



# Briefing for Planning Commission

Planning Division  
Community & Economic Development Department

**To:** Planning Commission Members  
**From:** Doug Dansie, Senior Planner  
**Date:** September 23, 2011  
**Re:** Billboard Ordinance

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The Salt Lake City Planning Commission has been reviewing two related billboard petitions:

**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.

A third petition was put on indefinite hold and is not being addressed at this time:

**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.

The Salt Lake City Council adopted an ordinance on May 23, 2011, which prohibited the construction of electronic billboards. The City Council requested that the Administration and Planning Commission review the issue and provide them with a revised ordinance to be adopted prior to January 23, 2012.

In July 2011, Staff reviewed potential ordinance alternatives with the Planning Commission.

Please find attached a draft of a billboard ordinance which is a result of those discussions.

The proposed ordinance alters the existing/previous billboard ordinance in the following ways:

- 1) The ordinance provides detailed criteria for both on and off-premise electronic signs.
  - a) Defines motion
  - b) Defines dwell time (how long the image must remain)
  - c) Defines brightness
  - d) Defines a display period (must be dark in certain zones between midnight and 6 am)
  - e) Defines the percentage of the sign that may be electronic
  
- 2) The ordinance redefines "Gateway" as pertaining to billboards. Previously there were two forms of Gateway Streets, now there are four: Special Gateway streets are the same, but regular Gateway streets were subdivided into three categories to allow for differing regulation.
  - a) Special Gateway (same as existing: North Temple 400 South, State Street, Main Street)
  - b) Freeway (I-15, I-80, I-215, State Route 201, Mountain View Corridor)
  - c) Boulevard (streets such as 700 East, Foothill Boulevard, etc.)
  - d) City Entry (400, 500, 600, 900 South and 600 North off ramps)
  
- 3) Relocation of billboards is allowed
  - a) According to State and Federal law
  - b) Allowed to move to CG General Commercial and M Manufacturing zoning districts (with exclusions)
  - c) Limited relocation in the D Downtown and G Gateway zoning districts and on Special Gateway streets with electronic conversion and integration into building architecture
  
- 4) Technical changes
  - a) New billboards prohibited – only relocation allowed
  - b) Changeable copy for non-electronic billboards is defined
  - c) Embellishments prohibited
  - d) Spacing and lighting clarified
  - e) Clarifies enforcement
  - f) Severability clause
  
- 5) Conversion of static billboard to electronic billboards is allowed in limited circumstances.
  - a) Billboards presently located in R Residential, CN Neighborhood Commercial, CB Community Business and all Gateway Streets may be moved to CG and M zones and converted to electronic on a one square foot per square foot basis (with some exclusion).

- b) Billboards in the CG and M zoning districts may be converted to electronic if an equivalent amount of billboard square footage is removed elsewhere.
- c) Billboards located on freeways may be converted to electronic with the removal of an equivalent amount of square footage from a City Entry or Boulevard Street or Residential, CN or CB zoning districts.
- d) Billboards located on Special Gateway streets may be converted to electronic if an equivalent amount of billboard square footage is removed from any Gateway Street, Residential, CN or CB zoning district and the new electronic billboard is integrated into the architecture of the building
- e) Billboards located in Downtown and Gateway zoning districts may be converted to electronic if an equivalent amount of billboard square footage is removed from any Gateway street, Residential, CN or CB zoning district and the new electronic billboard is integrated into the architecture of the building.

Attached to this staff report is:

- A. A copy of the proposed draft ordinance,
- B. Comments from the open city hall web page, and
- C. The original staff report

**Recommendation:** Based on the findings listed in the original staff report (see attachment C), and the subsequent discussions and meetings, 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 supplementary zoning text amendments associated with petitions PLNPCM2010-00032 and PLNPCM2010-00717 as outlined in the draft ordinance and summary.

This draft ordinance was prepared to illustrate how the basic concept differs from the previous ordinance. The final ordinance, as drafted by the City Attorney, may differ considerably in format.



Attachment A  
Proposed draft ordinance

# Discussion Draft

## Proposal which eliminates billboard bank, defines electronic on-premise signs and billboards and defines where billboards may be converted to electronic billboards.

### 21A.46.020: DEFINITIONS:

#### A. Word Usage And Interpretation:

1. In this chapter, the words, terms, phrases and their derivatives shall have the meanings as stated and defined in this chapter.
2. Words not defined in this chapter but defined in chapter 21A.62 of this title, or in the building code as adopted by the city in title 18 of this code, shall have those definitions.

#### B. Defined Terms: For the purposes of this chapter, sign types and related terms shall be defined as follows:

**A-FRAME SIGN:** A temporary and/or portable sign constructed with two (2) sides attached at the top allowing the sign to stand in an upright position.

**ALTERATION, SIGN:** "Sign alteration" means a change or rearrangement of the parts or design of a sign, whether by extending on a side, by increasing in area or height, or the moving from one location or position to another, or adding or deleting words from the copy, or changing the size of the letters or figures comprising the copy. Alterations shall not be interpreted to include changing the text or copy on outdoor advertising signs, theater signs, outdoor bulletin or other similar signs which are designed to accommodate changeable copy.

**ANIMATED SIGN:** A sign, excluding an electronic changeable copy sign, which involves motion or rotation of any part by mechanical or artificial means or which displays flashing or intermittent lights.

**AWNING:** A structure constructed of fabric or metal placed so as to extend outward from the building, providing a protective shield for doors, windows and other openings, with supports extending back to the building, supported entirely by the building. The maximum vertical drape of the front valance is limited to one foot (1').

**AWNING SIGN:** A sign that is painted on or otherwise made part of the awning material. (See figure 21A.46.020 at the end of this section.) Signage is limited to the vertical portions of the awning; the sides and the front valance. No signage shall protrude beyond the vertical face.

**BACKLIT AWNING SIGN:** A sign made of translucent material with illumination from behind. A backlit awning is considered a form of flat sign and is subject to the regulations thereof.

**BALLOON:** A temporary sign comprised of an inflated nonporous object filled with air or other

gas affixed to a building or lot for the purpose of attracting attention.

**BANNER, PUBLIC EVENT:** "Public event banner" means a banner pertaining to festivals or events, as permitted in title 3, chapter 3.50 of this code, which is installed as a temporary sign.

**BANNER, SECURED:** "Secured banner" means a temporary sign intended to be hung on a frame, secured at the top and the bottom on all corners, applied to plastic or fabric of any kind, excluding official flags and emblems of political organizations.

**BANNER, UNSECURED:** "Unsecured banner" means a temporary sign on plastic or fabric of any kind which is not secured in the manner described in the definition of a "secured banner".

**BENCH SIGN:** A sign located on the back of a bench.

**BILLBOARD (OUTDOOR ADVERTISING SIGN):** A form of an 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. (See figure 21A.46.020 at the end of this section.)

**BUILDING FACE:** Any single side of a building. Signs regulated by building face can be located on a maximum of four (4) faces of a building.

**BUILDING OR HOUSE NUMBERS SIGN:** A flat sign which identifies the address of the property.

**BUILDING PLAQUE SIGN:** A plaque designating names of buildings, occupants and/or date of erection and other items such as architect, contractor, or others involved in the building's creation, cut into or attached to a building surface and measuring no more than four (4) square feet in area, with a maximum six inch (6") projection from the building.

**BUILDING SECURITY SIGN:** A sign indicating the existence of an electronic or staffed security system on the site or warning against trespass on the site.

**BUILDING SIGN:** Any sign attached to a building and which is not supported by, or attached to, the ground. Examples of building signs include: awning sign; backlit awning sign; building or house numbers sign; building plaque sign; flat sign; marquee sign; nameplate sign; projecting building sign; roof sign; wall sign; window sign.

**CANOPY:** A structure constructed of fabric or other material placed so as to extend outward from the building, providing a protective shield for doors, windows and other openings, with supports extending to the ground as well as attached to the building.

**CANOPY, DRIVE-THROUGH:** "Drive-through canopy" means a freestanding roof structure over drive-through facilities such as a gasoline pump island.

**CANOPY, DRIVE-THROUGH, SIGN:** "Drive-through canopy sign" means a flat sign that is painted or attached to a drive-through canopy which does not extend above or below the canopy facade.

**CANOPY SIGN:** A sign that is painted or otherwise made part of the canopy material. Signage is limited to the vertical portions of the canopy; the sides and the front valance. No signage shall protrude beyond the vertical face.

**CLEARANCE (Of A Sign):** The smallest vertical distance between the grade beneath the sign

and the bottom of the sign, including framework and embellishments, extending over that grade.

**CONSTRUCTION SIGN:** A temporary sign identifying the contractor, architect, designer or other affiliated organization responsible for the construction of a new project.

**DEVELOPMENT ENTRY SIGN:** A permanent sign used to identify the main entrance of a development of at least ten (10) acres containing multiple lots and/or multiple (principal) buildings.

**DIRECTIONAL OR INFORMATIONAL SIGN (PRIVATE):** An on premises sign designed to guide vehicular and/or pedestrian traffic by using such words as "entrance", "exit", "parking", "one-way" or similar directional instruction, and which may include the identification of the building or use, but may not include any advertising message.

**DIRECTORY SIGN:** A sign on which the names and locations of occupants or the use of a building or property are identified, but which does not include any advertising message.

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

**ELECTRONIC CHANGEABLE COPY SIGN:** A sign containing a computer generated message such as a public service, time, temperature and date, or a message center or reader board, where different copy changes of a public service or commercial nature are shown on the same lamp bank or message facility. The term "electronic changeable copy sign" shall not be defined as a type of "animated sign" if the message displayed is fully readable within three (3) seconds. Off-premise messages or advertising are prohibited except as electronic billboards as defined in section 21A.46.160.

ELECTRONIC SIGN: Any 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.

**EXTERNALLY ILLUMINATED SIGN:** A sign made legible in the absence of daylight by devices external to the sign which reflect or project light upon it.

**FLAG, CORPORATE:** "Corporate flag" means a flag identifying the name and/or logo of the business or corporation on the premises where the flag is displayed.

**FLAG, OFFICIAL:** "Official flag" means a flag of a government or governmental agency.

**FLAT SIGN:** A sign erected parallel to and attached to the outside wall of a building and extending not more than twenty four inches (24") from such wall, with messages or copy on the face only. (See figure 21A.46.020 at the end of this section.)

**FREESTANDING SIGN:** A sign supported by one or more upright poles or braces placed in or upon the



ground surface and not attached to any building. Examples of freestanding signs are a monument sign and a pole sign.

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

**GARAGE/YARD SALE SIGN:** A temporary sign on residential property and used to identify a garage or yard sale on the premises.

**GAS PRICE SIGN:** An on premises sign advertising the price of gasoline other than the information attached to the gasoline pump.

**GAS PUMP SIGN:** Price, gallons, octane and other customary information relating to gasoline sales appearing on a gasoline pump.

**GOVERNMENT SIGN:** Any temporary or permanent sign erected and maintained for any official governmental purpose.

**HEIGHT (Of A Sign):** The largest vertical distance between the highest point of the sign and the grade of the land beneath the sign. When the land slopes down from the street and the sign is located at the setback line, the height is measured from the adjacent street (top of curb).

**HEIGHT, SIGN FACE:** "Sign face height" means the maximum vertical distance between the top and the bottom of a sign face.

**HISTORICAL MARKER:** A type of memorial sign limited in content to the identification of an historical building or structure or the site of an historical event.

**ILLEGAL SIGN:** Any sign erected after the effective date hereof which does not comply with the provisions of these sign regulations, or a sign that was illegal prior to the adoption of said ordinance, that has not been subsequently legalized.

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

**INTERIOR SIGN:** A sign located within the building oriented to the interior space of the building.

**INTERNALLY ILLUMINATED SIGN:** A sign which has characters, letters, figures, designs or outlines internally illuminated by electric lights, luminous tubes or other means as a part of the sign proper.

**KIOSK:** A structure which is used for the posting of temporary signs.

**LETTER SIGN:** A type of flat sign consisting of letters placed directly on the building face.

**LOGO:** A business trademark or symbol.

LUMINENCE: The photometric quantity most closely associated with the perception of brightness. Luminance is measured in candelas per square meters or "nits" for purposes of this ordinance.

MARQUEE: A permanent roofed structure which extends outward from the face of the building and is designed to meet all provisions of the current Salt Lake City adopted building code and other specifications as outlined in this chapter. Where specifications as outlined in this chapter are different from the provisions of the Salt Lake City adopted building code, the more restrictive shall apply.

MARQUEE SIGN: A sign attached to a marquee. (See figure 21A.46.020 at the end of this section.)

MEMORIAL SIGN: A sign acknowledging a person, place, event or structure.

MONUMENT SIGN: A freestanding sign whose sign face extends to the ground or to a base. (See figure 21A.46.020 at the end of this section.)

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.

NAMEPLATE SIGN: A sign indicating the name and/or occupation of a person or persons residing on the premises or legally occupying the premises, or indicating a home occupation legally existing on the premises.

NEIGHBORHOOD IDENTIFICATION SIGN: A sign located in the public right of way which identifies the name of a particular neighborhood.

NEON PUBLIC PARKING SIGN: A standardized parking identification/entry sign as shown in figure 21A.46.020 of this section that is approved under contract with the Salt Lake City transportation division. The sign may be attached to a building as a projecting sign or stand alone as a freestanding sign.

NEW DEVELOPMENT SIGN: A temporary sign used to identify a new development being constructed.

NITS A unit of measure of brightness or luminance. One nit is equal to one candela/square meter.

NONCONFORMING SIGN: Any sign or structure or portion thereof which was lawfully erected in compliance with applicable regulations of the city and maintained prior to April 12, 1995, and which fails to conform to the sign regulations of this chapter and all other applicable standards and restrictions of this title.

OFF PREMISES SIGN: A sign which directs attention to a business, commodity, service, entertainment or

attraction sold or offered at a location other than the premises on which the sign is erected.

**ON PREMISES SIGN:** A sign which directs attention to a business, commodity, service, entertainment or attraction sold or offered on the premises on which the sign is erected.

**OPEN AIR MALL:** A building or buildings that are designed to function like a traditional shopping mall, but do not have a ceiling or roof.

**OUTDOOR ADVERTISING SIGN:** See definition of "Billboard (Outdoor Advertising Sign)".

**PARK BANNER SIGN:** A banner hung from either an existing light pole standard or on a pole erected specifically for the purpose of accommodating a banner. A park banner sign includes verbiage and/or design that relates to either a permanent venue within a park or provides a means of identifying the specific park itself. A "park banner sign" does not include any banner that contains verbiage or symbols that relate to or otherwise identify a temporary event.

**POLE SIGN:** A freestanding sign other than a monument sign, erected and maintained on a mast(s) or pole(s) and not attached to any building. (See figure 21A.46.020 at the end of this section.)

**POLITICAL SIGN:** A temporary sign advertising a candidate or candidates for public elective office or soliciting votes in support of or against any proposition or issue at any general, primary, special, school or any other election decided by ballot or a temporary sign expressing political opinion.

**PORTABLE SIGN:** A temporary sign not permanently anchored or secured to either a building or the ground, but usually anchored or secured to a trailer, vehicle (where the primary purpose of the vehicle is to advertise) or frame capable of being moved from place to place.

**PREMISES:** A lot with its appurtenances and buildings that functions as a unit.

**PROJECTING BUILDING SIGN:** A sign attached to a building or other structure whose sign face is displayed perpendicular or at an angle to the building wall.

**PROJECTING BUSINESS STOREFRONT SIGN:** A sign attached to a building or other structure whose sign face is displayed perpendicular or at an angle to the building wall. Said signs shall contain only the name of the business and/or associated corporate logo.

**PROJECTING PARKING ENTRY SIGN:** A sign attached to a building or other structure whose sign face is displayed perpendicular or at an angle to the building wall. Said signs shall contain only the words or symbol signifying the entry to a parking lot or structure.

**PUBLIC SAFETY SIGN:** A sign designed to warn people of potentially dangerous or hazardous situations. Forms of public safety signs include: traffic safety signs, electrical hazard warnings, geologic hazard markers, etc.

**REAL ESTATE SIGN:** A temporary sign related to the property upon which it is located and offering such property for sale or lease.

**ROOF SIGN:** A sign erected on the roof of a building and constructed so as to appear as an extension of the building facade. (See figure 21A.46.020 at the end of this section.)

**SHOPPING CENTER IDENTIFICATION SIGN:** A pole, monument or flat sign used to identify a shopping center development consisting of two (2) or more stores. A shopping center identification sign may include electronic or other changeable copy.

**SIGN:** An object, device or structure, or part thereof, situated outdoors or indoors which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination or projected images. The term "sign" shall include the sign structure, supports, lighting system and any attachments, ornaments or other features used to attract attention. The term "sign" does not include the flag or emblem of any nation, organization of nations, state, county, city; or works of art which in no way identify a product or business logo.

**SIGN FACE:** That part of the sign that is or can be used to identify, to advertise, to communicate information, or for visual representation which attracts the attention of the public for any purpose. The term "sign face" includes any background or surrounding material, panel, trim or ornamentation, color and direct or self-illumination that differentiates the sign from the building, structure, backdrop surface or object upon or against which it is placed. The term "sign face" does not include any portion of the support structure for the sign; provided, that no message, symbol or any of the previously described elements of a sign face is placed on or designed as part of the support structure. See subsection 21A.46.070W of this chapter.

**SIGN FACE AREA:** The surface of the sign face. (See figure 21A.46.020 at the end of this section.)

**SIGN GRAPHICS:** Any lettering, numerals, figures, designs, symbols or other drawings or images used to create a sign.

**SIGN MAINTENANCE:** The maintenance of a sign in a safe, presentable and good condition including the replacement of defective parts, repainting, cleaning, and other acts required for the maintenance of the sign.

**SIGN MASTER PLAN AGREEMENT:** An agreement outlining sign criteria to be used on private property but not oriented to a public street. The criteria should include, but is not limited to, the discussion of types, sizes and materials of construction of signs.

**SIGN STRUCTURE OR SUPPORT:** Any structure that supports or is capable of supporting a sign, including decorative cover.

**SNIPE SIGN:** A sign for which a permit has not been obtained which is attached to a public utility pole, service pole, supports for another sign or fences, trees, etc.

**SPECIAL EVENT SIGN:** A temporary sign accessory to a use that identifies special events or activities. A special event sign shall not include real estate signs, garage/yard sale signs or other types of accessory signs.

**STADIUM:** A confined but open air facility designed to accommodate athletic events or other large gatherings.

**STOREFRONT:** A face of a building fronting on a street or having public pedestrian access.

**TEMPORARY SIGN:** Any exterior sign, banner, pennant, valance or advertising display constructed of

paper, cloth, canvas, light fabric, cardboard, wallboard or other light materials, with or without light frames, intended to be displayed for a short period of time. Examples of temporary signs include: an A-frame sign; balloon; secured banner; unsecured banner; public event banner; garage/yard sale sign; political sign; real estate sign; special event sign.

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.

**VEHICULAR SIGN:** A sign on a vehicle which is visible from the public right of way where the primary purpose of the vehicle is not to advertise a product or to direct people to a business.

**VENDING MACHINE SIGN:** Any sign fastened to or painted to a vending machine which directly relates to the product contained in the machine.

**VISIBLE:** Capable of being seen, whether or not any item of information is legible, without visual aid, by a person of normal visual acuity.

**WALL SIGN:** A sign that is painted on a building wall containing the name of the business and/or its logo.

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

## **21A.46.060: SIGNS SPECIFICALLY PROHIBITED IN ALL ZONING DISTRICTS:**

The following exterior signs, in addition to all other signs not expressly permitted by this chapter, are prohibited in all zoning districts and shall not be erected:

- A. Animated signs excluding public service signs;
- B. Any snipe sign;
- C. Balloons;
- D. Bench signs;
- E. Portable signs, except where specifically permitted by district sign regulations;

F. Signs overhanging the property line other than signs that are permitted under the sign regulations applicable to each zoning district;

G. Signs which are structurally unsafe, hazardous or violate the uniform building code or the uniform fire code;

H. Signs located near streets which imitate or are easily confused with official traffic signs and use words such as "stop", "look", "danger", "go slow", "caution" or "warning", except where such words are part of the name of a business or are accessory to parking lots; and

I. Painted signs which do not meet the definition of wall signs. (Ord. 53-00 § 3, 2000: Ord. 88-95 § 1 (Exh. A), 1995)

#### **21A.46.070: GENERAL STANDARDS:**

##### **A. Construction Standards:**

1. **Applicable Regulations:** All signs erected in the city after April 12, 1995, shall comply with the current standards of the national electrical code, and adopted building code, all provisions of this chapter and any other applicable provisions of this title or other applicable regulations.
2. **Engineering Required:** All sign permit applications for freestanding signs shall be engineered to conform with the applicable provisions of the adopted building code and, where required by the building official, shall be accompanied by an engineering drawing stamped and signed by a structural engineer licensed by the state attesting to the adequacy of the proposed construction of the sign and its supports.

**B. Ownership Shown On Signs:** The name of the sign owner and sign erector of all signs shall be in plain and public view. Signs not carrying such an imprint will be presumed to be owned by the owner of the property on which the sign is located.

**C. Clearance Between Sign And Ground:** A minimum clearance of ten feet (10') shall be provided between the ground and the bottom of any pole, projecting sign or flag.

**D. Signs Not To Constitute A Traffic Hazard:** No sign shall be erected along any streets in such a manner as to obstruct free and clear vision; or at any location where by reason of its position,

shape, color or words, it may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device or block visibility for driveway ingress or egress. (See also subsection 21A.46.060B of this chapter.)

E. Repair Of Building Facades: A building facade damaged as the result of the removal, repair, replacement or installation of any signs shall be repaired by the property owner within thirty (30) calendar days from the date of the damage.

F. Maintenance Of Signs: Every sign shall be kept in good maintenance and repair. The ground space within a radius of ten feet (10') from the base of any freestanding sign shall be kept free and clear of all weeds, rubbish and flammable material. The building official shall inspect and enforce this section pursuant to the provisions of section 21A.46.150 of this chapter.

G. Sign Removal: Signs identifying a discontinued use on the property shall be removed from the property within thirty (30) calendar days of the time the use was discontinued.

H. Moving To New Location: No sign erected before April 12, 1995, shall be moved or enlarged or replaced unless it be made to comply with provisions of this chapter.

I. Lights And Lighted Signs: No spotlight, floodlight or lighted sign shall be installed in any way which will permit the rays of such sign's light to penetrate beyond the property on which such light or lighted sign is located in such a manner as to constitute a nuisance. Signs alleged to be a nuisance, by reason of light, by the neighboring property owners or tenants shall be subject to the zoning administrator's review to consider the validity of the nuisance complaint. If the sign is determined to be a nuisance, by reason of light, by the zoning administrator, the owner of the sign shall be required by the zoning administrator to take the appropriate corrective action.

J. Height And Elevation Of Building Signs: The height and elevation of building signs shall conform with the following provisions:

1. Awning Signs: Awning signs shall not be located above the second floor level of the building.

2. Flat Signs: Flat signs may extend a maximum of two feet (2') above the roofline or parapet wall of the building on which they are located.

3. Marquee And Canopy Signs: Marquee and canopy signs shall not be located above the main entry level of the premises.

4. Nameplates: Nameplates shall not be located above the first floor level of the building.
5. Projecting Building Signs: A projecting building sign shall not exceed the top of the vertical building wall on which it is located.
6. Projecting Business Storefront Signs: A projecting business storefront sign shall be located at the main pedestrian entry level of the building.
7. Projecting Parking Entry Signs: A projecting parking entry sign shall be located at the parking entry level of the building.
8. Roof Signs: The height of the sign face of roof signs shall not exceed twenty percent (20%) of the height of the building or ten feet (10'), whichever is less.
9. Wall Signs: Wall signs may extend to the top of the vertical building wall.
10. Window Signs: In the RB, RO, R-MU, CN and CB districts only, window signs shall not be located above the first floor. In other districts where window signs are allowed, they may be located on all floors.
11. Outdoor Television Monitor: Shall not be located above the second floor of the building.

K. Signs On Public Property: Except for portable signs authorized pursuant to section 21A.46.055 of this chapter, no sign shall be located on publicly owned land or inside street rights of way, except signs erected by permission of an authorized public agency.

L. Extension Of Building Signs: The following building signs shall be allowed to extend beyond the face of buildings or structures in conformance with the following provisions:

1. Flat Signs: A flat sign, with no copy visible from the sides, may extend a maximum of two feet (2') from the face of the building, even when the extension extends over the public right of way, subject to the city's right of way encroachment policy.
2. Projecting Building Signs: Projecting building signs may extend a maximum of six feet (6') from the face of the building but shall not extend over a public right of way, except in the D-1 and D-4 zones as allowed in section 21A.46.110 of this chapter.
3. Awning/Canopy And Marquee Signs: As authorized in other sections of this chapter.

M. Roof Signs: Roof signs shall conform to the following standards:

1. The height of the sign face of roof signs shall not exceed twenty percent (20%) of the height of the building or ten feet (10'), whichever is less;



2. No guywires, braces or secondary supports visible from the ground shall be used;
3. Roof signs shall be designed to appear as extensions of the exterior building wall as shown in figure 21A.46.020 of this chapter or be located on the elevator/mechanical penthouse or, on buildings taller than one hundred feet (100'), may be located on blank walls at the highest inhabitable level; and
4. Roof signs shall not exceed the maximum permitted height for the zoning district in which it is located.

N. Marquees: Marquees designed to project over public property shall:

1. Frontage Requirement: Extend across a major portion of the building entrance.
2. Height Limitation: Be located on the main entry level of the premises.
3. Thickness: Have a vertical face height or cross section dimension not exceeding three feet (3').
4. Clearance: Have a clearance of at least ten feet (10') above the sidewalk.
5. Projection: Extend a maximum of twelve feet (12') from the face of the building but must not project closer than two feet (2') to the back of the curb.
6. Location: Be so located as not to interfere with the operation of any exterior standpipe or to obstruct the clear passage of stairways or exits from the building.
7. Shelter: In order to provide pedestrian shelter, a marquee shall have its first six feet (6') of projection form a rectangle with the sides ninety degrees (90°) to the building face and the plane at least six feet (6') from the building parallel with the front property line. The remaining projection of the marquee can assume a configuration compatible with the architecture of the building.

O. Marquee Signs: Signs attached to an approved marquee, as specified in subsection N of this section, may extend over public property a maximum of twelve inches (12") from the face of the marquee. Copy is allowed on the sides of the marquee. Signs placed within or below the ceiling of a marquee shall not extend beyond the marquee face and shall be placed within the vertical plane of the marquee. Within a commercial or downtown district, a permanent sign or letters may be attached to the top of, or fascia of, or within or below the ceiling of an approved marquee, subject to the following standards:

1. Vertical Dimension: Overall vertical dimensions of the combined sign and marquee shall not exceed five feet (5').
2. Height Of Sign: The height of the sign or letters shall not exceed two feet (2').
3. No Side Copy: Signs attached to marquees shall have no copy on the side portion of the sign.

4. Clearance: Signs attached to marquees shall maintain the minimum ten foot (10') clearance required for the marquee.

P. New Development Sign: New development signs shall be permitted during construction through initial occupancy of ninety five percent (95%) of floor space for a nonresidential development and through ninety five percent (95%) initial unit occupancy for a residential development. New development signs shall be removed upon two (2) years of use, regardless of the level of occupancy. 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 size, height and location of new development signs.

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 <sup>1</sup>	Display Period	Removal Required 3 Days After
Construction impact area mitigation sign	Per city guidelines <sup>2</sup>	Per city guidelines <sup>2</sup>
Construction sign	Duration of construction	Completion
Garage/yard sale sign	2 sales per year (7 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

Notes:

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", of this chapter.

R. **Flags Of Fraternal, Religious Or Civic Organizations:** Flags of fraternal, religious and civic organizations are permitted as on premises signs, but shall not exceed thirty (30) square feet in area.

S. **Official Flags:** Official flags shall not project over a property line, except within the D-1 and D-4 zoning districts, where official flags are allowed to project up to eight feet (8') across the property line, but not within two feet (2') of the curb line. The pole support must be attached directly to the building and located so that all portions of the flag clear the pedestrian level of the building. Flags shall not interfere with street trees, light poles, utility lines, etc., and shall maintain a ten foot (10') clearance from the sidewalk.

T. **Freeway Height Exception:** The height of on premises pole signs located on properties adjacent to I-15, I-80, I-215 and the 2100 South Expressway (State Route 201) may be increased to a height of twenty five feet (25') above the pavement grade of the adjacent freeway if the sign is freeway oriented and located within three hundred feet (300') of the freeway.

U. **Freeway Frontage:** Freeways shall be considered street frontage for signage purposes. Pole and monument signs approved on freeway frontage shall be limited to seventy five percent (75%) of the maximum size allowed for the zone. Reduced size pole and monument signs shall be interchangeable with other pole and monument signs on the same site.

V. **Historic District Signs:** The board of adjustment may authorize, as a special exception, modification to an existing sign or the size or placement of a new sign in a historic district or on a landmark site if the applicant can demonstrate that the location, size and/or design of the proposed sign is compatible with the design period or theme of the historic structure or district and/or will cause less physical damage to the historically significant structure.

W. Sign Area Determination: Sign face area square footage shall be determined as follows:

1. Flat Signs (Excluding Letter Signs And Backlit Awnings) And Wall Signs: The entire surface of the sign face shall be measured.
2. Backlit Awnings And Letter Signs: A polygon, not to exceed eight (8) sides, shall be drawn around the copy area to enclose as nearly as possible the space covered by the copy.
3. All Signs: Words, symbols, letters, images, logos and all other designs that are intended to convey a message shall be included in calculating the sign face area. Colors, stripes and other designs that are not intended to convey a message shall not be included. (Ord. 62-09 § 2, 2009; Ord. 77-08, § 1, 2008; Ord. 5-05 § 4, 2005; Ord. 13-04 § 23, 2004; Ord. 78-03 § 4, 2003; Ord. 62-03 § 1, 2003; Ord. 61-00 §§ 3 \_ 6, 2000; Ord. 53-00 § 4, 2000; Ord. 88-95 § 1 (Exh. A), 1995)

X: Electronic Signs: Electronic signs shall conform to the following standards:

1. Motion

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

2. Dwell time

The text, image, or display on an electronic sign may not change more than once every eight (8) seconds. Twirl time between subsequent text, images, or display shall not exceed 0.25 seconds.

3. Brightness

The illumination of any electronic sign 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 face, at a distance defined by the following formula: Measurement Distance = the square root of, the Area of Sign Square Footage x 100

4. Size

Individual zoning districts define maximum sign size, the maximum portion of the signs that are allowed to be electronic, as opposed to a static image, shall be as follows:

- a. Sixty percent of the sign face in CS and CC zoning districts
- b. Eighty percent of the sign face in the Downtown and Gateway districts
- c. One hundred percent of the sign face in Manufacturing M and General Commercial CG zoning districts.
- d. Forty percent of the total sign face in all other zoning districts.

e. Electronic billboards as defined in section 21A.46.160 are allowed one hundred percent of the sign face to be electronic in those zoning districts where electronic billboards are permitted

5. Display period

Electronic signs 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 unless the business on the site is actually open for business during those hours

6. Public safety

- a. All text and images must be of a size and shape to not cause drivers to reduce speed or pause in order to comprehend the message.
- b. Serial messages that require multiple passes or multiple signs to comprehend the message are prohibited.
- c. Electronic signs located in an Airport Influence Overlay zone are subject to Airport restrictions regarding lighting.

7. Controls

- a. 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.
- b. 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.
- c. 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.
- d. The City has the right to verify, or receive additional verification, upon request.

8 Prohibition: All electronic signs not confirming to the above standards are prohibited.

**21A.46.160: BILLBOARDS:**

A. Purpose Statement: This chapter is intended to limit and reduce 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.

**BOULEVARD:** the following streets are designated Boulevards for billboard regulation purposes:

1. 4000 West;
2. 5600 West;
3. 2100 South Street/Parleys Way from Interstate 15 to Foothill Boulevard;
4. Foothill Drive/400-500 South from 1000 East to Interstate 80;
5. 400 South from Redwood Road to 1000 East (excluding Special Gateway);
6. 300 West from 900 North to 900 South;
7. North Temple from State Street to Interstate 80 (excluding Special Gateway);
8. State Street from North Temple to 2100 South Street (excluding Special Gateway);
9. Main Street from South Temple to 2100 South (excluding Special Gateway);
10. 7200 West;
11. 500 South from 300 West to 700 East;
12. 600 South from 200 West to 700 East;
13. 700 East;
14. 1300 South/California from Redwood Road to its eastern terminus.

CITY ENTRY: The following streets are designated City entries for billboard regulation purposes:

1. 400 South from Interstate 15 to 300 West;
2. 500 South from Interstate 15 to 300 West; including the on-ramp portions of I-15 from 500 west to 500 feet after the connection of travel lanes onto the main traveled freeway;
3. 600 South from Interstate 15 to 200 West; Including the off-ramp portion of I-15 beginning 500 feet before the separation of travel lanes from the main traveled freeway;
4. 600 North from 800 West to 300 West;
5. 900 South I-15 off/on-ramp from Brooklyn Avenue to West Temple .

ELCTRONIC CONVERSION: The process of changing a billboard face from static copy to electronically changeable copy.

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. A billboard that does not comply with current zoning but was lawfully erected and complies with all other applicable local and state regulations.

ELECTRONIC BILLBOARD: A form of electronic sign displaying off-premise advertising.

FREEWAY. The following streets are classified as freeways for billboard regulation purposes:

1. Interstate 80;
2. Interstate 215;
3. Interstate 15;
4. State Route 201/The 2100 South Expressway;
5. Mountain View Corridor.

Excluding all portions of any freeway on/off ramps defined as being City entry streets

GATEWAY: The following categories of streets or highways within Salt Lake City: Freeway, City Entry, Special Gateway and Boulevard streets.:

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.~~

GRANERY DISTRICT EXCLUSION AREA: The CG General Commercial properties located between 300 West to I-15 and 200 South to the 900 South off/on-ramp; which are identified to be rezoned mixed-use according to the Gateway Master Plan.

~~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.

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.

Utah-Federal Agreement: The agreement entered into between the Governor of the State of Utah and the Secretary of Transportation of the United States, dated January 18, 1968 as ratified and approved in the Utah code.

~~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.~~ New Billboards Prohibited: New Billboards, including any increase in square footage, or additions of another face are prohibited in Salt Lake City.

~~D. Relocation of Billboards: Existing billboards may be relocated as mandated by the requirements of Utah State law if consistent with the Utah-Federal Agreement.~~

1. Additionally, billboards may be relocated from any zoning district to 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 a residential zoning district or located in the Granery District Exclusion Area.
2. Billboards may also be relocated as outlined in subsection R in conjunction with a conversion to an electronic billboard

~~D.E. 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).

~~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 G-MU, GGC or GH 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.~~

~~G. Billboard enlargement: Any increase in square footage of a billboard, including adding an additional face to a one sided billboard is prohibited.~~

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

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

~~1. Application: Anyone desiring to construct relocate or remodel 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 to relocate or remodel a billboard 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 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.~~
- ~~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-D 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 street.~~

~~O. Changeable copySpecial 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.~~

Copy may not be changed more often than once every twenty four (24) hours, except electronic billboards.

PK. 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.

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

Temporary Embellishments are prohibited

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

- ~~1. 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 mandated by State law or modified according to subsection O.3.~~
- ~~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.~~

SN. 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.

FO. 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. Spacing and height for billboards fully integrated into the architecture of a building and not free standing, may be modified by the Planning Commission as a Conditional Building and Site Design Review as outlined in section 21A.59, as long as such modifications are consistent with State Law
4. Signs may not be located on an interstate highway or limited access highway on the primary system within 500 feet of an interchange, or intersection at grade, or rest area measured along the interstate highway or freeway from the sign to the nearest point of the beginning or ending of pavement widening at the exit from or entrance to the main-traveled way

P 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.

Q Electronic Billboards:

Electronic Billboards are subject to the criteria for electronic signs outlined in 21A.46.070. X

R. Conversion of existing billboards to electronic billboards:

Conversion of a billboard to an electronic billboard is prohibited except under the following conditions:

1. CG and M zoning Districts: Billboards located within the General Commercial or Manufacturing zoning districts may be converted to electronic billboards as long as they are not located within 600 feet of any Gateway street nor located within the Granary District Exclusion area, provided that an amount of billboard square footage equivalent to the size of the billboard being converted is removed elsewhere in the City and provided it meets all other requirements of this chapter.
2. Freeways: Billboards on Freeways may be converted to electronic provided that they are located in a CG General Commercial or Manufacturing zoning district and not located within the Granary District Exclusion area, and an equivalent amount of square footage is being removed from a City Entry Street, Boulevard Street, residential zoning district, Neighborhood Commercial CN zoning district or Business Commercial CB zoning district and provided it meets all other requirements of this chapter.
3. Billboards may also be converted in connection with a relocation of the billboard as follows:
  - a. Downtown and Gateway Districts: Billboards located within the Downtown or Gateway zoning districts may be relocated within the same zoning district, subject to all spacing and height regulations, and converted to electronic as long as an equivalent number of square footage is removed elsewhere in the City from any Gateway Street, residential zoning district or Neighborhood Commercial CN zoning district or Business Commercial CB zoning district and provided it meets all other requirements of this chapter and the electronic billboard is not freestanding but is fully integrated into the architecture of a building and provided it meets all other requirements of this chapter.
  - b. Special Gateway Street: Billboards located on Special Gateway Streets may be relocated within the same special gateway and converted to electronic as long as an equivalent number of square footage is removed from any Gateway Street, residential zoning district, Neighborhood Commercial CN zoning district or Business Commercial CB zoning district and provided it meets all other requirements of this chapter and the electronic billboard is not freestanding but is fully integrated into the architecture of a building and provided it meets all other requirements of this chapter.
  - c. R Residential, CN and CB zoning districts and Gateway Streets: Billboards located in a residential or CN Neighborhood Commercial or CB Business Commercial zoning district or any Gateway street may be relocated to a CG or M zoning district according to subsection D.1 and

may be converted to electronic on a one square foot per one square foot basis, provided it meets all other requirements of this chapter.

Strict prohibition of conversion to electronic:

1. Conversion of any billboard non-conforming to state or the Utah-Federal Agreement spacing is specifically prohibited.
2. Conversion in any residential or Neighborhood Commercial CN or Business Commercial CB zoning district is specifically prohibited.
3. Conversion of any billboard located on a City Entry street or a Boulevard street is specifically prohibited.

US. 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.

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

WU. 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.

XV. 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.

~~Y.~~ Enforcement: Any illegal billboard and any violation of the requirements of this subsection are subject to enforcement pursuant to SLC code Chapter 21A.20

~~Z~~ Severability: If any section, sentence, paragraph, term, definition or provision of this chapter is for any reason determined to be illegal, invalid, superseded by other authority or unconstitutional by any court of competent jurisdiction or by any state or federal regulatory authority having jurisdiction thereof, such portion shall be deemed a separate, distinct, and independent provision and such determination shall have no effect on the validity of any other section, sentence, paragraph, term, definition or provision of this chapter, all of which will remain in full force and effect; except sections D.1, D.2 and R which will be deemed repealed.

~~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)

Attachment B  
Comments from the Open City Hall web page

# Billboards, Electronic Billboards and Transit Station Advertising

*There are presently three separate petitions regarding the regulation of off-premise advertising in Salt Lake City. What do you think?*

Public comments as of September 19, 2011, 8:59 AM

All Participants around Salt Lake City



*As with any public comment process, participation in Open City Hall is voluntary. The statements in this record are not necessarily representative of the whole population, nor do they reflect the opinions of any government agency or elected officials.*

# Billboards, Electronic Billboards and Transit Station Advertising

*There are presently three separate petitions regarding the regulation of off-premise advertising in Salt Lake City. What do you think?*

## Introduction

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

PLNPCM2010-00032: Zoning Text Amendment, Billboards

PLNPCM2010-00717: Zoning Text Amendment, Electronic Billboards

# Billboards, Electronic Billboards and Transit Station Advertising

*There are presently three separate petitions regarding the regulation of off-premise advertising in Salt Lake City. What do you think?*

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As of September 19, 2011, 8:59 AM, this forum had:

Attendees:	236
Participants around Salt Lake City:	45
Hours of Public Comment:	2.3

## Billboards, Electronic Billboards and Transit Station Advertising

There are presently three separate petitions regarding the regulation of off-premise advertising in Salt Lake City. What do you think?

### All Participants around Salt Lake City

Name not shown in District 6

September 16, 2011, 5:31 PM

Our city is visually deteriorating due to the many (and too often tasteless) billboards. Business continues in cities without billboards and the cities hold a lot more charm and appeal. I'd prefer they were all gone. They are also a distraction to drivers.

charlene durham in District 6

September 12, 2011, 2:02 PM

I don't have a strong opinion about allowing or disallowing billboard advertising, but there needs to be significant guidance about their use; in other words, regulation.

First, electronic billboards: there needs to be regulation regarding brightness, and color selection. The new board on I-15 southbound at the I-215/Beck Street exits is horribly glaring and makes night driving difficult beyond it's distractability factor. Small, informative school signs are a very different matter.

Second, number of billboards: when driving northbound I-15 it is distressingly obvious when one enters Layton. The number and placement of advertising billboards makes it difficult to find the UDOT information signs. In addition, it makes Layton an ugly place to drive through.

Third, content: it's hard to regulate taste, but the breast enhancement/liposuction ads are not a good image to introduce our fair city.

Please make these considerations a part of the discussion.

Carole Straughn in District 7

September 3, 2011, 12:22 PM

I oppose all billboards because:

- 1) They create visual clutter. People love to visit and live in Salt Lake because of the beauty. When we allow ugly signs to obstruct the view, we degrade the enjoyment of all for financial gain of a few.
- 2) Billboards, especially electronic ones, create light pollution, which damages human health. (See comment by Ross Chambless.)
- 3) Along highways, billboards can distract drivers, causing accidents.
- 4) Billboards use a lot of electric power. We need to be finding ways to conserve power, so that we don't have to burn so much fossil fuel, polluting the air and disrupting the climate.

If we cannot eliminate all billboards, let's make them as unobtrusive as possible. For example, small posters for bus kiosks and transit stops can sometimes be attractive. Let's do all we can to phase out the large tacky billboards, with or without electronics.

As for the argument that billboards create jobs, surely we can find other ways to create opportunities for employment. For example, we could foster more tourism to our beautiful city or facilitate more small business.

Name not shown in District 7

August 31, 2011, 10:16 AM

## Billboards, Electronic Billboards and Transit Station Advertising

There are presently three separate petitions regarding the regulation of off-premise advertising in Salt Lake City. What do you think?

### All Participants around Salt Lake City

I think billboards of any kind cheapen a city or area of the city no matter what kind of billboard it is. Personally, I oppose all billboards. With the internet, people can find what they need by looking it up. Advertising is in our faces constantly. Utah and Salt Lake City have some of the ugliest streets I've ever seen because of the large number of billboards. Take a trip to a city that cares how it looks (CA and some other states) and you will find billboard advertising has been strictly regulated and sometimes even eliminated completely. Why should anyone have to stare at a billboard so someone else can make a buck? It's similar to noise pollution...it's sight pollution, and it's just ANOTHER way for business to dump on citizens who don't need it or want it.

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Name not shown in District 2

August 30, 2011, 4:37 PM

Electronic billboards have a place in any city. They help business flourish and grow and are the most inexpensive form of advertising.

I believe that if you ban electronic billboards you will be sending a very strong message to the businesses located within the city. That message is we want to limit the amount of revenue you take in. Business will simply start looking elsewhere when deciding where to open.

---

Name not shown in District 7

August 29, 2011, 4:41 PM

I am in favor of the City adopting an ordinance that is favorable to electronic signs.

Signs are an integral part of the free enterprise system, and a well drafted and enforced sign ordinance is critical to the vitality of the City. Signs, especially electronic signs, allow business owners, government, schools, and other community stakeholders to communicate relevant, up-to-date information regarding products and services that help Salt Lake City grow and flourish.

I have seen communities that severely limit or ban electronic signs. What happens next is banners, sign trucks, snipe signs, and other signs begin to crop up and make the city cluttered and unsightly. Banners and the like are unnecessary if a well drafted electronic sign code allows community service providers and businesses to communicate in an up-to-date and effective manner.

Electronic billboards allow for an increase in advertising supply, without increasing the number of signs. It is a great way to get the word out without the environmental impact of newspapers, flyers, and other less environmentally-friendly advertising methods.

I believe that an electronic sign code that allows electronic signs and billboards and that places reasonable controls on brightness and location, will ultimately make Salt Lake City a more viable community and a better place to live.

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Name not shown in District 7

August 25, 2011, 8:24 AM

Advertising on digital billboards is fine. Let business flourish in Salt Lake City. There can be different



## Billboards, Electronic Billboards and Transit Station Advertising

There are presently three separate petitions regarding the regulation of off-premise advertising in Salt Lake City. What do you think?

### All Participants around Salt Lake City

parts of the city where it is not allowed through zoning (that is what it is for), but I see no reason to ban it across the entire city. Business brings jobs and tax revenues to a city's economy. Advertising is part of business. I believe we should allow digital billboards and advertising in business districts.

Name not shown in District 2

August 24, 2011, 9:18 AM

It is of most importance for our city to allow digital signage that can change messages regularly or show video for on premise and outdoor business.

It has been said that they are a cause of accidents. For all those who think of know that is true I would like to see legal information showing of a accidents caused by digital signs.

Its interesting to see how the Highway Patrol uses these signs on the major roads, and freeways, along with the police in residential neighborhoods for speeding cars. I would also like to bring to your attention that all these digital colored signs that our great law enforcement are changing very regularly, and in many cases flashing and scrolling in nano seconds.

Why should the city restrain the great tax paying business to capitalize on these digital signs, when are city allows the uses of them? I think our tax dollars could go to allot better use than worrying about signs like feeding the hungry, serving others and the list goes on and on.

Name not shown in District 7

August 23, 2011, 10:28 AM

Digital billboards are part an important part of our city. They look better an cleaner than traditional billboards, they provide important public service announcements, and they allow small businesses a place to advertise.

I feel they belong in our community!

Name not shown in District 2

August 23, 2011, 9:16 AM

Outdoor advertising has been around for quite some time now. I am happy to see electronic billboards being built and updating the means of advertising and communication in Salt Lake City. Electronic Billboards provide important information instantly to drivers throughout Salt Lake. I don't see any problem with outdoor advertising, specifically electronic billboards. In a world where communication and awareness is so important, I think electronic billboards deliver the most information in the most efficient ways.

Dave Wallace in District 2

August 20, 2011, 12:48 AM

When was the last time you were traveling and needed to find a hotel a rest stop a gas station a hospital, a restaurant?

When was the last time you needed to see an ad to help stop smoking, lose weight, Amber alerts, traffic, weather, seeking help such as debt relief, Drug and alcohol addiction?

When was the last time you needed to obtain information regarding events that are in the city, like the

## Billboards, Electronic Billboards and Transit Station Advertising

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### All Participants around Salt Lake City

symphony, opera, concerts, farmers markets, finding a church, helping the poor and needy?

Remember, not everyone who drives on our streets lives here. Having digital billboard and having the ads change is a huge benefit to our city, after all don't we want our city to succeed?

How chaotic would our city be if we didn't have street signs to advertise where we are at and where we want or need to go? Billboards are that direction; let's not make bad decisions by banning digital billboards based on a few peoples hatred toward them.

---

Name not shown in District 7

August 15, 2011, 4:37 PM

Billboards are an unsightly and aggressive form of advertising that is not appropriate in a city setting. Please do not allow billboards to be posted throughout the city. There are currently billboards on 1300 East and 2100 south that are often covered in graffiti. This paints a negative picture of our city.

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Name not shown in District 4

August 10, 2011, 8:56 AM

I believe that billboards of any kind in the City are unsightly. Billboards belong out on the open highways and not in the City. I see them as nothing more than graffiti. Electronic billboards are a traffic hazard. It seems to me that they draw our attention away from driving and watching the road. I would prefer that they are only allowed along highways in rural areas.

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Name not shown in District 6

August 5, 2011, 10:24 PM

We just returned from a trip back East. It is apparent that Vermont has strong regulations on billboards. Upon crossing the state line into Mass. we were inundated with the roadside signs. They were distracting and unsightly. Thinking more on this topic since our trip and after being in Park City throughout the years it is clear that regulation makes a big difference. A positive difference. We think of the ground level billboards in our neighborhood and how inappropriate they are, and have noticed the electronic ones along the highway. These may be effective advertising devices (clearly, since they distract drivers, especially the electronic ones) but we weigh in in opposition to them. Our views throughout the valley, mountains and city are as valuable and we support less distraction by consumerism based advertising on billboards. True, it is intrinsic, but money and profit cannot be the only consideration in this policy decision.

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Valerie Swaner in District 3

July 22, 2011, 2:01 PM

Where will the regulation end?

This is not an issue limited to the digital signs owned by Yesco and Reagan Sign Companies.

Take a moment and think about the larger issue of what the City and our Mayor have planned regarding the elimination of all electronic signs.

"The mayor's office said e-signs used by businesses eventually would have to be addressed..."  
Salt Lake Tribune, April 12, 2011

"The city's blackout will not affect its six existing electronic billboards. Neither will it impact digital

## Billboards, Electronic Billboards and Transit Station Advertising

There are presently three separate petitions regarding the regulation of off-premise advertising in Salt Lake City. What do you think?

### All Participants around Salt Lake City

business signs, though the Mayor's Office insists regulations on those so-called "on-premise" signs must be contemplated soon." Salt Lake Tribune, April 13, 2011

If digital signs are a light nuisance and a distraction to drivers, then all electronic signs are a problem! First ban off-premise commercial signs and then ban on-premise business signs.

Here are examples of what may come next; The Flower Patch on 500 South and State Street uses a digital sign to advertise rose bouquets. Will City government tell them to turn off their sign?

Across the street, Ken Garff has a digital sign. Does that sign pose a safety risk for drivers? Should they be forced to tear it down?

Many banks and credit unions give us time, temperature and their current rates. Should Salt Lake City have the authority to turn off those signs?

East High, West High and Highland High Schools all have electronic signs facing busy streets with teenage drivers. These signs tell us about Back to School Nights, Fall Registration dates, Holidays and school sporting events. Are they next? Should their flashy signs go dark?

Is the Energy Solutions digital sign on 300 West a distraction? Are there more car accidents on that street because of their sign?

Where does the regulation begin and end? Maybe all shiny signs should go...

---

Name not shown in District 6

July 21, 2011, 6:02 PM

Billboard, both electronic and traditional are already too aggressively regulated. Banning electronic billboards will do nothing more than harm an already fragile economy. This action in turn will further diminish an already declining tax base in Salt Lake City.

Over the course of the last year, I have taken my kids to play soccer at fields that have not been mowed in months making it nearly impossible for them to kick a ball; Taken them to baseball fields that are not maintained and actually pose a danger to them when they play; and finally to parks that have not had the garbage emptied in months and it was pouring out of the cans and piling up in front of them to the degree you could hardly see where the garbage can was placed.

Why are these maintenance issues so prevalent in Salt Lake City? The answer is a dwindling tax base. It does not make sense to me that the City staff wants to further reduce the tax base, and even spend what little tax revenue it presently has on an issue that does not need to be addressed.

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Name not shown in District 3

July 21, 2011, 4:48 PM

## Billboards, Electronic Billboards and Transit Station Advertising

There are presently three separate petitions regarding the regulation of off-premise advertising in Salt Lake City. What do you think?

### All Participants around Salt Lake City

There are several topics to address regarding the banning of digital billboards in Salt Lake City. One: Salt Lake City is in the bill board business. Two: Businesses, such as the JAZZ, have many advertising choices; however these businesses purchase outdoor because the medium is effective in creating business growth, in turn creating both a strong cooperate tax base and employment. Three: studies indicate that the debate on electronic billboards is not an issue that is important in the lives of constituents; currently constituents are most concerned about the state of the economy and job growth.

The Downtown Alliance sells street pole flags on streets such as 400 south, 700 east, and Foothill Boulevard. However, Salt Lake City has banned the seven privately held outdoor companies from building bill boards in these areas. Salt Lake City through city zoning has created a monopoly on the downtown advertising space.

Businesses advertise to let customers know about their services. Business purchase outdoor because outdoor effectively reaches consumers and will help business grow creating more taxable revenue and jobs. Without both corporate tax and private employment the city would not be able to support public services.

Research in cities and markets similar to Salt Lake (Cleveland and LA Counties) indicate that a large percentage of the public find electronic signs to be both attractive and helpful to the community.

These studies also indicate that the debate on electronic billboards is not an issue that is important in the lives of constituents. Outdoor advertising, including electronic advertising, benefits the community through promotion of commercial business, publicizing community events and public service announcements, and broadcasting emergency messages when necessary at little or no cost.

Organizations such as the Boy Scouts, Children's Miracle Network, and University of Utah Athletics have been the recipients of an incalculable amount of free advertising. Additionally, the Utah Attorney General's office, the FBI and the National Center for Missing and Exploited Children have all taken advantage of untold amounts of free advertising. Electronic billboards make delivering their critical messages simple and timely.

Outdoor advertising in Utah supports hundreds of Utah jobs. Salt Lake City is the home of the corporate headquarters for Utah's two largest Outdoor Advertising companies.

Is this really an issue at all, as unemployment climbs to above 7% in Utah, more members of the Salt Lake City community are living without the basic needs of health care, food, shelter and education. As a resident of Salt Lake I would prefer if Salt Lake City focus their efforts in reducing these humanitarian problems rather than wasting tax payers' money attacking the outdoor industry.

Name not shown in District 2

July 21, 2011, 3:57 PM

I think that it is funny that people are so quick to write or post stuff off emotion and there is really no thought to what is being said. People keep saying it blocks the view...What are all the sound walls on

## Billboards, Electronic Billboards and Transit Station Advertising

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### All Participants around Salt Lake City

the freeway doing? People say that they are distracting to look at, well then do not look at them, really we are all have control of what we are doing with your bodies. Here is the thing that I find to be an issue that no one really has hit.....There are 7 jobs that are directly related to these electronic billboards, jobs that allow people to spend money in the cities that these billboards in. So lets all just look at the bigger picture and lets all stop being scared of change and of things that are different, and worry about bigger things in life.

---

Name not shown outside Salt Lake City

July 19, 2011, 2:06 PM

Electronic Billboards are the future. Why is SLC government want to hurt economy? The Billboards can advertise more the customers can change the copy quickly and that is good for the stores, workers. Lets also look at the added little thing of Amber alert. Instant color photos and info, would that be nice to save 1 child or person for harm? But I guess we wont see any lack of election signs put up any where and MANY at one site.The Mayor and his crew is a no vote for me come election day.

---

Name not shown outside Salt Lake City

July 19, 2011, 8:56 AM

I find electronic outdoor advertising a modern day advantage. Crisp colors, quick messages, and the availability to advertise many different businesses, and events at a fraction of the cost. In our fast paced lifestyle, it's exactly what we need.

Progress.

Isn't that what we are all working towards?

Much different than the huge billboards of the past that kept the same ad up, long after the event was over, often tattered and faded!

Aren't we the age of need-to-know-now?

Instant messaging--electronic advertising seems to me to be the same concept, just a larger screen.

---

Name not shown outside Salt Lake City

July 19, 2011, 8:49 AM

Isn't it funny that there are so many strange and even amusing comments about billboards. I can see that we don't want too many but banning them is absurd as is the comment about them being bad on our health. If we were voting to ban the businesses most of you work at you would be appalled but you are more than ready to hurt someone else. That is a great way to be. There are always better ways of doing things and maybe all of you should get together and come up with something.

Businesses need ways to get their message out. I realize there are many other options but choice should still be ours. If you don't want to read billboards then that is your choice. Have some self control and don't look. I agree that we live in a beautiful and diverse culture and location but that beauty and/or culture are not changed all that much by the billboards that are out there. And when it comes to our health instead of just billboards maybe we should ban lights all together after 9:00pm including cars and trucks so that we don't get sick. There are so many troubles that really plague us but billboards probably wouldn't be at the top or even close on my list!

---

Jeffrey Young in District 7

July 19, 2011, 8:07 AM

To All Concerned -

Billboards are highly regulated from federal, state, and city ordinances. Additional restrictions impacts

## Billboards, Electronic Billboards and Transit Station Advertising

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### All Participants around Salt Lake City

free enterprise and negatively impacts the economy. We strongly disagree with the city wanting to impose further regulations on spacing, electronic installation, and timing.

Every sign that is up has a valid permit. The Virginia Tech Transportation Institute has shown through multiple studies that there is no increase in risk to the public as they travel past and view these signs.

Jeff Young  
Young Electric Sign Company  
Since 1920

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Abdellatif Oukris outside Salt Lake City

July 18, 2011, 10:37 AM

Banning this Billboard is another bullet shouted on the already sick American economy. I personally lost my job on IT due to the stupid outsourcing that puts our dollars into other countries economy and guess what! A big lot of that money goes to our number one enemy like if we are making them stronger day after day to even treat us more and more; what a wise political system we have?!!!

Long story short: I restored my life as an American consumer on the field of Billboard advertising, and banning it means putting me and thousands of other workers on the shadow of unemployment, killing local and national economy more and more.

To those seeking to ban billboard advertising, please be wise and put your effort on banning outsourcing and help expending local business instead. God bless America!

---

Name not shown outside Salt Lake City

July 18, 2011, 10:08 AM

Billboards/Electronic Billboards are great for the Utah economy & are a Public Service:

1.) They provide jobs for Utahns. Many Utah billboard companies have their headquarters here in Utah and help contribute to the local economy. These companies provide jobs for many Utahns, from installers who install the advertisement, designers who create them, digital tech who maintain the electronic billboards and sales person who sell the ad space. Many people are affected by the jobs provided by local billboard companies.

2.) They help inform people. The electronic billboards are linked in with the national Amber Alert program. This means that when a child goes missing or is kidnapped, an alert is sent out and information on that child is posted to the digital billboard. I know that if my child went missing, I would definitely want everyone to know, in hope for a safe return. Since the Amber Alert program's inception, AMBER Alerts have been credited with the successful recovery of more than 400 children.

On top of helping to find missing or abducted children, electronic billboards help to inform and capture criminals. "Most importantly, the billboards have led directly to the capture of at least 14 fugitives (from 2008-2009), plus many more indirectly through our overall publicity efforts. And all at essentially no cost to the American taxpayer... Long story short: the billboards are working and working well. And that means a safer America for all." - FBI, on Digital Billboard Advertising.

## Billboards, Electronic Billboards and Transit Station Advertising

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([http://www.fbi.gov/news/stories/2009/january/billboards\\_013009](http://www.fbi.gov/news/stories/2009/january/billboards_013009))

In short, let's focus on the good that billboard/electronic billboards do for Utah and America in general.

---

Name not shown in District 6

July 17, 2011, 9:31 PM

Billboards are an absolute eyesore and are detrimental to a city's ambiance. All one has to do is drive on a freeway with NO billboards to quickly appreciate what a difference it makes. We live in such a gorgeous city--it's not worth it to pockmark the landscape with billboards of any kind.

---

Arnold Klemens in District 7

July 16, 2011, 10:21 PM

I think electronic billboards are fine. I think they are tastefully done and help provide jobs for Utahns. They are also good for businesses who wish to advertise for short periods of time. It is also a great tool for Amber Alerts. I have no problem with them.

---

Name not shown in District 7

July 16, 2011, 7:33 PM

Billboards in general are a distraction and they are very ugly. Nobody needs to read about anything while driving, they need to focus on the safety of themselves and the people they are driving close to. Advertising is an ugly and unnecessary practice which on the whole is a violation of independent thought. Utah county billboards touted the joys of sedation while going through oral surgery, so unnecessary! All billboards should be banned, unlikely yes but it sounds wonderful.

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Name not shown in District 2

July 14, 2011, 9:15 AM

The ambience of a city is critical. There is so much stuff out there--blaring away, flashing here and there. I think advertizing on Trax is an ugly commercial sight that takes away from Trax as part of our concern for an ecological city. I want to see Trax not a lot of advertizing. The electronic bill boards, like some other commentator, is just heading us toward Los Vegas light pollution. They are also DANGEROUS BILL BOARDS IN general. Try exiting on 600 South while reading those bill boards. It is very dangerous distraction. How is this different than using your cell phone? Let's be aware that each one of these electronic distractions is taking away from the beauty of our city and our mountains. It is also imposing these bits of info onto people who don't want it. How fair is this? I can decide not to read the paper or some other publication but I am FORCED TO SEE THESE BILLBOARDS, like it or not. In Vermont you see the beauty of our surroundings, never horrible billboards. I'm so tired of seeing the "find my murderer" on 600 South exit. Please, let's make SLC the beautiful place that it is. The only thing worse than these "off-premise advertising in SLC" is the air pollution in the winter. I see Rio Tinto at Red Butte as they buy their way into the hearts and minds of SLC with their pollution sponsoring, just another buy out. Let's not go there!

---

Richard Middleton in District 3

July 11, 2011, 9:57 AM

I strongly support Ross Chambless' comment about "light trespass". From our house in the Marmalade District the dominant feature of the "nightscape" is the Energy Solutions Arena billboard.

## Billboards, Electronic Billboards and Transit Station Advertising

There are presently three separate petitions regarding the regulation of off-premise advertising in Salt Lake City. What do you think?

### All Participants around Salt Lake City

It's over half a mile away, and so obviously it isn't legible or serving any useful purpose as far as advertising to us is concerned. It's several hundred feet below us, so if it were properly directed and screened it would be far less of a nuisance. It would be even better if it were required to be switched off once the event crowds have dispersed.

Ross Chambless in District 3

July 10, 2011, 11:14 PM

I am glad the City is addressing this issue. I agree with many of the concerns already voiced in this forum, yet I'd like to mention another concern.

I began paying attention to billboards several years ago, not because of their advertising, but because of their contribution to chronic light pollution. There is abundant research showing billboards contribute to negative human health effects associated with light pollution, like glare for drivers and cancer. (Various types of cancer are associated with the body's inability to produce melatonin during sleep because of too much light at night) Most billboards in Salt Lake use high-powered lights that shine upward at night, which is a waste of light and energy. Moreover, this "light trespass" can be disruptive - even unhealthy - if the signs are located around neighborhoods and homes where people live and sleep.

But, the billboard companies have continually resisted past legislative efforts to simply point their lights downward instead of upward. And they argue their signs don't contribute that much to the problem, even though it's glaringly obvious (pun intended).

There are rather mixed views about electronic billboards and light pollution. But some believe with appropriate illumination levels, they're a better alternative to the older, sky-beam light wasters. For health and safety reasons alone, I think there should be fewer billboards located near residential areas. Perhaps the sign companies could consolidate their advertising and impacts into fewer electronic signs, to be located in commercially-zoned areas? I think the companies should be encouraged or required to convert the light fixtures of older billboards, or convert to illumination-appropriate electronic signs, located somewhere where they don't cause a distraction or create blight.

Name not shown in District 4

July 10, 2011, 10:18 PM

I was just driving through Las Vegas last week. I've seen the future. Electronic billboards everywhere. I want to cry.

Can you imagine how beautiful our city would be without billboards? It'll never happen as long as politicians accept campaign contributions from outdoor companies. Next time you see a politician on a billboard, chances are better than good that at least part of the cost was donated by the outdoor company. They donate space, offer substantial discounts and contribute heavily to the campaigns of those who support them. Nothing illegal about that (although maybe it should be). The result is ugly. Literally. Others have mentioned Vermont. The same is true in Hawaii. No billboards. Just beautiful vistas.



## Billboards, Electronic Billboards and Transit Station Advertising

There are presently three separate petitions regarding the regulation of off-premise advertising in Salt Lake City. What do you think?

### All Participants around Salt Lake City

We have a beautiful city, but sometimes it's hard to see because billboards get in the way.

Until our elected officials quit taking bribes from outdoor advertising firms (...or as they like to call them, "campaign contributions"), we'll be stuck with billboards. Oh how I hope there are some courageous officials who will prove me wrong.

I'd leave my name, but my employer advertises on billboards. I'm afraid I'm as cowardly as our elected officials are.

---

Name not shown in District 3

July 10, 2011, 9:47 AM

I find large billboards within the city extremely ugly. I vote no large billboards, ESPECIALLY no electronic billboards, which are the ugliest, most intrusive, & dangerously distracting. Transit shelters & bus/train advertising is less intrusive & raises money for us. If it does not promote alcohol or contain sexually suggestive photos, I find it tolerable.

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Name not shown in District 3

July 8, 2011, 10:34 PM

Billboards should be limited if not eliminated. The height of buildings might be a good start then phasing out over ten years. Electronic signs are not only distracting, energy consuming, and uncomplimentary to our environment. They Suck.

---

John Brodie in District 6

July 8, 2011, 2:29 PM

We have a beautiful city. I think bill boards of all types pollute our roadways and neighborhoods.

---

Sheldon Smith outside Salt Lake City

July 8, 2011, 1:08 PM

It would be very refreshing to see no more billboards (electronic or otherwise) along our roadways. They are an eyesore to our skyline. Take a trip to Vermont and see how nice it CAN look.

---

Laurie Mecham in District 1

July 8, 2011, 12:08 PM

Upon moving back to Salt Lake after a five year absence, I was appalled at the presence of electronic billboards. I cannot imagine any justification for putting illuminated, animated, visual distractions on roadways. Billboards in general are distracting to drivers and clutter the view. Electronic billboards are many times worse. I would be proud to live in a city that bans billboards altogether.

---

Chad Mullins outside Salt Lake City

July 7, 2011, 10:39 PM

We live in a beautiful city situated in a fabulous natural environment. Billboards are a terrible intrusion and unwarranted invasion of the public realm of vistas. One only needs to visit communities with much stricter regulation of signage to see what an astounding difference it makes. A community free of obtrusive signage should be a public right.

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Bryan Young in District 5

July 7, 2011, 3:31 PM

I find these advertisements to be complete eyesores. I appreciate that businesses need to advertise, but these are just ugly scars on our landscape. There are thousands of other ways to market your

## Billboards, Electronic Billboards and Transit Station Advertising

There are presently three separate petitions regarding the regulation of off-premise advertising in Salt Lake City. What do you think?

### All Participants around Salt Lake City

business that don't require the unattractive and distracting billboards that turn our city into a cheap place with no character.

I find the electronic billboards would probably be easier to swallow if they were dimmed significantly and changed less. I appreciate their helpfulness in Amber Alerts, but I really don't think we need any facing east/west coming into the city. North/South along I-15 is slightly less offensive.

The billboard I have the largest problem with is the one on 1300 S. and 300 E. I live right near that and for all intents and purposes, it's a vacant, untended lot. I wish there was something in the code that would allow us to bulldoze it. And, in my dreams, we could replace it with a neighborhood pub.

Overall, I think billboards detract from the character of the city.

As far as advertisements on transit shelters, if that's the only way we can pay for them, then I suppose I can stomach it, but I think less exposure to advertising is better for the community as a whole.

---

Name not shown in District 4

July 7, 2011, 2:39 PM

Transit shelter advertising is an appropriate place, as are the sides (not windows) of trains and buses.

Electronic billboards should be allowed on a very limited basis in commercial areas only, and only as a replacement sign. And I agree that they are a serious distraction to drivers and should not be allowed near freeways or major roads.

On a long term basis, the city should factor into their budget monies for the eventual elimination of outdoor signs (not business signs) based on a fair and equitable amount. Perhaps some of the money could be obtained from organizations that already participate in acquiring property (e.g., Nature Conservancy, Utah Open Lands, etc.) . . . not buying open space but certainly contributing to the overall ascetics of the city.

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Daniel Lower in District 1

July 7, 2011, 12:51 PM

For the electronic billboards, they do serve a purpose - one of them can handle many advertisers, which would limit the number of billboards as a result (if handled properly). However, they are distracting while driving, your eyes move to them as they change. However, in a controlled area (sports arenas and stadiums) they are very effective. Maybe allow them on sidewalks, in smaller form, and advertise to the walking masses instead of the driving ones.

For transit advertising, it's fine - I've seen quite a few of these as I take the trains. The shelters are fine. Advertising on the train itself should be limited, though - the porous material goes across windows and causes those with motion sickness to have issues with seeing the outside.

If a billboard has worn down and is dillapidated, there should be provision for removal as a nuisance. Not sure how this would be handled, but I've seen a lot of dead ones that are no longer in use, but they still stand.

## Billboards, Electronic Billboards and Transit Station Advertising

There are presently three separate petitions regarding the regulation of off-premise advertising in Salt Lake City. What do you think?

### All Participants around Salt Lake City

I feel that billboards in general are eyesores. The electronic billboards are very distracting to me when I'm driving. I agree with minimizing billboards for aesthetics.

Esther Stokes in District 7

July 7, 2011, 5:23 AM

I'm opposed to electronic billboards, they are distracting to me, and I imagine others while driving.

Ever been to Vermont, with no billboards, at all? It's nice. On a whole I'm opposed to more billboards.

Transit shelters maybe an ok place for advertising.

Name not shown outside Salt Lake City

July 6, 2011, 10:44 PM

Bus stop signage ok if in good taste and it directly offsets cost of bus fares, no revenue or proceeds to UTA's John English or it's board

Change law to preclude hostile advertising in sight of competitors. Must be ethical and in good taste.

Remove unsightly, non standard billboards, specific zoning, change the 1993 law to meet current standards.

More modern and less obtrusive billboardss and signage (sim to Park City and St George)

Not a fan of electronic billboards." To bright, distracts drivers, and I don't think they are very green.

Please share energy details and

Life cycle cost details. Please provide details as to energy efficiency, are they more or less green or energy efficient?

No mobile advertising trucks either, unless under human power, ie rickshaw pedal bikes.

Thanks for opportunity for input

Terry Marasco in District 3

July 6, 2011, 9:17 PM

Think of billboards the way national parks think of view sheds. The aesthetics of the parks is no different than our communities, in fact I believe more importantly for our neighborhoods.

Keep in mind companies want eyeballs and are least concerned about aesthetics. The executive who requests a billboard in a sl neighborhood may live in Chicago.

Now transit shelters are reasonable places for billboards, but neighborhoods with 30 foot signs are out of the question.

Furthermore cities strapped for \$\$ should not go near depreciated aesthetics for money.

Richard Kanner in District 7

July 6, 2011, 9:11 PM

Electronic billboards, although a valuable tool for business, has the downside of being very distracting

## Billboards, Electronic Billboards and Transit Station Advertising

There are presently three separate petitions regarding the regulation of off-premise advertising in Salt Lake City. What do you think?

### All Participants around Salt Lake City

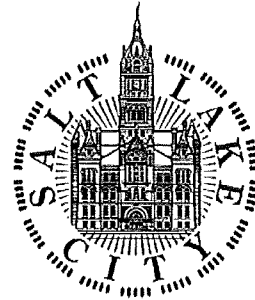
while driving. The constant change of ads keeps the driver's eyes on the billboard rather than the road. I do not know if this issue has ever been studied in a scientific fashion, but it should be. Before allowing these potential distractions to driving the city should look for previously performed studies. If none exist then seed money should be provided for a study to determine how safe or hazardous they may be. Lets be sure they do not compromise safety before we allow them to proliferate.

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Attachment C  
Original staff report

# 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 Guardman 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. G 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. H. 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.~~

KI. 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.

LJ. 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.

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~~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)

**Attachment C**  
Affected Geography

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

