



MEMORANDUM TO MUNICIPAL COUNCIL

DATE: March 7, 2023
FROM: Mike DeSimone, Director
SUBJECT: Ordinance #23-08 (LDC Amendments – Signs & Murals)

Summary of Planning Commission Proceedings

Project Name: Open Space and Landscaping
Request: Code Amendment
Project Address: Citywide
Recommendation of the Planning Commission: **Approval**

On February 21, 2023, the Planning Commission recommended to the Municipal Council **approval** of the following Land Development Code Amendments:

Land Development Code (LDC) Chapter 17.20 "Historic District Overlay Zone" and Chapter 17.33 "Signs."

Planning Commissioners vote (7-0):

Motion: S. Doutre

Second: R. Croshaw

Yea: J. Guth, R. Croshaw, D. Lewis, E. Peterson, S. Doutre

Abstain: none Nay: none

Attachments

Ordinance #23-08

Staff Report

PC Meeting Minutes

CITY OF LOGAN, UTAH
ORDINANCE NO. 23-08

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

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

SECTION 1: That certain code entitled "Land Development Code, City of Logan, Utah" Chapter 17.20 "Historic District Overlay Zone" are amended as attached hereto as Exhibit A.

SECTION 2: That certain code entitled "Land Development Code, City of Logan, Utah" Chapter 17.33 "Signs" are amended as attached hereto as Exhibit B.

SECTION 3: This ordinance shall become effective upon publication.

ADOPTED BY THE LOGAN MUNICIPAL COUNCIL THIS ____ DAY OF _____, 2023.

AYES:

NAYS:

ABSENT:

Ernesto López, Chairman

ATTEST:

Teresa Harris, City Recorder

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the ____ day of _____, 2023.

Ernesto López, Chairman

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby _____ this ____ day of _____,
2023.

Holly H. Daines, Mayor

EXHIBIT A

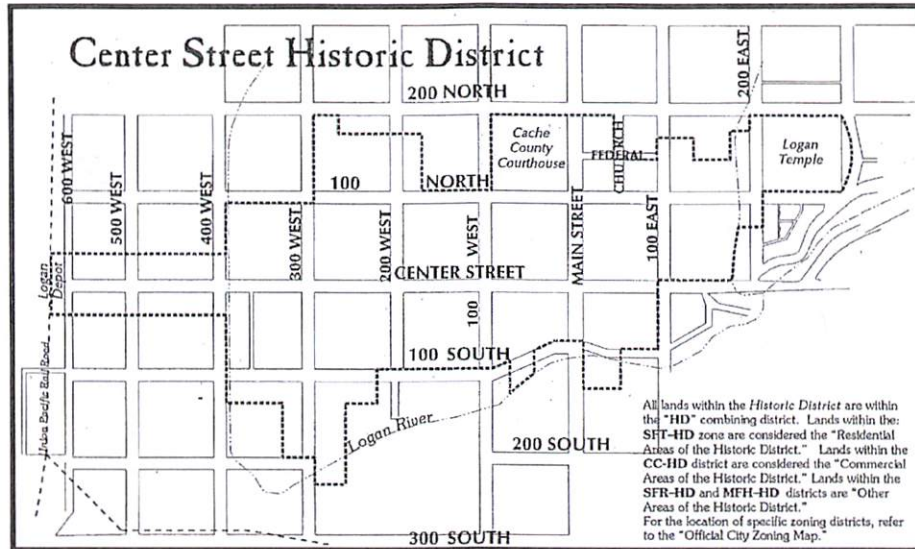
EXHIBIT B

Chapter 17.20: Historic District (HD) Overlay Zone

§17.20.010. The Historic District Overlay District, Purpose

The Historic District (HD) Overlay Zone is intended to identify those properties in the City which are included within the defined boundaries of the Logan Center Street Historic District (see Figure 17.20.020).

Figure 17.20.020: Logan Center Street Historic District



§17.20.020. Modifications of Historic District Boundaries

A. Procedure.

The Historic Preservation Committee may initiate a survey of areas adjacent to the existing Historic District to determine the appropriateness of modifying the district boundaries or may initiate a survey of other parts of Logan City to determine the appropriateness of creating additional districts. The results of the survey, as well as the proposed boundaries, shall be submitted to the State Historic Preservation Office for review and recommendation.

B. Adoption.

The Municipal Council may modify district boundaries or create additional Historic Districts upon presentation of the results of the survey and any comments from the Historic Preservation Committee and the State Historic Preservation Office. A public hearing shall be held prior to Council action. The Municipal Council may approve or deny the request for modification of the Logan Center Street Historic District.

C. Findings.

1. The district boundaries may be expanded if it is found that a concentration of historic structures or sites exist in areas neighboring current boundaries and a recommendation for expansion is received from the State Historic Preservation Office.
2. The district boundaries may be reduced if it is found that such a reduction is necessary to maintain the status of the overall district. This may occur if properties within an area of the district have ceased to meet criteria provided by the State

Historic Preservation Office and therefore threaten the overall integrity of the district.

3. Non-contiguous districts may be created if it is found that the area has a concentration of contributory historic structures or sites and a recommendation for creation is received from the Historic Preservation Committee and the State Historic Preservation Office.

§17.20.030. Recognition of Individual Structures/Sites Outside of the Logan Center Street Historic District

Individual structures and sites outside of the Logan Center Street Historic District may apply for individual nomination to the National Register of Historic Places. The State Historic Preservation Office reviews all requests for individual nomination.

§17.20.040. Design Review within the HD Overlay Zone

A. New Construction.

1. New non-residential construction within the HD Overlay Zone shall obtain a Certificate of Appropriateness and a Design Review permit prior to the issuance of a building permit.
2. New detached single family residential construction shall obtain a Certificate of Appropriateness and is not subject to design review.
3. Prior to the design review hearing, the project shall be presented to the Historic Preservation Committee for its recommendation.
4. New construction is subject to all requirements of the International Building Code, Public Works Standards and Specifications, and the development requirements of other appropriate departments.

B. Remodeling, Renovation, and Restoration.

1. Interior changes are not required to obtain a Certificate of Appropriateness and are not subject to design review.
2. Exterior changes are subject to Section 17.20.050.

§17.20.050. Certificate of Appropriateness

Most construction projects, including building demolition, within the Historic District require a Certificate of Appropriateness prior to the issuance of a building permit. Depending upon the type and scale of the proposed activity, a Certificate of Appropriateness is either issued by the Director (Track 1) or by the Historic Preservation Committee (Track 2).

A. The following types of activities shall be reviewed administratively by the Director (Track 1):

1. Fences and retaining walls.
2. Demolition or relocation of non-contributory structure.
3. Demolition of accessory structures.
4. New construction requiring a building permit that is not visible from a public right of way.
5. Door replacements.
6. Maintenance and repair of deteriorated elements which match the original design and materials.
7. Chemical cleaning and/or paint removal of masonry.
8. Installation or alteration of any exterior sign and/or awning.
9. Re-roofing if the material is proposed to be replaced by a matching or like material.

10. Installation of solar energy collection systems as outlined in the Center Street Historic District Design Standards.
11. Signs and Murals.
- B. The following types of activities require a Certificate of Appropriateness by the Historic Preservation Committee (Track 2):
 1. New Construction of principal buildings, additions, or accessory structures requiring a building permit and visible from a public right of way.
 2. Demolition or relocation of contributing structures.
 3. Exterior construction requiring a building permit and not considered a Track 1 item.
 4. Removal or replacement/alteration of architectural detailing, such as porch columns, railing, window moldings, window sash or cornices on a primary façade and is visible from the public right of way.
 5. Construction or alterations of accessory structures, such as garages and sheds, that are visible from the public right of way.
 6. Construction or alterations of porches and decks.
 7. Exterior masonry work.
 8. Installation of new siding and roof materials.
 9. Public improvements including, but not limited to streetscape features (i.e. curb, gutter, canals, etc.), public parking lots, public parks, sidewalks and trails that are located within the historic district boundary.
 10. Painting of the exterior of a masonry structure that has not been previously painted.
- ~~A. The following types of activities require a Certificate of Appropriateness by the Historic Preservation Committee:~~
 - ~~1. New construction;~~
 - ~~2. Demolition of contributory structures;~~
 - ~~3. Exterior construction requiring a building permit;~~
 - ~~4. Removal or replacement/alteration of architectural detailing, such as porch columns, railing, window moldings, window sash replacements, cornices;~~
 - ~~5. Construction of additions;~~
 - ~~6. Construction or alterations of accessory structures, such as garages and sheds;~~
 - ~~7. Construction or alterations of porches and decks;~~
 - ~~8. Exterior masonry work including, but not limited to, sandblasting and chemical cleaning;~~
 - ~~9. Installation of new siding and roof materials; and~~
 - ~~10. Alteration of streetscape features including, but not limited to, curb, gutter and canals; and~~
- ~~B. The following types of applications shall be reviewed administratively by the Director:~~
 - ~~1. Fences and retaining walls;~~
 - ~~2. Demolition of non-contributing structures;~~
 - ~~3. Demolition of accessory structures;~~
 - ~~4. Installation or alteration of any exterior sign; and~~
 - ~~5. Maintenance and upkeep.~~
- C. An application for a Certificate of Appropriateness shall be made on the appropriate application and submitted to the Department of Community Development. The Director shall determine completeness of the application and whether the project may be reviewed administratively. In addition to the appropriate application form, the application shall include any documentation required by the Historic Preservation Committee.

- D. The Historic Preservation Committee may approve, conditionally approve, or deny the application after reviewing all submitted materials, considering the recommendation of the Department of Community Development, and conducting a field inspection if necessary. The Committee shall include written findings with all its decisions.
- E. Public noticing for Certificates of Appropriateness are processed under the provisions of Chapter 17.48 and the requirements of this chapter.
- F. Appeals.
 - 1. All administrative decisions may be appealed to the Historic Preservation Committee within 10 days following the administrative decision.
 - 2. Decisions of the Historic Preservation Committee may be appealed to the Land Use Appeal Board as per Chapter 17.50, or the Historic Preservation Appeal Board as per Chapter 17.20 within 30 days following the Committee's written decision.

§17.20.060. Standards for Certificate of Appropriateness

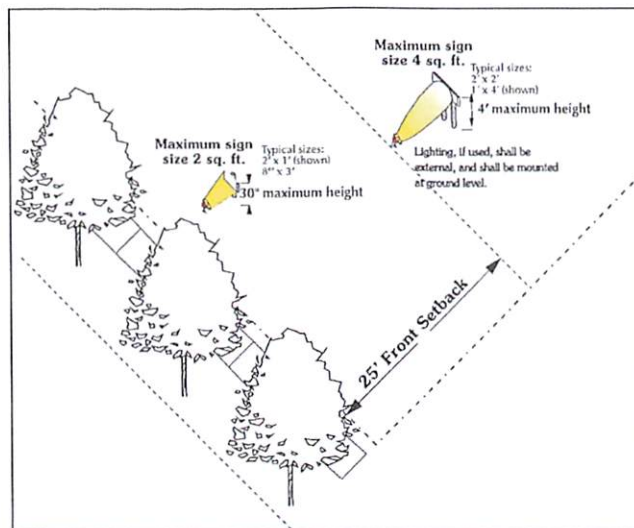
- A. The Historic Preservation Committee shall utilize the Logan Center Street Historic District Design Standards and the Secretary of the Interior's Standards for Rehabilitation as standards for project review.
- B. In issuing a Certificate of Appropriateness, the Historic Preservation Committee shall find that the project substantially complies with the standards outlined in the Logan Center Street Historic District Design Standards and the Secretary of the Interior's Standards for Rehabilitation.

§17.20.070. Signs and Murals within the Historic District Overlay Zone

- A. Signs within Residential Areas of the Historic District Overlay Zone.
Sign requirements for businesses in the residential areas of the Logan Center Street Historic District are subject to the following standards and specifications and are exempt from the standards in Chapter 17.33, Signs.
 - 1. Signs shall be single sided and located on private property.
 - 2. Signs shall be flush mounted on the structure or fence, as approved by the Department of Community Development, and shall not exceed two feet in sign area.
 - 3. Signs may be illuminated by a single external light source mounted in the ground. The light shall be shielded so that the source of light is not visible from adjoining properties or a street.
- B. Signs within Commercial Areas of the Historic District Overlay Zone.
 - 1. No pole mounted signs shall be permitted within the commercial portions of the Historic District.
- C. Signs Displaying Historic Information of Site or Structure.
Signs displaying historic information about the site or the structure are subject to the sign standards in the Logan Center Street Historic District Design Standards
- D. Murals within the Historic District Overlay Zone.
Murals are permitted in the commercial areas of the Logan Center Street Historic District subject to the following:
 - 1. Murals are prohibited on the primary street facing façade of a building;
 - 2. Murals shall be permitted on side, rear or alley walls of a commercial building that lack historic details (cornices, windows, entrances, etc.);
 - 3. No mural shall exceed 75% of the wall area on which it is placed;
 - 4. Murals are prohibited on an unpainted brick wall surface. Murals should instead be painted on removable materials such as metal, plywood, or other suitable outdoor material and anchored to the building;
 - 5. Murals are prohibited on a fence;

6. Murals shall not be painted on nor shall they obscure any architectural detailing or features of the building; and
7. Lighting of a mural is prohibited.

Figure 17.20.070.A.1: Residential Signs in the Historic District



§17.20.080. Historic Preservation Appeal Board - Purpose

The purpose of this subsection is to provide uniform appeals procedures for development related actions within the Historic District of the City.

§17.20.090. Historic Preservation Appeal Board – Standing to File An Appeal

The proponent or any affected party who participated in the hearing process may file an appeal of a decision type set forth in Subsection 17.20.120.

§17.20.100. Historic Preservation Appeal Board - Members

The Historic Preservation Appeal Board shall be comprised of the members of the City of Logan Municipal Council.

§17.20.110. Historic Preservation Appeal Board - Authority

- A. The Historic Preservation Appeal Board shall hear and decide appeals of decisions made by the Historic Preservation Committee.
- B. The Historic Preservation Appeal Board shall:
 1. Act in a quasi-judicial manner;
 2. Serve as the final arbiter of issues involving the interpretation or application of the Center Street Historic Design Guidelines and any Certificates of Appropriateness issued by the Historic Preservation Committee subject to appeal to the Utah District Courts as provided in Section 10-9a-801 of the Utah Code.

§17.20.120 Filing Appeals

- A. All administrative appeals shall be filed in writing with the Director in the offices of the Department of Community Development within thirty calendar days of the action being appealed. An appeals application not filed in the Department of Community Development shall not constitute a filing for purposes of meeting the 30 day limit.

- B. The filing of a written appeal or request does not stay the decision of the Historic Preservation Committee. The Appellant may petition the Historic Preservation Appeal Board to stay the decision. Upon petition, the Historic Preservation Appeal Board may order the decision of the Historic Preservation Committee stayed pending review by the Historic Preservation Appeal Board.

§17.20.130 Contents of the Request for an Appeal

- A. Administrative Procedures.
The Director shall prepare administrative procedures and an application form for filing an appeal before the Historic Preservation Appeal Board.
- B. Minimum Requirements for a Request to Appeal.
At a minimum, the request for an appeal shall be filed in writing and include the following:
 - 1. The name of the person or persons filing the appeal, a mailing address and daytime telephone number;
 - 2. The project file number and the name of the project as it appeared on the agenda;
 - 3. The date of the original hearing;
 - 4. Any required appeal application fee;
 - 5. The specific issues being appealed. The appeal may not merely appeal the action of the decision-making body, but must specify how the Historic Preservation Committee erred.
- C. Incomplete Applications.
An incomplete application for an appeal shall not be accepted and shall not waive, defer, or delay the 30 day appeal deadline.

§17.20.140 Standard of Review

- A. The review by the Historic Preservation Appeal Board of the appeal or request shall be limited to the record of the land use application process resulting in the decision made by the Historic Preservation Committee which is the subject of the appeal or request including written communications, the written land use decision and the written appeal or request.
- B. The Historic Preservation Appeal Board may not accept or consider any evidence outside the record of the Historic Preservation Committee unless that evidence was offered to the Historic Preservation Committee and the Board determines that it was improperly excluded.
- C. The Appellant has the burden of proving that the Historic Preservation Committee erred.
- D. The Historic Preservation Appeal Board shall determine the correctness of a decision of the Historic Preservation Committee in its interpretation and application of a land use ordinance.

§17.20.150 Staff Report Required

The appeal proceedings shall include a staff report updated from the Committee meeting with the results of the meeting and a summary of the actions or finding being appealed.

§17.20.160 Appeal Meeting

Not less than thirty (30) calendar days following the mailing of a public notice, the Historic Preservation Appeal Board shall hold a public meeting to hear the appeal. At that meeting, the Historic Preservation Appeal Board shall hear the Staff's report including a summary of the action being appealed, the testimony of the appellant, and the testimony of the proponent, if different from the appellant.

§17.20.170 Decision of the Appeal

The Historic Preservation Appeal Board shall render its decision at the meeting by majority vote of the five-member Board. If the Board overturns or modifies the action of the Historic Preservation Committee, the Board shall make findings substantiated in conformance with the requirements of procedures for the type of action being appealed. If the Board upholds the appealed action, no additional findings are required and the Board's action automatically affirms the previously adopted findings. The Board may, upon upholding the Historic Preservation Committee, add, clarify, or enhance findings based upon the facts of the appeal meeting

§17.20.180 Final Decision

A decision of the Historic Preservation Appeal Board takes effect on the date when the Historic Preservation Appeal Board issues a written decision.

EXHIBIT B

Chapter 17.33: Signs

§17.33.010. Purpose

The purposes of this section is to encourage the effective use of signs as a means of communication in the City; fulfill a community-wide goal to protect the aesthetic quality of the community; minimize the possible adverse effect of signs on nearby public and private property; and to enable the fair and consistent enforcement of these sign standards.

§17.33.020. Applicability

The provisions of this section apply to all types of signs, **except:**

- A. Official public notice, traffic control, warning, or safety signs as required by law;
- B. Appropriately displayed official flags of any country, federal agency, State, County, or City government;
- C. Any sign located within a building and not visible from a public street;
- D. Merchandise displays within display windows in commercial buildings;
- E. Identification sign(s) or logo(s) applied to the outside surface of a vehicle, provided, only if the vehicle or trailer is not used as a sign as defined in Section 17.40.140 Prohibited Signs;
- F. Murals or wall art that do not contain any commercial messaging or commercial copy, provided that any mural or wall art with a commercial message or copy is regulated as a sign under the provisions of this Chapter; or
- F. Public or private memorials, displays of remembrance of persons or events.

§17.33.030. Permanent Signs

- A. Residential Zoning Districts and Residential Uses in Nonresidential Zones.

The following standards apply to all permanent residential signs without regard to the base zoning district and to churches, schools, parks, government facilities, and community services within residential zoning districts (NR-zones, MR-zones, NC, CR & RC):

1. Sign types not listed in Table 17.33.030.A are prohibited;
2. Reader boards and Electronic Message Display signs are prohibited in residential zones; and
3. New projects with multiple tenants and signs shall have signage areas and locations designated and approved as part of the Design Review Permit. Individual tenants may apply for specific sign permits.

- B. Nonresidential Zoning Districts.

The following standards apply to all permanent signs in the commercial, industrial, public, and recreational zoning districts (TC, CC, COM, MU, GW, CS, IP, AP, PUB, REC) with the exception of residential uses ~~(see Section 17.40.030.A)~~;

1. Sign types not listed in tables 17.33.030.B.1 & 17.33.030.B.2 are not permitted;
2. Total facade signage is limited to 10% of the first story façade area. Separate building signs are allowable with the exception of reader boards and electronic message displays;
3. Only one reader board or electronic message display is allowed per project. A project is defined as a group of buildings, lots or improvements reviewed and approved under a single Design Review Permit, Conditional Use Permit, or Subdivision and where site improvements such as parking, lighting, density, architectural/design standards and signage are shared; and

17.33: Signs

4. New projects with multiple tenants and signs shall have signage areas and locations designated and approved as part of the Design Review Permit. Individual tenants may apply for specific sign permits as the tenant space fills up.

Table 17.33.030.A: Signs in Residential Zoning Districts

Use/Structure Type	Sign Type	Number	Area (s.f.)	Height (ft.)	Setback (ft.) ²	Approval Type
Multi Family Complex	Building	1 per façade	36	na	na	Staff
	Monument	1 per street	36	6	0, not in SDT ¹ 18"	Staff
	Directional	One per vehicular access point	3	4	0, not in SDT ¹ 18"	Staff
Subdivisions, Planned Developments, Condominiums, Mobile Home Parks	Monument	1 per street	36	6	0, not in SDT ¹ 18"	Staff
	Directional	One per vehicular access point	3	4	0, not in SDT ¹ 18"	Staff
Home Occupation	Building	1 permitted	2	na	Na	Staff
Churches, Schools, Parks, Government Facilities, community services	Building	1 per façade	36	na	Na	Staff
	Monument	1 per street	36	6	0, not in SDT ¹ 18"	Staff
	Directory	1 per street frontage	24	6	20' and, not in SDT ¹ , within 15 ft. of primary building	Staff
	Directional	One per vehicular access point	3	4	0 18"	Staff

Table 17.33.030.B.1: Building Signs in Nonresidential Zoning Districts

Sign Type	Zones	Area	Approval Type
Individual letters	All	10%	Staff
Sign board	All	10%	Staff
Painted advertising copy	All	10%	Staff
Wall art (non-advertising copy)	All	10%	Staff/DR
Cabinet	All but -TC	10%	Staff
Awning with signage	All	10%	Staff
Reader board with changeable letters	All	10%	Staff
Electronic message display (EMD)	COM, IP, CS	10% (32 sf max)	Staff
Electronic message display (EMD)	PUBLIC ¹ /REC ¹ /TC	24 sf max	Staff
Perpendicular within right-of-way (non-electrical)	TC only	25 sq. ft. each	Staff
Perpendicular not within right-of-way	All	25 sq. ft. each	Staff
Permanent Window signs (more than 60 days)	All	50%	Staff

¹ SDT = A sign taller than 36" is not permitted in the Sight Distance Triangle (40 feet from curb intersection on a street corner; 30 feet from curb out if adjacent to a driveway).

Table 17.33.030.B.2: Freestanding Signs in Non-Residential Zoning Districts

Sign Type	Zones	Area (s.f.)	Maximum Height (ft.)	Number	Setback (ft.) ²	Approval Type
Pole	COM only	48	14 (8.5 foot clearance)	1 per project (no monument signs allowed)	10	Staff
Monument	All	32 for -all other -zones, 72 for COM, UC, MU, IP & CS zones	6 for -all other zones, 8 for COM, UC, MU, IP & CS zones	1 sign per street frontage. 1 additional sign per street per every 450 feet of frontage	0, not in SDT-1-18"	Staff
EMD	COM, IP, CS	32 for COM, IP, CS and no more than 66% of total sign area for projects with less than 450 ft of frontage. 47 and no more than 66% of the total sign area for projects with more than 450 ft of frontage.	8 for COM, IP, CS	1 per project	0, not in SDT-1-18"	Staff
EMD	PUB, REC, TC (not in Historic District)	24 for PUB, REC, TC	6 for PUB, REC, TC	1 per project	0, not in SDT-1-18"	Staff
Menu Board	All	72	6 for TC zones, 8 for all other zones	2 per drive through lane	20	Staff
Directional	All	3	4	One per vehicular access point	0	Staff
Directory	All	24	6 (text on sign shall not exceed two (2) inches in height)	One per street frontage	018", not in SDT-1- and must be within 15 ft. of primary building	Staff
Archway	COM, MU, UC & TC	48	25 (17 foot min. clearance)	One per street frontage, two (2) max. per project	405'	DR

§17.33.040. Sign Measurement**A. Sign Face Area shall be computed as Follows:**

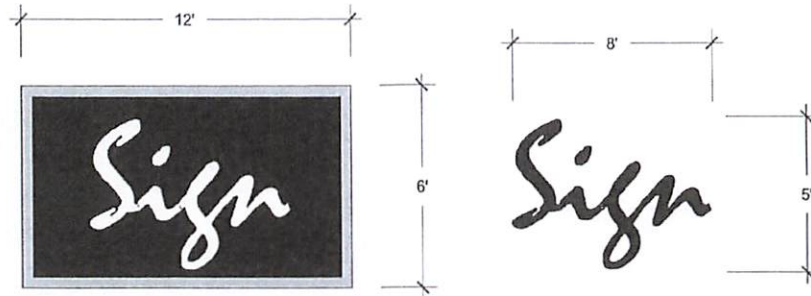
1. Cabinet Signs. The area of a cabinet sign shall include the outer limits of the cabinet frame;
2. For signs with individual components, the measurement shall be based on the letters, emblem, or other display, together with any material or color forming an integral part of the background of the area used to differentiate the sign from its backdrop. When there is no background color differentiation, letters, emblems or logos will be measured from the tallest and widest portions (see figure 17.33.040.A.2); or
3. For double sided, freestanding signs, only one sign face will count toward the sign's total square footage allowance.

B. Height The height of a freestanding sign shall be measured from the top of the nearest City curb, or if no curb is present, from the crown of the nearest road to the highest portion of the freestanding sign.**C. Clearance.**

1. All pole signs, and any signs that project more than 12 inches from a building, shall have a minimum clearance of 8.5 feet from the finished grade to the bottom of the sign.

2. Monument signs shall have no more than twelve (12) inches between the bottom of the sign and finished grade.

Figure 17.33.040.A.2: Sign Measurement

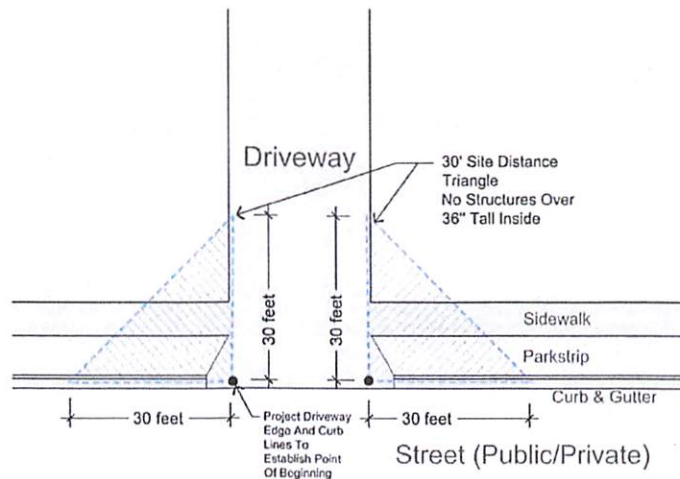


§17.33.050. Sign Placement

The following sign placement requirements shall apply:

- A. All signs and sign structures shall be located completely within the boundaries of the lot on which the principal building or use is located;
- B. No part of a pole sign shall be placed within 10 feet of an adjacent public or private right-of-way or property line;
- C. Monument signs taller than 36" in height shall not be placed within a 40' Sight Distance Triangle at ~~either~~ the intersection of two streets or within a 30' Sight Distance Triangle adjacent to a driveway entrance as shown in Figure 17.33.050.C.1;

Figure 17.33.050.C.1: 30' Sight Distance Triangle for Driveways



- D. No portion of a freestanding sign may extend into the public right-of-way;
- E. All monument signs shall be setback at least 18" from any adjoining sidewalk;
- F. Building signs shall not project beyond the corner of a building nor shall a building sign be attached to, or extend above, the parapet or roof of a building;

- G. Building signs shall not project more than 12 inches from a building wall, unless designed and approved as a perpendicular sign; and
- H. For building signs within the Logan Center Street Historic District, the preferred area for sign placement shall be the “sign band” of the building (see Figure 17.33.050.H.1) if applicable available.

Figure 17.33.050.H.1: Typical Sign Band location on a Historic Building



§17.33.060. Illumination

- A. For non-residential zones, no signs within 300 feet of a residential zoning district shall be illuminated between the hours of 11 p.m. and 5 a.m.;
- B. For residential districts, no sign shall be illuminated between the hours of 10 p.m. and 6 a.m.;
- C. Signs that are externally illuminated shall have a shielded, stationary, steady light source that is down lit and directed solely at the sign face; and
- D. Light sources used to illuminate signs shall not be visible from adjacent rights-of-way or adjacent properties.

§17.33.070. Permits

- A. Permanent Signs.
 - 1. All permanent signs shall have a permit issued by the Department of Community Development prior to installation. Failure to obtain a sign permit may result in enforcement actions pursuant to Section 17.60.
 - 2. Permit applications shall require scale drawings showing the design of the sign(s) including size, materials, illumination, colors and other items as determined by staff.
 - 3. Permit applications shall require scale drawings showing the placement of the sign(s) and its location on the building.
 - 4. Permit applications for freestanding signs shall require scale site plans showing the location of the sign(s) on the property, streets, property lines, buildings, driveways, landscaping, parking areas and other items as determined by staff.

5. The permit number plaque provided by the Department of Community Development shall be affixed to the lower right side of the sign cabinet or to a location identified by a Department official when the permit is issued.
 6. Freestanding and perpendicular signs require plans stamped by a professional engineer licensed to practice in the State of Utah as required by the International Building Code.
 7. All signs require plans meeting the requirements of the International Building Code for installation and mounting of signs.
 8. Depending upon the sign type and/or location of sign installation, certain signs may require additional approval from the Planning Commission (see Table's 17.33.030.B1 & B2) or; the Historic Preservation Committee (signs to be placed in the Logan Center Street Historic District); ~~or both~~.
 9. All permanent signs for which a permit was issued will be considered legally existing signs. If legally existing signs no longer conform to current regulations, they will be considered legally existing non-conforming. A permit is not necessary to replace only the graphics or the face of a legally existing, non-conforming sign. This section does not authorize the replacement or modification to the cabinet or frame of a legally existing non-conforming sign.
 10. All permanent signs valued at \$1,000 or more are required to be installed by a licensed sign contractor.
 11. All signs shall comply with applicable provisions of the International Building Code (IBC) and Article 600 of the National Electrical Code (NEC) (UL or approved listing required).
- B. Inspections.
1. Inspection of all mounting brackets, electrical work, and freestanding sign bases shall be required as specified in the International Building Code;
 2. Freestanding signs require an inspection of the forms and size of hole prior to the pouring of concrete;
 3. Failure to obtain the minimum inspections may result in a prohibition against using the freestanding sign base without further code compliance; and
 4. Inspections are not required for re-faces of legally existing signs, painted building signs, wall art, window signs or other types of signs as determined by the Department of Community Development.
- C. Message Substitution on Permanent Signs.
- A noncommercial message of any type may be substituted for any permitted or allowed commercial message or any permitted or allowed noncommercial message; provided, that the sign structure or mounting device is legal without consideration of message content. Such substitution of message may be made without any additional approval or permitting.

§17.33.080 Window Signs and Window Coverings

- A. Permanent window signs or window coverings are allowed on ground floor windows only. They shall not block clear view of exits or entrances or to create a safety hazard. The following shall also apply:
1. Window signs or window coverings shall not cover more than 50 % of the entire surface area of a group of windows;
 2. Window signs or window coverings shall not exceed 64 cumulative square feet in size; and
 3. In conjunction with all other wall signage, window signs and window coverings shall not exceed 20 % of the exterior wall areas of the ground floor tenant.

- B. Window displays and signs located within a store and not attached to a window are not regulated by the City.
- C. Window signs that are displayed without change for a period of less than 60 days per calendar year shall be defined as “temporary” for purposes of this chapter. Window signs displayed without change for a period of 60 days or more per calendar year shall be defined as “permanent” for purposes of this chapter and shall obtain sign permits prior to installation (See Table 17.33.030.B1).
- D. Window “perfs”, window wraps, window decals, etc., are considered window signs and regulated as such.

§17.33.090. Real Estate Signs

Real estate signs shall be permitted in all zoning districts subject to the following:

- A. One such sign shall be allowed per parcel per street frontage;
- B. Real estate signs shall be non-illuminated;
- C. Real estate signs on nonresidential sites shall not exceed thirty-two (32) square feet in area and six (6) feet in height;
- D. Real estate signs on residential lots shall not exceed four (4) square feet in area or be more than four (4) feet in height;
- E. Such signs shall be removed within 5 days from the date of closing or full occupancy, if leasing;
- F. Signs shall not be placed on public property or within the public right-of-way except for open house signs detailed in subsection H; such off-premise signs may be removed by the City;
- G. Real Estate Signs shall only be located on the subject property for sale. Signs which serve as a directional sign to a sale property shall be prohibited, except as provided in subsection H. Such off-premise signs may be removed by the City;
- H. Open House Signs. In addition to a Real Estate Sign located on the subject property, open house signs shall be permitted as follows:
 - 1. Signs are limited to a maximum size of four (4) square feet in area and four (4) feet in height;
 - 2. One open house sign may be permitted within the public right-of-way in the landscape strip at the nearest corner to direct traffic to the open house. The sign shall be placed no earlier than 7 days prior to the start of the open house and shall be removed within 24 hours of the end of the open house;
 - 3. Associated balloons, streamers, or attention-getting devices shall be placed on the subject property for sale only and may not cause a safety hazard;
 - 4. Signs shall be on posts that are placed into the ground. Sandwich boards or freestanding open house signs shall not be permitted due to the potential of winds blowing the signs into the traveled way;
 - 5. Not more than one open house sign may be placed on a corner; and
 - 6. No individual open house shall be identified by more than three signs located in the public right-of-way.
- I. Real Estate Signs shall be located outside of the sight distance triangle.

§17.33.100 Construction Signs

- A. Construction signs may not be located within the sight distance triangle;
- B. Such signs may identify the project name and major participants, including but not limited to, owner, developer, planner, architect, engineer, builder, financier, unions, or skilled trades;

- C. ~~Four~~One signs may be permitted per project per street frontage. One (1) additional sign is allowed per street per every 450 feet of street frontage. No more than ~~six~~four (4) construction signs will be allowed per project;
- D. Signs shall not be placed on public property, utility poles, light poles, or within the public right of way unless authorized by Logan City. Such off premise signs may be removed by the City;
- E. For construction of individual single family residences, signs shall not exceed four (4) square feet in area and four (4) feet in height above the ground;
- F. For non-residential development, residential subdivisions and multi-family residential construction, signs shall not exceed thirty two (32) square feet in area and (6) feet in height and may be placed on construction fencing surrounding a project site; and
- G. Such signs shall be removed within 5 days of the date of the issuance of the last certificate of occupancy, or sale of all lots, whichever occurs first.

§17.33.110. Temporary Signs

- A. Temporary Signs with an on-premise commercial message within the TC, CC, COM, MU, GW, CS, IP & AP zoning districts shall be allowed as follows:
 - 1. Signs shall not exceed twelve (12) square feet per facing and a maximum height of four (4) feet above the ground;
 - 2. A maximum of three (3) different temporary signs may be placed on any one property per calendar year; and
 - 3. Each sign shall not be displayed for longer than thirty (30) days in a calendar year.
- B. Temporary Signs with an on-premise commercial message in the NR zones, MR zones, CR, NC, RC, PUB & REC zoning districts shall only be allowed as follows:
 - 1. Signs shall not exceed four (4) square feet per facing and a maximum height of four (4) feet above the ground;
 - 2. A maximum of four (4) different temporary signs may be placed on any one property per calendar year; and
 - 3. Each sign shall not be displayed for longer than seven (7) days in a calendar year.
- C. Temporary signs with a noncommercial message of any type in any zoning district shall be as follows:
 - 1. Signs shall not exceed four (4) square feet per facing and a maximum height of four (4) feet above the ground; and
 - 2. A maximum of one (1) sign per each noncommercial opinion, message, issue or candidate for elected office may be placed on any one property per calendar year.
- D. All Temporary Signs shall only be allowed as follows:
 - 1. Signs shall be located on private property with the owner's permission;
 - 2. Signs shall not be stacked;
 - 3. Signs shall not be placed in the public right of way or on public property;
 - 4. Signs shall not be placed in the sight distance triangle;
 - 5. Signs shall not be illuminated;
 - 6. Signs shall not be mounted to fences;
 - 7. Signs shall not be mounted to trees or utility poles;
 - 8. Signs shall be maintained in a safe condition. Signs that are damaged, broken or displayed in a manner to be a safety hazard shall be subject to immediate removal;
 - 9. Signs shall be placed in/on landscaped areas and patios. No signs shall be allowed in/on parking lots or vehicular driveways;
 - 10. Signs shall be securely fastened/anchored to the ground;
 - 11. Signs shall consist of sturdy or rigid material that does not move or give the appearance of movement;

12. Unless otherwise evident (i.e., campaign signs), temporary signs shall include a notation or certificate on the back of the sign listing a responsible person to contact regarding the sign including the name address and phone number and the dates or date range the sign is displayed; and
13. Temporary Signs do not require sign permits prior to installation.

§17.33.120 Banners

- A. Banners shall be allowed as follows:
 1. Banners shall not exceed forty-eight (48) square feet in area;
 2. Banners shall be located on private property with the owner's permission;
 3. Banners shall not be placed in the public right of way or on public property;
 4. Banners shall not be placed in the sight distance triangle;
 5. Banners shall be securely attached flush to the wall of primary buildings, except for Banner Flags, which shall be securely anchored into the ground;
 6. Commercial banners shall be maintained in safe condition. Banners that are damaged, faded, torn, broken, or displayed in such a manner to be a safety hazard shall be subject to immediate removal;
 7. Banners shall not be mounted between poles;
 8. Banners shall not be mounted between a building and a pole;
 9. Banners shall not be mounted on a fence;
 10. Banners shall not hang below the bottom of awnings, canopies, or other overhangs or between columns or pillars;
 11. Banners shall not be mounted on freestanding signs;
 12. Banners are only permitted in the TC, IP, CC, COM, MU, & CS zoning districts;
 13. A maximum of two (2) banners may be placed on any one property;
 14. Banners shall not be displayed for longer than sixty (60) consecutive days and no more than two (2) times in any calendar year; and
 15. Banners shall include a notation or certificate on the back of the banner listing a responsible person to contact regarding the banner including the name address and phone number and the dates or date range the sign is displayed.
- B. Holiday Promotional Periods. In addition to the specific standards contained in Section 17.33.120, a business may advertise a special service, product, or sale during the holiday periods defined in Table 17.33.120. Only one additional banner sign, not exceeding 48 square feet in size, is allowed during these periods. The banner shall meet the stipulations of Section 17.33.120.A, and shall be removed by the end of the first business day after the associated holiday.
- C. Community Event Banners. In addition to the specific standards contained in Section 17.33.120, a non-profit entity may advertise or promote a community event using temporary banners that are consistent with the requirements of Section 17.33.120.A, excepting the following:
 1. Up to five (5) temporary banners advertising a community event shall not be displayed for longer than ten (10) days and shall be removed by the end of the first business day after the associated event, and up to ten (10) additional temporary banners may be displayed on the day prior to the associated event and shall be removed by the end of the first business day after the associated event;
 2. A community event banner may be placed in the public right of way or on public property with written permission from Logan City;
 3. A community event banner may be attached to a fence; and
 4. A community event banner may be placed off-site provided the community event banner is used to help direct traffic and people towards the event.

5. In lieu of using temporary banners, a non-profit entity may substitute up to 10 temporary signs no larger than four (4) square feet and in compliance with the regulations in Subsection 17.33.110.D.

Table 17.33.120: Holiday Sign Promotional Periods

Holiday Period	Permitted Display Time
Presidents Day and Valentine's Day	5 days including the holiday
St. Patrick's Day – March	5 days including the holiday
Easter – March or April	5 days including the holiday
Memorial Day – May	5 days including the holiday
July 4 th and July 24 th	5 days including the holiday
Labor Day – September	5 days including the holiday
Thanksgiving – November	7 days including the holiday
Christmas, New Year's	23 days starting December 10 and ending January 2

- D. Temporary Event Banners. Temporary event banners may be permitted within the Town Center (TC) Zone provided they are consistent with the requirements of Section 17.33.120.A, excepting the following:
- Up to three (3) temporary event banners may be installed on the façade of a building during an event. These temporary event banners may be installed 14 days prior to the actual event, and shall be removed within seven (7) days of the conclusion of the event. The total amount of time the temporary event banners may remain on a building façade for any single event is 60 days.
 - There shall be no other banners placed on the building during the time a temporary event banner is present.
 - No more than 60% of the building face shall be covered by the temporary event banners. Temporary event banners are only permitted on the street facing facades, shall remain at least ten (10) feet above the adjacent sidewalk, and shall not be installed above the top of the building facade.
 - The minimum size of the temporary event banners shall be at least 128 square feet (8' wide x 16' long) while the maximum size of the temporary event banners shall be no larger than 512 square feet (16' wide x 32' long). The temporary event banners shall be designed, oriented, and installed vertically rather than horizontally using a 1 to 2 ratio (every one (1) foot of horizontal banner measurement shall equal two (2) feet of vertical banner measurement).
 - Any specific building is limited in its use of the temporary event banners to no more than 120 cumulative days per year.

6. A sign permit shall be secured from the Department of Community Development for each temporary event and prior to banner installation.

§17.33.130. Portable Signs

One Portable Sign (also identified as “Sandwich Boards” or “A Frame Signs”) with an on-premise commercial message is allowed per business within the TC, CC, and COM zoning districts subject to the following guidelines:

- A. The sign is placed entirely outside of roadways, on-site drive-isles, landscape areas, or designated parking areas. The sign shall be located on the pedestrian areas abutting the business and within 20’ of the main entrance;
- B. The sign shall not be closer than 25 horizontal feet to another portable sign;
- C. A six (6) foot wide clear path area on the existing hard surface shall be maintained, and such sign shall not obstruct any pedestrian or wheelchair access, including but not limited to, access from the sidewalk to transit stops, designated disabled parking stalls, disabled access ramps and building exits;
- D. The sign shall not exceed 3.5 feet in height nor be more than two (2) feet wide;
- E. The sign shall be taken down and stored inside the business at the close of business every day;
- F. The portable sign is not subject to the temporary sign standards contained in Section 17.33.110; and
- G. Commercial centers and their tenants shall not place portable signs within the public right-of-way.

§17.33.140. Prohibited Signs

The following signs shall be prohibited in all zoning districts unless otherwise authorized:

- A. Signs that do not comply with the provisions of this section or sign types not specified within this section, except for legally existing nonconforming signs;
- B. Off-premise signs, except where specifically allowed by this chapter;
- C. Signs above or within the public rights-of-way, except for signs specifically allowed in section Section 17.33.150 “Signs in the Public Right-of-Way”;
- D. Permanent signs on lots without a principal use;
- E. Building signs that extend above the parapet or roof;
- F. Signs attached to the roof of a building;
- G. Portable “reader boards” and other portable signs that are not attached to a building or the ground except as otherwise defined in this chapter;
- H. Signs that rotate, flash, move or give the appearance of motion, but not including barber poles;
- I. Signs that are attached to or towed behind a vehicle, except for business identification signs or logos that are permanently affixed to the vehicle or a magnetic sign that serves the purpose of being affixed to the vehicle;
- J. Signs that emit sound, odor or visible matter such as smoke or vapor;
- K. Signs painted on or attached to utility poles, trees or natural features (signs painted or engraved onto boulders or natural materials as a part of the sign permit may be permitted in conformance with this chapter);
- L. Signs that are abandoned, dilapidated, or advertise businesses that are no longer licensed or situated on the location;
- M. Sign structures, poles, pylons, and other supports not maintained or kept in good aesthetic and physical condition;
- N. Signs with visible frames unless part of the approved sign design;
- O. Signs that exhibit words or pictures of an obscene nature;

- P. Parking of vehicles or trailers off-premise, or within landscaped areas, or outside of designated parking stalls, or in other areas in a manner primarily oriented to the adjacent street(s) with signs either attached to or placed upon that result in the vehicle or trailer serving as a sign or billboard. Unhitched trailers parked in a parking stall adjacent to street(s) with signage attached or placed upon. Large vehicles with signage attached or placed upon that are parked in a manner that consumes more than one parking stall adjacent to street(s);
- Q. Signage that includes a visible or direct light source with the exception of neon or other lighting that has been approved as a part of the sign design (see Section 17.33.060 on illumination);
- R. Signs that would cause a violation of the building code;
- S. Attention getting devices, inflatable objects (except balloons), and inflatable signs; or
- T. Signs that are placed, held or worn as part of a costume in the public right-of-way or off-premise with the intent of commercial advertisement directed to vehicle and pedestrian traffic.

§17.33.150. Signs in the Public Right-of-Way

- A. No Signs shall be allowed in the Public Right-of-Way, except for the following:
 - 1. Emergency warning signs erected by a governmental agency, public utility or contractor authorized to work within the right-of-way;
 - 2. Public signs erected by or on behalf of a governmental entity to post legal notices, convey public information, and direct or regulate pedestrian or vehicular traffic;
 - 3. Community or public events may have signs within the public right-of-way as approved by the Department of Community Development and the City Administration Department;
 - 4. Informational signs of a public utility regarding its poles, lines, pipes or other facilities;
 - 5. Temporary signs identified elsewhere in this chapter as being permitted in the right-of-way are not subject to the prohibition of this section;
 - 6. Perpendicular (blade) signs as permitted in this chapter are not subject to the prohibition of this section; or
 - 7. Cache Valley Transit District (CVTD) bus stop shelter advertisements as defined in Section 17.33.170.
- B. Removal.

Any sign installed or placed on public property, except in conformance with the provisions above, shall be forfeited to the public and subject to confiscation. In addition to other remedies, the City shall have the right to recover from the owner or person placing such a sign the full costs of its removal and disposal.

§17.33.160. Electronic Message Display (EMD)

- A. Permit Required.
 - 1. All EMD signs shall require a Sign Permit.
 - 2. Off premise advertising of a commercial nature is prohibited on all EMD's. Signs may only advertise for businesses operating on the same property or within the same approved project, and as outlined in the approved Sign Permit.
 - 3. Exception to off premise advertising: Public Service Announcements. All EMD's are permitted to conduct Public Service Announcements of a non-commercial and temporary nature.
- B. Permitted Zones.

17.33: Signs

1. EMD's shall only be permitted in the Commercial (COM), Commercial Services (CS), Town Center (TC), Industrial Park (IP), Public (PUB) & Recreation (REC) zoning districts.
 2. EMD's are prohibited in the Logan Center Street Historic District.
 3. EMD's located in the COM, CS, TC, and IP zoning districts are prohibited within 300' of a Neighborhood Residential Zoning District.
 4. Pole EMD signs are specifically prohibited in all zoning districts.
- C. Operational Standards.
1. The following frame effects and transitions are permitted in all listed zones except Public and Recreation:
 - a. Dissolve with 0 – 1 second between spots;
 - b. Fade with 0 – 1 second between spots;
 - c. Instantaneous transitions between advertisements;
 - d. Static images;
 - e. Animation;
 - f. Scrolling (vertical movement of message); and
 - g. Travel (horizontal movement of message).
 2. The following frame effects and transitions are prohibited in all listed zones:
 - a. Flashing transitions;
 - b. Blank white transitions;
 - c. Flashing and blinking;
 - d. Starbursts; and
 - e. Any frame effect not listed as permitted in Section 17.40.160.C.1.
 3. The following frame effects, transitions and operational standards are permitted in the Public and Recreation zoning districts:
 - a. Static images;
 - b. Scrolling (vertical movement of message);
 - c. Travel (horizontal movement of message);
 - d. Only a single color message is permitted; and
 - e. EMD's in the PUB and REC zoning districts within 300' of a residential zoning district shall not operate between the hours of eleven (11) p.m. and five (5) a.m.
 4. Background. No sign shall utilize a white background for greater than or equal to 50% of the sign area.
 5. Dwell Time. Each message/advertisement displayed on an EMD shall remain "on" and static for at least three (3) seconds.
 6. Sign Brightness and Illumination Standards. All EMD's are required to comply with the following illumination standards:
 - a. All permitted EMD's shall be equipped with Photocell technology to respond to varying light conditions and provide automatic dimming of the sign illumination;
 - b. Prior to the issuance of a Sign Permit, the manufacturer shall be required to submit written certification that the light intensity does not exceed the maximum levels specified in Table 17.33.160 and the sign is equipped with photocell dimming capability;
 - c. All EMD sign illumination and/or brightness shall not exceed 270 Foot Candles during daytime hours (15 minutes after sunrise), and 26 Foot Candles during nighttime hours (15 minutes after sunset); and
 - d. The differences between the off and solid message measurements using the EMD measurement criteria shall not exceed 1.0 foot candles.

7. EMD Illumination Measurement Criteria. The illumination or brightness of all EMD's shall be measured by utilizing a foot candle meter with the following criteria:
- Illumination or brightness shall be measured with the EMD off, and again with the EMD on displaying a white image for a full color capable EMD, or a solid message for a single color EMD.
 - All measurements shall be taken perpendicular to the face of the EMD at a distance determined by Table 17.40.160:

Table 17.33.160: Illumination Measurement Distance

Sign Area Versus Measurement Distance	
Area of Sign sq ft.	Measurement Distance (ft.)
10	32
15	39
20	45
24	49
25	50
30	55
35	59
40	63
45	67
48	69
Formula: Measurement Distance equal to the square root of (Area of Sign Sq. Ft. x 100)	

D. EMD Sign Area.

- Building Signs.
 - The EMD sign area shall be included as part of the total allowable sign area for the building and shall not exceed thirty-two (32) square feet; and
 - Building EMD signs shall not be mounted above fifteen (15) feet in height.
- Monument Signs.
 - A monument sign shall never consist solely of an EMD within the entire sign area;
 - The EMD portion of a monument sign shall not exceed 66% of the overall sign area and shall not exceed thirty-two (32) square feet for projects that contain less than 450 linear feet of street frontage. The EMD portion shall not exceed more than 66% of the total sign area and shall not exceed forty-seven (47) square feet for projects that contain more than 450 feet of frontage on a single street. The EMD must be placed on the street frontage with more than 450 feet of frontage; and
 - Materials and Landscaping – Monument EMD Signs. The sign material used in the design of the monument EMD shall match or compliment the materials of the primary building. All monument EMD signs shall have a base and frame width of at least six (6) inches. Landscaping shall be required adjacent to the sign, shall include a mixture of shrubs and perennials intended to soften the sign's surroundings, and shall be reviewed as part of the Sign Permit process.
- EMD Signs in Public and Recreation zoning districts shall not exceed twenty-four (24) square feet in size.

E. Compliance.

All legally existing non-conforming EMDs shall comply with the operational standards enumerated in Section 17.33.160.C. The size and locations of legally existing non-conforming EMD signs are exempt from the location and size standards of this Section and are otherwise regulated by Section 17.52.080.

§17.33.170. Public Bus Stop Shelter Signage

A. Location.

1. One (1) twenty-four (24) square foot maximum sign may be permitted on one of the two walls of the bus shelter that are perpendicular to the street. Only one perpendicular wall on the shelter may be used for signage;
2. Signage is permitted only at public transportation bus stop shelters located within the Commercial and Industrial zoning districts and outside of the Historic District boundaries; and
3. No signage is allowed on bus stop benches.

B. Sign Area.

1. Signs shall be a maximum of twenty-four (24) square feet per shelter; and
2. Route maps and other transit oriented information will not be counted as part of the sign area.

C. Sign Illumination.

1. Sign lighting or sign illumination is prohibited for this type of signage; and
2. No Electronic Message Display (EMD) signs allowed at any bus stop location.

D. Sign Type.

1. Sign material shall be attached to bus shelter glass and have a 50/50 visual opacity ratio that allows bus passenger inside the shelter and bus driver to see one another.

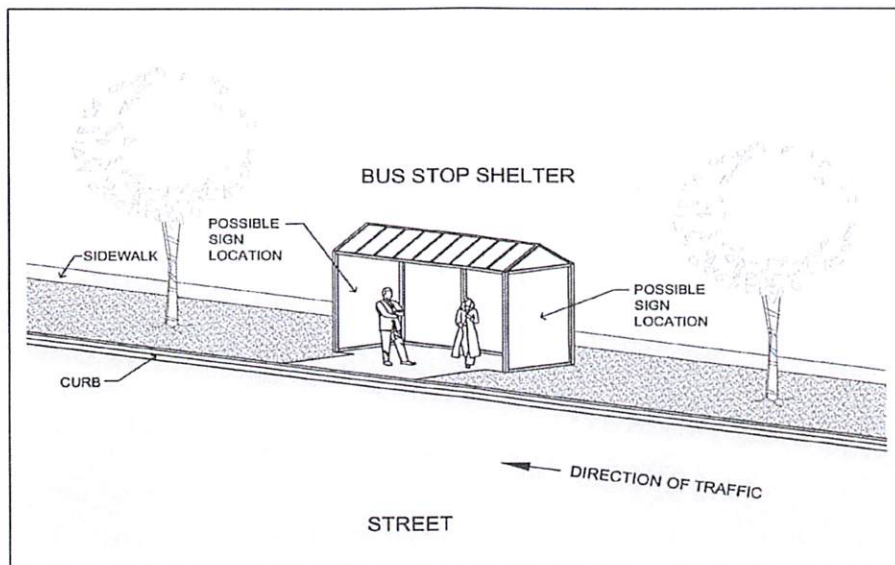


Figure 17.33.140: Cache Valley Transit District Shelter Signage

§17.33.180. Archway Signs

Archway signs are signs that span either between two buildings or independent supports structures and only have individual lettering located in front of an open horizontal cross-support. Archway signs shall only act as a project identification sign. EMD's are prohibited

on archway signs. Archway signs may be located at the vehicle or pedestrian entrances to a project and shall never be located above or within the public right-of-way. Illumination shall be minimal and done with concealed source lighting. If attached to buildings, an archway sign may extend no more than four (4) feet above the adjacent rooflines. Archway signs require track two design review approval.



Project #23-010
Signs and Murals (Update)
Land Development Code Amendment

REPORT SUMMARY...

<i>Project Name:</i>	Signs and Murals
<i>Proponent/Owner:</i>	Community Development Department
<i>Project Address:</i>	Citywide
<i>Request:</i>	Code Amendment
<i>Type of Action:</i>	Legislative
<i>Date of Hearing:</i>	February 9, 2023/February 23, 2023
<i>Submitted By:</i>	Mike DeSimone, Director

RECOMMENDATION

Staff recommends that the Planning Commission recommend **approval** to the Municipal Council of the proposed amendments to Chapters 17.20 and 17.33 of the Land Development Code.

REQUEST

This is a proposal to update the Certificate of Appropriateness Standards in 17.20.050 to match the Center Street Historic District Design Guidelines, add Murals to the list of Track 1 reviews in the Historic District, include standards for Murals in the Historic District, and update the Sign Ordinance.

SUMMARY OF CHANGES

17.20.050 Certificate of Appropriateness – updated the language to match the Center Street Historic District Design Guidelines and added Murals to the Track 1 approval process.

17.20.070.D Murals within the Historic District Overlay Zone – added language permitting murals in the commercial areas of the Historic District and standards for their placement. The proposed language:

D. Murals within the Historic District Overlay Zone.

Murals are permitted in the commercial areas of the Logan Center Street Historic District subject to the following:

1. Murals are prohibited on the primary street facing façade of a building;
2. Murals shall be permitted on side, rear or alley walls of a commercial building that lack historic details (cornices, windows, entrances, etc.);
3. No mural shall exceed 75% of the wall area on which it is placed;
4. Murals are prohibited on an unpainted wall surface. Murals should instead be painted on removable materials such as metal, plywood, or other suitable outdoor material and anchored to the building;
5. Murals are prohibited on a fence;
6. Murals shall not be painted on nor shall they obscure any architectural detailing or features of the building; and
7. Lighting of a mural is prohibited.

17.33 Signs – There are a variety of minor changes in Chapter 17.33 that include the following: clarifying that Murals/Wall Art are not regulated as a sign; setting a minimum setback for signs

from 0' to 18"; clarifying the sight distance triangle for sign placement; construction signs; and allowing for the use of temporary signs in lieu of temporary banners.

2/23/23 Update:

There was discussion at the 2/9/23 Commission hearing regarding the proposal to limit temporary signs with a non-commercial nature to 60 days per year with a direction to come back with specific language for political/campaign signs. Temporary signs include campaign or political signs. After discussing this further with Legal, we are eliminating the proposed change to LDC 17.33.110.C that limited temporary signs to 60 days due to a 2015 U.S. Supreme Court Decision in *Reed v Gilbert* that stated municipalities cannot treat certain signs differently based on their purpose and message. The regulation of the duration of political or campaign signs falls under a violation of the First Amendment. We actually changed the LDC in 2015/2016 in response to this court case to remove political signs as a separate sign category. Attached is the updated LDC language.

STAFF RECOMMENDATION AND SUMMARY

The proposed changes to 17.20 and 17.33 are relatively minor amendments, and the goal of the proposed changes are to provide clearer regulatory direction for Murals and other types of signage.

GENERAL PLAN

The Land Development Code was prepared and adopted to implement the vision expressed in the General Plan. The proposed amendments continue to implement the vision of, and are consistent with, the General Plan.

PUBLIC COMMENTS

As of the writing of this report, there has not been any public comment. Public comments received prior to the preparation of this report will be included as an attachment. Any other comments will be forwarded to the Planning Commission.

PUBLIC NOTIFICATION

Legal notices were published in the Herald Journal on 12/31/22, posted on the City's website and the Utah Public Meeting website on 1/02/23, and noticed in a quarter page ad on 12/29/23.

AGENCY AND CITY DEPARTMENT COMMENTS

As of the time the staff report was prepared, no comments have been received.

RECOMMENDED FINDINGS FOR APPROVAL

The Planning Commission bases its decisions on the following findings:

1. Utah State Law authorizes local Planning Commission to recommend ordinance changes to the legislative body (Municipal Council).
2. The Code Amendments are done in conformance with the requirements of Title 17.51 of the Logan Municipal Code.
3. The proposed Code Amendments are consistent with the Logan City General Plan.
4. The proposed Code Amendments to the Historic District Overlay Zone and the Sign Code are relatively minor in nature.
5. No public comment has been received regarding the proposed amendments.

This staff report is an analysis of the application based on adopted city documents, standard city development practices, and available information. The report is to be used to review and consider the merits of the application prior to and during the course of the Planning Commission meeting. Additional information may be revealed by participants at the Planning Commission meeting which may modify the staff report and become the Certificate of Decision. The Director of Community Development reserves the right to supplement the material in the report with additional information at the Planning Commission meeting.