

ORDINANCE NO. 2007-08

AN ORDINANCE OF THE CITY OF WENDOVER, TOOELE COUNTY, UTAH AMENDING RULES AND REGULATIONS FOR SIGNS AND OUTDOOR ADVERTISING

WHEREAS, the City has previously enacted its Ordinance no. 2007-04, governing signs and outdoor advertising in the City of Wendover; and

WHEREAS, an amendment is needed to the definition of "Sign, billboard" and "Billboard" as set forth in Section 1.020 of the Sign Ordinance: and

WHEREAS, Ordinance no. 2007-04 (Section 6.060) limits the size of off premise billboard signs to 672 square feet; and

WHEREAS, the City deems it reasonable and appropriate that off premise signs be allowed to exceed the 672 square feet limitation on a temporary basis, requiring periodic applications and reviews.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF WENDOVER,
COUNCIL OF THE CITY OF WENDOVER, TOOELE COUNTY, UTAH THAT:**

1. Amendment of Ordinance.

A. Attached hereto is an amendment to Section 1.020 entitled "Definitions." Said Amendment is hereby approved and adopted by this reference.

B. Attached hereto as Exhibit "B" is an amendment to Chapter 6 of the Wendover Sign Ordinance. Amendments are made to Section 6.060, adding a second paragraph. Said Amendment is hereby approved and adopted by this reference.

2. Severability. The provisions of the City of Wendover Sign Ordinance are severable. If any provision thereof is found unenforceable, for any reason, the remainder shall remain in full force and effect.

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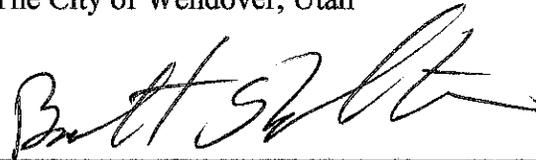
City of Wendover, Utah
Sign Ordinance Amendment
June 6, 2007

3. Ratification. The acts of the City Council approving a temporary increase in the size of two signs locate at approximately mile marker 0.51, I-80 and mile marker 0.24, I-80, which approval was given at City Council meeting held on May 02, 2007, are hereby ratified.

4. Effective Date. This Ordinance shall become effective 20 days after publication or posting, or 30 days after final passage by the Governing Body, whichever is sooner.

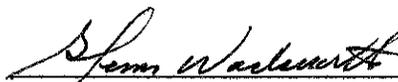
PASSED and ADOPTED this 6th day of June, 2007

The City of Wendover, Utah



By: Brett Shelton
Its: Mayor

ATTEST:



Glenn Wadsworth – City Administrator

Seal

Date of first publication/posting: June 7th, 2007

EXHIBIT "A"

Section 1.020. Definitions

"Sign, billboard" and "Billboard" mean a detached or attached sign located on property within the City designed or intended to direct attention to a business, product, or service that is not sold, offered, or existing on the property where the sign is located. For the purpose of this definition bus benches shall not be defined as a Billboard. It is the intent of the City that this definition shall include "off premise" signs as defined by U.C.A. § 72-7-502

EXHIBIT "B"

- Chapter 6. Billboards
- 6.010. Purpose and intent
- 6.020. Cap on number of billboards
- 6.030. Permitted and prohibited locations
- 6.040. Removal of non-conforming billboards
- 6.050. Relocation of billboards
- 6.060. Size, height, spacing and setbacks. Temporary size increases.
- 6.070. Public hearing for locating billboards

6.010. Purpose and intent

It is the purpose and intent of this chapter to limit the number of billboards to the total number of existing billboards. This chapter further provides for the reasonable regulation of billboards with the intent of limiting negative impacts, enhancing the aesthetics of existing and new billboards and implementing goals and policies promoting safety, the protection of property values, aesthetics, the maintenance of gateways, views and vistas, that enhance the city and further the applicable elements of the city's General Plan.

6.020. Cap on number of billboards

The number of billboards allowed in the city shall be limited to the number of billboards that are existing in the city as of the effective date of this ordinance.

6.030. Permitted and prohibited locations

Billboards will be allowed only in the Commercial and Manufacturing zoning districts. Within the permitted zoning districts no billboard will be allowed in any area designated as a "gateway."

6.040. Removal of non-conforming billboards

Prior to the removal of any non-conforming billboard the following requirements must be met:

- (1) Permit required. Billboards that are non-conforming due to any reason including those locate in gateway areas may be removed by the billboard owner only after obtaining a permit for the demolition of the non-conforming billboard.
- (2) Application. Application shall be made by obtaining a permit provided by City.

6.050. Relocation of billboards.

(1) The owner of a billboard may remove the billboard from a non-conforming site to an approved location only after a permit is obtained as set forth in this title and other provisions of this chapter are complied with.

(2) Billboards moved to approve locations shall conform with all sign requirements of the new location.

(3) Billboards moved from non-conforming locations must be installed to a new approved location within twenty four (24) months with not more than two extensions of one (1) year each being granted by the City. If the billboard is not moved in this time frame the ability to relocate said billboard is forfeited.

6.060. Size, height, spacing and setbacks. Temporary size increases.

In any Commercial or Manufacturing zoning district, billboards may be allowed as a conditional use in accordance with the provisions of this chapter. Said signs are limited to six hundred and seventy two (672) square feet. Billboards must be a minimum of five hundred (500) lineal feet from any other billboard on the same side of the street and seventy five (75) lineal feet from any detached sign on or off the same site. Billboards shall meet the setbacks for other detached signs in the respective zoning districts.

Upon application to the City, and subject to recommendation by the Planning Commission and approval by the City Council, billboards may exceed the size limitations set forth above (672 square feet), with a total size not to exceed 1,000 square feet. Any such temporary sign shall not exceed 60 feet in length nor 35 feet in height. Approval for any temporary sign increase shall be limited to a term of not longer than one year, and may be subject to renewal through application to the City, payment of any fees required by the City, recommendation by the Planning Commission and approval by the City Council. The approval of a temporary size increase shall not confer any vested right to the increased size of any sign.

6.070. Public hearing for locating billboards

Prior to the issuance of any building permit for a billboard, the planning Commission shall conduct a public hearing. Upon application for a building permit to construct a billboard, the applicant shall supply to the City, the names and addresses of all property owners within five hundred feet (500') of the proposed billboard. The City shall mail notice of hearing to each of the property owners not less than two (2) weeks prior to the Planning Commission conducting the public hearing. The notice shall state the purpose of the hearing, indicate the location of the proposed billboard, along with the date, time and location of the public hearing. The Planning Commission may approve, deny, or approve with modifications, any permit for a billboard. Any party aggrieved by the decision of the Planning Commission may appeal the decision to the City Council. Such appeal shall be applied for within (30) days from the date of the decision of the Planning Commission. Upon receipt of an appeal, the City Council shall respond within forth-fire (45) days. Failure by the City Council to respond shall be deemed to be an approval of the appeal.