

TITLE 12

FARMINGTON CITY SIGN REGULATION ORDINANCE

CHAPTER 1

GENERAL PROVISIONS AND DEFINITIONS

SECTION 12-1-101 SHORT TITLE

This Title shall be known as the "Farmington City Sign Ordinance". This Title may also be known as "Title 12, Farmington City Code". It may be cited and pleaded under either designation.

SECTION 12-1-102 PURPOSE AND INTENT

The purpose of this ordinance is to provide minimum standards to safeguard property, public health, safety, and general welfare and to preserve the unique character of Farmington through the establishment of guidelines governing the size, height, design, location, and maintenance of signs. The following goals have been established to help achieve this purpose:

(1) To encourage signs which help to visually organize the activities of the City, lend order and meaning to business identification, and make it easier for the public and service delivery systems to locate and identify their destinations;

(2) To assure that all signs, in terms of size, scale, height, and location, are compatible with adjacent land uses and with the size of the development which they serve;

(3) To implement principles established in the Farmington City Master Plan which recognizes that the special character of the City rests largely in the quality of its appearance;

(4) To minimize unnecessary distractions to motorists, protect pedestrians, provide safe working conditions for those persons who are required to install, maintain, repair, and remove signs;

(5) To be fair to each property owner by providing that equal and adequate exposure to the public is made available and that no signs are allowed to visually dominate neighboring signs.

(6) It is not the intent of this ordinance regulate the message content of signs or to regulate any signs which are not intended to be viewed by the general public from outside the property line.

SECTION 12-1-103 SCOPE OF PROVISIONS

In interpreting the provisions of this Title, the requirements contained herein are declared to be the minimum standards necessary to accomplish the purposes set forth. The types of signs allowed by this Title are fully described. Signs not specifically described herein shall be prohibited. Where the provisions of this Title impose greater restrictions than any other statute, regulation, ordinance, or covenant, these provisions shall prevail. Where the provisions of any statute, regulation, ordinance, or covenant impose greater restrictions than the provisions of this Title, the provisions of such statute, regulation, ordinance, or covenant shall prevail.

SECTION 12-1-104 DEFINITIONS

Whenever any words or phrases used in this Title are not defined herein, but are defined in related sections of the Farmington city Code or Uniform Building Code, such definitions are incorporated herein and shall apply as though set forth herein in full, unless the context clearly indicates a contrary intention. Words not defined in any Code shall have their ordinarily accepted meanings within the context in which they appear. Unless a contrary intention clearly appears, words used in the present tense include the future, the singular includes the plural, the term "shall" is always mandatory, and the term "may" is permissive. The following terms as used in this Title shall have the meanings respectively ascribed to them.

(1) **Abandoned Sign** means a sign which displays evidence of neglect, no longer identifies or advertises a bona fide business, lessor, service, owner, product, or activity, and/or a sign for which no legal owner can be found.

(2) **Alteration** means a change or rearrangement in the structural parts of a sign causing an increase in the height, width, or area, or moving the sign from one location to another.

(3) **Animated Sign** means any sign which uses movement of all or part of the sign or a rapid or intermittent change of lighting to attract attention, depict action, or to create a special effect or scene.

(4) **Architectural Detail** means any projection, relief, cornice, column, change of building material, window, or door opening on any building.

(5) **Architectural, Scenic, or Historic Area** means an area that contains unique visual or historic characteristics or whose natural beauty requires special sign regulations to ensure that all signs displayed within the area are compatible with the area.

(6) **Awning Sign** means a sign attached to a building which consists of a fireproof space-frame structure with sign copy imprinted on a translucent flexible reinforced vinyl covering designed in awning form. Such signs may, or may not, be internally illuminated by fluorescent or other light sources in fixtures approved under the Uniform Electrical Code.

(7) **Barber Pole** means a traditional pole or symbol used to identify the place of business of a barber, containing no advertising. Barber Poles are classified as Projecting Signs. For the purpose of this ordinance, barber poles are not considered to be animated signs.

(8) **Banner or Pennant** means any cloth, bunting, plastic, paper, or similar material used for temporary commercial or home sale advertising purposes attached to, or appended on or from, any structure, staff, pole, line, framing, or vehicle.

(9) **Billboard** means an off-premise ground sign.

(10) **Building Face** means all window and wall area of a building in one plane, from ground level to the peak of the roof and/or top of parapet wall.

(11) **Changeable Copy Sign** means a sign on which the characters, letters, or illustrations can be changed or rearranged without altering the face or surface of the sign regardless of method of attachment. Any type or classification of sign may contain changeable copy.

(12) **Commercial Complex** means a group of two or more commercial uses, whether on one lot under one ownership or on several adjacent lots under separate ownership, which are

dependent on one another to meet minimum standards for parking, vehicular circulation, and/or landscaping or are approved as elements in an overall site plan under a conditional use or subdivision application.

(13) Copy means any words, letters, numbers, figures, designs, or other symbolic representations on the display surface of a sign.

(14) Directory Sign means a common sign identifying two or more persons, businesses, or establishments.

(15) Display Surface means the surface available on the sign structure for the mounting of material to advertise or promote a product, event, person, or subject.

(16) Electronic Message Sign means a changeable copy sign that uses lights to form a sign message wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes. For the purposes of this ordinance, these signs are not considered to be animated signs.

(17) Frontage means a lineal measurement along the property line of a lot or parcel of property which fronts on a public street. Frontage is used as the basis for determining, in part, the maximum sign area and number of signs allowed for individual activities.

(18) Ground Sign means a sign which is three or more feet above the ground and is supported by one or more uprights, poles, posts or braces placed in or upon the ground which are not a part of, or attached to, a building. The definition includes "pylon signs", "freestanding signs", and "pole signs".

(19) Height (of a Sign) means the greatest distance measured from the top of the nearest curb or sidewalk to the top of the sign including any protruding architectural features.

(20) Identification Sign means a sign which serves to identify only the name and address of the building, institution, person, and/or lawful use which occupies the premises.

(21) Illegal Sign means a sign which does not meet the requirements of this ordinance and which has not received legal nonconforming status.

(22) Illuminated Sign means a sign which has characters, letters, figures, designs, or outline illuminated by electric lights or luminous tubes. This definition shall also include reflectorized, glowing or radiating signs.

(23) Logo means a symbol, design, or graphic representation, which may include text that identifies a business, activity, or company.

(24) Maintenance means the cleaning, painting, repair, or replacement of defective parts of a sign in a manner that does not alter the basic copy, design, or structure of the sign.

(25) Monument Sign means an on-premise sign, the entire bottom of which is in full contact with, or closer than three feet to, the ground.

(26) Name Plate means a non-illuminated identification sign, attached to the main building on a lot, which gives only the name, address, and/or occupation of the occupant or occupants of a dwelling.

(27) **Neon Sign** means a sign which incorporates into its design neon or gaseous light tubing that is uncovered, or covered by a transparent cover, allowing the tubing to be visible.

(28) **Nonconforming Sign** means a sign which was legally installed under laws or ordinances in effect prior to the effective date of this Title or subsequent revisions, but which is in conflict with the provisions of this Title.

(29) **Off-premise Sign** means a sign which directs attention to a use, product, commodity, event, or service not related to the property on which the sign is located. This definition includes billboards.

(30) **On-premise Sign** means a sign which directs attention to a use, product, commodity, event, or service which exists or is available on the property on which the sign is located.

(31) **Open House Sign** means an off-premise property sign designed solely to provide direction or guidance for vehicular traffic to real estate that is for sale.

(32) **Owner** means a person, corporation, organization or agency having a legal or equitable interest in property and includes successors-in-interest, assigns, or the agent of any of the aforesaid.

(33) **Permanent Sign** means a sign intended to exist for the duration of time that the use or occupant is located on the premises and which is designed to be permanently attached to the ground or to a building. The sign shall be constructed entirely of durable materials.

(34) **Political Sign** means a sign limited to issues, ballot measures, ballot propositions, candidates, or groups of candidates in any district, municipality, community, state, or federal election.

(35) **Portable Sign** means any sign that is not permanently attached to the ground or a building, signs designed to be transported by wheels or other means, signs converted to "A" or "T"-frames, or signs attached to, painted on, or supported by stationary vehicles or trailers, which are visible from a public street and have the express purpose of advertising a business, product, service, or event.

(36) **Premises** means a lot or a building site, combination of lots or building sites, or a specific portion of a lot or building site, that contains the structures and the open spaces owned in connection with a lot, for the location, maintenance, and operation of the use of the property.

(37) **Project Identification Sign** means a permanent sign identifying an area of distinct character under multiple ownership such as a residential neighborhood, historic district, shopping center, or industrial park.

(38) **Projecting Sign** means a sign other than a wall sign suspended from, or supported by, a building or structure and projecting outward more than 12 inches.

(39) **Property Sign** means a sign related to the property on which it is located and offering such property for sale or lease, advertising contemplated improvements, announcing the name of the builder, designer, owner, or developer of a project, or warning against trespass.

(40) **Roof Sign** means a sign displayed on or above the peak or parapet of a building and attached to the building.

(41) Service Sign means an on-premise sign erected for the purpose of facilitating, directing, or controlling the efficient or safe movement of pedestrians or vehicles on or into private property and which conveys information such as "rest rooms", "no parking", "entrance", "exit", or other messages of information, direction, or warning, but does not contain brand, trade or business identification.

(42) Sign means and includes every advertising message, announcement, declaration, demonstration, merchandise display, illustration, insignia, surface, or space erected or maintained in view of a public street for identification, advertisement, or promotion of the interests of any person, entity, event, product, or service. This definition shall also include the sign structure, supports, lighting system and any attachments, ornaments, or other features designed to attract the attention of observers.

(43) Sign Area means the area of a sign that is used for display purposes, excluding the minimum frame and support structure. In computing sign area, only one side of a double faced sign covering the same subject shall be computed when the two faces are parallel or diverge from a common edge at an angle of 45 degrees or less. When a sign has more than two faces, the area of the third face, and all additional faces, shall be included in determining the area of the sign. For signs that don't have a frame or integral background, sign area shall be computed based on the area of the smallest square, rectangle, or triangle which will completely frame the display.

(44) Temporary Sign means any sign, balloon, banner, valance, or advertising display constructed of paper, cloth, canvas fabric, cardboard, wallboard, wood, or other light material, with or without a frame, intended to be displayed out of doors for a short period of time.

(45) Wall Sign means a sign attached to and parallel with the exterior wall or windows of a building, extending not more than 12 inches from such wall, and having messages or copy on the front side only. This definition includes painted, individual letter, and cabinet signs.