

September 4, 2018

**ADMINISTRATIVE INTERPRETATION
DECISION AND FINDINGS
PLNZAD2018-00564**



REQUEST:

A request by George Hunt for an administrative interpretation regarding whether the signs at 1383 East 2100 South are window signs or display windows.

DECISION:

The Zoning Administrator finds that the store was constructed to have legal window displays, however, the majority of those displays have been modified with an overabundance of window signs and to bring the building into compliance, the window signs should occupy no more than the allowed percentage, and that the displays should be returned to their original configuration.

FINDINGS:

The zoning ordinance defines window signs as the following:

21A.46.020: DEFINITIONS

WINDOW SIGN: A sign inside of or attached to the interior of a transparent glazed surface (window or door) oriented to the outside of the building. A display window that does not include signs shall not be considered a sign.

Also, the zoning ordinance, requires a minimum percentage of ground level glass::

21A.37.050: DESIGN STANDARDS DEFINED:

C. Glass:

1. Ground Floor Glass: The ground floor building elevation of all new buildings facing a street, and all new ground floor additions facing a street, shall have a minimum amount of glass, or within a specified percentage range, between three (3) and eight feet (8') above grade according to section 21A.37.060, table 21A.37.060 of this chapter. All ground floor glass shall allow unhampered and unobstructed visibility into the building for a depth of at least five feet (5'), excluding any glass etching and window signs when installed and permitted in accordance with chapter 21A.46, "Signs", of this title. The planning director may approve a modification to ground floor glass requirements if the planning director finds:

- a. The requirement would negatively affect the historic character of an existing building;
- b. The requirement would negatively affect the structural stability of an existing building;
- or
- c. The ground level of the building is occupied by residential uses that face the street, in which case the specified minimum glass requirement may be reduced by fifteen percent (15%).

21A.37.060: DESIGN STANDARDS REQUIRED IN EACH ZONING DISTRICT:

TABLE 21A.37.060 - 40% of the faced must be glass in the CN zoning district

This aforementioned design criteria were adopted in 2017. The Blue Boutique building was built prior to that date. Previous definitions of display windows were included in the CN Zoning District (ordinance date 3/29/16).

21A.26.020: CN NEIGHBORHOOD COMMERCIAL DISTRICT

I. Entrance And Visual Access:

1. **Minimum First Floor Glass:** The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade, shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be nonreflective. Display windows that are three dimensional and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director may approve a modification to this requirement if the planning director finds:

- a. The requirement would negatively impact the historic character of the building, or
- b. The requirement would negatively impact the structural stability of the building.

Appeal of administrative decision is to the planning commission.

Finding: The display windows at this location were installed legally at the time of construction, but have since been converted to storage and replaced with illegal amounts of window signs. Returning the display windows to their original use would eliminate most window signage issues.

In summary, signs attached to the glass of a window are governed as window signs and subject to window coverage limitations. Signs that are affixed to the back wall of a legally constructed display window are not regulated as window signs.

If you have any questions regarding this interpretation please contact Doug Dansie at (801) 535-6182 or by email at doug.dansie@slcgov.com.

APPEAL PROCESS:

An applicant or any other person or entity adversely affected by a decision administering or interpreting this Title may appeal to the Appeals Hearing Officer. Notice of appeal shall be filed within ten (10) days of the administrative decision. The appeal shall be filed with the Planning Division and shall specify the decision appealed and the reasons the appellant claims the decision to be in error. Applications for appeals are located on the Planning Division website at <http://www.slcgov.com/planning/planning-applications> along with information about the applicable fee. Appeals may be filed in person or by mail at:

In Person: Salt Lake City Corp Planning Counter 451 S State Street, Room 215 Salt Lake City, UT	US Mail: Salt Lake City Corp Planning Counter PO Box 145471 Salt Lake City, UT 84114-5417
--	--

NOTICE:

Please be advised that a determination finding a particular use to be a permitted use or a conditional use shall not authorize the establishment of such use nor the development,

construction, reconstruction, alteration, or moving of any building or structure. It shall merely authorize the preparation, filing, and processing of applications for any approvals and permits that may be required by the codes and ordinances of the City including, but not limited to, a zoning certificate, a building permit, and a certificate of occupancy, subdivision approval, and a site plan approval.



Doug Dansie
Senior Planner

cc: Nick Norris, Planning Director
Joel Paterson, Zoning Administrator
Greg Mikolash, Development Review Supervisor
Posted to Web
Applicable Recognized Organizations