

21A.46.160: BILLBOARDS:

~~A. Purpose Statement: This section is intended to limit the maximum number of billboards in Salt Lake City to no greater than the current number. This chapter further provides reasonable processes and methods for the replacement or relocation of existing nonconforming billboards to areas of the city where they will have less negative impact on the goals and policies of the city which promote the enhancement of the city's gateways, views, vistas and related urban design elements of the city's master plans.~~

A.B. Definitions: The definitions in this section apply in addition to those in section 21A.46.020 of this chapter.

BILLBOARD: A form of an ~~off-premises~~off-premises sign. A freestanding ground sign located on industrial, commercial or residential property if the sign is designed or intended to direct attention to a business, product or service that is not sold, offered or existing on the property where the sign is located.

BILLBOARD BANK: An accounting system established by prior versions of this ordinance that the city to keep tracked of the number and square footage of nonconforming billboards removed by a billboard owner pursuant to this chapter.

BILLBOARD CREDIT: An entry into a billboard owner's billboard bank account that shows the number and square footage of demolished nonconforming billboards.

BILLBOARD OWNER: The owner of a billboard in Salt Lake City.

DWELL TIME: The length of time that elapses between text, images, or graphics on an electronic billboard or electronic sign.

ELECTRONIC BILLBOARD: Any ~~off-premises~~off-premises sign, video display, projected image, or similar device with text, images, or graphics generated by solid state electronic components. Electronic billboards include, but are not limited to, billboards that use light emitting diodes (LED), plasma displays, fiber optics, or other technology that results in bright, high resolution text, images, and graphics.

ELECTRONIC SIGN: Any on premises sign, video display, projected image, or similar device with text, images, or graphics generated by solid state electronic components. Electronic signs include, but are not limited to, signs that use light emitting diodes (LED), plasma displays, fiber optics, or other technology that results in bright, high resolution text, images, and graphics.

EXISTING BILLBOARD: A billboard ~~that which~~ was constructed, maintained and in use ~~or for which a permit for construction was issued~~ as of [insert date of publication of this ordinance]. July 13, 1993.

FOOT-CANDLE: The English unit of measurement for luminance, which is equal to one lumen, incident upon an area of one square foot.

~~GATEWAY: The following streets or highways within Salt Lake City:~~

- ~~1. Interstate 80;~~
- ~~2. Interstate 215;~~
- ~~3. Interstate 15;~~
- ~~4. 4000 West;~~
- ~~5. 5600 West;~~
- ~~6. 2100 South Street from Interstate 15 to 1300 East;~~
- ~~7. The 2100 South Expressway from I-15 west to the city limit;~~
- ~~8. Foothill Drive from Guardsman Way to Interstate 80;~~
- ~~9. 400 South from Interstate 15 to 800 East;~~
- ~~10. 500 South from Interstate 15 to 700 East;~~
- ~~11. 600 South from Interstate 15 to 700 East;~~
- ~~12. 300 West from 900 North to 900 South;~~
- ~~13. North Temple from Main Street to Interstate 80;~~
- ~~14. Main Street from North Temple to 2100 South Street;~~
- ~~15. State Street from South Temple to 2100 South; and~~
- ~~16. 600 North from 800 West to 300 West.~~

~~ILLUMINANCE: The intensity of light falling on a subsurface at a defined distance from the source.~~

MODIFIED BILLBOARD: A billboard that is modified or repaired pursuant to a provision of Utah State Code.

MOTION: The depiction of movement or change of position of text, images, or graphics. Motion shall include, but not be limited to, visual effects such as dissolving and fading text and images, running sequential text, graphic bursts, lighting that resembles zooming, twinkling, or sparkling, changes in light or color, transitory bursts of light intensity, moving patterns or bands of light, expanding or contracting shapes, and similar actions.

~~NEW BILLBOARD: A billboard for which a permit to construct is issued after December 31, 1993.~~

~~NONCONFORMING BILLBOARD: An existing billboard which is located in a zoning district or otherwise situated in a way which would not be permitted by the provisions of this chapter.~~

PRIOR ORDINANCE: The version of Salt Lake City Code Section 21A.46.160 in effect from February 4, 2012 until [insert the date of publication of this ordinance].

RELOCATED BILLBOARD: A billboard that is moved from one location to another location pursuant to a provision of Utah State Code.

~~SPECIAL GATEWAY: The following streets or highways within Salt Lake City:~~

- ~~1. North Temple between 600 West and 2200 West;~~
- ~~2. 400 South between 200 East and 800 East;~~
- ~~3. State Street between 600 South and 2100 South; and~~
- ~~4. Main Street between 600 South and 2100 South.~~

TEMPORARY EMBELLISHMENT: An extension of the billboard resulting in increased square footage as part of an artistic design to convey a specific message or advertisement.

TWIRL TIME: The time it takes for static text, images, and graphics on an electronic billboard or electronic sign to change to a different text, images, or graphics on a subsequent sign face.

~~C. Limit On The Total Number Of Billboards: No greater number of billboards shall be allowed in Salt Lake City than the number of existing billboards.~~

~~D. Permit Required For Removal Of Nonconforming Billboards:~~

- ~~1. Permit: Nonconforming billboards may be removed by the billboard owner only after obtaining a permit for the demolition of the nonconforming billboard.~~
- ~~2. Application: Application for demolition shall be on a form provided by the zoning administrator.~~
- ~~3. Fee: The fee for demolishing a nonconforming billboard shall be as shown on the Salt Lake City consolidated fee schedule.~~

~~E. Credits For Nonconforming Billboard Removal: After a nonconforming billboard is demolished pursuant to a permit issued under subsection D1 of this section, or its successor, the city shall create a billboard bank account for the billboard owner. The account shall show the date of the removal and the zoning district of the demolished nonconforming billboard. The account shall reflect billboard credits for the billboard and its square footage. Demolition of a conforming billboard shall not result in any billboard credit.~~

~~F. Priority For Removal Of Nonconforming Billboards: Nonconforming billboards shall be removed subject to the following priority schedule:~~

- ~~1. Billboards in districts zoned residential, historic, residential R-MU or downtown D-1, D-3 and D-4 shall be removed first;~~
- ~~2. Billboards in districts zoned commercial CN or CB, or gateway or on gateways shall be removed second;~~
- ~~3. Billboards which are nonconforming for any other reason shall be removed last; and~~
- ~~4. A billboard owner may demolish nonconforming billboards of a lower priority before removing billboards in a higher priority; however, the billboard credits for removing the lower priority billboard shall not become effective for use in constructing a new billboard~~

~~until two (2) billboards specified in subsection F1 of this section, or its successor, with a total square footage equal to or greater than the lower priority billboard, are credited in the billboard owner's billboard bank account. If a billboard owner has no subsection F1 of this section, or its successor, nonconforming billboards, two (2) subsection F2 of this section, or its successor, priority billboards may be credited in the billboard owner's billboard bank account to effectuate the billboard credits of a subsection F3 of this section, or its successor, billboard to allow the construction of a new billboard. For the purposes of this section, the two (2) higher priority billboards credited in the billboard bank account can be used only once to effectuate the billboard credits for a lower priority billboard.~~

~~G. — Life Of Billboard Credits: Any billboard credits not used within thirty six (36) months of their creation shall expire and be of no further value or use except that lower priority credits effectuated pursuant to subsection F4 of this section, or its successor, shall expire and be of no further value or use within sixty (60) months of their initial creation.~~

~~H. — Billboard Credits Transferable: A billboard owner may sell or otherwise transfer a billboard and/or billboard credits. Transferred billboard credits which are not effective because of the priority provisions of subsection F of this section, or its successor, shall not become effective for their new owner until they would have become effective for the original owner. The transfer of any billboard credits do not extend their thirty six (36) month life provided in subsection G of this section, or its successor.~~

~~I. — Double Faced Billboards: Demolition of a nonconforming billboard that has two (2) advertising faces shall receive billboard credits for the square footage on each face, but only as one billboard.~~

~~J. — New Billboard Construction: It is unlawful to construct a new billboard other than pursuant to the terms of this chapter. In the event of a conflict between this chapter and any other provision in this code, the provisions of this chapter shall prevail.~~

B. Billboards Prohibited: No billboard may be constructed anywhere in Salt Lake City, except as provided for under section C.3 or as a provision of Utah State Code. Billboards that exist as of [insert the date of publication this ordinance], are a permitted non-conforming use.

C. Elimination of Billboard Bank and Billboard Credits:

1. The billboard bank and system of tracking billboard credits set forth in the prior ordinance is hereby eliminated;
2. From [insert the date of publication of this ordinance] onwards, a billboard owner will not receive billboard credits for the demolition of any billboard;
3. A billboard owner may use billboard credits that exist as of [insert the date of publication of this ordinance] to construct a billboard as permitted by the prior ordinance.

4. Any existing billboard credits must be used within the time permitted by the prior ordinance.

D. Size, Height and Spacing Requirements:

1. Billboards constructed pursuant to section C.3 above are subject to the size, height and spacing requirements set forth in the prior ordinance.
2. Relocated billboards and modified billboards must comply with the size, height, and spacing requirements applicable to the provision of Utah Code relied on by the billboard owner to permit the relocation or modification.
 - a. Size: If the provision of Utah Code relied on by the billboard owner to permit the relocated or modified billboard does not identify a maximum size for the relocated or modified billboard, the billboard shall not exceed fifteen feet (15') in height and fifty feet (50') in width.
 - b. Height: If the provisions of Utah Code relied on by the billboard owner to permit the relocated or modified billboard does not identify the maximum height for the relocated or modified billboard the billboard excluding temporary embellishments shall not be more than:
 - i. Forty-five feet (45') above the existing grade, measured from the highest point of the billboard to the grade of the land directly beneath the highest point of the billboard; or
 - ii. Twenty-five feet (25') above the pavement elevation of a street, measured from the highest point of the billboard to the grade of the street directly perpendicular to the billboard, if a street within one hundred linear feet (100') of the billboard, measured from the street at the point at which the billboard is perpendicular to the street to a point on the billboard closest to that street, is on a different grade than the billboard;
 - iii. If the provisions of subsection 3.b.ii of this section, or its successor subsection, apply to more than one street, the new billboard may be the higher of the two (2) heights.
 - c. Spacing: If the provision of Utah Code relied on by the billboard owner to permit the relocated or modified billboard does not identify minimum spacing requirements, the following provisions apply:
 - i. Small Signs: Billboards with an advertising face three hundred (300) square feet or less in size shall not be located closer than three hundred (300) linear feet from any other small billboard or eight hundred feet (800') from any other large billboard, except a billboard on the opposite side of the same street.
 - ii. Large Signs: Billboards with an advertising face greater than three hundred (300) square feet in size shall not be located closer than eight hundred (800) linear foot from any other billboard, except a billboard on the opposite side of the same street.
 - iii. Electronic Billboards: Electronic billboards shall not be located closer than one thousand six hundred (1,600) linear feet from any other electronic billboard and comply with all other billboard spacing requirements.

~~K. Permitted Zoning Districts: New billboards may be constructed only in the area identified on the official billboard map.~~

~~L. New Billboard Permits:~~

- ~~1. Application: Anyone desiring to construct a new billboard shall file an application on a form provided by the zoning administrator.~~
- ~~2. Fees: The fees for a new billboard construction permit shall be:~~
 - ~~a. Building permit and plan review fees required by the uniform building code as adopted by the city; and~~
 - ~~b. Inspection tag fees as shown on the Salt Lake City consolidated fee schedule.~~

~~M. Use Of Billboard Credits:~~

- ~~1. A new billboard permit shall only be issued if the applicant has billboard credits of a sufficient number of square feet and billboards to allow construction of the new billboard.~~
- ~~2. When the permit for the construction of a new billboard is issued, the zoning administrator shall deduct from the billboard owner's billboard bank account:~~
 - ~~a. The square footage of the new billboard; and~~
 - ~~b. The number of billboards whose square footage was used to allow the new billboard construction.~~
- ~~3. If the new billboard uses less than the entire available billboard credits considering both the number of billboards and square footage, any remaining square footage shall remain in the billboard bank.~~

~~N. New Billboards Prohibited On Gateways: Except as provided in subsection O of this section, or its successor, no new billboard may be constructed within six hundred feet (600') of the right of way of any gateway.~~

~~O. Special Gateway Provisions:~~

- ~~1. If a nonconforming billboard is demolished within a special gateway, the billboard owner may construct a new billboard along the same special gateway in a zoning district equal to or less restrictive than that from which the nonconforming billboard was removed and subject to subsections P, Q, R and S of this section, provided that the size of the new billboard does not exceed the amount of billboard credits in the special gateway billboard bank.~~
- ~~2. The demolition of a nonconforming billboard pursuant to this section shall not accrue billboard credits within the general billboard bank. Credits for a billboard demolished or constructed within a special gateway shall be tracked within a separate bank account for each special gateway. A permit for the construction of a new billboard pursuant to this section must be taken out within thirty six (36) months of the demolition of the nonconforming billboard.~~

~~P. — Maximum Size: The maximum size of the advertising area of any new billboard shall not exceed fifteen feet (15') in height and fifty feet (50') in width.~~

E. Setback Requirements: All relocated billboards, billboards constructed pursuant to section C.3, or existing billboards that are substantially rebuilt or entirely replaced shall meet the following setback requirements:

1. Billboards shall be subject to pole sign setback requirements listed for the district in which the billboard is located;
2. In the absence of setback standards for a particular district, billboards shall maintain a setback of not less than five feet (5') from the front or corner side lot line. This setback requirement shall be applied to all parts of the billboard, not just the sign support structure.

F Landscaping Requirements: Existing billboards are subject to the landscaping requirements of the prior ordinance. All relocated billboards, billboards constructed pursuant to section C.3, or existing billboards that are substantially rebuilt or entirely replaced are subject to the following landscaping requirements.

1. Landscaping In Residential, Small Neighborhood Business, And Commercial CN And CB Zoning Districts: Properties in any residential zone, small neighborhood business zone, and commercial CN or CB zones on which a billboard is the only structure shall be landscaped from all property lines adjacent to a street into the property a distance equal to the required front yard setback and:
 - a. when the billboard is generally situated perpendicular to the nearest adjacent street, spanning 25 feet either side of the billboard or to the nearest property line, whichever occurs first, and;
 - b. when the billboard is generally situated parallel to the nearest adjacent street, spanning the length of the billboard.

No portion of such property shall be hard or gravel surfaced;

2. Landscaping In Other Zoning Districts: Property in all districts other than as specified in subsection F.1 of this section, or its successor subsection, upon which a billboard is the only structure, shall be landscaped from the front of the property to the deepest interior point of the billboard for fifty (50) linear feet along the street frontage distributed, to the maximum extent possible, evenly on each side of the billboard. For properties with less than fifty (50) linear feet along the frontage street, the property shall be landscaped for all linear feet on the frontage street.

QG. Temporary Embellishments: Temporary embellishments shall not do one or more of the following:

1. ~~Temporary embellishments shall not e~~Exceed ten percent (10%) of the advertising face of any billboard;
2. ~~and shall not e~~Exceed five feet (5') in height above the billboard structure;
23. ~~No temporary embellishment shall be maintained~~Exist on a billboard ~~for~~ more than twelve (12) months.

~~R. Height: The highest point of any new billboard, excluding temporary embellishments shall not be more than:~~

- ~~1. Forty five feet (45') above the existing grade; or~~
- ~~2. If a street within one hundred feet (100') of the billboard, measured from the street at the point at which the billboard is perpendicular to the street, is on a different grade than the new billboard, twenty five feet (25') above the pavement elevation of the street.~~
- ~~3. If the provisions of subsection R2 of this section, or its successor subsection, apply to more than one street, the new billboard may be the higher of the two (2) heights.~~

~~S. Minimum Setback Requirements: All freestanding billboards shall be subject to pole sign setback requirements listed for the district in which the billboard is located. In the absence of setback standards for a particular district, freestanding billboards shall maintain a setback of not less than five feet (5') from the front or corner side lot line. This setback requirement shall be applied to all parts of the billboard, not just the sign support structure.~~

~~T. Spacing:~~

- ~~1. Small Signs: Billboards with an advertising face three hundred (300) square feet or less in size shall not be located closer than three hundred (300) linear feet from any other small billboard or eight hundred feet (800') from a large billboard on the same side of the street;~~
- ~~2. Large Signs: Billboards with an advertising face greater than three hundred (300) square feet in size shall not be located closer than eight hundred (800) linear feet from any other billboard, small or large, on the same side of the street.~~
- ~~3. Electronic Billboards: Electronic billboards shall not be located closer than one thousand six hundred (1,600) linear feet from any other electronic billboard on the same or opposite side of the street.~~

~~H. Permits: A billboard owner must obtain a permit, as provided for in Salt Lake City Code 18.20.010 or its successor, before erecting, construction, enlarging, altering, repairing, moving, improving, removing, converting or demolishing a billboard.~~

~~U1. Electronic Billboards:~~

- ~~1. Prohibitions: Except as provided in subsection U2-I.2 of this section, after February 4, 2012; the effective date of this subsection U:~~
 - ~~a. No electronic billboard shall be constructed or reconstructed for any reason, and~~
 - ~~b. The conversion, remodeling, or rehabilitation of any existing billboard to an electronic format is prohibited.~~
- ~~2. Standards When Construction/Conversion Required By Law: If after the effective date of this subsection U February 4, 2012 the city is required by Utah Code or other applicable law to allow construction of a new electronic billboard, or to allow conversion of an existing billboard to an electronic format, any such electronic billboard shall be operated pursuant to the following standards:~~
 - ~~a. Any motion of any kind is prohibited on an electronic sign face. Electronic billboards shall have only static text, images, and graphics.~~

- (1) The dwell time of any text, image, or display on an electronic billboard may not exceed more than once every eight (8) seconds. Twirl time between subsequent text, images, or display shall not exceed one-fourth (0.25) second.
- (2) The illumination of any electronic billboard shall not increase the ambient lighting level more than three-tenths (0.3) foot-candle when measured by a foot-candle meter perpendicular to the electronic billboard face at:
 - (A) One hundred fifty feet (150') for an electronic billboard with a surface area of not more than two hundred ~~forty-two~~forty-two (242) square feet;
 - (B) Two hundred feet (200') for an electronic billboard with a surface area greater than two hundred ~~forty-two~~forty-two (242) square feet but not more than three hundred ~~seventy-eight~~seventy-eight (378) square feet;
 - (C) Two hundred fifty feet (250') for an electronic billboard with a surface area greater than three hundred ~~seventy-eight~~seventy-eight (378) square feet but not more than six hundred ~~seventy-two~~seventy-two (672) square feet; and
 - (D) Three hundred fifty feet (350') for an electronic billboard with a surface area greater than six hundred ~~seventy-two~~seventy-two (672) square feet.
- b. Electronic billboards may not be illuminated or lit between the hours of twelve o'clock (12:00) midnight and six o'clock (6:00) A.M. if they are located in, or within six hundred feet (600') of a residential, mixed use, downtown, Sugar House business district, gateway, neighborhood commercial, community business, or community shopping center zoning district.
- c. Controls shall be provided as follows:
 - (1) All electronic billboards shall be equipped with an automatic dimmer control or other mechanism that automatically controls the sign's brightness and display period as provided above.
 - (2) Prior to approval of any permit to operate an electronic billboard, the applicant shall certify that the sign has been tested and complies with the motion, dwell time, brightness, and other requirements herein.
 - (3) The owner and/or operator of an electronic billboard shall submit an annual report to the city certifying that the sign complies with the motion, dwell time, brightness, and other requirements herein.

~~V. — Landscaping In Residential And Commercial CN And CB Zoning Districts: Properties in any residential zone and commercial CN or CB zones on which a billboard is the only structure shall be landscaped as required by sections 21A.26.020 and 21A.26.030 and chapter 21A.48 of this title, or its successor chapter. No portion of such property shall be hard or gravel surfaced.~~

~~W. — Landscaping In Other Zoning Districts: Property in all districts other than as specified in subsection V of this section, or its successor subsection, upon which a billboard is the only structure, shall be landscaped from the front of the property to the deepest interior point of the billboard for fifty (50) linear feet along the street frontage distributed, to the maximum extent possible, evenly on each side of the billboard.~~

~~X. — Xeriscape Alternative: If all the properties adjacent to and across any street from the property for which billboard landscaping is required pursuant to subsection W of this section, or its successor subsection, are not developed or, if a water line for irrigation does not exist on the property or in the street right of way adjacent to such property, the zoning administrator may authorize xeriscaping as an alternative for the required landscaping.~~

~~Y. — Existing Billboard Landscaping: Existing billboards shall comply with the landscaping provisions of this section on or before January 1, 1996.~~

~~ZJ. Compliance With Ordinances Regulating Trees: Stewardship Ordinance: Any Construction construction, demolition, or maintenance, or repair of billboards shall comply with the provisions of the Salt Lake City Code that regulate the preservation, maintenance, disturbance, or damage to trees. stewardship ordinance.~~

~~AA. — Subdivision Registration: To the extent that the lease or other acquisition of land for the site of a new billboard may be determined to be a subdivision pursuant to state statute no subdivision plat shall be required and the zoning administrator is authorized to approve, make minor subsequent amendments to, and record as necessary, such subdivision.~~

~~BB. — Special Provisions:~~

- ~~1. Applicability: The provisions of this section shall apply to specified billboards located:
 - a. Four (4) existing billboards between 1500 North and 1800 North adjacent to the west side of Interstate 15; and
 - b. One existing billboard on the east side of Victory Road at approximately 1100 North.~~
- ~~2. General Applicability: Except as modified by this section, all other provisions of this chapter shall apply to the five (5) specified billboards.~~
- ~~3. Special Priority: The five (5) specified billboards shall be considered as gateway billboards for the purposes of the priority provisions of subsection F of this section, or its successor subsection.~~
- ~~4. Landscaping: The five (5) specified billboards shall be landscaped pursuant to the provisions of subsection W of this section, or its successor subsection.~~

~~CC. — State Mandated Relocation Of Billboards: Except as otherwise authorized herein, existing billboards may not be relocated except as mandated by the requirements of Utah state law.~~

Amending and redacting portions of:

21A.60.020: LIST OF DEFINED TERMS:

...

Billboard. See subsection 21A.46.160~~BA~~ of this title.

Billboard bank. See subsection 21A.46.160~~BA~~ of this title.

Billboard credit. See subsection 21A.46.160~~BA~~ of this title.

Dwell time. See subsection 21A.46.160~~B~~A of this title.

Electronic billboard. See subsection 21A.46.160~~B~~A of this title.

Electronic sign. See subsection 21A.46.160~~B~~A of this title.

Existing billboard. See subsection 21A.46.160~~B~~A of this title.

Existing billboard. See subsection 21A.46.160~~B~~A of this title.

~~Gateway. See subsection 21A.46.160B of this title.~~

~~Illuminance. See subsection 21A.46.160B of this title.~~

Motion. See subsection 21A.46.160~~B~~A of this title.

~~New billboard. See subsection 21A.46.160B of this title.~~

~~Nonconforming billboard. See subsection 21A.46.160B of this title.~~

~~Special gateway. See subsection 21A.46.160B of this title~~

Temporary embellishment. See subsection 21A.46.160~~B~~A of this title.

Twirl time. See subsection 21A.46.160~~B~~A of this title.