

# PLANNING COMMISSION STAFF REPORT

Off-premise advertising  
Petitions: 400-06-51,  
PLNPCM2010-00032, PLNPCM2010-00717  
Zoning Text Amendment  
Citywide  
February 23, 2011



Planning and Zoning Division  
Department of Community and  
Economic Development

**Applicant:**

Mayor Ralph Becker

**Staff:**

Doug Dansie, 535-6182  
Doug.Dansie@slcgov.com

**Tax ID:**

Citywide

**Current Zone:**

Citywide

**Master Plan Designation:**

NA

**Council District:**

Citywide

**Community Council:**

Citywide

**Lot Size:**

Citywide

**Current Use:**

NA

**Applicable Land Use Regulations:**

21A.50.050: Standards for general  
amendments  
21A.46.160: Billboards

**Notification (hearing)**

- Notice: January 22,  
Feb 12, 2011
- Web: January 22,  
Feb 11, 2011

**Attachments:**

- A. Department Comments
- B. Proposed ordinance
- C. Map of affected geography

## ***Request***

There are three separate petitions regarding the regulation of off-premise advertising in Salt Lake City.

**Petition 400-06-51: Zoning Text Amendment, Transit Shelter Advertising -**

A request for a zoning text amendment to address advertising on Bus Shelters. The text amendment would affect all zoning districts.

**PLNPCM2010-00032: Zoning Text Amendment, Billboards -** A request by Salt Lake City Mayor Becker for a zoning text amendment to address outdoor billboards. The proposed amendment would update current regulations for outdoor billboards to make them consistent with State law. The text amendment would affect all zoning districts.

**PLNPCM2010-00717: Zoning Text Amendment, Electronic Billboards -** A request by Salt Lake City Mayor Becker for a zoning text amendment to address electronic billboards. Currently, the City Zoning Ordinance does not address electronic billboards. The text amendment would affect all zoning districts.

## ***Staff Recommendation***

Based on the findings listed in the staff report, it is the Planning Staff's opinion that overall the proposal generally meets the applicable standards and therefore, recommends the Planning Commission forward a positive recommendation to the City Council to approve the requested zoning text amendments associated with petitions PLNPCM2010-00032 and PLNPCM2010-00717 as outlined in the summary and not take action on petition 400-06-51 and hold it for further review.

## **Background**

The current billboard ordinance was adopted in 1993. It was based upon the premise of capping the overall number of billboards and allowing the remaining billboards to move to more acceptable locations away from residential and historical areas. Since then, State legislation has changed allowing billboard companies to relocate billboards to non-residential zoning districts adjacent to existing billboard locations. In many cases, billboard companies have purchased the land or easement on sites to insure the permanence of their board, therefore eliminating the incentive for movement. The industry has also expressed a desire to maintain its present coverage; therefore the billboard bank contained in the original ordinance has been rendered mute.

The industry is now considering converting many billboards to billboards with electronic faces, which have a differing set of impacts (such as changing images) and effectively increase the non-conformity of many billboards. The current ordinance is silent regarding electronic billboards: Meaning there is no prohibition or rules regarding conversion.

## **Project Description**

There are three separate petitions, all involving off-premise advertising. Off-premise advertising differs from on-premise advertising in that on-premise is generally necessary for an individual business to exist or survive, Off-premise advertising generally promotes activity not associated with the location of the sign, therefore the nexus between the business and the sign is not as critical. Court cases have generally allowed local communities to regulate off-premise advertising more stringently than on-premise advertising. The Supreme Court has ruled that billboards may be banned as long as other forms of advertising exist in the community.

The petitions and issues are as follows:

**Petition 400-06-51: Zoning Text Amendment, Transit Shelter Advertising** - A request for a zoning text amendment to address advertising on Bus Shelters.

*Request:* The present ordinance has banned bus bench advertising and most other advertising in the public right-of-way since the 1970's. This proposal is to allow limited advertising on bus shelters or other public furniture (as is done in numerous suburban communities) to allow advertising to pay for those public amenities.

*Issues:*

- Off-premise signage in the public right-of-way, including bus benches, was prohibited in the 1970's.
- Previous use of signage in the right-of-way resulted in complaints of clutter.
- Previous signage in the right-of-way resulted in complaints of businesses putting signage directly in front of competitors, etc.
- Salt Lake City has liberalized some signage regulations since the 1970's: Specifically banners and A-frame directional signs
- UTA (and Lamar Advertising) approached the City regarding the potential for advertising to pay for transit shelters.
- Using advertising to pay for other potential public furniture and services has also been considered (restrooms, bike rental, etc.)

**PLNPCM2010-00032: Zoning Text Amendment, Billboards** - A request by Salt Lake City Mayor Becker for a zoning text amendment to address outdoor billboards. The proposed amendment would update current regulations for outdoor billboards to make them consistent with State law.

*Request:* The existing law regarding billboards was adopted in 1993. State law has changed considerably since that time leaving portions of current City law to be ineffective. The purpose of this petition is to update City law to be consistent with State law and to simplify City processes.

*Issues:*

- The current ordinance was adopted in 1993 and was intended to be a cap and reduce program, allowing billboards to relocate to more appropriate locations while prohibiting an increase in the overall number of billboards in the City and allowing for a decrease.
- A billboard bank was set up to accommodate movement and to prioritize areas of acceptable relocation.
- State law has changed considerably since 1993.
- State law allows billboards to move to any non-residential property within a variable distance from the original location for multiple reasons, if the City does not allow the movement; the City is obligated to purchase the billboard. The City may negotiate alternative locations with the Billboard company.
- State law requires the purchase of a billboard to include damages to the “package”. Billboards are often sold in groups to one advertiser; that group constitutes a package.
- Changes in State law have left the SLC billboard bank largely irrelevant.
- Many billboards in the City were erected before there were any sign regulations and they remain in areas where they have long been non-conforming.
- Billboards are amortized for tax value and pay taxes on 8% of their original value after 19 years.
- By State law, billboards are the only non-conforming use that cannot be removed through the use of amortization.
- There are numerous scenarios in Salt Lake City where the presence of a billboard suppresses the redevelopment potential of the underlying land, as well as examples of redevelopment with billboards.

**PLNPCM2010-00717: Zoning Text Amendment, Electronic Billboards** - A request by Salt Lake City Mayor Becker for a zoning text amendment to address electronic billboards. Currently, the City Zoning Ordinance does not address electronic billboards.

*Request:* The petition is to update existing City law to reflect industry changes and to define and regulate the conversion of existing billboards to an electronic format.

*Issues:*

- The current ordinance is silent regarding electronic billboards.
- Six electronic billboards exist in Salt Lake City. Three are under dispute.
- Numerous electronic on-premise signs exist.
- State law allows electronic billboards but does not require local government to allow the conversion of old billboards to an electronic format.
- Electronic billboards are the emerging format for billboards.
- Electronic billboards require a greater investment and offer an increased potential revenue source for the owner; therefore their removal costs are also higher.

## **Comments**

### **Public Comments**

- An Open House introducing these petitions and potential regulations was held on November 18, 2010.
- There was an initial briefing with the Planning Commission at the December 9, 2010 meeting.
- The Business Advisory Board was briefed on January 5, 2011.
- Several Planning Commissioners met with YESCO representatives on January 5, 2011 to discuss technical aspects of electronic billboards.
- The Planning Commission received a briefing and held a work session on January 12, 2011 and set up a subcommittee to review the proposals.
- The Planning Commission held an “issues only” hearing on January 26, 2011.

### **City Department Comments**

Department comments are attached. There were generally no significant issues raised.

### **Project Review**

A Planning Commission subcommittee met with industry members on January 31, and February 7, 2011.

The subcommittee discussion included the following issues:

- Comparison of Salt Lake City’s ordinance with Salt Lake County
- Relocation potential of existing billboards
- Geography of existing billboards and potential geography for allowing them
- Power requirements and sustainability of electronic billboards
- Impacts of electronic billboards vs. impacts of electronic on-premise signs
- Lighting, timing and luminance of electronic billboards
- Spacing and geographical concerns regarding electronic boards
- Master plan policies regarding billboards; including the concept of Gateway streets.
- The Administration’s opinion on billboards

## **Analysis and Findings**

### **Options**

The City presently has a sign ordinance regulating off-premise advertising. Failure to grant zoning changes outlined by Petition 400-06-51 would keep the present prohibition of bus bench advertising. Failure to grant zoning changes suggested by petition PLNPCM2010-00032 would result in a situation where State law would still supersede City ordinance and allow movement into areas currently prohibited by City ordinance, regardless of the City billboard banking process. Failure to grant zoning changes requested by petition PLNPCM2010-00717 would allow conversion of static billboards to electronic billboards by not providing any prohibition against their conversion or providing any standards to do so.

### **Findings**

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 text amendment, the city council should consider the following factors:

**A. 1. Whether a proposed text amendment is consistent with the purposes, goals, objectives, and policies of the city as stated through its various adopted planning documents;**

**Analysis:** The Urban Design Element calls for the prohibition of billboards on gateway streets. The North Temple Master Plan calls for the prohibition of billboards on North Temple. The Downtown Master Plan and Downtown Rising Plan (not formally adopted by Salt Lake City) call for prohibiting billboards on entry streets to downtown and cleaning up their general appearance. The proposed amendment outlines general areas where billboards are allowed and defines gateway streets where they are not allowed. The billboard ordinance is not the only ordinance affecting gateway streets. Other sections of City code require landscaping on street frontages, including freeways, full architecture on all sides of the building and regulation of on-premise signage. Sexually oriented businesses are also prohibited on gateway streets.

**Finding:** The proposed zoning text amendments are supported by general policy of the City

**2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance;**

**Analysis:** The proposed zoning amendments bring the City ordinance into conformity with State law while still allowing for local flexibility in relocation and discouraging new impacts; such as the lighting emanating from electronic billboards in residential areas. State law allows for billboards to move in the immediate vicinity of their existing location or as negotiated with the City. The proposed City ordinance would also allow the City to move billboards to Manufacturing and General Commercial areas of the City, away from existing residential and gateway areas. The proposed geography for relocation opens up much of the industrial area on the west side of 1-215.

**Finding:** The proposed zoning text amendments are designed to be consistent with City master plan goals while also remaining consistent with State law.

### **3. Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards; and**

**Analysis:** The current and newly proposed ordinance encourages the relocation of billboards onto locations outside of historical preservation overlay districts. The new ordinance would allow billboards within the approach area of the Airport (Airport Influence Overlay), but billboards would be no more impactful than allowable buildings or on-premise signs in that overlay district. One of the provisions of the proposed ordinance is to limit height of new billboards to the same height of on-premise signage. There is a provision to subject billboard lighting in Airport Influence Overlay Zones to Airport lighting restrictions.

The ordinance has little or no effect on other overlay districts (transitional, groundwater, etc.).

**Finding:** The proposed zoning map amendment is consistent with overlay districts.

### **4. The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.**

**Analysis:** Changes in State law over the last fifteen years, along with the industry practice of acquiring permanent easement for billboards and the adoption of taxing billboards as personal property as tax policy, has created a situation where non-conforming billboards, which generate little tax revenue, are suppressing development that is in conformity with master plan policies and which also generates housing, employment and tax revenue. Billboard laws vary from State to State and City to City. Five states outlaw the construction of new billboards, conversely some cities, such as New York have used off-premise signage to create lively and bright sections of their community (Times Square). The regulation of off-premise advertising can play an important role in defining the character of a city. For example: Las Vegas, a desert resort, allows for numerous electronic billboards to create a bright and lively atmosphere. Conversely Palm Springs, also a desert resort, prohibits billboards in the City to create more formal resort feel. The proposed ordinance is part of an overall effort to accentuate Salt Lake City's physical environment by protecting views of the mountains and the eliminating unnecessary visual clutter. The proposed ordinance codifies a Salt Lake City policy closer to that of Palm Springs.

Locations that ban electronic billboards (as reported by USA Today) include; Hawaii, San Francisco, Montana, Denver, Gilbert AZ, Pima County AZ, Amarillo TX, Ft. Worth, Dallas, Galveston, Houston, Austin, St Petersburg FL, Knoxville TN, Durham NC, Vermont, and Maine.

Other cities in Utah that prohibit the construction of new billboards include Provo, Kaysville, Lehi and Park City, as well as newly incorporated cities such as Holladay and Cottonwood Heights.

**Finding:** The proposed zoning text amendment is supported by general policy of increasing housing employment and tax revenue by discouraging the suppression of development on lots occupied by billboards. The proposed ordinance codifies a desire to eliminate visual clutter and to accentuate the physical characteristic of Salt Lake City's physical setting.

## Summary

Staff is recommending the postponement of a decision regarding Petition 400-06-51, transit shelter advertising, in order to allow further analysis of the issues.

Staff is recommending that the Planning Commission forward a positive recommendation to the City Council regarding the adoption of an ordinance that codifies petitions PLNPCM2010-00032 and PLNPCM2010-00717 and accomplishes the following:

Eliminates the billboard bank:

- State Law allows billboards to move within the general vicinity of their existing sites and billboard companies often own the land or easements on many of the sites that are conflicting with neighborhoods.
- Billboard companies have expressed an interest in maintaining existing distribution throughout the City (which means maintaining them east of I-215 where all residential areas are located),
- Therefore the premise of encouraging the movement of billboards out of neighborhoods into manufacturing area has been undermined and the Billboard Bank is no longer effective for its original intended purpose of moving billboards out of residential areas into less conflicting areas of the City.

The three year banking period has been eliminated

- Billboards will be expected to be relocated to a new area when they are removed from an old area, with no time lapse, otherwise they are deemed removed.

Still allows for relocation.

- The ordinance allows for relocation to Manufacturing and select General Commercial zoning districts (but not on gateways streets or within 600 feet of residential zoning) for those instances where billboards may wish to move.
- The proposed ordinance actually increases the geography of where billboards may move by opening the entire west side Manufacturing areas (west of I-215) to billboard relocation (excluding gateway streets).

Adds several new gateway streets:

- 5600 West, 7200 West and the proposed Mountain View Corridor freeway were added as gateways because the general area was opened for billboards. Billboards have not been allowed on these streets in the past. They are now classified as Gateway Streets because the new ordinance would allow billboards in adjacent Manufacturing zoning districts.
- The 900 South off-ramp was added for clarification (I-15 is already a gateway)

Eliminates special gateways:

- Special Gateways previously allowed for limited billboard movement on several select streets.
- Policy changes, such as prohibiting billboards as part of the North Temple Plan, have altered the concept of special gateways.

Defines electronic billboards;

- The ordinance includes a definition and detailed requirements for electronic billboards in the event that existing boards are relocated or new ones are authorized for external reasons.

Prohibits electronic billboards:

- The proposed ordinance prohibits the construction of new electronic billboards (the City presently has 6 electronic billboards – three of which are in dispute)

Options for the Planning Commission to consider:

Recommending adoption of the ordinance with a statement to the City Council that the Planning Commission will continue with further review of the issue.

Recommend expanding or reducing the zoning districts where billboards are allowed to move.

Recommend that billboards be allowed to convert to electronic billboards in those zoning districts where billboards are allowed to relocate.

Recommend that static billboards may be converted to electronic billboards with the removal of equal or greater square footage of the static billboard being converted (or provide cash in lieu of removal in the event that there are no static billboards available for removal).



**Attachment A**  
Department Comments

**Public Utilities** Justin Stoker

We have no comment on the proposed text amendments.

**Justin D. Stoker, PE, LEED® AP, CFM**

**Building review** Larry Butcher

**Engineering** Randy Drummond

Doug, after reviewing the proposed text amendments listed above, we find no concerns with the proposed amendments.

Randy

**Transportation** Barry Walsh

. The division of transportation review comments are as follows:

The text addresses transportation safety issues with references to sec 21A.46.060 sign prohibited - "E" portable (locations) "G" Unsafe, hazardous. & "H" confuse traffic. and does not change compliance with remaining section of 21A.46 with primary attention to sec 21A.46.070 "D" Traffic hazards, which are reviewed on a case by case basis.

Sincerely,

Barry Walsh

**Attachment B**  
Proposed Ordinance

# Proposed Ordinance

**Proposal which eliminates billboard bank, eliminates Special Gateway Streets and modifies Gateway Streets, establishes lighting policies, expands the relocation area for billboards to all Manufacturing zones, defines electronic billboards and prohibits electronic billboards.**

## 21A.46.160: BILLBOARDS:

A. Purpose Statement: This chapter 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.

### B. Definitions:

**BILLBOARD:** 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 the city to keep track of the number and square footage of nonconforming billboards removed 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 sign.~~

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**EXISTING BILLBOARD:** A billboard which was constructed, maintained and in use or for which a permit for construction was issued as of July 13, 1993.

ELECTRONIC BILLBOARD: Any off-premise 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.

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

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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/Parleys Way from Interstate 15 to ~~4300 East~~; Foothill Boulevard
7. The 2100 South Expressway from I-15 west to the city limit;
8. Foothill Drive/500 South from ~~Guardsman Way~~ 1000 East to Interstate 80;
9. 400 South from ~~Interstate 15~~ Redwood Road to ~~800 East~~; 1000 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.
17. 7200 West

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18. Mountain View/5600 West Highway corridor (as identified and to be constructed according to UDOT plans)

19. 900 South I-15 off-ramp to West Temple

**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.

**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.

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

**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.

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**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.

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

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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. **Billboards Prohibited:** New Billboards are prohibited in Salt Lake City.

D. Relocation of Billboards: Existing billboards may be relocated as required and authorized by the requirements of Utah state law. Relocation shall follow the general priority outlined in subsection 21A.46.160.F and only be allowed in areas outlined in subsection 21A.46.160.I of this ordinance, unless otherwise negotiated with the Mayor or designee.

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DE. 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 one hundred eleven dollars (\$111.00).

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~~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 any gateway zoning district G-MU, GGC or GH or on gateway streets 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~~

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~~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-Relocation 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 be allowed to relocate as a two faced billboard or combined as a single face billboard, provided that the relocated advertising square footage is no greater than the square footage of the original billboard and does not exceed the size requirements outlined in 21A.46.160.L .~~

~~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.~~



~~K.~~ Permitted Zoning Districts: ~~New-Relocated~~ billboards may be constructed only in ~~the area identified on the official billboard map.~~ ~~Manufacturing and CG General Commercial zoning districts with the restriction that they are not oriented towards, or located within 600 feet of a gateway street or residential zoning district. Billboards are not to be relocated to the CG General Commercial zoning district that is mapped and located between Interstate-15, 300 West, 200 South and the 900 South I-15 off-ramp.~~

~~L.~~ ~~New~~ Billboard relocation or remodeling Permits:

1. Application: Anyone desiring to construct a new billboard shall file an application on a form provided by the zoning administrator.

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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

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b. Inspection tag fees according to the fee schedule or its successor.

~~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.~~

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~~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~~

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~~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.~~

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

**~~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.~~

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~~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.~~

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**PL.** 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.

**~~QM.~~ Temporary Embellishments:**

~~1. Temporary embellishments shall not exceed ten percent (10%) of the advertising face of any billboard, and shall not exceed five feet (5') in height above the billboard structure.~~

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~~2. No temporary embellishment shall be maintained on a billboard more than twelve (12) months.~~

Temporary Embellishments are prohibited

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

~~4. Forty five feet (45') above the existing grade; or the maximum height for a pole sign in the applicable zoning district, whichever is less, unless otherwise authorized by State law.~~

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~~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.~~

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~~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.~~

SO. 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.

TP. 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;

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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 shall not be located closer than sixteen hundred (1600) linear feet from any other electronic billboard on the same or opposite side of the street

Q Lighting: Nighttime illumination of billboards may not glare directly onto the roadway or sidewalk or across property lines. Billboards located within Residential, Mixed-Use, CN or CB zoning districts may not be illuminated or lit between the hours of midnight and 6 am. Billboards located in an Airport Influence Overlay Zone are subject to Airport restrictions regarding lighting.

R: Electronic Billboards:

1. New Electronic Billboards are prohibited: Electronic billboards constructed or reconstructed for any reason after the date of adoption of this ordinance are limited to the following:

a. Motion

Any motion of any kind is prohibited on an electronic sign face. Electronic billboards shall have only static text, images, and graphics.

b. Dwell time

The text, image, or display on an electronic sign may not change more than once every twenty four (24) hours. Twirl time between subsequent text, images, or display shall not exceed 0.25 seconds.

c. Brightness

The illumination of any Electronic Billboard shall not increase the ambient lighting level more than 0.3 foot candles when measured by a foot candle meter perpendicular to the electronic Billboard face at:

- i. 150 feet for an electronic billboard with a surface area of not more than 242 square feet
- ii. 200 feet for an electronic billboard with a surface area greater than 242 square feet but not more than 378 square feet
- iii. 250 feet for an electronic billboard with a surface area greater than 378 square feet but not more than 672 square feet
- iv. 350 feet for an electronic billboard with a surface area greater than 672 square feet.

d. Display period

Electronic billboards may not be illuminated or lit between the hours of midnight and 6 a.m if they are located within 600 Feet of a residential, mixed-use, downtown, Sugar House Business District, gateway, Neighborhood Commercial, Community Business, or Community Shopping Center zoning district.

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e. Controls

- i. All electronic signs shall be equipped with an automatic dimmer control or other mechanism that automatically controls the sign's brightness and display period as provided above.
- ii. Prior to approval of any permit for to operate an electronic sign, the applicant shall certify that the sign has been tested and complies with the motion, dwell time, brightness, and other requirements herein.
- iii. The owner and/or operator of an electronic sign shall submit an annual report to the city certifying that the sign complies with the motion, dwell time, brightness, and other requirements herein.

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U.S. 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.

V.T. Landscaping In Other Zoning Districts: Property in all districts other than as specified in subsection U.S. 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.

W.U. Xeriscape Alternative: If all the properties adjacent to and across any street from the property for which billboard landscaping is required pursuant to subsection V 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.

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

~~YW.~~ Compliance With Tree Stewardship Ordinance: Construction, demolition or maintenance of billboards shall comply with the provisions of the Salt Lake City tree stewardship ordinance and the Tree Protection ordinance.

~~ZX.~~ 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.

~~AA. 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 V of this section, or its successor subsection.~~

~~BB. 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. (Ord. 72-08 § 2, 2008; Ord. 42-08 § 12, 2008; Ord. 13-04 §§ 25, 26, 27, 2004; Ord. 25-00 §§ 1-3, 2000; Ord. 83-98 §§ 12-14, 1998; Ord. 88-95 § 1 (Exh. A), 1995)~~



# Billboards Permitted within the CG, M-1 and M-2 Zones (with exclusions) in Salt Lake City

