

ORDINANCE NO. 2022-18-O

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, AMENDING TITLES 18.02 AND 18.03 AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Lindon City Council is authorized by state law to enact and amend ordinances establishing land use regulations; and

WHEREAS, the proposed amendment is consistent with the goal of the Lindon City General Plan to carefully limit any negative impact of commercial facilities or neighboring land-use areas, particularly residential development; and

WHEREAS, the Lindon City Council finds that it is in the best interest of the City to allow for electronic message center signs and where specific standards are met to limit negative effects on surrounding properties; and

WHEREAS, on October 25, 2022, the Planning Commission held a properly noticed public hearing to hear testimony regarding the ordinance amendment; and

WHEREAS, after the public hearing, the Planning Commission further considered the proposed ordinance amendment and recommended that the City Council adopt the attached ordinance;

WHEREAS, the Council held a public hearing on November 7, 2022, to consider the recommendation and the Council received and considered all public comments that were made therein.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lindon, Utah County, State of Utah, as follows:

SECTION I: Amend Lindon City Code sections as follows:

18.02.090 – Sign Lighting

1. General Lighting Standards. The following requirements shall apply to exterior sign lighting of any ~~residential~~, commercial, industrial, or ~~professional~~ office development. These requirements are applicable to ~~parking lighting, sign lighting, architectural lighting, safety lighting, and landscaping lighting.~~

- a. Lighting shall be stationary. No lighting shall blink, flash, or be of unusually high intensity or brightness so as to be distracting to motorists or other properties within the vicinity.
- b. Lighting shall be shielded or recessed so that direct glare and reflections are contained within the boundaries of the parcel.
- c. Light poles shall not be used to display signs of any kind, ~~unless approved by the planning commission.~~
- d. Neon lights, strings or lines of LED lighting, other electrically activated gas tubing or similar lighting placed around the perimeter of a sign, ~~along a building elevation as building accents, or within a window (where such lighting is intended to be visible from the exterior of the building)~~ is prohibited. Neon tubing may only be allowed to illuminate or outline wording, copy, or logos within a sign face.

2. Signage Illumination Limits. The following criteria shall be used to determine proper illumination limits for all signs:

- a. The illumination of, or light produced by, any sign shall not increase nighttime ambient light levels by more than 0.3 footcandles as measured by an illuminance meter (footcandle meter)

placed five (5) feet above the ground and perpendicular to the sign face at a distance determined by the following formula:

$$\text{Measurement Distance (in feet)} = \sqrt{\text{Area of Sign Sq. Ft.} \times 100}$$

b. At the distance determined by the formula in 2(a) above, illuminance levels shall be measured with the sign lighting turned on, and again with the sign lighting turned off. The difference between the illumination measurements taken at the appropriate distance shall not exceed 0.3 footcandles. For digital signs (Electronic Changeable Copy signs) the difference between the on and off illuminance levels shall be measured while displaying:

- i. a solid white screen image (for a full color-capable display), and the sign lighting turned off; or
- ii. a solid screen image (for a single-color display), and the sign lighting turned off.

3. Dimmer. All Electronic Message Center signs shall come equipped with automatic dimming technology which automatically adjusts the sign's brightness in direct correlation with ambient light conditions at all times.

4. Upon receiving reasonable written notice from Lindon City, all sign owners shall cooperate with the City in order to test signage illumination limits. (Ord. 2005-12, amended, 2005; Ord. 2002-21, amended, 2002)

18.03.020 – Definitions

~~“Changeable Copy sign – Electronic” means any sign whose informational content, display or copy can be changed or altered by electronic means such as an LED sign, flat panel digital screen, video projection or other similar electronic method.~~

Animation – the usage of multiple frames running at a sufficient speed that the human eye perceives the content to be in continuous movement

Electronic Message Center – A sign that is capable of displaying words, symbols, figures or images that can be electronically changed by remote or automatic means

Fade – a mode of message transition on an EMC accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.

Flash – an intermittent or flashing light source where the identified EMC message is constantly repeated at extremely fast intervals

Scroll – a mode of message transition on an EMC where the message appears to move vertically across the display surface

Sign Message Transition – a visual effect used on an Electronic Message Center to change from one message to another

Static Message – messages that contain static messages only, and does not have movement, or the appearance of optical illusion of movement during the static display period, of any part of the sign structure, design, or pictorial segment of the sign, including the movement or appearance of movement.

18.03.030 Specific Regulations by Sign Type

On-Premise Message Center Signs – Electronic or Mechanical Changeable Copy Sign

1. Location and General Requirements

- a. On-premise Electronic (such as LEDs or flat-panel digital technologies) and mechanical message center signs are permitted in the following zones: T-zone along the I-15 freeway corridor, CG, CG-A, CG-A8, MC, PC-1, PC-2, LI, LVC, RC and HI.
- b. except as allowed in the T-zone, all electronic message center signs shall only be constructed as part of a monument or wall sign.
- c. Electronic Message Center signs shall not include flashing or other similar effects.
- d. Electronic Message Center signs shall be located a minimum of one hundred (100) feet from any residential use. The separation distance shall be measured from the sign to the residential property line.
- e. Where an electronic message center sign is located within three hundred (300) feet of any residential use, the electronic message center sign shall remain static from 10:00 p.m. until 6:00 a.m. the following day and meet illumination requirements. The separation distance shall be measured from the sign to the residential property line.
- f. The interval between message changes shall not be more frequent than at least five (5) seconds and the actual message rotation process shall be accomplished in three (3) seconds or less by method of transitioning between messages or immediate change between messages. Messages shall not continuously scroll to move vertically or horizontally across the display surface.
- g. Prior to final approval of the sign, the applicant shall submit a report to the city that the sign meets the illumination levels for electronic message center signs.

2. Specific T-Zone Requirements

a. T-Zone

1. ~~Electronic changeable copy signs (such as LEDs or flat-panel digital technologies) and mechanically changeable copy signs are only permitted in the T-zone along the I-15 freeway corridor or as a gasoline price sign. See specific electronic changeable copy sign regulations for gasoline price signs under gasoline price sign type.~~
- i. ~~On-premise Electronic and Mechanical Message Center signs shall not exceed fifty-six (56) two hundred and fifty (250) square feet in display area and shall be no larger than four and one-half feet (4.5') tall or wider than fourteen feet (14') long.~~
- ii. ~~On-premise Electronic and Mechanical Message Center Changeable Copy signs may be utilized as a wall sign, pole sign, or monument sign only. The coverage and size limitations for wall, pole or monument signs shall also apply to any proposed on-premise Electronic Message Center sign.~~
- iii. ~~Off-premise Electronic and Mechanical Message Center Changeable Copy and Mechanically Changeable Copy signs shall only be permitted upon billboards approved by Lindon City (See LCC 18.04) and shall not exceed six hundred seventy-five (675) square feet in display area.~~
- iv. ~~All off-premise Electronic and Mechanical Message Center Changeable Copy and Mechanically Changeable Copy signs are permitted for stationary messages only. The interval between message changes shall not be more frequent than at least eight seconds and the actual message rotation process shall be accomplished in three seconds or less by method of fading between messages or immediate change between messages. No flashing, scrolling video or other movement of sign message (copy) is permitted.~~
- v. ~~A four hundred foot (400') lineal separation distance (measured on the same side of the freeway - not a radius) is required between each on-premise Electronic Message Center~~

~~Electronically Changeable Copy Sign.~~ This may prohibit some businesses from being able to obtain a permit for this type of signage if a proposed sign is less than 400' from an existing on-premise Electronic Message Center ~~Electronically Changeable Copy Sign.~~
vi. A five hundred foot (500') lineal separation distance (measured on the same side of the freeway—not a radius) is required between each off-premise Electronic Message Center ~~Electronic Changeable Copy Sign.~~
vii. All Electronic and Mechanical Message Center ~~Changeable Copy and Mechanically Changeable Copy~~ signs shall conform to lighting standards found within LCC 18.02.090

SECTION II: The provisions of this ordinance and the provisions adopted or incorporated by reference are severable. If any provision of this ordinance is found to be invalid, unlawful, or unconstitutional by a court of competent jurisdiction, the balance of the ordinance shall nevertheless be unaffected and continue in full force and effect.

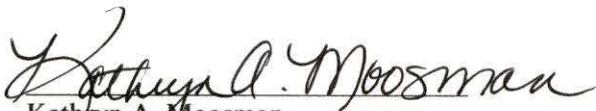
SECTION III: Provisions of other ordinances in conflict with this ordinance and the provisions adopted or incorporated by reference are hereby repealed or amended as provided herein.

SECTION IV: This ordinance shall take effect immediately upon its passage and posting as provide by law.

PASSED and ADOPTED and made EFFECTIVE by the City Council of Lindon City, Utah, this 7 day of November, 2022.


Carolyn Lundberg, Mayor

ATTEST:


Kathryn A. Moosman,
Lindon City Recorder

SEAL



AFFIDAVIT OF POSTING

STATE OF UTAH }
 }ss.
COUNTY OF UTAH }

I, Kathryn A. Moosman, City Recorder of Lindon City, Utah do hereby certify and declare that I posted the attached ordinance in three public places on the 8th day of ~~March~~ Nov, 2022.

The three public places are as follows:

1. Lindon City Police Department
2. Lindon City Community Development Office
3. Lindon City Center

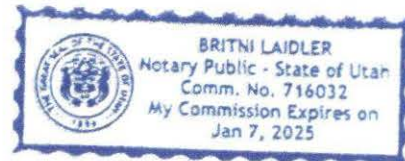
I further certify that the agenda of the meeting of the City Council containing notice of public hearing was published and posted according to law, and that copies of the ordinance so posted were true and correct copies of the original.

Kathryn A. Moosman
Kathryn A. Moosman, City Recorder

The foregoing instrument was acknowledged before me this 8 day of November, 2022 by Kathryn A. Moosman.

My Commission expires: January 7, 2025 *Britni Laidler*
Notary Public

Residing at: Utah County



CERTIFICATE OF PASSAGE

STATE OF UTAH }
 }ss.
COUNTY OF UTAH }

I, Kathryn A. Moosman, City Recorder of Lindon City, Utah do hereby certify and declare that the above and foregoing is a true, full, and correct copy of an ordinance passed and adopted by the City Council of Lindon City, Utah on the 7th day of November, 2022 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH AMENDING TITLES 18.02 AND 18.03 AND PROVIDING FOR AN EFFECTIVE DATE.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Lindon City, Utah, this 7th day of November, 2022.


Kathryn A. Moosman, City Recorder

