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Staff Report Memorandum

February 16, 2023

To: City Council via Planning Commission
From: Community Development Department
Subject: Amendments to Title 21, Chapter 26, *Signage and Outdoor Advertising*, Section 8, *Temporary Signs*, of the Sandy Municipal Code

CA01172023-0006470

Hearing Notice: This item has been noticed on public websites, sent to affected entities and posted in three public locations at least 10 days prior to the Public Hearing.

Request

On behalf of Sandy City, the Community Development Department is proposing to amend Title 21, Chapter 26, *Signage and Outdoor Advertising*, Section 8, *Temporary Signs*, of the Sandy Municipal Code. This proposal was made from the City Administration requesting staff to prepare changes to the Land Development Code (see Exhibit "C"). The purpose of the code amendment is to allow temporary signs on fences on private property in residential zones.

Background

Relevant case history of amendments to the temporary sign code are provided below.

Case History	
Case Number	Case Summary
Ord. 11-24 CA-5-11-1812	Comprehensive amendments related to temporary signs.
Ord. 16-14 CODE-1-16-4906	Addition of more dates to display temporary signs without the need for a sign permit.
Ord. 17-13 CODE-3-17-5229	Allows multi-family projects to have a certain time period to display temporary signs and also to describe what type of signs may be used.

Public Notice

The city issued notice of the public hearing for the proposed code amendments on public websites, mailed notice to affected entities and posted in three public locations at least 10 days prior to the Planning Commission public hearing in accordance with the Land Development Code Sec. 21-36-1 and the Utah State Code § 10-9a-205. One public comment was received by email from Peggy Brown on January 31, 2023, which is included as Exhibit "D" of this report.

Analysis

Upon receiving a request of the Mayor and City Administration, staff crafted a proposal to amend the Land Development Code, as shown below. This proposal is also included with this report as Exhibit “A” (redlined version) and Exhibit “B” (final clean version).

Sec. 21-26-8. Temporary Signs.

(a) *General Provisions for All Temporary Signs.* The following shall apply to all temporary signage as outlined herein:

(5) Signs *in residential zones* shall not be attached to utility poles, ~~fences~~, or trees. *Signs in all other zones shall not be attached to utility poles, fences, or trees.*

The effect of the proposed code change is as follows:

- Signs that are allowed as a Temporary Sign under Sec. 21-26-8(a)-(e) would be permitted on fences on private property in residential zones.
- This proposal would support private property rights by removing restrictions on temporary signs located on fences in residential zones.
- This proposal would simplify enforcement issues because it is currently impractical for effective enforcement of temporary signs on fences in residential areas since the legal remedy of going to court typically takes longer than the temporary sign is posted.

For ease of reference, the code definition for a Temporary Sign is: “a banner, pennant, valance or advertising display constructed of paper, cloth, canvas, fabric, cardboard, wall board or other materials, with or without frames, intended to be displayed in or out of doors for a short period of time; shall include political signs, special events signs, special business promotions or portable signs” ([Sec. 21-37-20\(84\)](#)).

Non-Conforming Uses

This code amendment would not create any non-conforming situations.

Land Development Code Purpose Compliance

The Sandy City Land Development Code in 21-1-3 lists the criteria explaining the intent and purpose of the Ordinance. The purpose is:

21-1-3 Purpose

This Code is adopted to implement Sandy City’s General Plan and to promote public health, safety, convenience, aesthetics, welfare; efficient use of land; sustainable land use and building practices; transportation options and accessibility; crime prevention; timely citizen involvement in land use decision making; and efficiency in development review and land use administration. Specifically, this Code is established to promote the following purposes:

1. General

- To facilitate the orderly growth and development of Sandy City.*
- To facilitate adequate provision for transportation, water, sewage, schools, parks, and other public requirements.*
- To stabilize property values.*
- To enhance the economic well-being of Sandy City and its inhabitants.*

2. Implementation of General Plan

To coordinate and ensure the implementation of the City’s General Plan through effective execution of development review requirements, adequate facility and services review and other goals, policies, or programs

contained in the General Plan.

3. ***Comprehensive, Consistent and Equitable Regulations***

To establish a system of fair, comprehensive, consistent and equitable regulations, standards and procedures for review and approval of all proposed land development within the City.

4. ***Efficiently and Effectively Managed Procedures***

a. *To promote fair procedures that are efficient and effective in terms of time and expense.*

b. *To be effective and responsive in terms of the allocation of authority and delegation of powers and duties among ministerial, appointed, and elected officials.*

c. *To foster a positive customer service attitude and to respect the rights of all applicants and affected citizens.*

The proposed code amendment is consistent with the purpose of the Land Development Code because the proposal promotes the public health, safety and welfare; ensures consistency and equitable standards; establishes efficiency in development review and land use administration; and is consistent with the Sandy City General Plan.

General Plan Compliance

The Sandy City General Plan encourages appropriate development standards for all uses and zoning categories within the city. The proposed code amendment furthers that goal and objective by establishing appropriate land development standards for temporary signs on private property in residential zoning districts.

Recommendation

Staff recommends that the Planning Commission forward a positive recommendation to the City Council to amend Title 21, Chapter 26, *Signage and Outdoor Advertising*, Section 8, *Temporary Signs*, of the Sandy Municipal Code, as shown in Exhibit “A”, based on the following findings:

Findings:

1. The City Council may amend land use ordinances consistent with the purposes of the Sandy Land Development Code, the Sandy City General Plan, and the Utah Code, Municipal Land Use, Development, and Management Act per Title 21 Chapter 5 of the Sandy Municipal Code.
2. The proposal is reviewed by the Planning Commission and City Council in accordance with the requirements of Title 21 Chapter 5 of the Sandy Municipal Code.
3. The proposal complies with the purpose of the Land Development Code under Section 21-1-03 by ensuring efficiency in development review and land use administration.
4. The proposal complies with the Goals and Policies of the General Plan by establishing appropriate development standards for all uses and zoning categories within Sandy City.

Planner:



Melissa Anderson
Zoning Administrator

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