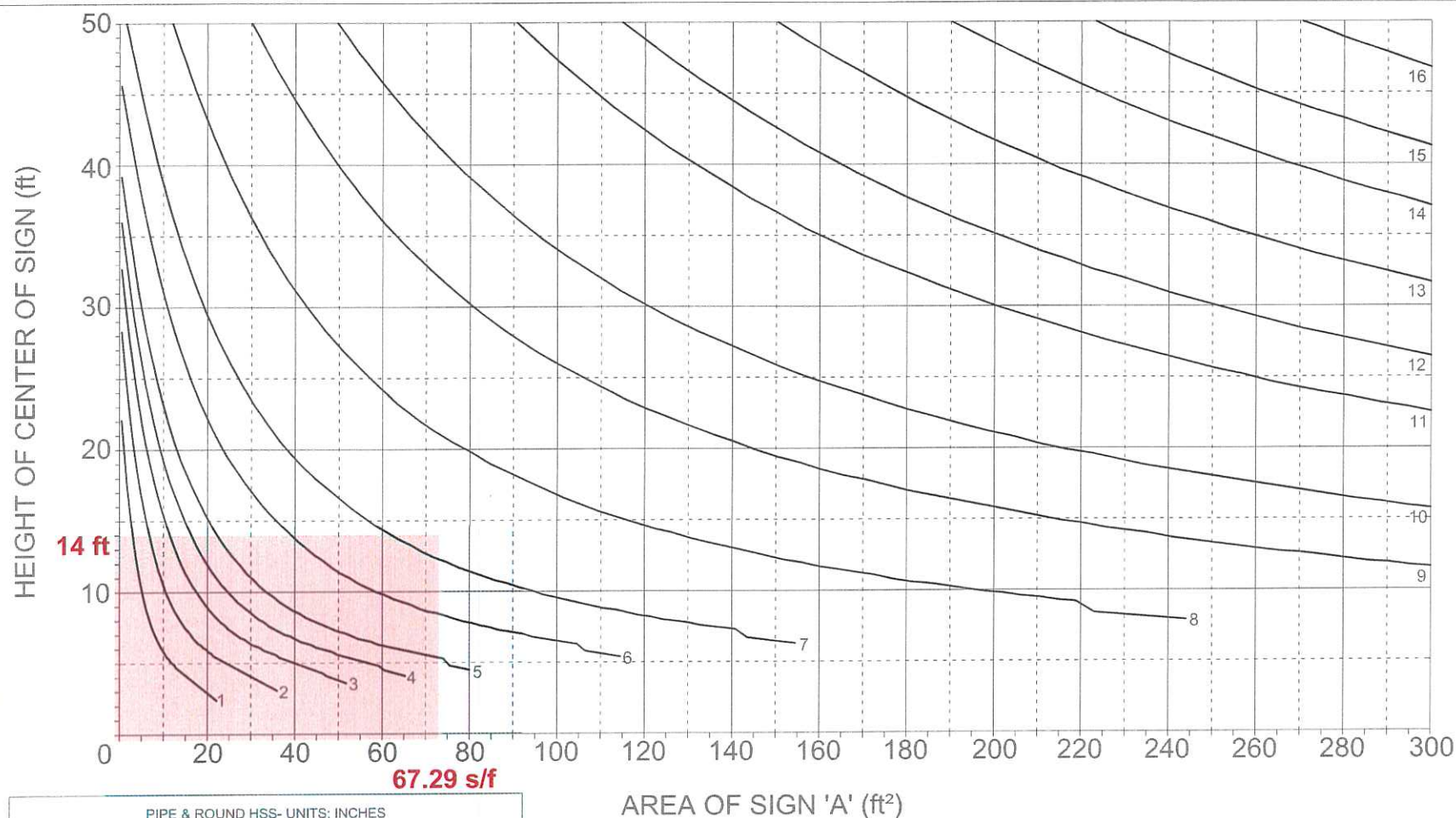
DRAWN BY: MFS

DESIGNED BY: MFS

REVISIONS NO.	DATE
1	
2	
3	
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THIS ELECTRONIC
SIGNATURE HAS BEEN
AUTHORIZED BY ME



PIPE & ROUND HSS- UNITS; INCHES					
#	DIA	t	#	DIA	t
1	2	0.154	9	10.0	0.365
2	2.5	0.203	10	12.0	0.375
3	3.0	0.216	11	14.0	0.375
4	3.5	0.226	12	16.0	0.375
5	4.0	0.237	13	18.0	0.375
6	5.0	0.256	14	20.0	0.375
7	6.0	0.280	15	22.0	0.375
8	8.0	0.322	16	24.0	0.375

NOTES

1. PLOT POINT AND CHOOSE THE CURVE ABOVE THE POINT
2. $F_y = 35$ KSI FOR DIAMETERS $< 12"$, $F_y = 42$ KSI FOR DIAMETERS $\geq 12"$

THIS ENGINEER IS AUTHORIZED
FOR USE BY THE IFA-500
ASSOCIATION MEMBERS ONLY
8078586-5501

COMMUNITY CHIROPRACTIC
395 N. 200 W.
BOUNTIFUL, UT 84010

V = 105 MPH

SHEET TITLE:

SHEET:

SINGLE POLE- PIPE & ROUND HSS

S4



RANDY C. LEWIS
MAYOR

CITY COUNCIL
Millie Segura Bahr
Kate Bradshaw
Kendalyn Harris
Richard Higginson
Chris R. Simonsen

CITY MANAGER
Gary R. Hill

July 1, 2021

Community Chiropractor
Dr. Dan George
395 North 200 West
Bountiful, UT 84010

Dr. George,

This letter is regarding your existing pole sign with three (3) electronic message centers (EMC) hereby referenced as “the Sign”, located at 395 North 200 West, parcel no. 03-024-01570. The current Bountiful City Land Use Code contain the following definitions:

ELECTRONIC MESSAGE CENTER (see also “ELECTRONIC READER BOARD” or ELECTRIC PANEL”): *A sign, or portion of a sign, containing graphics, text, or any other form of visual communication which can be changed or rearranged by electronic means, but does not include a digital electronic gasoline price sign that shows numbers only, and does not flash, change colors, show pictures, video or words, or exceed the brightness allowed for electronic message centers.*

FREESTANDING SIGN (see also “POLE SIGN”): *Any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure.*

After careful examination and consideration, it has been determined that the existing Sign does not comply with the following standards of the current Bountiful City Land Use Code (BCLUC) Chapter 19 – Sign Regulations:

A. Maximum Sign Height

Current Sign Regulations:

- § 14-19-112(A)(3)(b): *Maximum height of fifteen (15) feet.*
- § 14-19-120(D)(1): *The height of a freestanding sign shall be the vertical distance measured from the highest point of the sign to the grade of the adjacent street, curb, or sidewalk, or the crown of the street when there is no curb or sidewalk.*

Findings:

1. The highest point of the existing Sign to the adjacent sidewalk is approximately 16'-4".
2. The Sign is approximately 1'-4" above the maximum height allowed in the Code.
3. The Sign does not comply with the Sign Regulation regarding maximum height.

B. Maximum (Total) Sign Area

Current Sign Regulations:

- § 14-19-112(A)(3)(h): *Sign structure, excluding pole and base, shall not exceed sixty four (64) sq. ft. for each side of a double faced sign, or sixty four (64) sq ft total sign area on multi-faced signs.*
- § 14-19-120(D): *The regulated area of freestanding signs shall include all parts of the sign or structure that contains identification (words or symbols) and information.*
- § 14-3-102(193): *Multiple-faced sign: A sign containing two (2) or more faces, not necessarily in back-to-back configuration.*

Findings:

1. The Sign has four (4) sides; therefore, is a multi-faced sign.
2. Each side of the sign, excluding the pole and base, is approximately 67.5 square feet.
3. The four (4) combined sides of the Sign are approximately 270 square feet.
4. The total sign area of the multi-faced Sign exceeds what is allowed in the Sign Regulation by approximately 206 square feet.
5. The Sign does not comply with the Sign Regulation regarding total sign area.

C. Maximum Electronic Message Center Area

Current Sign Regulation:

- § 14-19-121(B)(1): *An electronic message center shall not exceed thirty-two (32) square feet.*

Findings:

1. The existing Sign has three (3) EMCs that are approximately 34 square feet each.
2. Each of the three (3) EMC exceeds the maximum EMC area by 2 square feet.
3. The Sign does not comply with the Sign Regulation regarding maximum EMC area.

D. EMCs within Multiple Faces

Current Sign Regulations:

- § 14-19-121(B)(4): *An electronic message center shall be located only on a single or double-sided planar sign, and not on a multiple face or other non-planar sign.*
- § 14-19-103(203): *NON-PLANAR: Any object that has more than two substantial surfaces; including a sphere, cube, pyramid, freeform, sculpture, or similar shape.*

Findings:

1. The sign has four (4) sides.
2. The sign has three (3) EMCs.
3. The sign is not a single or double-sided planar sign.
4. The sign does not comply Sign Regulations regarding the prohibition of EMCs on a multiple face sign as EMCs are only allowed on single or double-sided planar signs.

The existing Sign does not comply with several current regulations which are listed above that govern the use of the sign. The adopted policy of the Bountiful City Sign Regulations, Chapter 19 of the Bountiful City Land Use Code, indicates the following regarding noncomplying (nonconforming) signs:

14-19-107 NONCOMPLYING SIGNS

A. Regulation, containment, and elimination. In order to minimize confusion and unfair competitive disadvantage to those businesses which are required to satisfy the current Sign Code standards, the City intends to apply firm regulation of existing nonconforming signs with a goal of their eventual elimination. This goal shall be achieved by strictly construing limits on change, expansion, alteration, abandonment, and restoration. Excluding normal maintenance and repair, a noncomplying sign shall not be moved, altered, or enlarged unless it is brought into compliance with this Chapter. The following exceptions shall be permitted:

- 1. A face change in a noncomplying sign that does not encroach onto a public right of-way or easement, and that is not deemed a public safety hazard by the Planning Director or City Engineer.*
- 2. A copy change in a noncomplying permanent sign which was originally approved by the City with a changeable copy feature.*

[...]

Furthermore, the Bountiful City Land Use Code § 14-3-102 (11) provides the following definition:

ALTERATION (Sign): Changing or rearranging any structural part or design of a sign, whether by extending on a side, by increasing in area or height, or in moving from one location or position to another, including sign face, enclosure, lighting, coloring, copy (except on reader board or changeable copy signs), or graphics.

Regarding the submitted Sign Permit with the identified scope of work listed below:

Refurbish existing four sided pylon sign as follows:

- A. Illumination: Retro existing T12 fluorescent internal lighting to LED.*
- B. Community Chiropractic Logo and Lettering: Replace routed copy backed with acrylic with new update logo reading: Community Chiropractic & Wellness Group.*

- C. *Electronic message centers: Replace (3) existing old obsolete displays with (3) new displays.*
- D. *Paint Display: Dark satin bronze.*

The City finds that items A, B, and C are alterations/changes, while item D is normal maintenance and repair. As indicated in the Sign Regulations (Code), *excluding normal maintenance and repair, a noncomplying sign shall not be moved, altered, or enlarged unless it is brought into compliance with the Sign Regulations (Bountiful City Land Use Code Chapter 19).* See explanations below regarding each requested item:

1. *Illumination: Retro existing T12 fluorescent internal lighting to LED.*

The definition of ALTERATION (Sign) includes changing or rearranging any design of a sign, including lighting. Replacing the lighting from the existing T12 fluorescent lighting to LEDs is an alteration/change.

2. *Community Chiropractic Logo and Lettering: Replace routed copy backed with acrylic with new update logo reading: Community Chiropractic & Wellness Group.*

The definition of ALTERATION (Sign) includes changing or rearranging any design of a sign, including sign face or graphics. Replacing the routed copy backed with acrylic with a new updated logo is an alteration and change. This same definition includes an exception for reader board or changeable copy signs. The subject sign is not a changeable copy sign; therefore, the exception does not apply. See applicable definitions:

- CHANGEABLE COPY SIGN: *A sign with information or content which can be changed or rearranged by manual or electric, electro-mechanical, or electronic means. A sign, or portion thereof, on which the message changes more than one (1) time each twenty four (24) hours shall be considered an animated sign and not a changeable copy sign for purposes of this Code.*
- READER BOARD SIGN (see “CHANGEABLE COPY SIGN”)
- ANIMATED SIGN: A sign which
 - a. involves actual motion or rotation of any part of the sign itself by mechanical, electrical, or artificial means, or
 - b. is designed to be moved or is moved by the wind or other natural means, or
 - c. displays motion or the appearance of motion, animation, motion-picture type movement, movement of still images across a screen, flashing or intermittent lighting, color changes, copy changes, changing lighting intensity, or messages through a sequence of progressive changes in lighting; or
 - d. contains an electronic message center, reader board or panel.

3. *Electronic message centers: Replace (3) existing old obsolete displays with (3) new displays.*

The definition of alteration (sign) includes changing or rearranging any design of a sign, including sign face, enclosure, lighting, coloring, copy, or graphics. Replacing the three (3) existing displays with three (3) new displays is an alteration/change.

4. *Paint Display: Dark satin bronze.*

Painting the existing sign is normal maintenance and repair.

As indicated in the Sign Regulations, Land Use Code Chapter 19, excluding normal maintenance and repair, a noncomplying (nonconforming) sign shall not be moved, altered, or enlarged unless it is brought into compliance with the Sign Regulations. The Land Use Code clearly states that the City must apply firm regulation of existing nonconforming signs with a goal of their eventual elimination. Staff is not able to approve the sign permit regarding the illumination (item A), the logo and lettering (item B), and replacing the three (3) EMCs (item C) because these requested alterations/changes do not bring the Sign into compliance with the current Code.

Staff finds that painting the display dark satin bronze (item D) is not a sign alteration/change as defined in the Code, as long as the paint is used to maintain the Sign and not to change or rearrange the design of the sign, including sign face, coloring, or graphics, you may proceed without the need of a sign permit.

Based upon your requests identified items A, B, and C, consisting of alterations and changes to the existing Sign, your sign permit is hereby denied.

Additional

Staff has observed that there are some sections within the north and east facing EMCs that are currently not functioning. The south facing EMC does not seem to need repair. The north facing EMC has two (2) non-functioning areas while the east facing EMC has one (1) non-functioning area. If you would like to repair the currently broken / non-functioning / blacked out areas with the same equipment, not the entire panel or array, it would be deemed maintenance and repair, and not sign alteration/change.

Please note that if you choose to move forward with this alternative, it would require a sign permit based on the electronic component(s).

Staff has analyzed the visual components of the existing EMCs, and makes the following findings regarding Sign Regulations (Bountiful City Land Use Code § 14-19-121(C):

1. *An electronic message center shall only display static images or scrolling text.*
 - The EMC has videos and/or animations.
 - The EMC does not comply with this regulation.

2. *An electronic message center shall not display video images, or scintillating images.*
 - The EMC has videos and/or animations.
 - The EMC does not comply with this regulation.
3. *The minimum display duration shall be four (4) seconds.*
 - The EMC has videos and/or animations.
 - The videos and/or animation do not allow the minimum duration of 4 seconds.
 - The EMC does not comply with this regulation.
4. *The maximum image transition duration shall be three (3) seconds.*
 - No identified issues.
5. *A transition shall be from one image to another either by fading or dissolving to the next image, without the use of flashing, animation, or movement.*
 - The EMC has videos and/or animations.
 - The videos and/or animation do not allow the required transition.
 - The EMC does not comply with this regulation.
6. *No image shall be shown on, or with, a white background.*
 - The EMC had some images with a white background.
 - The EMC does not comply with this regulation.

The Bountiful City Land Use Codes defines a Video: *Simulated movement created by the display of a series of images, creating the illusion of continuous movement.* Based on the video and/or animations the EMCs do not comply with the Code. In further review of the 2005 Sign Regulations (Code) below, when the sign was built, videos and /or animations were not allowed; therefore, they cannot be requested to be continued under the continuation of a nonconforming use / noncomplying structure:

14-19-108 PROHIBITED SIGNS

- A. *Prohibited Sign Devices.* *The following sign devices used to attract pedestrian or vehicular attention are prohibited in any zone in the City. Any sign not specifically allowed by this Chapter is also prohibited.*
 1. *Hot or cold air balloons [...]*
 2. *Any sign which flashes, blinks, uses chaser lights, etc., or moves in any way, animate or inanimate. Commercial signs may be approved with time/temperature or electronic message center capability, provided the message does not change more than 5 times per minutes and not less than*

10 seconds between changes. *Subtle lighting changed of low intensity are allowed.*
[...]

(Underline added for emphasis)

Through this same letter, the City respectfully request that you cease placing videos and/or animations on the EMCs and observe all of the City's EMC visual regulations to ensure compliance with applicable Codes. Please note that as noted on Bountiful City Land Use Code § 14-1-111, any sign not expressly allowed by the Sign Regulations is prohibited. Each day of violation is a separate offense.

Let us know if you have any questions regarding this letter/notice.

Respectfully,



Francisco Astorga, AICP
Bountiful City Planning Director

Copy: Kendal Black, Assistant City Planner
Clinton Drake, City Attorney



Dr. Dan G. George
Dr. Dallas S. George
Chiropractic Physicians

395 North 200 West • Bountiful, Utah 84010 • Office 801-295-6667 • Fax 801-295-6664

Appeal Letter
Decision Date 7-1-2021

July 15th, 2021

Darlene Baetz,
Planning Department
795 South Main • Bountiful, Utah 84010
Phone 801.298.6190

CC: Shawna Andrus
Francisco Astorga

RE: 395 N 200 W, Bountiful, UT 84010, Pole Sign maintenance & repair appeal; request
maintenance approval & zoning adjustment

Dear Darlene & Planning & Zoning Department

We, as a long, established local business serving the community for 29 years, appeal the decision not to allow for maintenance & repair of our existing electronic message pole sign. The reasons for the appeal are outlined below:

- Failure of the city to allow us to repair and maintain our sign
 - City ordinances do not state that a specific brand or type of light bulbs or computer software must be used when maintaining signage. A change from fluorescent to LED bulbs - is in line with state objectives to reduce power consumption.
- The city is applying current ordinances that were not in affect when our sign permit was issued and built
 - We should be held to the sign ordinances when the sign was built under the grandfather clause
- Due to the cities demand (holding our building permit ransom), in 2007 we compromised and built one sign 200 Sq ft sign on the corner, instead of two 100 sq foot signs one on 400 North and the other 100 ft sign on 200 West
 - 200 foot sign was granted and variance approved on our building permit and site plan
- We have a legal nonconforming sign the repairs will not increase any current nonconformity

- We have a right to repair and maintain our sign
- Request a variance to be considered C-H
 - 200 West and 400 North are main arterial streets and for Bountiful, Utah and should be Zoned C-H with relation to sign ordinances
 - Main street to 500 West (highway 89) on 400 North should be considered a C-H zone with relation to sign ordinances
- City planners followed a new interpretation of the ordinances when the request for maintenance was submitted. After meeting on 5/12/2021 it was verbally agreed that all the repairs would not increase the degree of nonconformity.
- City failed to respond to our sign permit within a timely manner multiple times, the most recent being, three weeks after our letter stating we are moving forward with the project because we had not received a response for our initial request.
 - Discrimination
- Compensation from the City for Negligence, Discrimination and Loss Revenue
 - The City failed to fairly apply city ordinances and violated our constitutional rights
 - Including but not limited to our 1st, 5th and 14th amendment rights
 - Due Process
 - do not respond in a "timely manner" over 5 1/2 months to respond
 - "Rip Cord effect"
- Petition the city to allow us to remove the "box" to properly sandblast and paint the sign
 - this allows us to limit the potential traffic issue that could arise from repairing the sign on site
 - This will limit the environmental impact of sandblasting and painting the sign on site
- Violated our Constitutional rights
- Violated Utah State Law
- Loss of revenue
- The size, shape, a face content, and 50/50 LED to fixed message will not change with our current repairs.
 - The planned maintenance and repairs will allow our sign to become more compliant with current ordinances
- The maintenance and repairs are to beautify the city
 - Community Chiropractic offers free advertising for local HS plays/events, city and state events and local charities
- Community Chiropractic has been a staple of Bountiful for 29 years
 - Including a Time/Temperature sign for 29 years
 - The sign is the main source of marketing for our business

We respectfully submit this request for appeal. This is a much-needed repair to a sign that has needed it for some time. It will beautify the city and help our business succeed in during these unprecedented times.

Thank you for your consideration,



Dan George DC
Community Chiropractic
395 N 200 W
Bountiful, UT 84010
8012956667



Dallas George DC
Community Chiropractic
395 N 200 W
Bountiful, UT 84010
8016358029

For CC payment, as per your request, please call Shellie George 8012956667 or 8018606667

Francisco Astorga

From: Madsen Walker <madsen.walker@visibilitysign.com>
Sent: Tuesday, June 8, 2021 11:38 AM
To: Kendal Black; Francisco Astorga
Cc: Dr Dallas; Dan George
Subject: Community Chiropractic Sign Repair & Maintenance

To whom it may concern at Bountiful City,

We (Visibility Sign Company) are writing to you with concern about some repairs and maintenance to the sign for a local business **Community Chiropractic** (395 N 200 W, Bountiful, UT 84010). We are writing to inform you that we will begin the updates and maintenance to the sign beginning June 14th, 2021, and Estimate completion before July 31st, 2021. The repair and maintenance that we will be completing will not increase the degree of current non-conformity pursuant to the sign codes of 2005 and the current code.

The process to have this sign updated began January 2021, a phone call was placed in which it was asked if a permit needed to be submitted for maintenance and repairs, to which a no was received. But, the planner stated we should send the plans to the city without a permit just so it could be looked over. The plans were sent and at this point, the assistant city planner recommended that we submit for a permit. A permit application was submitted.

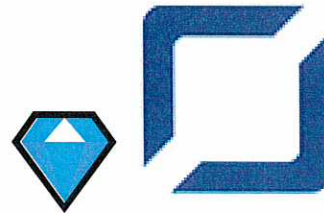
After 3 months of waiting, multiple meetings with the city, and being told that a decision would be made based on the permit application, a decision has not been made.

Based on the Utah state building code 10-6-160 the city has 21 days to respond, at which point we (the business requesting a permit) can request it be reviewed if a response has not been made 14 days after this request "A city may not enforce a requirement to have a plan review".

Please contact me with any questions.

Thank you,

--



Madsen Walker | Now You Have A Friend In the Signage Business

madsen.walker@visibilitysign.com | (801) 456-1902

2255 South 5370 West
West Valley, UT 84120

visibility

(801) 456-1902 | www.visibility.team



the art of being seen. 

CHAPTER 19

SIGN REGULATIONS

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14-19-101 PURPOSE AND SCOPE

- A. The type, location and design of signs can either enhance or degrade a community, and therefore the City has a compelling interest to regulate the time, place, and manner in which signs are erected. The purpose of this Sign Code is to:
1. Encourage the effective and innovative use and design of signs as a means of communication.
 2. Maintain and enhance the aesthetic environment in order to attract sources of economic and business development and growth.
 3. Coordinate the type, placement, scale, compatibility, and aesthetics of signs within the different zones by recognizing the commercial communication requirements of the business community.
 4. Improve pedestrian and traffic safety through the prevention of visual obstructions and distractions.
 5. Minimize the possible adverse effect of signs on nearby public and private property.

- 6. Promote both renovation and proper maintenance of signs.
- 7. Enable the fair and consistent enforcement of these sign regulations.
- B. This Code does not regulate official traffic or government signs; the copy and message of permitted signs; window signs and displays not intended to be viewed from a public right-of-way; religious symbols; commemorative plaques; display of street numbers; or any display or construction not defined as a sign.
- C. It is not the intent of this Code to regulate the content of political speech.

14-19-102 APPLICABILITY AND EFFECT

- A. A sign shall be erected, placed, established, painted, created or maintained in Bountiful City only in conformance with the standards, procedures, exemptions, and other requirements of this Chapter.
- B. The effect of this Chapter as more specifically set forth herein, is:
 - 1. To establish a regulatory process addressing the time, place and manner in which signs are permitted.
 - 2. To provide standards for temporary signs.
 - 3. To prohibit all signs not expressly permitted by this Chapter.
 - 4. To provide for enforcement of the provisions of this Chapter.

14-19-103 DEFINITIONS

All definitions have been moved to Chapter 3

14-19-104 INTERPRETATION

When interpreting and applying the provisions of this chapter, the sign regulations contained herein are declared to be the maximum allowable for the purposes set forth.

14-19-105 ENFORCEMENT

- A. Any sign not expressly allowed by this Code is prohibited.
- B. The erection of a prohibited sign, or permitting the continued existence of a prohibited sign in violation of this Code, is a class C misdemeanor. Each day of violation is a separate offense.
- C. There are certain situations where a sign poses or may pose an immediate public safety hazard. The following signs shall be deemed unlawful and hazardous to the public safety, and are declared to be a public nuisance. Any employee of the City is authorized to immediately abate, remove, or otherwise remedy the following signs:

1. Any sign or related structure which interferes with the safe view of drivers entering a public right-of-way from any driveway or property.
 2. Any sign that extends over any pedestrian or vehicular travel area, unless specifically authorized by the City.
 3. Any sign which interferes with the use of any fire escape, exit, required stairway, door ventilator or window.
 4. Any sign which has less horizontal or vertical clearance from communication lines and/or energized electrical power lines than required by adopted safety standards, according to the provisions of City Code and the Bountiful Light and Power Department.
 5. Any sign that is located on or that encroaches upon publicly owned land, a public right-of-way, or a public easement, except signs owned and erected by permission of an authorized public agency or that are specifically authorized herein.
- D. Any sign placed in the public right-of-way without City approval is declared to be a public nuisance and may be summarily removed by any employee of the City.
- E. The Planning Director and any designated representatives shall be vested with the duty of enforcing this title, and in performance of such duty shall be empowered and directed to:
1. Issue a permit to construct, alter, or repair a sign which conforms to the provisions of this Chapter. The expiration date of such permit shall be one hundred eighty (180) days.
 2. Ascertain that a sign is constructed and maintained in conformance with the provisions of this Title, which includes the following actions:
 - a. Initial Inspection After Construction. The Planning Director or the Building Official may make an initial inspection upon the completion of construction, erection, re-erection, or remodeling of any sign for which a permit has been issued and an inspection request is made. This shall include the inspection of temporary signs using electrical connection.
 - b. Re-Inspection (when necessary). The Planning Director or an authorized representative may re-inspect any sign for which a permit was issued but which did not pass a previous inspection.
 3. Institute any appropriate action or proceeding where any sign is unlawfully erected, constructed, reconstructed, altered, repaired, converted, or maintained, or in any case where any sign is used in violation of this Title or any other City Code. Such actions include, but are not limited to, the following:
 - a. Issuance of Notices of Violations and Information. The Planning Director or authorized representative may issue a written notice of violation to the person having charge or control over, or that benefit from any sign found

to be unsafe or dangerous or in violation of this Chapter. Such official may swear to information against violators.

b. Abatement and Removal of Unsafe or Dangerous Signs. If an unsafe or dangerous sign is not repaired or made safe within five (5) working days after giving said notice, the Planning Director may at once abate and remove said sign, or in the alternative, use all available legal means to have the sign removed. If the City or its agent removes the sign, the person having charge or control over, or that benefits from the sign shall pay to Bountiful City the costs incurred in such removal within 30 calendar days after written notice is provided.

c. Abatement and Removal of Unlawful Signs.

i. If a permanent sign is installed without a permit or is otherwise unlawful or prohibited as defined by this chapter, and is not made conforming within thirty (30) calendar days after written notice has been given, the Planning Director may at once abate and remove said sign, or in the alternative, use all available legal means to have the sign removed, including but not limited to criminal or civil court action with the appropriate court. The person responsible for and/or property owner allowing any such unlawful posting shall be liable for the cost incurred in the removal thereof and the City is authorized to effect the collection of said cost from them.

ii. If a temporary sign posted upon private property has been installed without a permit or is otherwise unlawful as defined by this Title, it shall be removed or made conforming within seventy two (72) hours of written notice of the violation. If it has not been made conforming within seventy two (72) hours, either through removal of the temporary sign or by obtaining a temporary sign permit, the Planning Director may at once abate and remove said temporary sign, or in the alternative, use all available legal means to have the sign removed, including but not limited to criminal or civil court action with the appropriate court. The person responsible for and/or property owner allowing any such unlawful posting shall be liable for the cost incurred in the removal thereof and the City is authorized to effect the collection of said cost from them.

iii. Any sign that the City removes for encroachment into a public right-of-way or easement, or that is located on public property without the City's permission shall be held for a maximum period of fourteen (14) days before being destroyed. In no case shall the failure to remove a sign constitute an approval by the City of the unlawful placement of the sign.

d. Legal Action. Initiate legal action through the City Attorney's Office.

4. Abate and Remove Non-Maintained or Abandoned Sign or Sign Identifying a Discontinued Use. The Planning Director may require that each non-maintained

or abandoned sign, or sign identifying a discontinued use be removed from the building or premises within forty-five (45) calendar days after providing written notice to the owner or persons benefiting from the sign.

14-19-106 RIGHT OF APPEAL

Any person who has been ordered to alter or remove any permanent sign, or any person whose application for a sign permit has been denied because of a conflict with any regulation stated herein, may appeal the decision as set forth in section 14-2-106 of this Title.

14-19-107 NONCOMPLYING SIGNS

- A. Regulation, containment, and elimination. In order to minimize confusion and unfair competitive disadvantage to those businesses which are required to satisfy the current Sign Code standards, the City intends to apply firm regulation of existing nonconforming signs with a goal of their eventual elimination. This goal shall be achieved by strictly construing limits on change, expansion, alteration, abandonment, and restoration. Excluding normal maintenance and repair, a noncomplying sign shall not be moved, altered, or enlarged unless it is brought into compliance with this Chapter. The following exceptions shall be permitted:
1. A face change in a noncomplying sign that does not encroach onto a public right-of-way or easement, and that is not deemed a public safety hazard by the Planning Director or City Engineer.
 2. A copy change in a noncomplying permanent sign which was originally approved by the City with a changeable copy feature.
- B. Abandonment. Within forty-five (45) calendar days after vacation of an existing business, a noncomplying sign shall be removed unless the property owner informs the City in writing of his intention to re-use the sign. The property owner shall be allowed one (1) year to establish a new use on the site. If the property owner does not take action within fourteen (14) days of written notice of violation, or if the signs are not re-used within the one (1) year period, the City may abate the signs and recover any and all costs. An abandoned sign shall not regain any legal noncomplying status later, even if the original business reoccupies the property.

14-19-108 PROHIBITED SIGNS

- A. Prohibited Sign Devices. Any sign not specifically allowed by this Chapter is prohibited. In addition, the following sign devices are prohibited anywhere in the City, unless specifically permitted herein:
1. A hot or cold air balloon, or inflatable, with the following exceptions:
 - a. Temporary signs, as allowed by this Title,
 - b. As part of a grand opening period, not to exceed thirty (30) days.

2. Animated signs are prohibited throughout the City, except in the Heavy Commercial (C-H) Subzone where they are allowed subject to the restrictions set forth in Section 14-19-113.
3. Any statuary bearing the likeness or suggestion of any product or logo.
4. Any roof sign.
5. Any snipe sign.
6. Any temporary sign except as allowed in this Title.
7. Any bus bench sign.
8. Any truck, trailer, or other vehicle, conspicuously, or regularly parked on-premises or off-premises with an advertising message or logo displayed to attract attention to a business, product or promotion. The Planning Director or representative may require a business to remove such truck, trailer, or other vehicle if in his opinion the vehicle is being utilized for advertising purposes.
9. Any Graffiti.
10. Any beacon or spotlight directed into the night sky except as part of an approved promotional period as a temporary sign.
11. Any off-premises sign (includes billboards), off-premises directional sign, or off-premises development sign, except as allowed herein.

B. Hand-bills, signs on public places and objects.

1. No person shall place or maintain any hand-bill, sign, or other depiction in or upon any City owned real or personal property.
2. Any hand-bill, sign, or other depiction found posted upon any public property contrary to the provisions of this section is hereby declared to be a public nuisance and may be summarily removed by the City. The person responsible for any such unlawful posting shall be liable for the cost incurred in the removal thereof and the City is authorized to recover said cost by any legal means.
3. Nothing in this section shall apply to the installation of a sign for which the City has granted a written permit.

C. Unsafe Signs. No sign shall be permitted which is for any reason a threat to public safety in the reasonable opinion of the City Engineer, or which by its location impairs the view of a driver traveling on, exiting from, or entering upon, a public street, or which is otherwise unsafe for vehicular or pedestrian traffic. Any such sign is hereby declared to be a public nuisance and may be summarily removed by the City.

14-19-109 SIGNS ALLOWED IN ALL ZONES WITHOUT A PERMIT

The following signs are allowed in any zone, except on public property, without a sign permit:

- A. One (1) on-premises directional sign whose sole purpose is to provide direction or instruction, and which does not exceed five (5) square feet in area or four (4) feet in height.
- B. The flag of any nation or political subdivision. No flag shall exceed thirty two (32) square feet in size. Not more than one (1) flag of each entity shall be flown at a time. Large flags flown in high wind may be deemed a noise and/or public safety nuisance and are subject to removal.
- C. Any regulatory sign.
- D. Any sign of twelve (12) square feet or less located in a residential single-family zone, located in accordance with the provisions of the particular zone.
- E. Any sign of twenty-four (24) square feet or less located in a residential multi-family zone, located in accordance with the provisions of the particular zone.
- F. Any holiday decoration that does not bear any commercial logo or message shall not be considered a sign.
- G. An approved sign with changeable copy area shall not require a permit to change the copy area.
- H. A political sign may be posted on any private property at any time, in accordance with provisions of this section and the temporary sign provisions of this Title.

14-19-110 FLAGS AND FLAGPOLES

- 1. Flags greater than 32 square feet in size, and flagpoles greater than 50 feet in height, are prohibited in all zones except as provided in this section.
- 2. In Commercial-General (C-G) and Commercial-Heavy (C-H) zones only, and on municipal property in all zones, flags more than 32 square feet and up to 1800 square feet in size, and flagpoles more than 50 feet and up to 120 feet in height, may be granted as a conditional use.
 - a. A conditional use permit under subsection (b) may be granted if the following conditions are met:
 - i. The property or business where it is located must be three acres or greater in size;
 - ii. The property or business where it is located must have a minimum total street frontage of at least five hundred (500) feet; and
 - iii. A second flagpole cannot be located within one thousand feet (1,000) feet of an existing flagpole.
 - b. Every conditional use permit granted hereunder is subject to the following regulations:

- i. only be the flag of the United States shall be flown except that a second flag up to 375 square feet in size may be flown on the same pole, subordinate to the American Flag;
 - ii. the flag must be maintained in good condition or it cannot be flown;
 - iii. in the event of a high wind the City Engineer may, in the reasonable exercise of discretion, order that the flag be taken down immediately until the wind subsides;
 - iv. the flagpole is subject to the abandoned Sign Code of Title 14;
 - v. The second flag authorized herein shall not be flown without the flag of the United States. The second flag shall be only the Utah state flag or an on-premise business identification flag. If the American flag is flown at half staff the second flag shall not be flown.
 - vi. There may only be one flagpole per property or business;
 - vii. Lighting shall be restricted as much as possible and shall not create a light problem for traffic, other businesses, or residents;
 - viii. The flagpole shall be maintained in such a manner that it does not create an unreasonable noise from the flag, chain, rope or other mechanisms or parts.
3. Additional conditions may be imposed to mitigate any adverse affects relating to the viewscape, noise, location upon the property, lighting, traffic, visibility and other issues related to the flag and flagpole.
 4. A sign permit and a building permit are required for any such flagpole.

14-19-111 SIGNS PERMITTED IN PROFESSIONAL OFFICE (P-O) AND HOSPITAL (H) ZONES

- A. The following sign types are permitted in Professional Office (P-O) and Hospital (H) Zones with a permit:
 1. Signs allowed. Each lot or parcel shall be allowed a permit for one (1) monument sign per street frontage, and any wall and accessory signs as permitted.
 2. Monument Sign. A lot or parcel with less than one hundred (100) linear feet of frontage shall be allowed one (1) monument sign of up to thirty-two (32) square feet with a maximum height of four (4) feet. A lot or parcel with one hundred (100) linear feet of frontage or greater shall be allowed one monument sign of up to sixty-four (64) square feet with a maximum height of six (6) feet, or two (2) monument signs of up to thirty-two (32) square feet each with a maximum height of four (4) feet. Such sign shall be located at least five (5) feet from any property line, in an area of landscaping equal or greater than the area of the sign, and on a landscaped berm not to exceed two (2) feet in height as measured at the adjacent sidewalk or top back of curb.

3. Freestanding or Pole Sign. A pole sign or other free-standing sign shall be expressly prohibited.
4. Wall signs in the Professional Office (PO) Zone. Sign area of up to ten percent (10%) of the primary façade with a maximum of sixty-four (64) square feet, with secondary signs allowed on two (2) additional faces not to exceed five percent (5%) of that wall surface with a maximum of thirty-two (32) square feet. No sign shall extend above the roof line of the building. Sign permit required.

Wall signs in the Hospital (H) Zone. Sign area of up to ten percent (10%) of the primary façade, with secondary signs allowed on two (2) additional faces not to exceed five percent (5%) of that wall surface. No sign shall extend above the roof line of the building. Sign permit required.
5. Canopy or awning signs. Sign copy, including logo, shall not exceed twelve (12) square feet or fifty percent (50%) of awning face area whichever is less. No flashing or intermittent illumination permitted. Awning signs shall be considered wall signs for area calculation and location purposes.
6. Changeable copy signs. Any changeable copy sign is expressly prohibited except on parcels of ground three (3) acres or larger within the Hospital (H) zone. Where permitted, one (1) changeable copy sign, not to exceed thirty-two (32) square feet, shall be allowed along each frontage of one hundred (100) linear feet or greater.
7. On-Premises Development Identification Signs. Each lot or parcel of commercial or industrial property shall have not more than one (1) sign per public or private street frontage identifying future site development. The sign shall not be erected before the proposed development has been submitted for site plan review and must be removed before final inspection or before permanent signs are installed. The sign shall not exceed fifteen (15) feet in height, and the maximum size shall be determined by the lot or parcel size as follows:

Less than Two (2) acres: Sixty four (64) square feet.

Two (2) acres or larger: One hundred twenty eight (128) square feet.

B. Other Approvals.

1. Any site plan application for a new multi-tenant center or building shall include a proposal for all on-premises signs.
2. In cases with parcels of land of five (5) acres or larger, and with frontage of three hundred (300) feet or more, a proposal for the overall design and placement of all on-premises signs shall be submitted. Such signs may vary from the regulations set forth herein and shall be considered as a conditional use for existing projects, or as a condition of site plan approval for new projects. This provision does not grant the applicant any expectation of approval of any sign that differs from the requirements of this Title; rather it allows the City the ability to approve signing schemes appropriate to the scale and impact of a project. The approving body must determine that the proposed sign exceptions are not in conflict with the purpose and intent of this Chapter, are in harmony with the general plan and

surrounding development, and are appropriate to the scale and impact of the project.

14-19-112 SIGNS PERMITTED IN THE GENERAL COMMERCIAL (C-G) ZONE

A. The following sign types are allowed in the General Commercial (C-G) Zones with a permit:

1. Each parcel of property shall be allowed either monument signs or one (1) freestanding (pole) sign on each street frontage, and any wall and accessory signs as permitted.
2. Monument Sign. Monument signs shall meet the following requirements:
 - a. A lot or parcel with less than one hundred (100) linear feet of frontage shall be allowed one (1) monument sign of up to thirty-two (32) square feet with a maximum height of four (4) feet.
 - b. A lot or parcel with one hundred (100) linear feet of frontage or greater shall be allowed one (1) monument sign of up to sixty-four (64) square feet with a maximum height of six (6) feet, or two (2) monument signs of up to thirty-two (32) square feet each with a maximum height of four (4) feet.
 - c. Such sign shall be located at least five (5) feet from any property line, in an area of landscaping equal to or greater than the area of the sign, and on a landscaped berm not to exceed two (2) feet in height as measured at the adjacent sidewalk or top back of curb.
3. Freestanding or Pole Signs. Freestanding or pole signs shall meet the following requirements:
 - a. Minimum one hundred (100) linear feet of street frontage for pole signs.
 - b. Maximum height of fifteen (15) feet.
 - c. Minimum ground clearance of eight (8) feet from street grade to bottom of sign.
 - d. Minimum setback of five (5) feet from any public right-of-way or any property line.
 - e. Maximum pole width of two (2) feet.
 - f. Minimum setback of ten (10) feet from any residential use or zone.
 - g. Signs shall be engineered to withstand one hundred (100) mph wind loads.

cover no more than twenty five (25%) of the entire surface area of a group of windows and,

- b. Shall not be affixed as to block clear view of exits or entrances or to create a safety hazard.
- c. This applies also to inside illuminated signs (e.g., neon, etc.) which are within 18 inches of the window surface. No sign permit required. All window signs will be counted as part of the total allowed sign area for wall signs.

10. Gas Stations Signs. Signs for canopies over gas islands are allowed and shall meet the following requirements:

- a. Sign copy shall be a maximum of thirty (30%) of the face of the canopy.
- b. The height to the top of the canopy fascia shall not exceed twenty (20) feet from grade, and no canopy fascia shall exceed four (4) feet in height.
- c. Individual letters, logos, or symbols shall not exceed four (4) feet in height or project out from the fascia or wall more than six (6) inches.

11. Menu Boards. Menu boards shall meet the following requirements:

- a. For drive-in restaurants, they shall be reviewed and approved by the Planning Department. The following shall apply although the Planning Commission may approve them at different locations depending upon circumstances:
- b. Only two (2) menu boards are allowed per site and must be located outside of the front landscaped setback area.
- c. Maximum area shall not exceed sixty-four (64) square feet per sign and eight (8) feet in height.

12. On-Premises Development Identification Signs. On-premises development identification signs shall meet the following requirements:

- a. Each lot or parcel of commercial or industrial property shall have no more than one (1) sign per public or private street frontage identifying future site development.
- b. The sign shall not be erected before the proposed development has been submitted for site plan review.
- c. The sign shall be removed before final inspection or before permanent signs are installed.
- d. The sign shall not exceed fifteen (15) feet in height, and the maximum size shall be determined by the lot or parcel size as follows:

Less than two (2) acres: Sixty four (64) square feet
Two (2) acres or larger: One hundred twenty eight (128) square feet

B. Other Approvals.

1. All new multi-tenant centers/ buildings must submit a proposal for all on-premises signs to the Planning Commission for design and placement approval.
2. In cases with parcels of land of five (5) acres or larger, and with frontage of three hundred (300) feet or more, a proposal for the overall design and placement of all on-premises signs shall be submitted. Such signs may vary from the regulations set forth herein and shall be considered as a conditional use for existing projects, or as a condition of site plan approval for new projects. This provision does not grant the applicant any expectation of approval of any sign that differs from the requirements of this Title; rather it allows the City the ability to approve signing schemes appropriate to the scale and impact of a project. The approving body must determine that the proposed sign exceptions are not in conflict with the purpose and intent of this Chapter, are in harmony with the general plan and surrounding development, and are appropriate to the scale and impact of the project.

14-19-113 SIGNS PERMITTED IN THE HEAVY COMMERCIAL (C-H) ZONE

A. The following sign types are allowed in the Heavy Commercial (C-H) Zones with a permit:

1. Each parcel of property shall be allowed either monument signs or one (1) freestanding (pole) sign on each street frontage, and any wall and accessory signs as permitted.
2. Monument Sign. Monument signs shall meet the following requirements:
 - a. A lot or parcel with less than one hundred (100) linear feet of frontage shall be allowed one (1) monument sign of up to thirty-two (32) square feet with a maximum height of four (4) feet.
 - b. A lot or parcel with one hundred (100) linear feet of frontage or greater shall be allowed one (1) monument sign of up to sixty-four (64) square feet with a maximum height of six (6) feet, or two (2) monument signs of up to thirty-two (32) square feet each with a maximum height of four (4) feet.
 - c. Such sign shall be located at least five (5) feet from any property line, in an area of landscaping equal to or greater than the area of the sign, and on a landscaped berm not to exceed two (2) feet in height as measured at the adjacent sidewalk or top back of curb.

3. Freestanding or Pole Signs. Freestanding or pole signs shall meet the following requirements:
 - a. A lot or parcel with at least one hundred (100) linear feet of frontage shall be allowed one (1) freestanding sign of up to Sixty (60) square feet for the first one hundred (100) feet of lineal street frontage plus one (1) square foot for each lineal foot of frontage over one hundred (100), to a maximum of one hundred twenty (120) square feet total.
 - b. Double faced signs shall be allowed the maximum area on each side.
 - c. Multi-faced signs shall be allowed only a combined sign face total equal to the maximum area allowed.
 - d. Maximum height of thirty (30) feet.
 - e. Minimum ground clearance of seven (7) feet from sign grade to bottom of sign.
 - f. Maximum pole width of two (2) feet.
 - g. Minimum setback of five (5) feet from any public right-of-way and/or street property line.
 - h. Minimum setback of ten (10) feet from any residential use or zone.
 - i. Signs shall be engineered to the standards of the adopted version of the International Building Code.
 - 1) Freestanding Freeway-Oriented Signs. A freestanding sign located immediately adjacent to the I-15 corridor or Frontage Road shall meet all the criteria of this section except that it shall not exceed forty (40) feet in height nor have a pole and/or pole cover that exceed four (4) feet in width.

4. Wall signs. Wall signs shall meet the following requirements:
 - a. Maximum sign area of twenty percent (20%) of the facade of the building facing the main public street with secondary signs allowed on two (2) additional faces not to exceed five percent (5%) of that wall surface.
 - b. No sign, nor part of any sign, shall extend more than two (2) feet above the highest point of a flat roof or mansard roof. Corner parcels may have a maximum of twenty percent (20%) sign area on both facades facing a public street.

5. Canopy or awning signs. Canopy or awning signs shall meet the following requirements:
 - a. Sign copy, including logo, not to exceed twelve (12) square feet or fifty percent (50%) of awning face area whichever is less.

- b. No flashing or intermittent illumination permitted.
 - c. Awning signs are considered wall signs for area calculation and location purposes.
6. Projecting signs. Projecting signs shall meet the following requirements:
- a. Project not more than two (2) feet from the face of a wall and shall not project over a public right-of-way.
 - b. Be mounted no higher than fifteen (15) feet above the finished grade and allow no less than ten (10) feet of clearance between the bottom of the sign and the finished grade.
 - c. Be included in the total square footage allowed for flat and wall signs on the side of the building on which it is mounted as measured under Section 14-19-117 of this Chapter.
7. Changeable copy signs. Manual changeable copy signs shall meet the following requirements:
- a. Manual changeable copy signs shall be limited to fifty (50%) of the total sign area.
 - b. Electronic changeable copy signs shall be limited to fifty (50%) or thirty-two (32) square feet of the total sign area, whichever is less.
 - c. Electronic changeable copy signs located on properties immediately abutting the I-15 corridor or frontage road shall be limited to fifty (50%) or sixty four (64) square feet of the total sign area, whichever is less, and that the sign shall be reduced in brightness by fifty percent (50%) between the hours of eleven (11) p.m. and six (6) a.m.
8. Window Signs. Window signs shall meet the following requirements:
- a. Window signs which are intended to be visible from the public right-of-way and are painted on or temporarily affixed to the window surface shall cover no more than twenty five percent (25%) of the entire surface area of a group of windows.
 - b. Shall not be affixed as to block clear view of exits or entrances or to create a safety hazard.
 - c. This applies also to inside illuminated signs (e.g., neon, etc.) which are within eighteen (18) inches of the window surface. No sign permit required.
 - d. All window signs will be counted as part of the total allowed sign area for wall signs.

9. Gas Stations Signs. Signs for canopies over gas islands are allowed as follows:
 - a. Sign copy shall be a maximum of thirty percent (30%) of the face of the canopy.
 - b. The height to the top of the canopy fascia shall not exceed twenty (20) feet from grade, and no canopy fascia shall exceed four (4) feet in height.
 - c. Individual letters, logos, or symbols shall not exceed four (4) feet in height or project out from the fascia or wall more than six (6) inches.
10. Menu Boards. Menu boards for drive-in restaurants shall be reviewed and approved by the Planning Department at site plan review. The following shall apply although the Planning Commission may approve them at different locations depending upon circumstances:
 - a. Only two (2) menu boards are allowed per site and shall be located outside of the front landscaped setback area.
 - b. Maximum area shall not exceed sixty-four (64) square feet per sign and eight (8) feet in height.
11. On-Premises Development Identification Signs. On-premises development identification signs shall meet the following requirements:
 - a. Each lot or parcel of commercial or industrial property shall have not more than one (1) sign per public or private street frontage identifying future site development.
 - b. The sign shall not be erected before the proposed development has been submitted for site plan review and must be removed before final inspection or before permanent signs are installed.
 - c. The sign shall not exceed fifteen (15) feet in height, and
 - d. The maximum size shall be determined by the lot or parcel size as follows:

Less than two (2) acres: Sixty four (64) square feet.
Two (2) acres or larger: One hundred twenty eight (128) square feet.
12. Animated Sign. The only type of animated sign permitted is an electronic reader board or panel, subject to the height, area, and other restrictions of this Chapter.

B. Other Approvals.

1. All new multi-tenant centers/ buildings shall submit a proposal for all on-premises signs to the Planning Commission for design and placement approval.

2. In cases with parcels of land of five (5) acres or larger, and with frontage of three hundred (300) feet or more, a proposal for the overall design and placement of all on-premises signs shall be submitted. Such signs may vary from the regulations set forth herein and shall be considered as a conditional use for existing projects, or as a condition of site plan approval for new projects. This provision does not grant the applicant any expectation of approval of any sign that differs from the requirements of this Title; rather it allows the City the ability to approve signing schemes appropriate to the scale and impact of a project. The approving body must determine that the proposed sign exceptions are not in conflict with the purpose and intent of this Chapter, are in harmony with the general plan and surrounding development, and are appropriate to the scale and impact of the project.

14-19-114 SIGNS PERMITTED IN THE NEIGHBORHOOD COMMERCIAL (C-N) ZONE

- A. The following sign types are allowed in the Neighborhood Commercial (C-N) Zones with a permit:
 1. Each parcel of property shall be limited to monument signs and any wall and accessory signs as permitted.
 2. Monument Sign. Monument signs shall meet the following requirements:
 - a. A lot or parcel with less than one hundred (100) linear feet of frontage shall be allowed one (1) monument sign of up to thirty-two (32) square feet with a maximum height of four (4) feet.
 - b. A lot or parcel with one hundred (100) linear feet of frontage or greater shall be allowed one monument sign of up to sixty-four (64) square feet with a maximum height of six (6) feet, or two (2) monument signs of up to thirty-two (32) square feet each with a maximum height of four (4) feet.
 - c. Such sign shall be located at least five (5) feet from any property line, in an area of landscaping equal or greater than the area of the sign, and on a landscaped berm not to exceed two (2) feet in height as measured at the adjacent sidewalk or top back of curb.
 3. Wall signs. Wall signs shall meet the following requirements:
 - a. Maximum sign area of fifteen (15%) of the primary facade of the building.
 - b. A corner property may have signs on the facade facing the secondary street, with a maximum sign area of five (5%) of that facade.
 - c. No portion of the sign shall extend more than two (2) feet above the highest point of a flat roof or mansard roof.
 4. Canopy or awning signs. Canopy or awning signs shall meet the following requirements:

- a. Sign copy, including logo, not to exceed twelve (12) square feet or fifty percent (50%) of awning face area whichever is less.
 - b. No flashing or intermittent illumination permitted.
 - c. Awning signs are considered wall signs for area calculation and location purposes.
5. Projecting signs. Projecting signs shall meet the following requirements:
- a. Project not more than Two (2) feet from the face of a wall and shall not project over any public right-of-way.
 - b. Mounted no higher than fifteen (15) feet above the finished grade and allow no less than ten (10) feet of clearance between the bottom of the sign and the finished grade.
 - c. The area of the sign shall be included in the total square footage allowed for flat and wall signs on the side of the building on which it is mounted.
6. Changeable copy signs. Changeable copy or electric message center signs are not permitted.
7. Window Signs. Window signs shall meet the following requirements:
- a. Signs which are intended to be visible from the public right-of-way and are painted on or temporarily affixed to the window surface shall cover no more than twenty five percent (25%) of the entire surface area of a group of windows
 - b. Shall not be affixed as to block clear view of exits or entrances or to create a safety hazard.
 - c. Neon and other illuminated signs are not permitted in windows.
8. Gas Stations Signs. Signs for canopies over gas islands are allowed as follows:
- a. Sign copy shall be a maximum of thirty percent (30%) of the face of the canopy.
 - b. The height to the top of the canopy fascia shall not exceed twenty (20) feet from grade, and no canopy fascia shall exceed four (4) feet in height.
 - c. Individual letters, logos, or symbols shall not exceed four (4) feet in height or project out from the fascia or wall more than six (6) inches.
9. Menu Boards. Menu boards for drive-up windows are to be reviewed and approved by the Planning Department. The following shall apply:
- a. Only two (2) menu boards are allowed per site and shall be located behind the front landscaped setback area.

- b. Maximum area shall not exceed sixty-four (64) square feet per sign and eight (8) feet in height.
10. On-Premises Development Identification Signs. On-premises development identification signs shall meet the following requirements:
- a. Each lot or parcel of commercial or industrial property shall not have more than one (1) sign per public or private street frontage identifying future site development.
 - b. The sign shall not be erected before the proposed development has been submitted for site plan review and must be removed before final inspection or before permanent signs are installed.
 - c. The sign shall not exceed fifteen (15) feet in height, and the maximum size shall be determined by the lot or parcel size as follows:

Less than two (2) acres: Sixty four (64) square feet.

Two (2) acres or larger: One hundred twenty eight (128) square feet.

14-19-115 SIGNS PERMITTED IN THE DOWNTOWN (DN) ZONE

- A. The following sign types are allowed in the Downtown (DN) Zones with a permit:
- 1. Each parcel of property shall be allowed monument signs and any wall and accessory signs as permitted.
 - 2. Monument Sign. Monument signs shall meet the following requirements:
 - a. A lot or parcel with less than one hundred (100) linear feet of frontage shall be allowed one (1) monument sign of up to thirty-two (32) square feet with a maximum height of four (4) feet.
 - b. A lot or parcel with one hundred (100) linear feet of frontage or greater shall be allowed one monument sign of up to sixty-four (64) square feet with a maximum height of six (6) feet, or two (2) monument signs of up to thirty-two (32) square feet each with a maximum height of four (4) feet.
 - c. Such sign shall be located at least five (5) feet from any property line, in an area of landscaping equal or greater than the area of the sign, and on a landscaped berm not to exceed two (2) feet in height as measured at the adjacent sidewalk or top back of curb.
 - 3. Block Directory Signs.
 - a. The City may erect, or permit to be erected, a sign or sign structure at each corner of Main Street within the Downtown Zone that indicates the businesses located within the physical block on which the sign is located.

- b. The design, size, and location of these signs shall be determined by the Planning Commission.
 - c. The City Council, or its agent, may charge a fee to recover only the cost of installing, maintaining, and updating the signs.
4. Wall signs. Wall signs shall meet the following requirements:
- a. Maximum sign area of twenty percent (20%) of the primary facade of the building with secondary signs allowed on two (2) additional facades not to exceed five percent (5%) of those facades.
 - b. No sign, nor part of any sign, shall extend more than two (2) feet above the highest point of a flat roof or mansard roof. Corner parcels may have a maximum of twenty percent (20%) sign area on both facades facing a public street.
5. Canopy or awning signs. Canopy or awning signs shall meet the following requirements:
- a. Sign copy, including logo, not to exceed fifty percent (50%) of the awning face area.
 - b. No flashing or intermittent illumination permitted.
 - c. Awning signs are considered wall signs for area calculation and location purposes.
 - d. Properties fronting on Main Street may have an awning and/or awning sign that projects up to six (6) feet over the Main Street right-of-way, as long as all of the following are met:
 - i. The awning is at least five (5) feet horizontally from the improved edge of any vehicle traffic lane or parking stall.
 - ii. There is a minimum clearance of at least seven (7) feet between the sidewalk and any part of the awning.
6. Projecting signs on Main Street. Properties fronting on Main Street may have awnings and/or awning signs that project up to six (6) feet over the Main Street right-of-way, as long as all of the following are met:
- a. Any part of the sign is at least five (5) feet horizontally from the improved edge of any vehicle traffic lane or parking stall
 - b. There is a minimum vertical clearance of at least ten (10) feet between the sidewalk and any part of the sign.
 - c. The awnings are maintained in a safe manner. Any awning that is deemed unsafe by the City Engineer is declared to be a public nuisance and may be summarily removed.

7. Projecting signs not on Main Street. Projecting signs not along Main Street shall be allowed and shall meet the following requirements:
 - a. Project not more than four (4) feet from the face of a wall and shall not project over any public right of way.
 - b. Mounted no higher than fifteen (15) feet above the finished grade and allow no less than ten (10) feet of clearance between the bottom of the sign and the finished grade.
 - c. The area of the sign shall be included in the total square footage allowed for flat and wall signs on the side of the building on which it is mounted.
8. Changeable copy signs. Manual changeable copy signs are allowed but are limited to not more than fifty percent (50%) of any sign area. Electronic reader boards and panels are prohibited.
9. Window Signs. Window signs shall meet the following requirements:
 - a. Window signs which are intended to be visible from the public right-of-way and are painted on or temporarily affixed to the window surface shall cover no more than twenty five percent (25%) of the entire surface area of a group of windows.
 - b. Shall not be affixed as to block clear view of exits or entrances or to create a safety hazard.
 - c. This applies also to inside illuminated signs (e.g., neon, etc.) which are within eighteen (18) inches of the window surface.
 - d. No sign permit required.
 - e. All window signs will be counted as part of the total allowed sign area for wall signs.
10. Gas Stations Signs. Signs for canopies over gas islands are allowed as follows:
 - a. Sign copy, corporate logos, etc. shall be a maximum of ten percent (10%) of one (1) face of the canopy.
 - b. The height to the top of the canopy fascia shall not exceed twenty (20) feet from grade, and no canopy fascia shall exceed four (4) feet in height.
 - c. Individual letters, logos, or symbols shall not exceed four (4) feet in height or project out from the fascia or wall more than six (6) inches.
11. Menu Boards. Menu boards for drive-up windows are to be reviewed and approved by the Planning Department. The following shall apply:

- a. Only two (2) menu boards are allowed per site and must be located behind the front landscaped setback area.
 - b. Maximum area shall not exceed sixty-four (64) square feet per sign and eight (8) feet in height.
12. On-Premises Development Identification Signs. Each lot or parcel of commercial or industrial property shall have not more than one (1) sign per public or private street frontage identifying future site development. The sign shall not be erected before the proposed development has been submitted for site plan review and must be removed before final inspection or before permanent signs are installed. The sign shall not exceed fifteen (15) feet in height, and the maximum size shall be determined by the lot or parcel size as follows:
- Less than two (2) acres: Sixty four (64) square feet.
Two (2) acres or larger: One hundred twenty eight (128) square feet.

B. Other Approvals.

- 1. All new multi-tenant centers/buildings shall submit a proposal for all on-premises signs to the Planning Commission for design and placement approval.
- 2. In cases with parcels of land of three (3) acres or larger, and with frontage of two hundred (200) feet or more, a proposal for the overall design and placement of all on-premises signs shall be submitted. Such signs may vary from the regulations set forth herein and shall be considered as a conditional use for existing projects, or as a condition of site plan approval for new projects. This provision does not grant the applicant any expectation of approval of any sign that differs from the requirements of this Title; rather it allows the City the ability to approve signing schemes appropriate to the scale and impact of a project. The approving body must determine that the proposed sign exceptions are not in conflict with the purpose and intent of this Chapter, are in harmony with the general plan and surrounding development, and are appropriate to the scale and impact of the project.

14-19-116 SIGNS PERMITTED IN ALL RESIDENTIAL ZONES

Allowable Signs. The following signs are permitted in Residential Zones. Home occupation signs shall be in conformance with the standards set forth in section 14-17-105 Home Occupation Requirements.

- A. Temporary Sign: One temporary sign not to exceed twelve (12) square feet.
- B. Identification Signs for Institutional Uses such as Public Buildings, Private Schools and Churches: One monument or one wall mounted identification sign will be allowed for public buildings, private schools and churches. Monument identification signs shall not exceed 40 square feet in area and shall not exceed 6 feet in height including a maximum 3 foot high base (not included in the sign area). Monument signs shall be placed a minimum of 5 feet from all property lines on a landscaped berm not to exceed two (2) feet in height as measured at the adjacent sidewalk or top back of curb and shall not be located in a vision clearance area as defined in this Title. There shall be at least 2

square feet of landscaped area for each square foot of sign area. Wall mounted signs shall not exceed 24 square feet and shall not be located higher than the eave of the building.

- C. Parks and Publicly Owned Golf Courses: May have signs as approved by the Bountiful City Council.

14-19-117 TEMPORARY SIGNAGE

- A. PURPOSE. Permanent signs permitted by this Chapter are intended to allow adequate and reasonable location of signs for local businesses. However, the City realizes that from time to time it is necessary for a business to advertise special events and other commercial messages. To help businesses address this issue, the following regulations have been established for temporary banners and signs.
- B. Any temporary sign shall be subject to the following:
 - 1. A temporary sign shall be located on-premises only, except for an A-Frame sign which may be located in a parkstrip immediately in front of the premises in accordance with the provisions of this Title.
 - 2. A temporary sign shall not be located within five (5) feet of any public sidewalk or any public right-of-way, except for an A-Frame sign which may be located in a parkstrip immediately in front of the premises in accordance with the provisions of this Title.
 - 3. A temporary sign shall not shall not be illuminated, flash, blink, spin, rotate, block traffic visibility of vehicles entering onto a public street or cause a public nuisance of any kind.
 - 4. A temporary sign shall not be located closer than twenty-five (25) feet to any residential zone or use.
 - 5. A temporary sign shall not be located within a clear-view area as set forth in this Title.
 - 6. For any single or two tenant property, the following shall apply:
 - a. Any tenant with less than ten thousand (10,000) sq. ft. of building area shall not display more than one (1) temporary sign at any time. The maximum area of any temporary sign shall be thirty-two (32) sq. ft.
 - b. Any tenant with greater than ten thousand (10,000) sq. ft. of building area shall not display more than two (2) temporary signs at any time. The maximum combined area of the two (2) signs shall be forty-eight (48) sq. ft.
 - c. Where a property abuts two (2) streets, one (1) additional sign, oriented to the other abutting street, shall be permitted.

7. For any multi-tenant property, the following shall apply:
 - a. Any business with less than ten thousand (10,000) sq ft of building area shall not display more than one temporary sign at any time. The maximum area of any sign shall be twenty-four (24) sq ft. However, in no instance shall there be displayed more than three (3) temporary signs per one hundred (100) linear feet of frontage.
8. A temporary sign shall be a banner, wall sign, A-Frame sign, or a pedestal type sign. No other type of sign is permitted.
9. The following items are not lawful temporary signs: a portable reader board, any type of electric sign, a sign attached to another sign or sign structure, a balloon, a streamer, an inflatable device, and/or a vehicle or trailer with any graphics or advertisements.
10. A temporary sign shall be substantially constructed and adequately weighted, anchored, or attached to the ground to protect the public and property.
11. No permit shall be required for a temporary A-Frame sign that is removed at the end of each business day.
12. An A-Frame sign shall be designed, constructed, and installed such that it will lay flat if it is contacted by any object.
13. Any temporary sign, other than an A-Frame sign, shall be posted not more than one (1) time each business quarter, for a maximum of thirty (30) concurrent days.
14. No temporary sign shall be taller than six (6) feet in height.
15. Zones
16. Permit required.

14-19-118 SIGN PERMIT PROCESS

- A. 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 Planning Department except as outlined in this Code. This includes new signs, signs to be added to existing buildings or uses, and existing signs that are to be enlarged, changed, or otherwise altered.
- B. Any sign shall be constructed of low maintenance, weather resistant materials.
- C. The approval for a sign or sign application shall be based on the following criteria and standards:
 1. Conformance to the provisions of this Chapter and all other ordinances and standards of the City.
 2. The impact upon the health, safety, and welfare, of community.

3. The effect of the sign upon ingress, egress, internal traffic circulation, off-street parking facilities, loading and service areas and pedestrian ways.
 4. Compatibility with surrounding structures and signs.
 5. Concealment of all mechanical equipment, appurtenances, and utilities, from view. Electrical boxes, wires, or switches, and other related devices shall be an integral part to the sign design.
 6. The location of the sign upon the premises.
 7. The location of existing signs, if any, upon the premises, or in the immediate area.
- D. The Planning Department, Administrative Committee, Planning Commission or City Council shall have the function, duty, and power to approve, disapprove, or approve a sign permit with conditions, as dictated by this Title.
- E. A sign permit shall be reviewed and approved as follows:
1. New Developments. Preliminary plans for signs in new developments must first be approved by the Planning Commission during the site plan approval process. A sign permit shall be issued only after it is determined that the proposed sign complies with the approved sign plan and with the provisions of this Chapter.
 2. Existing Developments. Issuance of any sign permit for an existing development or where ownership of a legal existing business changes and necessitates a new sign, the permit may be approved by the Planning Department provided that the sign meets the requirements of this Chapter.
- F. An application for a sign permit shall be filed with the Planning Department on a form provided. It shall include:
1. All required fees.
 2. Clear and complete graphics and written information adequate to show compliance with all applicable requirements of this Chapter.
- G. The Planning Director or his designee shall review any permit application submittal for compliance. If any part of the submittal requires review and/or approval by any land use authority other than the Planning Director, the applicant shall submit the plans to that body and receive its approval prior to the issuance of a sign permit. Any permit which meets the requirements and criteria of this Title shall be approved. A permit which does not meet the requirements and criteria of this Title shall be returned to the applicant.
- H. The decision of the Planning Director may be appealed as set forth in Section 14-2-106 of this Title.
- I. At least two (2) copies of the following specific information shall be provided in writing for the sign types indicated:

1. Monument and Freestanding or Pole Signs.

- a. A site plan showing the location of any and all signs, including existing and proposed. The site plan shall include:
 - i. The location of any buildings on the property and within fifty (50) feet on adjacent properties,
 - ii. Property lines and dimensions,
 - iii. The required setback from property lines, public-rights of-way, intersections, easements, and driveways,
 - iv. Any required landscaping.
- b. An accurately dimensioned, scaled drawing showing height, color, square foot dimensions, landscaping, sign composition, type of illumination and how the sign will appear from the street.
- c. Details of sign construction including an electrical plan and foundation scheme. If the sign constitutes a structure or otherwise falls under the jurisdiction of the International Building Code, then the foundation plan shall be stamped and signed by a Licensed Utah Professional Engineer.

2. Wall Signs.

- a. A scaled drawing showing square foot dimensions of the building and the sign, the sign composition and the type of illumination (if applicable).
- b. A profile drawing of how the sign will appear from the street/parking area and on the building.
- c. Details of sign construction and attachment, including an electrical plan (if applicable).

3. Temporary signs requiring permits.

- a. A site plan showing the location of any and all signs, including existing and proposed. The site plan shall include:
 - i. The location of any buildings on the property and within fifty (50) feet on adjacent properties,
 - ii. Property lines and dimensions,
 - iii. The required setback from property lines, public rights-of-way, intersections, easements and driveways,
 - iv. Any required landscaping.

b. Length of period for display and the type of request.

J. **ADDITIONAL INFORMATION REQUIRED.** The following additional information shall be required with all sign permit applications:

1. A current Bountiful City business license or a completed business license application, where applicable.
2. Business address and phone number.
3. Property owner address of and phone number.
4. General and/or electrical contractor's license number.
5. Value of the sign.

14-19-119 SAFETY AND LOCATION STANDARDS FOR PERMANENT SIGNS

- A. Any sign erected in Bountiful City shall comply with the provisions of the current National Electrical Code, International Building Code, the Bountiful City Code and this Code effective at the time the permit is issued.
- B. Any permanent sign shall be engineered to demonstrate conformance with the applicable provisions of the current International Building Code and, where required by this Code or by the Chief Building Official, 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 any supporting device.
- C. No sign, fixture, or device involving electrical wiring or connections shall be erected or installed in Bountiful City except by a licensed and bonded contractor.
- D. All permanent signs must be built of durable and permanent materials.
- E. Permanent power sources for signs must be concealed underground or within a structure and away from public view and immediate access.
- F. No sign or other advertising structure shall be erected which in any manner may be confused with a public necessity sign, official traffic sign or signal, or which bears words normally used in such signs, i.e., stop, go slow, caution, danger, warning, turn here, turn, etc.
- G. 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.
- H. No sign shall have lighting which impairs the vision of anyone traveling upon a public right-of-way or distracts any driver or pedestrian so as to create a public nuisance.
- I. No sign, except for a regulatory sign, shall be located within a clear-view area, as set forth in section 14-16-108 of this Title.

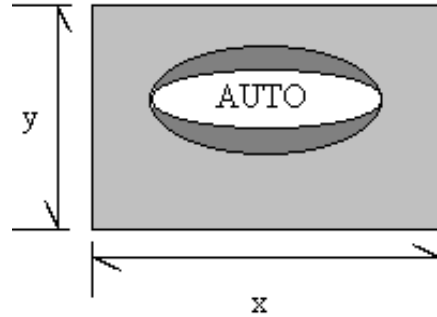
- J. There are certain situations where a sign poses or may pose an immediate public safety hazard. The following signs are deemed unlawful and hazardous to the public safety, and any employee of the City is authorized to immediately abate, remove or otherwise remedy them:
1. Any sign or related structure which interferes with the safe view of drivers entering a public right-of-way from any driveway or property.
 2. Any sign that extends over any pedestrian or vehicular access area, unless specifically authorized by the City.
 3. Any sign which interferes with the use of any fire escape, exit, required stairway, door ventilator, or window.
 4. Any sign which has less horizontal or vertical clearance from communication lines and/or energized electrical power lines, according to the provisions of this Title and the standards of the Bountiful Light and Power Department.
 5. Any sign that is located on publicly owned land, inside street rights-of-way, or on public easements, except signs owned and erected by an authorized public agency or that are specifically authorized herein.
- K. Every sign shall be maintained and kept in good repair, including without limitation, the repair of glass, plastic, or other sign face material which is missing, broken, damaged, or deteriorated and the repair of any pole, frame, support or similar structure which is broken, damaged, or deteriorated.
- L. Every sign shall be maintained as originally approved in its sign permit. This applies to all components of the sign including the sign copy, except:
1. Portions of changeable copy on approved signs.
 2. Changes of copy area only on legally conforming signs. All non-complying signs, and any change to the cabinet, pole, structure, or any other sign element requires a sign permit.
- M. The maintenance, renovation, or repair of a sign may require a building permit under the current International Building Code.
- N. Whenever the use of any sign, as determined by the discontinuance of the permitted use for which the sign was used, or the use of the sign frame or sign supporting structure has been discontinued for a period of 45 consecutive days, such sign, sign frame, or sign supporting structure shall be removed immediately.
- O. All free-standing or monument signs installed in Bountiful City must be incorporated into a landscape design or planter box. Exceptions to this rule must be approved by the Planning Commission.
- P. All on-premises freestanding signs shall have the structural supports covered or concealed with pole covers (pylon covers). The actual structural supports shall not be exposed for the safety and welfare of any person near the said sign.

- Q. All permanent signs shall be permanently mounted on foundations and footings which conform to the International Building Code.
- R. The light from the illumination of any sign shall be carefully directed so that the light is not obtrusive or a nuisance to traffic or adjacent properties; particularly in residential neighborhoods.
- S. 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 (4) inches in height as required by the Fire Marshall.
- T. Any internally illuminated pole or wall sign, including any electronic reader board or panel, shall be installed with an automatic shutoff timer.

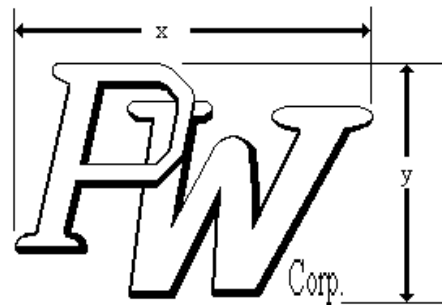
14-19-120 MEASUREMENT OF REGULATED SIGN AREA

A. Flat or Wall Signs

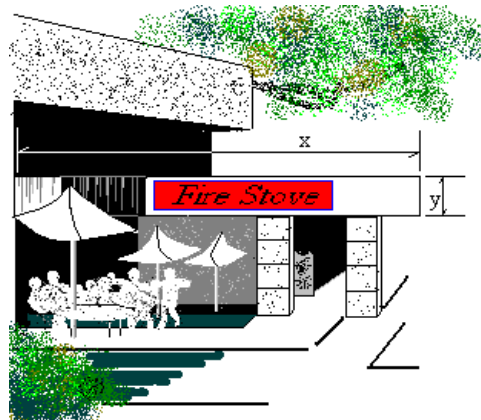
- 1. Sign copy mounted or painted on a background panel or area distinctively painted, textured, or constructed as background for the sign copy shall be measured as that area contained within the outside dimensions of the background panel or surface.



- 2. Sign area for copy mounted as individual letters and/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 shall be measured as the area enclosed by the smallest single rectangle that will enclose all sign copy.

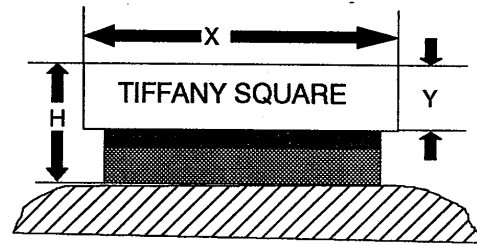


- 3. For sign copy mounted or painted on an illuminated sign or architectural element of a building, the entire illuminated surface or illuminated architectural element which contains sign copy shall be counted as sign area.



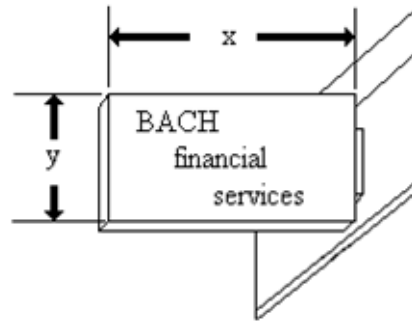
B. Monument Signs.

1. The regulated area of a monument sign shall include all parts of the sign or structure that contains identification (words or symbols) and information.
2. The height of a ground sign shall be the distance from the highest point of the sign to the height of the street or sidewalk.

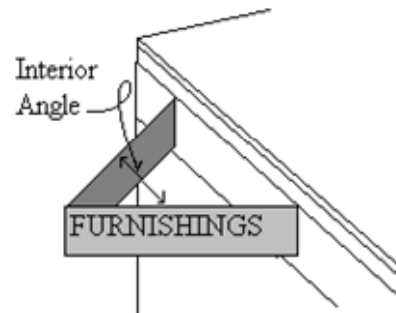


C. Multiple Face Signs. (including but not limited to freestanding or monument signs):

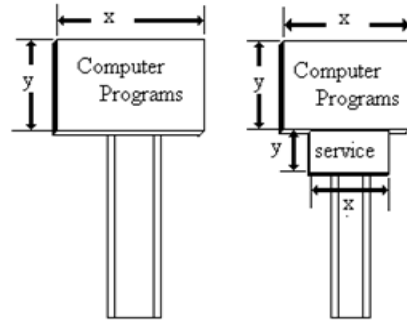
1. Single Panel. Measure the area of the single face only.



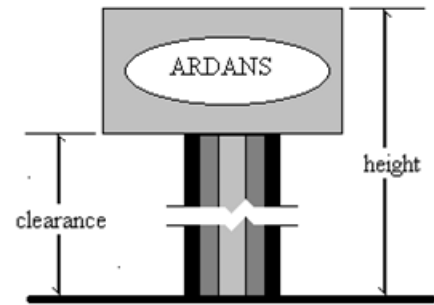
2. Double Panel. If the interior angle between the top two (2) faces is thirty (30) degrees or less, the area to be measured will be the area of one face only. If the angle between the two sign faces is greater than thirty (30) degrees, the sign area to be measured will be the sum of the areas of the two (2) faces.



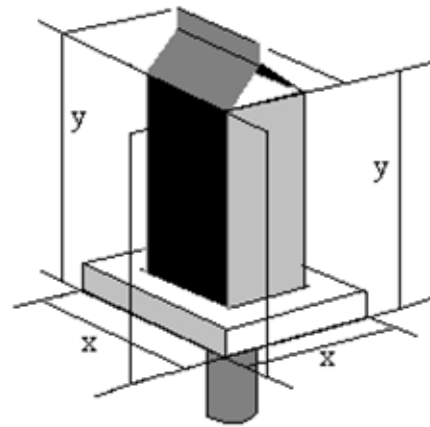
- D. The regulated area of freestanding signs shall include all parts of the sign or structure that contains identification (words or symbols) and information.



1. The height of a freestanding sign shall be the vertical distance measured from the highest point of the sign to the grade of the adjacent street, curb, or sidewalk, or the crown of the street when there is no curb or sidewalk.



2. For spherical, freeform, 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.



14-19-121 ELECTRONIC MESSAGE CENTER STANDARDS

- A. An electronic message center is not allowed in any zone except as set forth in this Chapter.
- B. An electronic message center in any zone shall meet the following criteria:
 - 1. An electronic message center shall not exceed thirty-two (32) square feet.
 - 2. An electronic message center is prohibited if it exceeds more than 50% of the total sign area.
 - 3. An electronic message center shall only be constructed as part of a permitted freestanding (pole), wall or monument sign.
 - 4. An electronic message center shall be located only on a single or double-sided planer sign, and not on a multiple face or other non-planer sign.
 - 5. An electronic message center shall not be constructed in a location that interferes with a regulatory device, as determined by the City Engineer.
 - 6. An electronic message center shall be equipped with a sensor or other device that automatically determines the ambient illumination and must be programmed to automatically dim according to ambient light conditions.
 - 7. Where allowed as a conditional use, conditions may be imposed by the planning commission regarding hours of sign operation, sign height, sign size and/or setbacks from property lines to mitigate impacts on nearby residential properties, to protect critical viewsheds as established in the General Plan, or to prevent potential traffic hazards.
 - 8. An electronic message center shall only be constructed in a location and in a manner permitted by this Title.
- C. An electronic message center in any zone, with the exception of an electronic message center located on Hwy 89, shall be operated at all times in accordance with the following:
 - 1. An electronic message center shall only display static images or scrolling text.
 - 2. An electronic message center shall not display video images, or scintillating images.
 - 3. The minimum display duration shall be four (4) seconds.
 - 4. The maximum image transition duration shall be three (3) seconds.
 - 5. A transition shall be from one image to another either by fading or dissolving to the next image, without the use of flashing, animation, or movement.
 - 6. No image shall be shown on, or with, a white background.

7. The illuminance of an electronic message center shall not increase ambient lighting conditions by more than 0.3 footcandles when measured perpendicular to the electronic message center face at a distance set forth below:

Area of Sign (sq ft.)	Measurement Distance (In ft.)
10	32
15	39
20	45
25	50
30	55
35	59
40	63
45	67
50	71
55	74
60	77
65	81
70	84
75	87
80	89
85	92
90	95
95	97
100	100

8. An electronic message center shall not exceed 7,000 nits during daylight hours.
9. An electronic message center shall not exceed 18,000 nits during evening and nighttime hours.

- D. An electronic message center is allowed only on a commercial property in the following locations within the Heavy Commercial (CH), General Commercial (CG), Mixed-Use (MXD), and Downtown (DN) zoning designations:

Table 14-19-121 D. Electronic Message Center Location, Style, and Approval Process

P = Permitted Use C = Conditional Use X = Not Allowed

Zone	Location	Pole	Monument	Wall
CH, CG	Hwy 89	P	P	P
CG, DN	500 South Street – West of 100 East St.	C	P	C
CH, CG, DN	400 North St. – West of Main St.	C	C	C
CH, CG	2600 South – West of 500 West St.	C	P	C
CG, MXD	Orchard Drive	X	C	X

- E. An electronic message center shall not be located on any property that does not directly front on a street or public right-of-way set forth in section D above.

- F. An electronic message center shall only be oriented toward a street or public right-of-way set forth in Section D, above, and in no other direction.
- G. An electronic message center, and any sign containing an electronic message center, shall be constructed or modified without a permit, unless specifically exempted by this title.
- H. A temporary sign of any kind is not allowed on any parcel or lot with an electronic message center.
- I. If otherwise permitted under §14-19-121, and subject to such conditions that may be established in the conditional use permit process, pole signs legally existing in the Downtown (DN) zone on November 30, 2011, may incorporate an electronic message center, if the entire sign and supporting structure are brought into compliance with the standards for a pole sign within the General Commercial (CG) zone.