

DEVELOPMENT ADVERTISING AMENDMENTS

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Brad M. Daw

Senate Sponsor: _____

LONG TITLE

General Description:

This bill enacts provisions related to notice and hearing requirements by municipality or county for certain sign regulations.

Highlighted Provisions:

This bill:

- ▶ requires a municipality or county to provide certain notice to owners of parcels impacted by proposed signs for certain developments;
- ▶ requires a study of the impacts of proposed signs;
- ▶ requires certain construction related to certain signs to commence within one year;
- ▶ requires developers or owners of certain signs to turn off illuminated signs after dusk in certain areas; and
- ▶ provides a municipality, county, or owner adversely impacted by an illuminated sign a cause of action in the district court.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

10-9a-213, Utah Code Annotated 1953



28 [17-27a-213](#), Utah Code Annotated 1953

29

30 *Be it enacted by the Legislature of the state of Utah:*

31 Section 1. Section **10-9a-213** is enacted to read:

32 **10-9a-213. Hearing and notice procedures for modifying sign regulations.**

33 (1) Prior to any hearing or public meeting to consider a proposed land use regulation or
34 land use application modifying sign regulations for any unified commercial development, as
35 defined in Section [72-7-504.6](#), or any planned unit development, a municipality shall:

36 (a) require the property owner or applicant to obtain a third-party study of all parcels
37 impacted or potentially impacted by the proposed or allowed signs that establishes the potential
38 degree of impact resulting from the proposed change in sign regulations;

39 (b) give written notice to each owner of each impacted or potentially impacted parcel:

40 (i) that the proposed change in sign regulations will potentially impact their property;

41 (ii) the nature and degree of the potential impact;

42 (iii) the Internet website address where the third-party study can be viewed; and

43 (iv) the schedule of public meetings at which the proposed changes to land use

44 regulations or land use application will be discussed;

45 (c) require that all proposed illuminated signs within the unified commercial
46 development, as defined in Section [72-7-504.6](#), or planned unit development that will be within
47 1,000 feet of pre-existing residential parcels be shut off at dusk and not be turned on again until
48 dawn;

49 (d) require the property owner or applicant to commence construction of the balance of
50 the commercial or industrial development within one year after approval of any changes in the
51 sign regulations; and

52 (e) require that the property owner or applicant remove any sign constructed more than
53 one year before commencement of the balance of the commercial or industrial development.

54 (2) Any municipality or owner of adversely impacted real estate within 1,000 feet of
55 the illuminated sign or proposed illuminated sign, which violates this section or is about to
56 violate this section, may institute in the district court:

57 (a) any action to enforce the provisions of this section;

58 (b) an injunction, mandamus, abatement; or

59 (c) a proceeding to prevent, enjoin, abate, or remove the unlawful sign.

60 Section 2. Section **17-27a-213** is enacted to read:

61 **17-27a-213. Hearing and notice procedures for modifying sign regulations.**

62 (1) Prior to any hearing or public meeting to consider a proposed land use regulation or
63 land use application modifying sign regulations for any unified commercial development, as
64 defined in Section [72-7-504.6](#), or any planned unit development, a county shall:

65 (a) require the property owner or applicant to obtain a third-party study of all parcels
66 impacted or potentially impacted by the proposed or allowed signs that establishes the potential
67 degree of impact resulting from the proposed change in sign regulations;

68 (b) give written notice to each owner of each impacted or potentially impacted parcel:

69 (i) that the proposed change in sign regulations will potentially impact their property;

70 (ii) the nature and degree of the potential impact;

71 (iii) the Internet website address where the third-party study can be viewed; and

72 (iv) the schedule of public meetings at which the proposed changes to land use

73 regulations or land use application will be discussed;

74 (c) require that all proposed illuminated signs within the unified commercial
75 development, as defined in Section [72-7-504.6](#), or planned unit development that will be within
76 1,000 feet of pre-existing residential parcels be shut off at dusk and not be turned on again until
77 dawn;

78 (d) require the property owner or applicant to commence construction of the balance of
79 the commercial or industrial development within one year after approval of any changes in the
80 sign regulations; and

81 (e) require that the property owner or applicant remove any sign constructed more than
82 one year before commencement of the balance of the commercial or industrial development.

83 (2) Any county or owner of adversely impacted real estate within 1,000 feet of the
84 illuminated sign or proposed illuminated sign, which violates this section or is about to violate
85 this section, may institute in the district court:

86 (a) any action to enforce the provisions of this section;

87 (b) an injunction, mandamus, abatement; or

88 (c) a proceeding to prevent, enjoin, abate, or remove the unlawful sign.