

ORDINANCE NO. 2018-22

AN ORDINANCE AMENDING SECTION 12.54.060 OF THE CENTERVILLE ZONING CODE REGARDING SIGNS TO ALLOW MURALS ON COMMERCIAL BUILDINGS IN THE COMMERCIAL-MEDIUM (C-M) ZONE

WHEREAS, the City Council desires to amend Section 12.54.060 of the Zoning Code to allow murals on commercial buildings in the Commercial-Medium (C-M) Zone as more particularly set forth herein; and

WHEREAS, the proposed amendments to the Zoning Code allowing murals on commercial buildings in the Commercial-Medium (C-M) Zone have been reviewed by the Planning Commission with a recommendation of approval to the City Council; and

WHEREAS, City Council has determined that the proposed amendments to the Zoning Code to allow murals on commercial buildings in the Commercial-Medium (C-M) Zone are in the best interest of the City and the public and will improve the visual appearance of the City in a way that is consistent with Constitutional guarantees and the City's goals of public safety and aesthetics; and

WHEREAS, the proposed amendments to the Zoning Code as set forth herein have been reviewed by the Planning Commission and the City Council and all appropriate public notices have been provided and appropriate public hearings have been held in accordance with Utah law to obtain public input regarding the proposed revisions to the Zoning Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Amendment. Section 12.54.060 of the Centerville Zoning Code regarding General Provisions for Signs is hereby amended to amend Subsection (a) and add a new Subsection (m) to read as follows:

12.54.060 General Provisions

- (a) Sign Area Computation. The measured area of a sign shall be the entire area within the smallest square, circle, rectangle, or triangle enclosing the extreme limits of a writing, representation, emblem, or any figure of similar character, together with any material or color forming an integral part of the sign display.
 - (1) The supports, uprights, or structure on which any sign is supported shall not be included in determining sign area unless such supports, uprights, or structure are designed in such a manner as to form an integral part of the sign display.

- (2) When a sign has two opposite display faces, the area of only one face shall be included in determining the sign area.
- (3) Sign area calculations shall include all signs located on a lot or parcel unless under the provisions of this Chapter or another chapter of this Title a particular type of sign:
 - (A) Is expressly excluded from the calculation of total sign area; or
 - (B) Has a separate basis for calculating sign area; ~~or~~
 - (C) Is not regulated by the provisions of this Chapter; ~~or~~
 - (D) Is a mural (See, Subsection (m), below).

* * *

(m) Murals. The Zoning Administrator shall approve a mural under the following provisions:

- (1) A mural is recognized as a one of a kind, hand painted, hand tiled, or digitally printed image on the exterior wall of a building that does not contain any logos, trademarks, or company slogans, or any obscene message or images.
- (2) Murals shall be allowed on commercial buildings located within the Commercial-Medium (C-M) Zone.
- (3) Murals may not be painted on buildings that are on the National Register of Historic Places, unless such buildings are already painted.
- (4) Murals must receive a permit in accordance with CZC 12.21.160.
- (5) Applicants must submit proof of the property owner's approval and permission.

Section 2. Findings. The City Council makes the following findings regarding the Zoning Code Amendments adopted herein:

- (a) The City Council finds that allowing murals is consistent with the General Plan for the Main Street Commercial Area. [Sections 12-430-2 and 12-480-7]
- (b) The City Council finds the purpose of the City Sign Code is to improve the visual appearance of the City in a way that is consistent with Constitutional guarantees and the City's goals of public safety and aesthetics. [CZC 12.54.010]
- (c) The City Council finds that allowing murals on commercial buildings is not inconsistent with the purpose of the Commercial-Medium (C-M) Zone.

(d) The City Council finds that the proposed amendments meet the approval standards set forth in CZC 12.21.080(e).

Section 3. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 4. Omission Not a Waiver. The omission to specify or enumerate in this ordinance those provisions of general law applicable to all cities shall not be construed as a waiver of the benefits of any such provisions.

Section 5. Effective Date. This Ordinance shall become effective immediately upon publication or posting, or thirty (30) days after passage, whichever occurs first.

PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, ON THIS 16th DAY OF OCTOBER, 2018.

ATTEST:

CENTERVILLE CITY

Mackenzie Wood
Mackenzie Wood, City Recorder

By: Clark A. Wilkinson
Mayor Clark A. Wilkinson

Voting by the City Council:

	“AYE”	“NAY”
Councilmember Fillmore	<u> X </u>	_____
Councilmember Ince	<u> X </u>	_____
Councilmember Ivie	_____	<u> X </u>
Councilmember McEwan	<u> X </u>	_____
Councilmember Mecham	<u> X </u>	_____



CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provisions of the U.C.A. § 10-3-713, as amended, I, the municipal recorder of Centerville City, hereby certify that foregoing ordinance was duly passed by the City Council and published, or posted at: (1) 250 North Main; (2) 655 North 1250 West; and (3) RB’s Gas Station, on the foregoing referenced dates.

Mackenzie Wood
MACKENZIE WOOD, City Recorder

DATE: 10-22-18

RECORDED this 22 day of OCTOBER, 2018.

PUBLISHED OR POSTED this 22 of OCTOBER, 2018.