

Representative Brad M. Daw proposes the following substitute bill:

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 certain construction related to certain signs to commence within one year;
- 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



26 17-27a-213, Utah Code Annotated 1953



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

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

30 **10-9a-213. Hearing and notice procedures for modifying sign regulations.**

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

34 (a) give written notice to each owner of each impacted or potentially impacted parcel:

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

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

37 (iii) the schedule of public meetings at which the proposed changes to land use

38 regulations or land use application will be discussed;

39 (b) require the property owner or applicant to commence construction of the balance of
40 the commercial or industrial development within one year after approval of any changes in the
41 sign regulations; and

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

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

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

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

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

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

51 **17-27a-213. Hearing and notice procedures for modifying sign regulations.**

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

55 (a) give written notice to each owner of each impacted or potentially impacted parcel:

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

- 57 (ii) the nature and degree of the potential impact; and
58 (iii) the schedule of public meetings at which the proposed changes to land use
59 regulations or land use application will be discussed;
60 (b) require the property owner or applicant to commence construction of the balance of
61 the commercial or industrial development within one year after approval of any changes in the
62 sign regulations; and
63 (c) require that the property owner or applicant remove any sign constructed more than
64 one year before commencement of the balance of the commercial or industrial development.
65 (2) Any county or owner of adversely impacted real estate within 1,000 feet of the
66 illuminated sign or proposed illuminated sign, which violates this section or is about to violate
67 this section, may institute in the district court:
68 (a) any action to enforce the provisions of this section;
69 (b) an injunction, mandamus, abatement; or
70 (c) a proceeding to prevent, enjoin, abate, or remove the unlawful sign.