ORDINANCE NO. 2012-04

AN ORDINANCE OF THE CITY OF WENDOVER, TOOELE COUNTY, UTAH AMENDING RULES AND REGULATIONS FOR THE HEIGHT AND SIZE OF SIGNS WITHIN THE DOWNTOWN CORRIDOR OF THE CITY

RECITALS

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

An amendment is needed to provide for on-site signs within the downtown corridor of the City; the definition of "Sign, billboard" and "Billboard" as set forth in Section 1.020 of the Sign Ordinance; and

The City deems it reasonable and appropriate that on-site signs within the downtown corridor be allowed to a maximum height of eighty (80) feet, and upon conditional use approval for signs on a single structure not to exceed a total of 950 square feet with a maximum total for a single sign on a single structure not to exceed 500 square feet.

IT IS ORDAINED BY THE CITY OF WENDOVER, COUNCIL OF THE CITY OF WENDOVER, TOOELE COUNTY, UTAH THAT:

1. Amendment of Ordinance. Sections 1.020 (Definitions) and 4.120 (Detached signs; Area and location; Commercial and industrial zones) are amended as set forth on Exhibit "A" attached hereto and incorporated herein by reference.

2. Other Sections of Ordinance Not Affected. All other sections of the City's Sign Ordinance, as amended, shall not be affected by this Ordinance.

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

4. Ratification. The acts of the City Council approving a sign and structure for the Wendover Shell property in August, 2012 are ratified and approved.

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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 5th day of September, 2012

The City of Wendover, Utah

Michael R. Crawford

By: Michael R. Crawford

ATTEST:

Mariah L. Murphy

Mariah Murphy – Clerk/Recorder

Seal:

Date of first publication/posting: September 13, 2012.

EXHIBIT "A"

2012 AMENDMENTS TO SIGN ORDINANCE

1.020. Definitions.

The following words and phrases when used in this title shall be construed as defined in this section:

"Downtown corridor" means Wendover Boulevard from the Utah-Nevada border on the West to one thousand (1,000) feet east of the intersection of Wendover Boulevard and Ninth Street on the East, where, due to the proximity to major highways and the intensity of retail uses, free standing signs are allowed to be a maximum height of eighty (80) feet.

4.120. Detached signs; Area and location; Commercial and industrial zones

Within the Commercial zones, and Manufacturing/Industrial zones, signs are permitted as follows:

(1) Detached signs; area requirements.

(a) One detached on-site sign for each developed parcel not exceeding one (1) square foot of sign area for each lineal foot of street frontage within the first ten (10) feet of setback not to exceed two hundred (200) square feet of total sign area; or

(b) One detached on-site sign containing 1.5 square feet of sign area for each lineal foot of street frontage behind the first ten (10) feet of setback not to exceed three hundred (300) square feet of total sign area.

(c) Where a developed parcel has an excess of three hundred (300) lineal feet of street frontage on an arterial street and contains at least five (5) acres, one additional free standing sign may be allowed as a conditional use.

(d) Maximum detached sign area. There shall not be more than three hundred (300) square feet of detached sign area per parcel.

(e) Where a developed parcel is permitted to have more than one detached on site sign under these regulations, the distance between said detached signs on the parcel shall be not less than two hundred (200) lineal feet.

(f) Where a parcel does not have frontage on a public street one (1) detached sign may be allowed on site as approved by the Planning Commission. Or one (1) detached sign may be located on an adjacent parcel with frontage on a street, upon approval by the Board of Adjustment after receiving proof of acceptability by the adjacent parcel owner. The allowable square footage of the sign shall be determined by the width of the parcel at the front setback line of the building applying for the sign. One (1) square foot of sign area is allowed for each lineal foot of parcel width up to a maximum of two hundred (200) square feet for a single business and up to four hundred (400) square feet in aggregate for more than one business.

(2) Detached signs: Height limits. The maximum height limit for detached signs shall be as follows: In the Commercial zones: twenty (20) feet above average grade of the front property line except at locations designated in the "downtown corridor" area. Signs in these locations may be a maximum of 80' in height.

In the Manufacturing zones thirty five (35) feet above average grade of front property line except for areas determined to be in the "downtown corridor." Within the "downtown corridor" area signs may be a maximum of eighty (80) feet above average grade of front property line.

(3) Detached signs: Number of panels. A detached sign may consist of more than one sign panel provided all such sign panels are attached to one common integrated sign structure and any additional panels must meet minimum clearance as designated in sub section (6). The total area of all such panels shall not exceed the maximum allowable sign area specified for a detached sign on said parcel. Where a sign message consists of separated or individual letters, modules, or symbols, each portion of said sign message shall not be considered as a one-sign panel. In such cases, a single continuous perimeter completely surrounding the sign message shall be utilized to determine its sign area.

(4) Detached signs on Corner lots. On corner lots a single sign is permitted and a second sign may be permitted with conditional use approval. The total area for all detached signs shall not exceed 300 square feet. Said maximum allowances, however, are not transferable either in whole or in part from one street frontage to another.

When a sign is erected at the street intersection corner of the parcel, or at the intersection of a building front, and is situated at an angle so as to be visible from both streets or both frontages, said sign shall not exceed the maximum area allowed for the longest front footage of building occupancy or street frontage. The area of such sign shall be deducted from the total area and number of signs permissible on said property.

(5) Detached signs required setbacks. No detached sign shall project over a public right-of-way. Detached signs shall have a two (2) foot setback from all property lines. The two (2) foot setback is determined from the leading edge of the detached sign. Where a detached sign has a two (2) foot or more base width from ground level to a height of ten (10) feet, the base of said sign shall be located a minimum of ten (10) feet from any front property line and shall not be located in any clear view area.

(6) Detached signs: Minimum clearance. A detached sign shall have a minimum clearance of ten (10) feet between the ground surface and the bottom of the sign, provided that the Community and Economic Development Director may reduce this clearance if the sign is not illuminated with exposed neon tubing and is located in an area not accessible to pedestrian or vehicular traffic or if an acceptable site feature is constructed to protect said pedestrian and vehicular traffic. The minimum clearance shall not be reduced where a traffic hazard may be created. In no case shall this clearance be reduced to less than six (6) feet.

(7) Conditional Use Permit - Maximum Sign Area. Upon approval and recommendation of the Planning and Zoning Commission, for on-site signs in the downtown corridor area, the maximum sign area may be larger than the maximum permitted area described above, provided however, that the total size of the signage on any single structure shall not exceed 950 total square feet, with no single sign on the structure to exceed 500 square feet.

ORDINANCE 2012-05

AN ORDINANCE ESTABLISHING A TIME AND PLACE FOR HOLDING REGULAR CITY COUNCIL MEETINGS FOR THE YEAR 2013

Be it ordained by the governing body of the municipality of the **CITY OF WENDOVER, UTAH.**

Section 1. **TIME AND PLACE OF REGULAR COUNCIL MEETINGS.** The governing body shall conduct regular meeting(s) which shall be held on the **FIRST (1ST)** and **THIRD (3RD)** Wednesday of each month at the **CITY OF WENDOVER/TOOELE COUNTY COMPLEX BUILDING LOCATED AT 920 EAST WENDOVER BLVD. WENDOVER, UTAH.**

Which meeting(s) shall begin promptly at 6:30 p.m. Mountain Standard Time and 6:30 p.m. Mountain Daylight time, but if the meeting date is a legal holiday, the meeting shall be held at the same time and place above described on the day next following that is not a legal holiday or rescheduled at the previous Council Meeting.

Section 2. **EFFECTIVE DATE.** This ordinance shall take effect upon passage by the governing body of the City of Wendover at the last regular scheduled council meeting in December, 2012.

MEETING DATES FOR YEAR 2013

JANUARY	**2ND, 16TH**	**JULY**	**3RD, 17TH**
FEBRUARY	**6TH, 20TH**	**AUGUST**	**7TH, 21ST**
MARCH	**6TH, 20TH**	**SEPTEMBER**	**4TH, 18TH**
APRIL	**3RD, 17TH**	**OCTOBER**	**2ND, 16TH**
MAY	**1ST, 15TH**	**NOVEMBER**	**6TH, 20TH**
JUNE	**5TH, 19TH**	**DECEMBER**	**4TH, 18TH**

Dated this _____ day of December, 2012

MIKE CRAWFORD – MAYOR

ATTEST:

Mariah Murphy – Clerk/Recorder

Dated of first publication/posting: January, 2012