

PLANNING COMMISSION STAFF REPORT

Temporary Signs Construction Impact Mitigation Signs Zoning Text Amendment Petition 400-08-16 – City-wide June 25, 2008



Planning and Zoning Division
Department of Community
Development

Applicant: Salt Lake City
Mayor

Staff: Everett Joyce 535-7930
everett.joyce@slcgov.com

Tax ID: n/a

Current Zone: n/a

Master Plan Designation:
City-wide

Council District: City-wide

Acreage: n/a

Current Use: n/a

Applicable Land Use

Regulations:

21A.46 Signs

21A.50.050 Standards for
general amendments.

Attachments:

- A. Proposed Sign Text
- B. Department Comments

REQUEST

Petition 400-08-16 initiated by the Salt Lake City Mayor, requests an amendment to Salt Lake City Ordinances to facilitate approval processes for the designation of business areas to allow temporary signage related to construction-related activities within the City. The City Council and Mayor would establish designation of Construction Impacted Areas through a public meeting. A Construction Impact Area designation would grant the authority to city administration, Director of Community and Economic Development, to modify certain City sign regulations for construction-related activities.

PUBLIC NOTICE

On June 10, 2008, a notice for the Planning Commission public hearing was mailed to community council chairs meeting the minimum 14-day notification requirement. In addition, notice was sent to all individuals on the Planning Division's list serve and the agenda was posted on the city's website.

STAFF RECOMMENDATION:

Based on the comments, analysis and findings in the staff report, Planning Staff recommends the Planning Commission transmit a favorable recommendation to the City Council to adopt the proposed text amendment for construction impact mitigation signs.

Comments

PUBLIC COMMENTS

An open house will be held on June 19, 2008. A report of the open house comments and concerns will be provided separately from this staff report.

City Department Comments:

Department comments are included in Attachment A.

It should be noted that the Director of Community and Economic Development along with the Planning Director, the Transportation Engineer and the City Engineer comprise the City administrative team for Construction Impacted Areas.

Staff Analysis and Findings

Staff Review: Building demolition and construction-related activity can have significant impact on businesses. The potential impacts on business patronage due to actual or perceived impediments to pedestrian and vehicular access, loss of on-street parking, or safety issues affect the customer base for existing businesses. One of the key actions that assist the public as to ongoing status of existing businesses is the use of additional signage and information related to continued business operations while construction activity occurs. To that end, the Mayor has initiated this petition to request the City Council approve regulations that would allow this type of signage.

The Construction Impact Area concept is that the Mayor and Council would adopt each area with implementation by the City administration through the Director of Community and Economic Development. As noted by Department comments, placement of temporary signage must still be reviewed by appropriate City Staff to ensure protection of infrastructure and to ensure no circulation obstructions occur within the public way.

The proposal will provide the following benefits:

- Allow for the anticipation of construction-related issues that might negatively affect businesses and create a positive perception that the City is in a position to provide a means to mitigate impacts from construction activity.
- Minimize construction-related inconvenience and send a message to the community that business area is still open for business.

Standards for general amendments.

A decision to amend the text of this title or the zoning map by general amendment is a matter committed to the legislative discretion of the city council and is not controlled by any one standard. However, in making its decision concerning a proposed amendment, the city council should consider the following factors:

- A. Whether the proposed amendment is consistent with the purposes, goals, objectives, and policies of the adopted general plan of Salt Lake City;**

Analysis: It is in the City's best interest to take a proactive approach to addressing construction impacts that result from major construction activities. There exists a need to formalize a process through which construction activity impacts can be addressed. The process would be a means to mitigate potential high impacts of construction activity on adjacent businesses and neighborhoods.

The 1993 *City Vision and Strategic Plan*, states as a goal that the City should "Develop business friendly licensing and regulatory practices."

Finding: Providing designation of construction impacted business areas and, on a temporary basis, to allow additional signage to help mitigate impacts of construction to business areas is consistent with the goal of the *City Vision and Strategic Plan* by creating a business friendly regulatory practice and the goals. The proposed amendment is consistent with the purposes, goals, objectives, and policies of the adopted general plan of Salt Lake City.

B. Whether the proposed amendment is harmonious with the overall character of existing development in the immediate vicinity of the subject property;

Analysis: The proposed amendment provides sign regulations to ensure, on a temporary basis, an area identified as a Construction Impact Area can use additional signage to offset the impacts of the construction activity. Signage is characteristic of business areas. The additional signs are in keeping with and meet the technical regulations and standards which currently exist in the ordinance.

Finding: The proposed amendment for temporary signs within existing business areas is harmonious with the overall character of the existing development in the immediate vicinity of the subject property.

C. The extent to which the proposed amendment will adversely affect adjacent properties;

Analysis: The technical standards of the zoning ordinance generally will not change with the proposed amendment. Additional business signage would be permitted on a temporary basis only. Signage permitted is typical of business areas within the city. Installation of the signage would have to be done in a manner to ensure protection of public infrastructure and ensure adequate circulation in the public way.

Finding: Appropriate Departments would ensure the location of signs do not hamper circulation in the public way. The sign standards to be set in place would not have adverse impacts on adjacent properties.

D. Whether the proposed amendment is consistent with the provisions of any applicable overlay zoning districts which may impose additional standards; and

Analysis: Temporary signage provisions would apply citywide. Once an area is designated as a construction impacted business area, the temporary sign regulations along with administrative guidelines would become effective. The temporary signs allowed are consistent with signs already permitted within business areas. The signs are temporary in nature and would not have a long-term impact on any overlay district within the City. The proposal is to allow additional signage in a manner that already is permitted, however, increasing the amount of signage permitted. The City administrative guidelines may exempt temporary construction impact mitigation signs from overlay district zoning standards (such as historic districts).

Finding: The proposed text amendment is designed with an opportunity for the administration to establish additional sign guidelines to address applicable overlay districts. The temporary nature of these signs does not create a conflict with the standards of the City's overlay districts.

E. The adequacy of public facilities and services intended to serve the subject property, including but not limited to roadways, parks and recreational facilities, police and fire protection, schools, storm water drainage systems, water supplies, and wastewater and refuse collection.

Analysis: The proposed ordinance allows for the designation of construction impacted business areas with review by departments to insure their consistency with public utilities and services needs of the area.

Finding: All pertinent City departments will have review authority on the development of administrative sign guidelines within the boundaries of each designated Construction Impact Area.

Exhibit A
Proposed Zoning Ordinance Text
Construction Impact Mitigation Signs

Construction Impact Mitigation Signs Proposed Zoning Text Changes

21A.46 Signs

21A.46.070 General Standards:

Q. Temporary Signs: Temporary signs shall comply with the following standards:

1. Required Setback: All temporary signs shall be set back five feet (5') from all property lines, except where displayed as building signs on buildings set back less than five feet (5') or where the sign setback is otherwise specified in this title.
2. Display Period And Removal: Temporary signs shall be permitted in accordance with the standards set forth below for display period and removal, unless specified otherwise in this title:

Sign Type ¹	Display Period	Removal Required Three Days After
Construction sign	Duration of construction	Completion
Construction impact area mitigation sign	Per city guidelines²	Per city guidelines²
Garage/yard sale sign	2 sales per year (3 days maximum per sale)	End of sale
Political sign	No limit	Election/voting day
Public event banner (on public property)	Per city guidelines	Per city guidelines
Real estate sign	Duration of listing	Closing/lease commencement date
Special event	Duration of event	End of event
Vacancy sign	Duration of vacancy	Date of lease or of purchase and sale contract

Note:

1. See sections 21A.46.080, 21A.46.090, 21A.46.100, 21A.46.110 and 21A.46.120 of this chapter for zoning district limitations on the size, height and location of temporary signs.
2. See section 21A.46.180 Construction Impact Area Mitigation Signs

Proposed Text

21A.46.180 Construction Impact Area Mitigation Signs:

- A. Purpose: The purpose of this section is to designate the use of certain temporary signs deemed necessary to offset the impact of building demolition activity and/or construction activity. Additional temporary signage for impacted businesses will benefit local neighborhoods and the city as a whole by promoting business identity and informing the public of continued business operations while demolition and construction activity is ongoing.
- B. Nonpublic Forum: In allowing limited temporary signage in certain designated locations, the city does not intend to create a public forum, but rather intends to create a limited or nonpublic forum for the purposes set forth herein.
- C. Definitions:
 - 1. "Applicant" means any person or organization located within a designated Construction Impact Area that makes application for a Construction Impact Area mitigation sign permit as described herein.
 - 2. "Construction Impact Area Mitigation sign" means a temporary sign that informs the public a business is open during the period of nearby construction activity.
- D. Approval Of Construction Impact Areas: In order to encourage and promote business identity during periods of construction activity, the City Council and Mayor may recognize via a public meeting, business areas that are impacted by construction activity.
- E. Authority To Display. The designation of a Construction Impact Area authorizes the City administration to develop guidelines limiting sign types, size and location for permitting temporary Construction Impact Area Mitigation signs within affected business areas.
- F. Construction Impact Area Mitigation Signs. Construction Impact Area Mitigation signs are subject to the following minimum standards in addition to any administrative guidelines developed for a specific Construction Impact Area:
 - 1. Signs for a business with a storefront:
 - i. Quantity of signs allowed is one banner or A-frame sign per business establishment with a storefront on a street within a designated Construction Impact Area.
 - ii. Size of banner or A-frame signs are limited to 16 square feet in area.
 - iii. Additional window signs are limited to 25 percent of the window area above the base-zoning sign area allowed.
 - 2. Signs for a building with multiple businesses without individual storefronts:
 - i. Quantity of signs allowed is a single banner sign or A-frame sign for the entire building.
 - ii. Size of signs are limited to 32 square feet in area.
 - iii. Additional window signs are limited to 25 percent of the window area above the base-zoning sign area allowed.
 - 3. Directional signs identifying parking and businesses open are limited to eight square feet in area and the location is subject to Transportation Division approval and subject to section 21A.46.070.D of this title.

4. All temporary signs within the public way must be placed in a manner as not to damage roadway and sidewalk surfaces.
 5. Duration of display period is up to six months from building permit issuance and is intended to terminate coincidentally with the end of the construction impact. Administrative renewal of a permitted temporary sign is limited to six month periods.
- G. Location Of Construction Impact Area Mitigation Signs. The location where temporary signs are permitted can be varied subject to demolition and construction activity within a designated Construction Impact Area. The determination of specific areas is a function of the administrative group given authority to allow temporary signage. Sign locations are also subject to the following criteria for safety purposes:
1. Signs, particularly A-frames, can only be located in a manner that they do not pose a hazard or block the free flow of pedestrian or vehicular travel in the public right of way.
 2. Signs on sidewalks should not preclude normal pedestrian passage and should not be located such that they block more than half of the clear walking width or leave less than four feet of passage width to maintain accessibility.
 3. Signs in the public right-of-way cannot be placed in a manner that they preclude drivers on driveways trying to enter the street from having sufficient sight ability of oncoming traffic to enter the street safely.
 4. Any approved sign allowed on the public right-of-way is subject to modification or revocation for public safety purposes.
- H. Affect On Overlay Districts: The City administration is authorized to establish administrative guidelines for construction impact mitigation signs and may recognize that the temporary nature of such signs do not conflict with and may be exempt from the standards of applicable overlay districts in Section 21A.34 of this title.

Exhibit B
Department Comments

Joyce, Everett

Transportation

From: Walsh, Barry
Sent: Wednesday, June 11, 2008 5:50 PM
To: Joyce, Everett
Cc: Young, Kevin; Vaterlaus, Scott; Barry, Michael; Garcia, Peggy; Itchon, Edward; Smith, Craig; Butcher, Larry
Subject: RE: Petition 400-08-16 Zoning text amendment to allow temporary signs
Categories: Program/Policy

June 11, 2008

Everett Joyce, Planning

RE: Petition 400-08-16 zoning text amendment to allow temporary signs.

The division of transportation review comments and recommendations areas follows:

We have no objection to the proposal subject to involvement in the review process for signage that may be a traffic issue: location with in the public way, location with in a traffic barricade or traffic control system, type of sign that may be a road side distraction, signs mounted of existing street light poles, etc.

Sincerely,

Barry Walsh

Cc Kevin Young, P.E.
 Scott Vaterlaus, P.E.
 Michael Barry, P.E.
 Peggy Garcia, Public Utilities
 Ted Itchon, Fire
 Craig Smith, Engineering
 Larry Butcher, Permits
 File.

From: Joyce, Everett
Sent: Wednesday, June 11, 2008 5:21 PM
To: Garcia, Peggy; Itchon, Edward; Smith, Craig; Butcher, Larry; Walsh, Barry; Askerlund, Dave
Subject: Petition 400-08-16 Zoning text amendment to allow temporary signs

Dear fellow employees,

Attached is a memorandum of a petition that the Administration has requested to be fast-tracked through the petition processing system. Please review and comment within one week. If you can provide a response earlier, even if it is a no comment response, it would be appreciated.

Thank you for your assistance.

Everett L. Joyce, AICP
 Senior Planner
 801-535-7930
 Salt Lake City Planning Division
 451 South State Street, Rm 406
 PO Box 145480
 Salt Lake City, UT 84111-5480

6/17/2008

Joyce, Everett*Transportation*

From: Harpst, Tim
Sent: Friday, June 13, 2008 2:56 PM
To: Walsh, Barry; Young, Kevin; Vaterlaus, Scott
Cc: Joyce, Everett
Subject: RE: Petition 400-08-16 Zoning text amendment to allow temporary signs
Categories: Program/Policy

Barry - I don't see where my earlier review comments were incorporated into this doc. I recall commenting that A-frame sign placement must not preclude visibility between drivers and pedestrians at intersections and driveways. Further, the clear walking width must not be narrowed by these signs to less than 4 feet (wheelchair-wide). I also believe we need to include a comment that approval to place these signs is by revocable permit and that the City reserves the right to have the signs moved or removed at any time. This allows the City to deal with any currently unknown issues. When we did something similar for the downtown area, we included wording to inform the petitioner that we would need 30 days to review applications and to whom the applications need to be made. That way, the businesses know how to apply and how long to expect to get a response. I also have concerns about the wording related to sign placement duration. It needs to be tightened up to indicate the maximum time length for use of the signs will be 6 months with the ability to apply for an extension. We can't presuppose how long some of these might be needed.

Timothy P. Harpst, P.E., PTOE
Transportation Director

Salt Lake City Transportation Division Phone: 801 535-6630
 349 South 200 East, Suite 450 Fax: 801 535-6019
 Salt Lake City, Utah 84111 email: tim.harpst@slcgov.com

From: Walsh, Barry
Sent: Thursday, June 12, 2008 2:00 PM
To: Young, Kevin; Vaterlaus, Scott; Harpst, Tim
Subject: FW: Petition 400-08-16 Zoning text amendment to allow temporary signs

Guidelines attached for review,
 Barry

From: Joyce, Everett
Sent: Thursday, June 12, 2008 8:08 AM
To: Itchon, Edward
Cc: Garcia, Peggy; Smith, Craig; Butcher, Larry; Walsh, Barry; Askerlund, Dave
Subject: RE: Petition 400-08-16 Zoning text amendment to allow temporary signs

Ted,

The types of sign are advertising related identification that the business is open during construction and directional signs related to traffic such as identifying parking areas and access to businesses. They would need administrative review by the Director of Community and Economic Development after consultation with the Planning Director, Transportation Engineer and City Engineer. A draft example of the review process and the

6/17/2008

types of temporary signs being considered is provided in the attached document "Admin Guidelines – Temp Sign SHBD".

Everett L. Joyce, AICP
Senior Planner
801-535-7930
Salt Lake City Planning Division
451 South State Street, Rm 406
PO Box 145480
Salt Lake City, UT 84111-5480

From: Itchon, Edward
Sent: Thursday, June 12, 2008 6:26 AM
To: Joyce, Everett
Cc: Garcia, Peggy; Smith, Craig; Butcher, Larry; Walsh, Barry; Askerlund, Dave
Subject: RE: Petition 400-08-16 Zoning text amendment to allow temporary signs

Everett,

I have a few questions to ask. What type of signs? Are they for traffic, parking, or advertisement? What is the approval process and who will approve them for location and clarity?

Ted

From: Joyce, Everett
Sent: Wednesday, June 11, 2008 5:21 PM
To: Garcia, Peggy; Itchon, Edward; Smith, Craig; Butcher, Larry; Walsh, Barry; Askerlund, Dave
Subject: Petition 400-08-16 Zoning text amendment to allow temporary signs

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6/17/2008

Joyce, Everett*Transportation*

From: Walsh, Barry
Sent: Monday, June 16, 2008 8:42 AM
To: Harpst, Tim; Young, Kevin; Vaterlaus, Scott
Cc: Joyce, Everett
Subject: RE: Petition 400-08-16 Zoning text amendment to allow temporary signs
Categories: Program/Policy

June 16, 2008

Everett Joyce, Planning

Re: Petition 400-08-16 Zoning text amendment to allow Temporary signs.

Everett, Tim Harpst has made some clarification of the review and control issues that need to be incorporated in the proposed amendment. Per my letter dated June 11th, as a general statement, requiring transportation reviews required, Tim has added issues to inform applicants about the process and limitations that need to be spelled out in the new zoning text as well as describing signage parameters that the various departments will need to review for compliance.

Please incorporate these issues, see Tim's memo dated June 13, into the draft zoning text revisions for our review.

Sincerely,

Barry Walsh

Cc Tim Harpst, P.E.
 Kevin Young, P.E.
 Scott Vaterlaus, P.E.
 File

From: Harpst, Tim
Sent: Friday, June 13, 2008 2:56 PM
To: Walsh, Barry; Young, Kevin; Vaterlaus, Scott
Cc: Joyce, Everett
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Transportation Director

6/17/2008

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349 South 200 East, Suite 450 Fax: 801 535-6019
Salt Lake City, Utah 84111 email: tim.harpst@slcgov.com

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Sent: Thursday, June 12, 2008 6:26 AM
To: Joyce, Everett
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Subject: RE: Petition 400-08-16 Zoning text amendment to allow temporary signs

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Ted

6/17/2008

From: Joyce, Everett

Sent: Wednesday, June 11, 2008 5:21 PM

To: Garcia, Peggy; Itchon, Edward; Smith, Craig; Butcher, Larry; Walsh, Barry; Askerlund, Dave

Subject: Petition 400-08-16 Zoning text amendment to allow temporary signs

Dear fellow employees,

Attached is a memorandum of a petition that the Administration has requested to be fast-tracked through the petition processing system. Please review and comment within one week. If you can provide a response earlier, even if it is a no comment response, it would be appreciated.

Thank you for your assistance.

Everett L. Joyce, AICP

Senior Planner

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6/17/2008

Joyce, Everett

Public Utilities

From: Brown, Jason
Sent: Thursday, June 12, 2008 3:34 PM
To: Joyce, Everett
Cc: Garcia, Peggy
Subject: RE: Petition 400-08-16 Zoning text amendment to allow temporary signs
Categories: Program/Policy

The only thing that I think should be added is something about how the signs are fixed in place. If they are required to have A-frames then the use of sand bags would be a great solution. We don't want property owners using stakes or something that would penetrate the ground within the right-of-way where the underground utilities are located. There is a potential to damage a utility line and no one wins if the sidewalk gets torn up in front of the business to do a repair.

Jason Brown PE
 SLC Public Utilities
 483-6729

From: Garcia, Peggy
Sent: Thursday, June 12, 2008 11:54 AM
To: Brown, Jason
Subject: FW: Petition 400-08-16 Zoning text amendment to allow temporary signs
Importance: High

Jason,

Will you please respond to Planning?

Thank you,

Peggy

From: Joyce, Everett
Sent: Thursday, June 12, 2008 8:08 AM
To: Itchon, Edward
Cc: Garcia, Peggy; Smith, Craig; Butcher, Larry; Walsh, Barry; Askerlund, Dave
Subject: RE: Petition 400-08-16 Zoning text amendment to allow temporary signs

Ted,

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Everett L. Joyce, AICP
 Senior Planner

6/17/2008

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Subject: RE: Petition 400-08-16 Zoning text amendment to allow temporary signs

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To: Garcia, Peggy; Itchon, Edward; Smith, Craig; Butcher, Larry; Walsh, Barry; Askerlund, Dave
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Joyce, Everett

Engineering

From: Smith, Craig
Sent: Thursday, June 12, 2008 8:28 AM
To: Joyce, Everett
Subject: RE: Petition 400-08-16 Zoning text amendment to allow temporary signs

Thanks for the clarification. Engineering is okay with temp signs for businesses in construction zones, but only while construction hampers customers from locating those businesses, and only during construction.

From: Joyce, Everett
Sent: Wednesday, June 11, 2008 5:21 PM
To: Garcia, Peggy; Itchon, Edward; Smith, Craig; Butcher, Larry; Walsh, Barry; Askerlund, Dave
Subject: Petition 400-08-16 Zoning text amendment to allow temporary signs

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6/17/2008

Joyce, Everett

fire

From: Itchon, Edward
Sent: Thursday, June 12, 2008 2:57 PM
To: Joyce, Everett
Cc: Garcia, Peggy; Smith, Craig; Butcher, Larry; Walsh, Barry; Askerlund, Dave
Subject: RE: Petition 400-08-16 Zoning text amendment to allow temporary signs

Everett,

Thanks for the information. I have no issues.

Ted

From: Joyce, Everett
Sent: Thursday, June 12, 2008 8:08 AM
To: Itchon, Edward
Cc: Garcia, Peggy; Smith, Craig; Butcher, Larry; Walsh, Barry; Askerlund, Dave
Subject: RE: Petition 400-08-16 Zoning text amendment to allow temporary signs

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6/17/2008

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Everett L. Joyce, AICP

Senior Planner

801-535-7930

Salt Lake City Planning Division

451 South State Street, Rm 406

PO Box 145480

Salt Lake City, UT 84111-5480

6/17/2008

Joyce, Everett

Public Services

From: Rokhva, Parviz
Sent: Tuesday, June 17, 2008 10:26 AM
To: Joyce, Everett
Cc: Graham, Rick; Valente, Art
Subject: FW: Department review request for Petition 400-08-16 Zoning Ordinance text amendment for Temporary Signs
Categories: Program/Policy
Attachments: Routing Memo.doc

This issue has no impact to our operation. No additional comments.
Thanks Parviz

From: Graham, Rick
Sent: Friday, June 13, 2008 3:52 PM
To: Peterson, Max; Rokhva, Parviz
Subject: FW: Department review request for Petition 400-08-16 Zoning Ordinance text amendment for Temporary Signs

Max and Parviz, please review the text amendment or pass it along to your employees who will be impacted by the change. Please provide a confirmation or no response or a response to Everett Joyce by the 19th as directed. Please copy me.

Rick

From: Joyce, Everett
Sent: Wednesday, June 11, 2008 5:38 PM
To: Harpst, Tim; Niermeyer, Jeff; Graham, Rick; McKone, Dennis; Burbank, Chris; Boskoff, Nancy; Riley, Maureen; Clark, Luann; Creswell, Lyn; De La Mare-Schaefer, Mary; Baxter, DJ; Rutan, Ed; Limburg, Garth
Subject: Department review request for Petition 400-08-16 Zoning Ordinance text amendment for Temporary Signs

This email is to inform you that the City staff members on the attached "Routing Memo" have been requested to review and comment on a proposed text amendment to Salt Lake City Zoning Ordinance to facilitate an approval processes for temporary signage for businesses that are impacted by high levels of construction activity.

Everett L. Joyce, AICP
Senior Planner
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