

CHAPTER 26: SIGN REGULATIONS

26.1. GENERAL PROVISIONS.

26.1.1. TITLE.

26.1.2. INTENT AND PURPOSE.

26.1.2.A. The sign regulations are intended to enhance the character of the community and protect its various districts against visual blight. A proliferation of signs can seriously detract from the pleasure of observing the natural scenic beauty of the Town of Virgin and the human environment.

26.1.2.B. Recognizing that sign visibility is critical to the success of local businesses in Virgin and that most Virgin businesses and signs are located on SR-9 where through traffic travels at high speeds; the regulation of signs should maintain and enhance the visual aesthetic and character of Virgin while ensuring sufficient sign visibility.

26.1.2.C. It is necessary to regulate the size, type and location of signs to encourage the effective use of signs as a means of communication and to provide equality and equity among sign owners and those who wish to use signs.

26.1.2.D. Signs have an important design component and must be architecturally compatible with affected structures and the character of surrounding development in order to maintain the overall quality of a neighborhood or commercial district.

26.1.2.E. The cumulative effect of numerous signs close to each other has a detrimental impact which can not be addressed in any way other than by limiting the number and size of all signs.

26.1.2.F. It is necessary for public safety that official traffic regulation devices be easily visible and free from nearby visual obstructions and distractions, such as attention-getting signs, an excessive number of signs, or signs in any way resembling official signs.

26.1.2.G. It is the intent of these regulations to regulate the time, place and manner under which signs are permitted, and not the content of signage, with the exception of content that can be prohibited by law as defined by the U.S. supreme court in Miller vs. California, 413 U.S. 15, 24 (1973).

26.1.3. APPLICABILITY.

This chapter shall apply to all property and land within the jurisdiction of the Town of Virgin. It is unlawful for any person, firm, or corporation that owns, occupies, or controls property in the Town of Virgin to construct, maintain, display or alter or cause to be constructed, maintained, displayed or altered, a sign within the Town except in conformance with this chapter.

26.1.4. SEVERABILITY CLAUSE.

If any portion of this ordinance is found to be unconstitutional, only that portion of the ordinance may be invalid, the remaining content shall remain in effect.

26.1.5. NO SIGN SHALL VIOLATE STATE OR NATIONAL SCENIC BYWAYS STANDARDS established in Title 23, Section 162 of the United States Code. *[see www.bywaysonline.org for more information.]*

26.2. EXEMPTIONS.

The following signs are exempt from the permitting process and do not require a sign permit. Signs that exceed the limits outlined below are prohibited or, if allowed under this chapter, require permitting process.

26.2.1. CONSTRUCTION SIGNS.

One (1) non-illuminated sign per construction project not to exceed eight (8) square feet in area, nor six feet (6') in height, used to indicate owner, general contractor, architect and other pertinent construction data. Such signs shall not be erected more than five (5) days prior to the beginning of construction for which a valid building permit has been issued, shall be confined to the construction site, and shall be removed within five (5) days of completion, occupancy, or expiration of building permit, whichever occurs first.

26.2.2. DIRECTIONAL OR INSTRUCTIONAL SIGNS.

Signs not to exceed four (4) square feet in area identifying restrooms, public telephones, walkways or signs providing direction such as parking lot entrance and exit signs and those of similar nature. Such signs shall be located entirely on the property to which they pertain and shall not in any way advertise or otherwise mention a business. Such signs shall be either wall-mounted or freestanding. If freestanding and such sign is located adjacent to a street, it shall be placed at the driveway or sidewalk entrance to the property closest to the item being identified. Freestanding directional signs shall not exceed three feet (3') above grade. If wall-mounted, no portion of such sign shall be placed higher than eight feet (8') above grade. Directional or instructional signs visible from the public right of way shall not exceed a total of two (2) such signs per business or business center.

26.2.3. FLAGS.

26.2.3.A. Flags flown on a temporary basis for purposes of honoring national or civic holidays, provided such flags do not exceed eight feet (8') long in its largest dimension.

26.2.3.B. Up to three (3) official flags or emblems of national, state or local governments, provided all such flags or emblems shall be placed on flagpoles not attached to a building or structure, nor exceeding twenty five feet (25') in height. Such flag shall not exceed eight feet (8') long in its largest dimension.

26.2.3.C. One (1) Garrison flag as defined in VULU Chapter 22 for the Highway Resort Zone. Such flag shall not exceed twenty-four feet (24') long in its largest dimension.

26.2.3.D. Faded, torn or stained flags are prohibited.

26.2.3.E. Exceptions to allow up to two (2) advertising flags or more than three (3) national flags may be granted by the Planning and Zoning Commission for good cause.

26.2.4. GOVERNMENT SIGNS AND PUBLIC SERVICE SIGNS.

Signs indicating danger, notices issued by any court and aids to service or safety which are erected by or on the order of a public officer in the performance of his public duty.

26.2.5. HISTORICAL OR MEMORIAL SIGNS.

Memorial signs or tablets erected by recognized historical agencies, containing names of buildings, dates of erection or related information, provided the sign is cut into any masonry surface or installed so as to be part of the building and does not exceed two (2) square feet in area.

26.2.6. HOLIDAY SIGNS.

Signs of a primarily decorative nature, clearly incidental and customary and commonly associated with any national, local or religious holiday which do not display the name of a business, product or other advertising material. Such signs shall be displayed for a period of not more than forty (40) consecutive days for the Christmas holiday and twenty (20) consecutive days for all other holidays, nor more than a cumulative of sixty (60) days in any twelve (12) month period.

26.2.7. HOUSE NUMBERS AND NAMEPLATES.

Not to exceed two (2) per address and each sign not to exceed two (2) square feet in area in all town zones.

26.2.8. INTERIOR SIGNS.

SIGNS located within the interior of any building or within an enclosed lobby or court of any building that are not visible from any public right of way.

26.2.9. MENUS.

Menus displayed on the exterior of premises occupied by restaurants shall be of the size and lettering normally used within the restaurants, provided such size does not exceed four (4) square feet; such displayed menus shall be attached to the structure.

26.2.10. OPEN HOUSE SIGNS.

Non-illuminated, off-site, portable signs, placed on private property, containing directions to the location of an open house which is for sale, limited to one sign per intersection corner, not to exceed a total of five (5) such signs, provided the signs:

26.2.10.A. Shall not exceed four (4) square feet in area nor four feet (4') in height; and

26.2.10.B. Shall be removed daily immediately following a scheduled open house.

26.2.11. ACCESSORY INTERNAL WINDOW SIGNS (SUCH AS OPEN/CLOSED SIGNS; NEON ESPRESSO SIGNS).

Each duly licensed business is allowed up to five (5) internal window signs not to exceed a combined area of eight (8) square feet for all internal window signs. Lighted window signs shall be turned off at the end of each business day.

26.2.12. POLITICAL AND CAMPAIGN SIGNS.

Any number of non-illuminated political or campaign signs on behalf of candidates for public office or measures on election ballots, limited to an individual sign area of six (6) square feet and a combined sign area not exceeding twelve (12) square feet per residence or business, provided said signs shall be placed only on private property, with the permission of the property owner.

26.2.13. PROTECTIVE SIGNS.

Non-illuminated flat signs of not more than one (1) square foot each which contain words protective of an occupant, such as "no trespassing", "beware of dog", and the like, provided such signs are placed only at intervals of not less than thirty feet (30') or in compliance with the requirements of state law, whichever is more restrictive. The total number of signs allowed per property shall be reasonable in number, not to exceed a total of six (6) such signs and shall comply with the intent of these sign regulations.

26.2.14. PUBLIC SIGNS.

Signs required or specifically authorized for a public purpose by any law, statute or ordinance.

26.2.15. REAL ESTATE SIGNS.

26.2.15.A. On each street frontage, for any lot or building, one non-illuminated sign which serves solely to advertise the actual intent to sell, rent or build to suit, provided:

26.2.15.A.1. Such sign is located entirely within the property to which the sign applies;

26.2.15.A.2. Each individual sign shall not exceed six (6) square feet, nor four feet (4') in height and the total combined sign area shall not exceed twelve (12) square feet; and

26.2.15.A.3. The signs shall be removed with seven (7) days after the sale, rental or lease has been consummated.

26.2.16. SERVICE STATION SIGNS.

For any business selling automotive fuel, one price sign for each street frontage not to exceed eight (8) square feet in area, nor eight feet (8') in height. In addition, one "self/mini/full-serve" sign, not to exceed three (3) square feet in area, is allowed on each end of each pump island.

26.2.17. TEMPORARY SIGNS.

26.2.17.A. Special Event Signs. On-premise event advertising signs, not exceeding eight (8) square feet in area, that are painted on windows, attached to windows or walls, or affixed to a maximum of one (1) A-frame or sandwich board, provided that said SIGNS are posted only during said event or no more than fourteen (14) days prior to said event and are removed no more than seven (7) days after an event .

26.2.17.B. Community Signs such as "missing" or "lost and found" signs are exempt for thirty (30) days and may only be posted on private property.

26.2.18. Wall murals and painted walls so long as the design is free of text advertising the business and logos as defined by this ordinance.

26.3. PROHIBITED SIGNS.

26.3.1. ABANDONED SIGNS.

Abandoned signs, including all structural and support elements.

26.3.2. ADVERTISING DEVICES THAT USE WIND.

Advertising devices which move in the wind, including, but not limited to, balloons or other gas filled figures, pennants, pinwheels and stringers.

26.3.3. ANIMATED SIGNS.

No sign shall be permitted which is animated by means of flashing, scintillating, blinking or traveling lights or any other means not providing constant illumination or intensity of illumination, including changeable signs as described in this section. This shall not include signal lights and other public safety signs maintained by government authority.

26.3.4. BEACONS AND SEARCHLIGHTS.

Lighted beacons, searchlights, other lights or lighted devices which attract attention to a property are prohibited.

26.3.5. BILLBOARDS.

Billboards, outdoor advertising and off site signs, except as allowed in other sections of these sign regulations.

26.3.6. CHANGEABLE SIGNS.

Electronically or electrically controlled "time and temperature", message center or reader board where copy changes automatically shall be prohibited. signs on which copy or sign panels may be changed manually shall be prohibited, except service station signs, theaters, restaurants, and official 'Virgin Town Welcome signs' as defined in VULU Chapter 26.9.

26.3.7. INTENSELY LIGHTED SIGNS.

Intensely lighted or exposed luminary sources such as exposed bulbs or tubes shall be prohibited. Exposed neon signs shall be prohibited, except for those allowed in VULU Chapter 26.2.

26.3.8. MISCELLANEOUS SIGNS AND POSTERS.

The tacking, posting or otherwise affixing of signs of a miscellaneous character, visible from a public way, located on the walls of buildings, barns, sheds, on trees, poles, posts, fences or other structures, except to identify a residence or residence structure by means of posting the name of occupant or structure, and the street address, unless specifically permitted by this chapter. Miscellaneous signs may be permitted on a temporary basis, in certain locations, with prior written approval of the Planning and Zoning Commission.

26.3.9. MOVING SIGNS.

Signs that rotate, move or assume any motion constituting a non-stationary or non-fixed condition.

26.3.10. NATURAL OBJECT USED AS A SIGN.

No sign shall be painted on or affixed to any natural object in its natural location such as, but not limited to, a boulder, tree or cliff face.

26.3.11. PORTABLE SIGNS.

A-frame, sandwich board, or any sign not permanently affixed to the ground or to a structure on the site it occupies, except as provided for in this chapter.

26.3.12. REFLECTIVE SIGNS.

Signs made wholly or partially of highly reflective material.

26.3.13. SCULPTURE.

Sculpture, statues, fountains or other art or decorative articles made of plastic or vinyl, with or without advertising copy, which by reason of height, size, color or nature serve primarily to attract attention to an establishment, organization or enterprise rather than to serve a primarily decorative or landscaping function.

26.3.14. VEHICLE SIGNS.

Signs affixed upon a vehicle, trailer or the like that are temporary and promotional, parked conspicuously so as to attempt to direct attention to a place of business in an effort to circumvent the provisions of this chapter. This shall apply to vehicles parked on either public or private property. This shall not be construed as to prohibit customized automobile license plates.

26.3.15. OTHER SIGNS.

The following signs are also prohibited:

26.3.15.A. Signs which bear or contain statements, words or pictures of an obscene or pornographic character (as defined by the U.S. supreme court in Miller vs. California, 413 U.S. 15, 24 (1973)), and anything that demeans or otherwise degrades religions, races or ethnic groups, or any other protected group.

26.3.15.B. Signs which emit audible sound, odor or visible matter.

26.3.15.C. Signs which, by reason of their size, location, movement, content, coloring or manner of illumination, may be confused with or construed as a traffic control sign, signal or device, or the light of an emergency or road equipment vehicle, or which hide from view any traffic or street sign or signal or device.

26.3.15.D. Signs, except as may be required by law, placed or maintained so as to interfere with free ingress to or egress from any door, window or fire escape.

26.3.15.E. Signs, including political signs, attached, maintained, painted, printed or otherwise affixed to any curb, sidewalk, post, pole, hydrant, bridge, bench, tree or other surface on public property or over or across any street or public thoroughfare, except by a duly authorized public employee or as required or permitted by law.

26.4. MINIMUM SIGN STANDARDS.

All signs must conform to building, structural, and electrical codes as well as regulations of the town. A sign permit is not required to repaint, clean or perform other activities normally associated with maintenance and repair of a sign. However, before changes can be made to the structure, design, color, character or advertiser of a sign, a new permit must be obtained. Except as further restricted by this title, all signs shall be subject to the following minimum requirements:

26.4.1. SETBACKS.

26.4.1.A. Signs less than three feet (3') in height may be placed in the clear view area. No sign greater than three feet (3') in height may be placed where it obstructs the clear view area.

26.4.1.B. Signs more than three feet (3') in height must have a front setback of at least eighteen inches (18") from the front property line as measured from leading edge of the sign. All signs are subject to the side and rear setbacks of the underlying zone. Signs shall also meet clear view requirements as detailed in sign definitions.¹

26.4.1.C. Signs over pedestrian ways shall have a clearance between the ground and the bottom of any projecting or free standing sign of not less than eight feet (8').

26.4.1.D. Signs over private driveways for vehicular traffic shall have a minimum clearance of not less than fourteen feet (14').

26.4.2. MATERIALS.

Signs, unless otherwise stated in the following sections of this chapter, may be constructed of painted, stained or carved wood; brick or stone; metal which is painted or otherwise treated to prevent reflective glare, but not anodized. Wood signs shall be solid wood, except that painted signs may be of MDO surfaced plywood or equivalent. Ordinary plywood, cardboard, or materials that do not have adequate longevity are prohibited.

26.4.3. COLOR.

Brilliant, luminescent, "Day-Glo" or fluorescent colors are prohibited. Colors should repeat those of the facade or compliment them. In general, dark backgrounds with light letters are more legible. Too many colors can overwhelm the sign's communication function and create a distracting, garish visual element rather than an integral part of the texture of the street.

26.4.4. SIGNS MAY BE UNLIGHTED OR LIGHTED EXTERNALLY.

No sign shall be internally lighted. light sources for externally lighted signs shall be placed to illuminate only the sign surface and shall not be visible beyond the premises. Special care shall be taken in the design of external sign lighting to ensure that the light source is not visible to motor vehicle traffic. All sign lighting shall comply with the requirements in VULU Chapter 4.20., Outdoor lighting.

¹As amended pursuant to Ordinance 2017-1

26.5. SIGN STANDARDS FOR BUSINESS AND RESORT DISTRICTS.

26.5.1. INDIVIDUAL BUSINESSES.

Each duly licensed business on its own parcel shall be allowed one primary sign, one secondary sign and one “Unified Community Business Sign”. In addition, each duly licensed business may have their business name and logo included in official “Virgin Town Welcome Signs”, as defined in VULU Chapter 26.9. In the event that the primary sign is freestanding, the secondary sign shall be building mounted. In the event that the primary sign is building mounted, the secondary sign may be freestanding or building mounted on a building frontage other than that upon which the primary sign is located. In the event the building is one hundred feet (100') or more from SR-9, primary and secondary signs may both be freestanding monument signs.

26.5.1.A. Freestanding Monument Signs.

A freestanding monument sign and the corresponding support structures shall be designed to complement the building architecture and the surrounding areas, and shall comply with height, area, material, and color requirements for the following sub-districts whose physical boundaries are defined below.

26.5.1.A.i. Western Business District. This district exists between the town’s western boundary to 700 West.

26.5.1.A.i.a. Height. No freestanding monument sign shall exceed fifteen feet (15') in height or extend beyond the roofline or parapet wall at the highest point, whichever is less.

26.5.1.A.i.b. Area. Primary sign not to exceed fifty (50) square feet in area; secondary sign not to exceed thirty (30) square feet.

26.5.1.A.i.c. Colors. Colored or painted portions of the sign (including black and white) shall be limited to the sign copy and forty percent (40%) of the sign total area. Sixty percent (60%) of the sign area shall remain unpainted, natural material. Logos, as defined in the definitions section of this chapter are subject to this standard.

26.5.1.A.i.d. Materials. Freestanding monument signs in the Western Business District shall be constructed of rustic and natural materials, including stone or wood. Some metal may be incorporated into the design of the sign, but shall not be used for the majority of the sign and shall be painted or otherwise treated to prevent reflective glare, but shall not be anodized.

26.5.1.A.ii. Central Business District. This district exists between the 700 West and the western boundary of Zion River Resort.

26.5.1.A.ii.a. Height. No freestanding monument sign shall exceed fifteen feet (15') in height or extend beyond the roofline or parapet wall at the highest point, whichever is less.

26.5.1.A.ii.b. Area. Primary sign not to exceed forty (40) square feet in area; secondary sign not to exceed twenty (20) square feet in area.

26.5.1.A.ii.c. Colors. Signs in the Central Business District/ Village Commercial Zone shall comply with minimum sign standards in VULU Chapter 26.4.

26.5.1.A.iii. Resort District. This district exists between the western boundary of Zion River Resort and the town's eastern boundary.

26.5.1A.iii.a. Height. No freestanding monument sign shall exceed six feet (6'). [Consider height allowance if ground elevation of sign location is lower than SR-9.]

26.5.1A.iii.b. Area. Primary sign not to exceed fifty-five (55) square feet in area; secondary sign area not to exceed thirty (30) square feet in area.

26.5.1A.iii.c. Colors. Colored or painted portions of the sign (including black and white) shall be limited to forty percent (40%) of the sign total area. Sixty percent (60%) of the sign area shall remain unpainted, natural material. Logos, as defined in the definitions section of this chapter are subject to this standard.

26.5.1A.iii.d. Materials. Freestanding monument signs in the Highway Resort Zone and Resort Zone shall be constructed of rustic and natural materials, including stone or wood. Some metal may be incorporated into the design of the sign, but shall not be used for the majority of the SIGN and shall be painted or otherwise treated to prevent reflective glare, but shall not be anodized.

26.5.1A.iii.e. Base. The base of the freestanding monument sign shall be incorporated into a landscaping design or planter box.

26.5.2. BUILDING MOUNTED SIGNS.

Signs mounted on the building shall be integrated into the building and designed so that architectural features and expression of the building are not obscured. signs mounted to the building include wall signs, awning signs, projecting signs, roof-mounted signs and suspended signs.

26.5.2.A. A building mounted primary sign for all business and resort districts shall:

26.5.2.A.i. Have a maximum area of forty (40) square feet.

26.5.2.A.ii. Non roof-mounted signs shall not extend beyond the roofline or parapet wall at the highest point, nor extend beyond a maximum of fifteen feet (15') in height.

26.5.2.A.iii. If mounted on a pitched roof, sign shall not extend beyond the roofline or parapet wall at the highest point or the maximum building height of the applicable zone, whichever is less. If mounted on a flat roof, sign shall not extend beyond the maximum building height of the applicable zone or four feet above the roof, whichever is less.

26.5.2.A.iv. If wall mounted, be permanently attached and not extend more than twelve inches (12") from said wall.

26.5.2.A.v. In the case of a projecting sign, not extend from the building face a distance greater than six feet (6'), and no projecting sign shall extend over public property a distance greater than twelve inches (12").

26.5.2.A.vi. In the case of projecting signs, awning signs and suspended signs, maintain a minimum eight foot (8') clearance between the lowest point of the sign and the grade immediately below.

26.5.2.A.vii. In the instance of a building set back from the road by more than one hundred feet (100'), the Planning and Zoning Commission may allow installation of a wall mounted primary sign up to but not exceeding five percent (5%) of the total area of the wall on which it will be mounted.

26.5.2.B. A building mounted secondary sign for all business and resort districts shall:

26.5.3.B.i. Have a maximum sign area of twenty (20) square feet.

26.5.3.B.ii. Not extend beyond the roofline or parapet wall at the highest point, nor extend beyond a maximum of fifteen feet (15') in height.

26.5.2.B.iii. If mounted on a pitched roof, sign shall not extend beyond the roofline or parapet wall at the highest point or the maximum building height of the applicable zone, whichever is less. If mounted on a flat roof, sign shall not extend beyond the maximum building height of the applicable zone or four feet above the roof, whichever is less.

26.5.2.B.iv. If wall mounted, be permanently attached and not to extend more than twelve inches (12") from said wall.

26.5.2.B.v. In the case of a projecting sign, not extend from the building face a distance greater than six feet (6'), and no projecting sign shall extend over public property a distance greater than twelve inches (12").

26.5.2.B.vi. In the case of projecting signs, awning signs and suspended signs, maintain a minimum eight foot (8') clearance between the lowest point of the sign and the grade immediately below.

26.5.3. ADDITIONAL SIGNS.

26.5.3.A. Tertiary Signs. Restaurants and hotels/motels may display tertiary special feature signs.

26.5.3.A.i. Only one (1) such sign may be displayed at any given time.

26.5.3.A.ii. Tertiary signs shall have a maximum area of two (2) square feet.

26.5.3.A.iii. Tertiary signs may be wall mounted or attached to a freestanding sign, providing the tertiary SIGN shall be no closer than three feet (3') to any public right of way.

26.5.3.A.iv. Transient lodging facilities may display one additional tertiary "vacancy" or "no vacancy" sign.

26.5.3.A.v. Each duly licensed business on a separate property shall be allowed one 'Unified Community Business Sign', as defined in VULU Chapter 26.9.

26.5.3.A.vi. Each duly licensed business is allowed to include their business name and logo in 'Virgin Town Welcome Signs', as defined in VULU Chapter 26.9.

26.5.3.B. Business Centers.

For groups of two (2) or more duly licensed businesses associated by a common agreement or common ownership, that occupy the same legally recorded parcel(s) with common parking facilities, or housed in one structure, the following signs shall be allowed:

26.5.3.B.i. One (1) freestanding monument sign per business center provided such sign shall not exceed forty (40) square feet in area, except as allowed in Subsection 2.C. of this section, nor fifteen feet (15') in height, or the height of the roof of the building at its highest point, whichever is less.

26.5.3.B.ii. For businesses with individual entrances, one (1) building mounted sign per duly licensed business, provided such sign shall:

26.5.3.B.ii.1. Be limited in area to:

26.5.3.B.ii.1.a. Twenty (20) square feet if the freestanding monument sign for the business center exceeds twenty (20) square feet, or

26.5.3.B.ii.1.b. Forty (40) square feet if the freestanding monument sign for the business center is limited to twenty (20) square feet or less;

26.5.3.B.ii.2. Not extend beyond the roofline or parapet wall at the highest point nor extend fifteen feet (15') in height, whichever is less;

26.5.3.B.iii. If mounted on a pitched roof, sign shall not extend beyond the roofline or parapet wall at the highest point or the maximum building height of the applicable zone, whichever is less. If mounted on a flat roof, sign shall not extend beyond the maximum building height of the applicable zone or four feet above the roof, whichever is less.

26.5.3.B.iv. If wall mounted, be permanently attached and not extend more than twelve inches (12") from said wall.

26.5.3.C. For businesses housed in one building or structure, which share a common entrance or have a central hall or foyer, one (1) building mounted sign shall be allowed for each business within the building provided:

26.5.3.C.i. The cumulative building mounted sign area utilized by all businesses within the building shall not exceed forty (40) square feet, with no one individual business sign to exceed twenty (20) square feet in area;

26.5.3.C.ii. such signs shall be located adjacent to the common entrance and appropriately grouped together; and

26.5.3.C.iii. such signs may be tertiary signs that are incorporated into the business Center's freestanding monument sign allowed in Subsection 26.5.2.A of this Title. When such an exception is made, the freestanding tertiary business signs shall replace the building mounted signs and the building mounted signs shall not be used. The maximum total area of the freestanding monument sign with tertiary signs allowed in Subsection 26.5.2.A of this Title, may increase in size not to exceed sixty (60) square feet nor extend beyond fifteen feet (15') in height or the height of the roof of the building at its highest point, whichever is less.

26.5.3.D. Additional Signs.

26.5.3.D.1. Additional freestanding monument signs may be allowed by the Planning and Zoning Commission for those business centers with frontage on more than one dedicated street. If allowed, such signs shall not exceed thirty two (32) square feet in area, nor ten feet (10') in height and shall be located on the additional street frontage.

26.5.3.D.2. Additional building mounted signs may be allowed at other common entrances to the building if such entrances are on separate frontages of the building or are separated by a distance of more than one hundred feet (100'). In such cases, the cumulative total of signs at all entrances shall not exceed eighty (80) square feet in area.

26.5.3.D.3. Master Sign Plan for Business Centers. An approved master sign plan shall be required for any new use, new construction of any sign or building permit request involving a building or development containing two (2) or more businesses. This master sign plan shall identify all sign types, sizes, locations, illumination, materials and design for all signs in existence, presently proposed, and those anticipated in the future. While specific details may not necessarily be available for future signs, the master sign plan shall serve as a framework for such signs. The purpose of such a master sign plan shall be to ensure continuity and compatibility of all signs within a business center and prevent needless repetition and proliferation of signage. The property owner shall be responsible for the permit application process and implementation of said master sign plan. Amendments to an approved master sign plan shall require submission of a new application and reconsideration in the same manner as originally reviewed. New or additional tenant signs shall be reviewed on an individual basis and shall conform to the approved master sign plan.

26.6. SIGN STANDARDS FOR RESIDENTIAL AND RURAL RESIDENTIAL DISTRICTS - PERMITTED SIGNS.

One (1) low profile identification sign is allowed for each subdivision, home occupation business, agricultural business or the like. signs shall be either freestanding, attached to a building wall or attached to a wall or fence announcing the site entrance; provided, that:

26.6.1. FREESTANDING MONUMENT SIGNS.

26.6.1.A. Do not exceed eight (8) square feet in area or four feet (4') in height.

26.6.1.B. Shall be located a minimum of six feet (6') from the public right of way.

26.6.2. WALL MOUNTED.

Signs mounted flat against the building or entrance wall or fence shall:

26.6.2.A. Not exceed eight (8) square feet in area;

26.6.2.B. not extend more than twelve inches (12") at all points from said wall or fence; and

26.6.2.C. not exceed eight feet (8') in height --- nor extend above the roofline, for signs mounted on a building wall; or

26.6.2.D. not extend above said wall or fence, for signs attached to an entrance wall or fence.

26.6.3. ADDITIONAL STREET FRONTAGE.

One (1) additional sign may be permitted if the property concerned exceeds five (5) acres and has frontage on more than one public dedicated street. Such additional sign shall be located on the additional frontage. Such signs shall be subject to the sign standards of this Chapter.

26.7. SIGN PERMITS - APPLICATION AND PROCESSING PROCEDURES.

26.7.1. PERMIT REQUIRED.

Except as provided in this chapter, it shall be unlawful to display, erect, relocate, or alter any sign without first obtaining a valid sign permit. The applicant should complete the application and review process before entering into binding commitments incurring expense in the design, preparation or construction of the proposed sign. After a sign permit has been issued by the Planning and Zoning Commission, it shall be unlawful to change, modify, alter, or otherwise deviate from the terms or conditions of said permit without prior approval of the Planning and Zoning Commission. A written record of such approval shall be entered upon the original permit application and maintained in the files of the Town Clerk.

26.7.2. APPLICATION.

Application for a sign permit shall be made in writing to the Virgin Town Planning and Zoning Commission as provided in this ordinance. The application for a sign permit shall include, at a minimum, the following information:

26.7.2.A. Rendering.

A rendering, to scale, showing the proposed sign as it will appear on the project and illustrating its relationship to its surroundings.

26.7.2.B. SITE PLAN.

In the case of a freestanding monument sign, a site plan showing the location of the proposed sign in relation to the property line, setbacks, and other structures on the site.

26.7.2.C. Elevations.

Front and side elevations of the sign, drawn to scale, which indicate:

26.7.2.C.i. Dimensions of the sign, lettering and corresponding building;

26.7.2.C.ii. construction supports;

26.7.2.C.iii. foundation;

26.7.2.C.iv. method of attachment; and

26.7.2.C.v. style of lettering showing the complete lettering.

26.7.2.D. Materials.

Description and samples, if feasible, of sign materials for background and lettering, including samples of finishes of the background and lettering to demonstrate light transmission or reflection.

26.7.2.E. Color. Color samples.

26.7.2.F. Illumination.

Applications for illuminated signs shall include:

26.7.2.F.1. A description of proposed illumination.

26.7.2.F.2. sufficient technical data of all proposed illumination systems so as to allow evaluation of proposed light levels.

26.7.2.F.3. All fixtures, types, locations, mounting and wattage shown on plans and elevations.

26.7.2.G. Landscaping. Landscaping plans for the base, if applicable.

26.7.2.H. Projection. The extent to which, if any, the sign is proposed to project into or over public property.

26.7.2.I. Master Sign Plan. In the case of a master sign plan, the information requested above shall be included for all signs existing, proposed or anticipated for the entire project.

26.7.2.J. Additional Information. Any additional information the Planning and Zoning Commission deems relevant to the application.

26.7.3. ENGINEERING REQUIREMENTS.

26.7.3.A. All signs shall be designed in accordance with any and all applicable building codes as adopted by the Town of Virgin and the State of Utah.

26.7.3.B. Drawings bearing a wet stamp of a licensed engineer are required for any roof mounted or freestanding monument sign, or any sign that projects from the face of a building more than three inches (3").

26.7.3.C. The Planning and Zoning Commission may request engineering for building mounted signs at its discretion.

26.7.4. PLANNING AND ZONING COMMISSION ACTION.

The Virgin Town Planning and Zoning Commission shall approve or deny a sign permit application. In approval of any sign permit, the Virgin Town Planning and Zoning Commission shall consider applicable standards for review listed in Section 26.4 and impose such regulations and conditions as are necessary to protect the public health, safety and welfare, to accomplish the purposes of the Virgin Town General Plan and this zoning ordinance, and to contribute to the general well-being of the community. If an applicant meets all requirements of the zoning ordinance and all conditions required

by the Planning and Zoning Commission, the Commission shall approve a sign permit subject to the conditions proposed.

26.7.5. FEES FOR PERMIT. Twenty-five Dollars (\$25.00), no refund for issuance or denial.

26.7.6. APPROVED PERMITS ARE VALID FOR A PERIOD OF ONE (1) YEAR FROM DATE OF APPROVAL.

26.7.7. APPEALS. Refer to VULU Chapter 3.

26.8. NONCONFORMING SIGNS.

26.8.1. ANY FREESTANDING MONUMENT SIGN IN THE COMMERCIAL ZONE, RESORT ZONE, AND HIGHWAY RESORT ZONE THAT IS PHYSICALLY IN EXISTENCE ON THE DATE OF ADOPTION OF THIS TITLE SHALL BE DEEMED LEGAL, REGARDLESS OF ANY FAILURE TO CONFORM TO THIS CHAPTER, UNTIL SUCH A TIME AS ITS OWNER CHOOSES TO REMOVE OR SUBSTANTIALLY ALTER IT.

26.8.2. BUSINESS SIGNS IN USE FOR SIX (6) MONTHS OR LONGER PRIOR TO THE ADOPTION DATE OF THIS SECTION THAT ARE NONCONFORMING BUT NOT LEGALLY SO, SHALL BE REMOVED OR BROUGHT INTO COMPLIANCE WITHIN TWELVE (12) MONTHS OF THE ADOPTION DATE OF THIS CHAPTER.

26.8.3. LEGALLY NONCONFORMING.

26.8.3.A. Any sign located within the town in compliance with the applicable law on the date of adoption of this title, which is found to be nonconforming by reason of not being in compliance with the requirements of the "Sign Standards" of this chapter, shall be designated as legally nonconforming, except for those signs that are deemed legal by Subsection 26.8.1. of this Title.

26.8.3.B. The loss of legally nonconforming designation shall deem such sign unlawful and the sign shall thereafter be removed by the owner or abated according to Subsection 26.8.3. of this Title. A legally nonconforming sign shall immediately lose its legally nonconforming status if:

26.8.3.B.1. The sign is altered structurally in a manner which makes the sign less in compliance with the requirements of Chapter 26 of this Title than it was before the alteration; or

26.8.3.B.2. The sign is relocated to a position making it less in compliance with Chapter 26 of this Title; or

26.8.3.B.3. The sign requires repair or maintenance costing more than fifty percent (50%) of its appraised value as determined by two (2) independent sign contractors of the Planning and Zoning Commission's choosing; or

26.8.3.B.4. The sign is replaced or the sign is changed to reflect a new or different advertiser; or

26.8.3.B.5. Ten (10) years have elapsed from the effective date of this title.

26.8.3.C. Abatement.

The Town shall have the authority to abate and remove or require the removal of any sign illegally erected within the Town of Virgin, including signs placed on public or private property. The Town and any town employee shall also have the authority to require removal of, or to abate and remove any sign found to be in disrepair to the extent that the sign becomes dilapidated or dangerous to the public. Illegal or dilapidated signs that are erected in a permanent manner, or require demolition, shall be removed by the owner, or by the Town after notice is given to the property owner where the sign is located. After notice is given by the Town to the property owner, if no action is taken to remove the illegal sign within five (5) days of the written notice, the Town shall have the right to remove the sign, and bill the property owner for any costs incurred during the removal of the sign. Illegal signs shall include all signs that have been erected after the adoption of chapter without the issuance of a sign permit from Virgin Town, or the written approval to erect the sign by the Planning and Zoning Commission as well as signs listed herein as "prohibited".

26.9. CONFLICT.

Wherever this Chapter conflicts with the Virgin Uniform Zoning Ordinance, this Chapter shall prevail.

26.10. DEFINITIONS.

26.10.1. A-FRAME / SANDWICH SIGN. Temporary and/or moveable sign constructed with two (2) sides attached at the top so as to allow a sign to stand in an upright position.

26.10.2. ABANDONED SIGN. A sign, including all structural, support elements or components, which is located on a property, premises or structure which becomes vacant and unoccupied for a period of one hundred eighty (180) days or more, any sign which pertains to a time, event or purpose which no longer applies, or a sign pertaining to an occupant or business different from the present occupant or business.

26.10.3. ALTER OR ALTERATION. A sign or sign structure or portion thereof lawfully existing at the time of its construction which does not conform to all height, area, setbacks, animation, lighting or other regulations prescribed in the zone in which it is located.²

26.10.4. AREA.

26.10.4.A. The number of square feet enclosed within the smallest rectangle within which the sign face can be enclosed. If the sign consists of more than one (1) section or module, all areas will be totaled. In determining the area of an individual sign which has more than one sign face, only one side of a back-to-back or double-face sign covering the same subject shall be computed when the signs are parallel or diverge from a common edge by an angle of not more than forty five degrees (45°); or

26.10.4.B. The property and buildings or structures adjacent to and within a five hundred foot (500') radius of the sign, building, property or item in question.

26.10.5. AWNING. A shelter, cover or roofed structure placed so as to extend outward from the building with supports extending back to the building, supported entirely by the building.

26.10.6. AWNING SIGN. Any sign or graphic attached to, painted on, or applied to an awning.

26.10.7. BACKGROUND. The entire area of a sign on which copy could be placed, as opposed to the copy area, where copy is in fact painted or otherwise attached.

26.10.8. BANNER. A flexible sign characteristically supported by two (2) or more points and hung on a building or otherwise suspended down or along its face, or across a public street. The banner may or may not include copy or graphic symbols. It is generally made of fabric or other non-rigid materials with no enclosing frame.

26.10.9. BILLBOARD OR SIGNBOARD. Any structure, building or portion thereof on which lettered, figured or pictorial matter is displayed for advertising purposes, other than the name and occupation of the user of the premises or the nature of the business conducted thereon, or the products primarily sold or manufactured thereon, or any structure or portion thereof, the area of which is devoted to any advertising purpose. This definition shall not be held to include any board, sign or surface used to display any official notices issued by any court or public office, or posted by a public officer in the performance of a public duty, or bulletin boards used to display announcement of meetings to be held on premises wherein such bulletin boards are permitted and located, nor shall it be held to include a real estate sign advertising "for sale" or "rent", the property upon which it stands, nor shall it include temporary "open house" real estate signs placed on private premises in compliance with this title.

26.10.10. BUILDING FACE OR WALL. A window or wall area of a building in one (1) plane or elevation.

26.10.11. BUILDING FRONTAGE OR FRONT FOOTAGE. The linear width of that side of a building which contains the main entrance for pedestrian ingress and egress. If more than one (1) main entrance exists, the one that more nearly faces or is oriented to the street of highest classification as portrayed on the comprehensive street plan shall be considered the building frontage. If all streets are of the same classification, the side of the building with the smallest lineal dimension shall be considered the building frontage for measurement purposes.

26.10.12. BULLETIN BOARD. A sign on a premise, which accommodates changeable copy and displays information on activities and events.

26.10.13. BUSINESS CENTER. A group of two (2) or more duly licensed businesses associated by a common agreement or common ownership with common parking facilities or housed in one (1) structure.

26.10.14. CANOPY. An awning which may or may not be totally supported by the building to which it is attached. A canopy shall be considered an awning for purposes of these sign regulations.

26.10.15. CHANGEABLE SIGN. A sign on which copy or side panels may be changed manually, electronically or automatically, such as boards with changeable letters or pictorial panels, reader boards, message centers or "time and temperature" signs.

26.10.16. COPY. The working text on a sign surface.

26.10.17. CLEAR VIEW TRIANGLE. The area of visibility required for the safe operation of vehicles, pedestrians and cyclists in proximity to intersecting streets and driveways. The clear view triangle shall be regulated by AASTHO standards for signs and landscaping.

26.10.18. DILAPIDATED. A sign where: (i) the lettering or background material or any part of the sign has flaked, broken off, changed color; (ii) structural supports or frame members are visibly

corroded, stained, bent, broken, dented; or (iii) sign supports are twisted, leaning or at angles other than those at which the sign was originally erected.

26.10.19. DIRECTIONAL SIGN. A sign which facilitates traffic or pedestrian flow and safety, not erected by a governmental agency, containing generic information such as, but not limited to, entrance-exit, caution, parking, right or left turn only, stop or tow-away zone.

26.10.20. EAVES. That portion of the roof line extending beyond the building wall, a canopy attachment on the wall having the simulated appearance of eaves, or the lowest horizontal line of any roof.

26.10.21. EXPOSED LUMINARY SOURCE. An illumination source which is the signing element to be read directly, without diffusion or reflection, such as exposed bulbs or neon.

26.10.22. FLAG. A piece of cloth or other flexible material varying in size, shape, color and design, usually attached at one edge of a staff or cord.

26.10.23. FREESTANDING MONUMENT SIGN. A sign that is permanently installed, not attached to any building and having its own support structure.

26.10.24. FRONT FOOTAGE. See definition of building frontage.

26.10.25. HEIGHT OF A SIGN. The vertical distance from the average adjacent ground level to the top of the sign, including the support structure and all design elements. The average ground level shall be determined from within an eight foot (8') radius of the base of the sign. The adjacent ground shall not be elevated for purposes of increasing allowable sign height.

26.10.26. ILLUMINATED SIGN. Any sign which is lighted from within or without.

26.10.27. INDIRECT ILLUMINATED SIGNS. Any sign which reflects light from a source intentionally directed upon it such as by means of floodlights.

26.10.28. INTERNALLY LIGHTED SIGN. A sign that is illuminated by a concealed light source within the sign that projects LIGHT through the sign face.

26.10.29. LOGO. An identifying symbol used by three (3) or more businesses or institutions outside of Virgin

26.10.30. LOW PROFILE SIGN. A freestanding sign erected near ground level or a wall-mounted sign of small size and limited to identifying the name of a building, institution, subdivision or the like.

26.10.31. MAJORITY AREA. An area greater than fifty percent (50%) of the total sign area.

26.10.32. MARQUEE OR READER BOARD. A permanent structure with changeable letters that is used to advertise events.

26.10.33. MASTER SIGN PROGRAM. Identification of the location, type, height, size, illumination, materials and design of signs for an overall building center to include all present or proposed businesses within the center.

26.10.34. NAMEPLATE. A sign identifying only the name and occupation or profession of the occupant of the premises on which the sign is located.

26.10.35. NONCONFORMING SIGN OR SIGN STRUCTURE. A sign or sign structure or portion thereof lawfully existing at the time of its construction which does not conform to all height, area, setbacks, animation, lighting or other regulations prescribed in the zone in which it is located.

26.10.36. PARAPET. A low wall used to protect the edge of a roof from view or an extension of a false front or wall above the roof level.

26.10.37. POLITICAL SIGN. A sign intended to draw attention to or communicate a position on any issue, candidate or measure in any national, state or local election.

26.10.38. PORTABLE SIGN. Any sign not permanently affixed to the ground or a structure on the site it occupies.

26.10.39. PRICE SIGN (SERVICE STATION). A sign on the premises of a service station or other business selling automotive fuel, which contains information on the cost and type or grade of automotive fuel only.

26.10.40. PROFESSIONAL QUALITY. Of a quality comparable to that performed by a professional in the same field.

26.10.41. PROJECTING SIGN. A sign which extends out from a building face, wall or structure so that the SIGN face is perpendicular or at an angle to the building face, wall or structure.

26.10.42. REFLECTIVE SIGN. A sign whose surface material reflects light so as to generate a contrast between the sign and adjacent surfaces or surrounding area.

26.10.43. ROOF LINE. The highest point of a structure, including parapets, but not to include spires, chimneys or heating or cooling mechanical devices.

26.10.44. ROOF-MOUNTED SIGN. Any sign located on, attached to or extending from any portion of a roof, mansard, eaves or parapet wall of a building.

26.10.45. SIGN. Any identification, description, illustration, symbol, insignia, medium, statue or other physical or visual device or representation, which is visible from outside the premises on which such device is located, designed to advertise, identify or convey information or direct or attract attention to a product, place, activity, person, institution or business.

26.10.46. SIGN FACE. The entire area of a sign on which copy could be placed.

26.10.47. SIGN STRUCTURE. Any structure which supports, has supported or is designed to support a sign.

26.10.48. SIGN, TEMPORARY. A sign displayed for short periods of time, generally not longer than one (1) month, as specified within the required sign permit.

26.10.49. SUSPENDED SIGN. A sign attached to and located below any permanent eaves, roof, canopy or awning and not mounted to a wall in any way.

²As amended pursuant to Ordinance 2017-1

26.10.50. UNIFIED COMMUNITY BUSINESS SIGN. A temporary, movable sign sanctioned by the Town for local businesses to use that is the same for every business with the same copy type, color, material and size. Copy content is the only aspect of the sign that may be altered. The sign concept should be agreed on by participating business owners and is subject to design Review by the Virgin Town Planning and Zoning Commission. Said sign concept may be changed upon the request of the BUSINESS owners and approval of the Planning and Zoning Commission. If a new sign is approved, all old Unified Community Business Signs shall be removed before the replacement signs are installed.

26.10.51. VIRGIN TOWN WELCOME SIGN. A sign owned by the Town that is located in a place of the Town's choosing and that serves the purpose of signifying entrance into the Town. Said sign would have space for community announcements and for advertising local businesses who choose to lease available sign space. The Town of Virgin shall retain control over the Virgin Town Welcome Sign(s)' design, color, size, material, content and location, but will work in consultation with local Virgin Business owners in deciding such factors.

26.10.52. VISUALLY CONSISTENT. Giving a visual impression of continuity and harmony.

26.10.53. WALL OR WALL-MOUNTED SIGN. A sign attached to, or painted on, and parallel to, a building or wall.

26.10.54. WINDOW SIGN. Any sign printed, attached, glued or otherwise affixed to or behind a window or similar opening for purposes of viewing from outside the premises. This term does not include merchandise located in the window.