

ERIN MENDENHALL
Mayor



DEPARTMENT of COMMUNITY
and NEIGHBORHOODS
Blake Thomas
Director

CITY COUNCIL TRANSMITTAL


Lisa Shaffer, Chief Administrative Officer

Date Received: 04/27/2023
Date sent to Council: 04/27/2023

TO: Salt Lake City Council
Darin Mano, Chair

DATE: April 27, 2023

FROM: Blake Thomas, Director, Department of Community & Neighborhoods



SUBJECT: PLNPCM2022-00984 Nonconforming Signs

STAFF CONTACT: Katilynn Harris, Principal Planner
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DOCUMENT TYPE: Ordinance

RECOMMENDATION: That the City Council adopt the changes to the zoning ordinance related to nonconforming signs as recommended by the Planning Commission.

BUDGET IMPACT: None

BACKGROUND/DISCUSSION: Mayor Mendenhall initiated a petition to amend portions of the zoning ordinance related to nonconforming signs. The proposed amendment is generally focused on aligning sign standards with city goals, like supporting businesses, and addressing any applicable state law. The current zoning regulations are very restrictive when it comes to sign alterations and changes in ownership of a property where a sign is located. The current language prevents any alteration of the sign text or message which effectively prevents the reuse of nonconforming signs. This regulation does not comply with state law which requires municipalities to permit the reuse of noncomplying structures. It also does not comply with federal law which prevents municipalities from regulating the content of signs. Additionally, the existing regulations do not permit updates like more energy efficient sign illumination systems while also not allowing for modifications that make the sign more conforming to zoning standards. The current standards combine to make it difficult for business owners intending to use existing sign infrastructure to advertise their business.

The proposed ordinance changes allow more flexibility for maintaining, reusing, modifying, and updating existing nonconforming signs. It also clarifies when the removal of such signs is required. More specific information can be found in the Planning Commission Staff Report.

The Planning Commission considered the request at a March 29, 2023 public hearing and voted unanimously to send a positive recommendation to the City Council based on staff's proposed zoning ordinance text.

PUBLIC PROCESS:

Community Council Notice: A notice of application was sent to all recognized community organizations on February 6, 2023, per City Code Chapter 2.60 with a link to the online open house webpage. The recognized organizations were given 45 days to respond with any concerns or to request staff to meet with them and discuss the proposed zoning amendment. The Sugar House Community Council sent a letter of support for the amendment. The 45-day public engagement period ended on March 23, 2023.

Public Open House: An online open house was held from February 6, 2023, to March 23, 2023. Several comments from Scenic Utah were emailed to the Planning Division after the staff report was published. The Planning Commission considered the initial comments during their deliberations as they were sent prior to the public hearing. A follow up comment from Scenic Utah was sent after the public hearing. Staff responded to the questions raised in both comments. A comment in favor of the amendment from the Sugar House Community Council Chair was also submitted to Planning staff after the Planning Commission hearing. All comments sent after the publication of the staff report have been included as an exhibit.

Planning Commission Meeting: The Planning Commission held a public hearing on March 29, 2023. The Planning Commission provided a positive recommendation to City Council on the proposed amendment.

PLANNING COMMISSION RECORDS of MARCH 29, 2023:

[Planning Commission Agenda](#)

[Planning Commission Minutes \(click on March 29, 2023\)](#)

[Planning Commission Staff report](#)

EXHIBITS:

1. Project Chronology
2. Notice of City Council Public Hearing
3. Original Petition
4. Public Comment Received after Publishing of Planning Commission Staff Report

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SALT LAKE CITY ORDINANCE

No. _____ of 2023

(An ordinance amending various sections of Title 21A of the Salt Lake City Code
pertaining to Nonconforming Signs)

An ordinance amending various sections of Title 21A of the *Salt Lake City Code* pursuant
to Petition No. PLNPCM2022-00984 pertaining to nonconforming signs.

WHEREAS, the Salt Lake City Planning Commission (“Planning Commission”) held a
public hearing on March 29, 2023 to consider a petition submitted by Mayor Erin Mendenhall
 (“Applicant”) (Petition No. PLNPCM2022-0984) to amend various sections of Chapter 21A.46
 (Zoning: Signs) of the *Salt Lake City Code* to modify regulations pertaining to nonconforming
 signs; and

WHEREAS, at its March 29, 2023 meeting, the Planning Commission voted in favor of
transmitting a positive recommendation to the Salt Lake City Council (“City Council”) on said
petition; and

WHEREAS, after a public hearing on this matter the City Council has determined that
adopting this ordinance is in the city’s best interests.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Amending the Text of *Salt Lake City Code* Section 21A.46.020. That
Section 21A.46.020 of the *Salt Lake City Code* (Zoning: Signs: Definitions) shall be, and hereby
is amended as follows:

a. Section 21A.46.020 is amended to delete the definition of “ALTERATION,
SIGN”:

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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.~~

b. Section 21A.46.020 is amended to modify the definition of “ANIMATED SIGN” to read as follows:

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.

c. Section 21A.46.020 is amended to modify the definition of “ELECTRONIC CHANGEABLE COPY SIGN” to read as follows:

ELECTRONIC CHANGEABLE COPY SIGN: ~~A~~ The copy of a sign containing a computer an electronically 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. Electronic changeable copy shall be considered, for the intents of this chapter, a sign face type rather than a sign type.

SECTION 2. Amending the Text of Salt Lake City Code Subsection 21A.46.030.A.

That Subsection 21A.46.030.A of the *Salt Lake City Code* (Zoning: Signs: General Sign Permit Requirements: Sign Permit Required) shall be, and hereby is amended to read as follows:

A. Sign Permit Required: Except where exempted by the provisions of this chapter, it is unlawful for any person to erect, construct, enlarge, locate or modify ~~alter any sign or change the text of~~ any on or off premises sign within the ~~C~~city contrary to any provisions of this chapter without first obtaining a sign permit from the building official. No sign shall be erected, constructed, reconstructed, located or modified ~~altered~~ until the site plan for such sign has been approved and a sign permit issued by the building official. Such permits shall be issued only to State of Utah licensed contractors unless specifically exempted by the State of Utah.

SECTION 3. Amending the Text of Salt Lake City Code Section 21A.46.070. That Section 21A.46.070 of the *Salt Lake City Code* (Zoning: Signs: General Standards) shall be, and hereby is amended to read as follows:

21A.46.070: GENERAL STANDARDS

A. Construction Standards:

1. Applicable Regulations: All signs erected in the ~~C~~city after April 12, 1995, shall comply with the current standards of the National Electrical Code, and adopted ~~B~~building ~~C~~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 ~~B~~building ~~C~~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 ~~O~~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 ~~A~~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 ~~T~~o Constitute ~~A~~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 ~~s~~Subsection 21A.46.060.B of this chapter.)

E. Repair ~~O~~f 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 ~~O~~f 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 ~~s~~Section 21A.46.150 of this chapter.

G. Sign Removal: ~~Signs~~ The sign face identifying a discontinued use on the property shall be removed from the property when the use is discontinued. ~~within thirty (30) calendar~~

~~days of the time the use was discontinued.~~ The removal of nonconforming signs shall be regulated by Section 21A.46.140.

~~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.~~

~~HH.~~ Lights Aand 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.

~~IJ.~~ Height Aand 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 Aand 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.

~~JK.~~ Signs ~~O~~on Public Property: Except for portable signs authorized pursuant to ~~s~~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.

~~KL.~~ Extension ~~O~~f 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 ~~s~~Section 21A.46.110 of this chapter.

3. Awning/Canopy ~~A~~and Marquee Signs: As authorized in other sections of this chapter.

~~LM.~~ 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 ~~f~~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.

~~MN.~~ 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.

Ø. Marquee Signs: Signs attached to an approved marquee, as specified in sSubsection 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.

Ø. 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 sSections 21A.46.080 through 21A.46.120 of this chapter for zoning district limitations on size, height and location of new development signs.

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

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

Sign Type ¹	Display Period	Removal Required 3 Days After
Construction impact area mitigation sign	Per City guidelines ²	Per City guidelines ²
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 through 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.

QR. 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.

RS. 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.

ST. 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.

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

~~UV~~. Historic District Signs: The historic landmark commission may authorize, as a minor alteration modification to an existing sign or the size or placement of a new sign in a historic district or on a landmark site, including placement of a sign type not allowed in the underlying zone, 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. If a sign in a local historic district or on a landmark site has been designated a vintage sign as per ~~s~~Section 21A.46.125 of this chapter, the modifications allowed in that section may be authorized by the historic landmark commission subject to the appropriate standards of ~~s~~Section 21A.34.020 of this title.

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

1. Flat Signs (Excluding Letter Signs ~~A~~and Backlit Awnings) ~~A~~and Wall Signs: The entire surface of the sign face shall be measured.
2. Backlit Awnings ~~A~~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.

SECTION 4. Amending the Text of *Salt Lake City Code* Subsection 21A.46.080.A.4.

That Subsection 21A.46.080.A.4 of the *Salt Lake City Code* (Zoning: Signs: Sign Regulations for Residential Districts: Sign Regulations for Single-Family and Two-Family Residential Districts: Supplementary Regulations) shall be, and hereby is amended to read as follows:

4. Supplementary Regulations:

- a. Signs ~~F~~for Nonconforming Business Uses: Signs for permitted nonconforming business uses shall conform to ~~s~~Subsection 21A.46.090.A.4 of this chapter, sign regulations for the CN district, but shall not be internally illuminated.

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- b. Illumination: Signs for residential uses shall not be internally illuminated, except for new development signs and development entry signs.

SECTION 5. Amending the Text of *Salt Lake City Code* Subsection 21A.46.110.A.3.b.

That Subsection 21A.46.110.A.3.b of the *Salt Lake City Code* (Zoning: Signs: Sign Regulations for Downtown Districts: Sign Regulations for the D-1 and D-4 Downtown Districts: Sign Type, Size and Height Standards: Sports Arena Located on the Block between South Temple and 100 South Between 300 and 400 West Streets) shall be, and hereby is amended to read as follows:

- b. Sports Arena Located ~~On The~~ Block Between South Temple ~~And~~ 100 South Between 300 ~~And~~ 400 West Streets:

STANDARDS FOR THE SPORTS ARENA LOCATED ON THE BLOCK BETWEEN SOUTH TEMPLE AND 100 SOUTH BETWEEN 300 AND 400 WEST STREETS

Types Of Signs Permitted ⁷	Maximum Area Per Sign Face	Maximum Height Of Freestanding Signs ¹	Minimum Setback ²	Number Of Signs Permitted Per Sign Type
Awning/canopy signs	5 square feet per linear foot of canopy length (sign area only)	Shall not be located above the second floor level of the building for both awning and canopy signs	May extend 6 feet from face of building but not within 2 feet from back of curb	1 per first floor window/door, may be combined with adjacent doors/ windows
Flat sign (general building orientation)	5 square feet per linear foot of building face	See note 1	n/a	1 per building face
Flat sign (storefront orientation)	Flat sign (storefront orientation)	See note 1	n/a	3 per business storefront

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Flat sign display, electronic changeable copy ³	No larger than 1,400 square feet per sign	See note 1	n/a	5 per City block
Freestanding sign, electronic changeable copy-sign ⁴	Not more than 1,600 square feet per sign, which may be located in a continuous round display	45 feet	n/a	2 per City block
Monument sign	3 square feet per linear foot of street frontage	20 feet	None	5 per street frontage
Private directional sign ⁵	100 square feet	20 feet	No setback	No limit
Roof surface sign	30,000 square feet ⁶	n/a	n/a	1 per roof surface
Special event light pole sign	10 square feet	20 feet	n/a	2 per light pole
Special event sign	Sign may cover up to 60% of total building face ⁷	May not exceed the height of building	n/a	1 per street frontage
Window sign	90% of total frontage window area (interior or exterior) for sports arena events, not to exceed 6 months in duration for each calendar year unless otherwise allowed by the Zoning Administrator.	No Limit	n/a	No Limit

Notes:

1. For height limits on building signs, see Subsection 21A.46.070.J of this chapter.

2. Public property lease and insurance required for projection over property line.
3. Flat sign, electronic changeable copy may display static or rotating messages or operate as outdoor television monitors.
4. An advertising face on ~~an freestanding sign with~~ electronic changeable copy ~~sign~~ that is not oriented to a public street may be operated to allow full motion video display. Displays oriented to a public street must not allow animation, may change no more frequently than every 8 seconds and must complete each transition within 1 second.
5. Private directional sign may include ~~an~~ electronic changeable copy ~~sign~~ within the sign area.
6. To be located on the horizontal plane of a roof surface, primarily viewable from planes and surrounding buildings located above the arena.
7. Advertising ~~and~~ or corporate logos are limited to on premises advertising of sports arena events and sponsors only.

SECTION 6. Amending the Text of Salt Lake City Code Subsection 21A.46.120.E.4.b.

That Subsection 21A.46.120.E.4.b of the *Salt Lake City Code* (Zoning: Signs: Sign Regulations for Special Purpose Districts: Sign Regulations for the UI, PL, PL-2, I, UI, OS and NOS Districts: Sign Type, Size and Height Standards for the PL, PL-2 and I Districts: Standards for the Ballpark Located on the Southeast Corner of 1300 South and West Temple) shall be, and hereby is amended to read as follows:

- b. Standards ~~F~~for ~~T~~he Ballpark Located ~~O~~n ~~T~~he Southeast Corner ~~O~~f 1300 South ~~A~~nd West Temple: Flat signs, construction signs, political signs, real estate signs, new development signs, window signs, public safety signs, and nameplates shall comply with the table for standards for the PL, PL-2 and I Districts.

Types of Signs Permitted	Maximum Area Pper Sign Face	Maximum Height Of Freestanding Signs ¹	Minimum Setback ²	Number Of Signs Permitted
Awning signs	1 square foot per linear foot of awning	See note 1	May extend 6 feet from face of building, 2 feet from back of curb face ⁵	1 per first floor door/window and not to extend beyond 1 foot on each side of the

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				door or window width
Monument signs ^{3,4}	60 square feet of total sign face area including a base. The base shall be 25% of the sign height	8 feet	10 feet	1 per building frontage
Pole signs (triangle frame structure)	180 square feet per gross sign face. 540 square feet for the structure	30 feet	No sign projection over the property line	1 pole sign which allows 4 sign panels per sign face, 1 of which may be an <u>contain</u> electronic changeable copy-sign ⁴ and 1 logo sign (12 total signs for the triangular pole sign)
Private direction signs ³	8 square feet of total sign face area including a base. The base shall be 25% of the sign height	4 feet	2 feet behind property lines	2 per driveway approach and as necessary for pedestrian direction

Notes:

1. For limits on the height of building signs, see ~~s~~Subsection 21A.46.070.J of this chapter.
2. Not applicable to temporary signs mounted as flat signs.
3. Modified from the standards for the PL, PL-2 and I Districts and required for the Ballpark Overlay District.
4. Electronic changeable copy signs shall only be permitted on arterial street frontages. Electronic changeable copy ~~signs~~ panels shall not exceed 50 square feet.
5. Public property lease and insurance required for projection over property line.

SECTION 7. Amending the Text of Salt Lake City Code Section 21A.46.140. That
Section 21A.46.140 of the *Salt Lake City Code* (Zoning: Signs: Nonconforming Signs) shall be,
and hereby is amended to read as follows:

21A.46.140: NONCONFORMING SIGNS

~~A. Moving, Extensions Or Alterations: A nonconforming sign shall not be reconstructed, raised, moved, replaced, extended, altered, or enlarged unless the sign is changed so as to conform to all provisions of this chapter. A nonconforming sign may be temporarily removed for routine maintenance and reinstalled in the same location and manner. Alterations shall also mean the changing of the text or message of the sign as a result of a change in use of the property. Alterations shall not be interpreted to include changing the text or copy on outdoor advertising signs, theater signs, outdoor bulletins or other similar signs which are designed to accommodate changeable copy. Specific modifications may be permitted to nonconforming signs designated as vintage signs as per section 21A.46.125 of this chapter.~~

~~B. Unsafe Signs: See subsection 21A.46.150F of this chapter.~~

~~C. Restoration Conditions: Nonconforming signs which have been allowed to deteriorate or which have been damaged by fire, explosion, act of God or act of a public enemy, or damaged by any other cause, to the extent of more than sixty percent (60%) of their replacement value shall, if repaired or rebuilt, be repaired or rebuilt in conformity with the regulations of this chapter, or shall be removed.~~

A. Applicability: The regulations in this section shall apply to all nonconforming signs with the following exceptions:

1. Vintage signs shall be regulated by Section 21A.46.125 of this chapter.
2. Billboards shall be regulated by Section 21A.46.160 of this chapter.

B. Modifications: A sign permit may be issued for modifications to a nonconforming sign provided the modifications do not increase the level of nonconformity of such sign. This includes changes to dimensional standards, location, or the replacement of any part of the sign structure. This provision does not apply in the case of:

1. Any modification that is necessary due to a government action that results in the relocation or alteration of a sign, including signs that would become nonconforming due to the government action, are permitted.

C. Maintenance: Nonconforming signs shall be maintained as defined in Section 21A.46.020, including the temporary removal of the sign for repairs and other routine

maintenance. The sign shall be reinstalled in the same location and in the same manner or relocated to a location that increases the level of conformity.

D. Sign Removal:

1. The sign face identifying a discontinued use on the property shall be removed from the property when the use is discontinued.

2. Nonconforming sign structures may remain on the property but shall be re-used to advertise on-site goods or services within one year or will be considered abandoned. An abandoned sign shall be removed in accordance with Subsection 21A.46.150.E with the following exception:

a. The zoning administrator may extend the one-year period if the property owner provides evidence that the property was marketed for occupancy at least once every calendar year.

E. Restoration of Signs:

1. Voluntarily Removed Signs: Unless authorized by Subsections 21A.46.140.B or 21A.46.140.C above, a nonconforming sign voluntarily removed from the property by the property owner or property owner's representative shall not be restored unless it is restored to conform with the regulations of this title.

2. Involuntarily Destroyed Signs: If a nonconforming sign is involuntarily destroyed in whole or in part due to fire or other calamity, the sign may be restored to its original condition with respect to size, setback, height, and other nonconforming dimensional standards of the zoning district in which the sign is located, provided such work is started within one year, unless a longer time frame is approved by the building official, after such calamity.

SECTION 8. Amending the Text of Salt Lake City Code Section 21A.46.150. That

Section 21A.46.150 of the *Salt Lake City Code* (Zoning: Signs: Permits, Inspection and Enforcement) shall be, and hereby is amended to read as follows:

21A.46.150: PERMITS, INSPECTION AND ENFORCEMENT:

A. Enforcement ~~By~~ Building Official: The building official shall have the authority to enforce these sign regulations. In the performance of that duty, the building official may:

1. Issue Permits: Issue permits to construct, modify ~~alter~~ or repair signs which conform to the provisions of this chapter;

2. Determine Conformance: Ascertain that all signs, construction, and all reconstruction or modifications of existing signs are built or constructed or modified in conformance with the provisions of these sign regulations and all other regulations incorporated herein by reference;
3. Require Inspection Tags: Require that each sign located in the City requiring a sign permit have affixed to the sign or its supports a current inspection tag visible from the sidewalk or nearest convenient location. This inspection tag shall be issued pursuant to the procedures for sign inspections, set forth in §Subsection B of this section;
4. Issue Citations ~~A~~and Complaints: Issue citations and/or file complaints against violators of these sign regulations;
5. Confiscate Signs: Confiscate signs located on public property in accordance with the provisions of §Subsection H of this section.

B. Inspection Requirements: The building official shall have the authority to inspect signs as follows:

1. Initial Inspection After Construction: The building official shall make an initial inspection prior to footings being poured on a freestanding sign, and upon the completion of construction, erection, re-erection or remodeling of any sign for which a permit has been issued and an inspection request is made.
2. Issuance ~~O~~of Inspection Tag: Upon completion of the sign inspection, the building official shall issue the appropriate inspection tag to the owner or sign contractor if the sign is found to conform to the provisions of this chapter. The presence of a current inspection tag shall serve as certification that the sign to which it is affixed conforms to the provisions of this chapter at the time of its erection and tagging.
3. Tag Data: Each sign inspection tag shall include the permit number and shall be recorded in the office of the building official as to the sign type, size, cost of construction, date of sign permit, and owner's and sign contractor's name and address.
4. Tag Installation: The inspection tag shall be installed by the sign owner, or sign contractor taking out the permit.
5. Inspection: The building official shall conduct an inspection of signs. If the building official finds any sign which has no visible inspection tag, has a visible inspection tag but is in need of repair, or violates any provision of this chapter, the building official may take the necessary legal action as specified in §Subsections D through I of this section.

C. Legal Actions Authorized: The building official may take any appropriate action or institute any proceeding in any case where any sign is erected, constructed, reconstructed,

~~modified~~~~altered~~, repaired, converted or maintained, or in any case where any sign is used in violation of these sign regulations or any other city ordinance, in order to accomplish the following purposes:

1. To prevent such unlawful erection, construction, reconstruction, modification~~alteration~~, repair, conversion, maintenance or use of a sign; and
2. To restrain, to correct, or to abate such violation.

D. Notice ~~Of~~ Violation: The building official may provide written notice of violation by registered mail to the owner of the property where the sign is located or person having charge or control or benefit of any sign found by the building official to be unsafe or dangerous, or in violation of these sign regulations or of any other city ordinance.

E. Nonmaintained ~~Or~~ Abandoned Signs: The building official may require each nonmaintained or abandoned sign to be removed from the building or premises when such sign has not been repaired or put into use by the owner, person having control or person receiving benefit of such structure within thirty (30) calendar days after notice of nonmaintenance or abandonment is given to the owner, person having control or person receiving the benefit of such structure.

F. Unsafe ~~Or~~ Dangerous Signs: If an unsafe or dangerous sign is not repaired or made safe within five (5) working days after the building official gives notice pursuant to ~~s~~Subsection D of this section, the building inspector may abate and remove the sign, and the person having charge, control or benefit of any such sign shall pay to the city the costs incurred in such removal within thirty (30) calendar days after written notice is mailed to such person.

G. Illegal Signs: If an illegal sign is not brought into compliance with the provisions of these sign regulations within thirty (30) working days after the building official gives notice pursuant to ~~s~~Subsection D of this section, the building inspector may abate and remove the sign, and the owner, person having charge, control or benefit of any such sign shall pay to the city the costs incurred in such removal within thirty (30) calendar days after written notice is mailed to such person.

H. Confiscation ~~Of~~ Signs: The building official shall immediately confiscate any sign located on public property in violation of these sign regulations or any other city ordinances. Confiscated signs shall be stored at a location determined by the building official for a period of thirty (30) days, during which time the owner or person having charge, control or benefit of the confiscated sign may redeem the sign after payment of fifty dollars (\$50.00) and any applicable civil fines established pursuant to ~~e~~Chapter 21A.20 of this title. The city shall not be liable for damages incurred to signs as a result of their confiscation. In addition to civil penalties sign owners and persons having charge, control or benefit of any sign erected in violation of this chapter shall be liable for any damages caused to public property, public facilities or public utilities by reason of the

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placement, attachment and/or removal of such unlawful signs. Signs not redeemed within thirty (30) days shall be destroyed.

- I. Violation/Penalty: Any person whether acting as owner or occupant of the premises involved, or contractor, or otherwise, who violates or refuses to comply with any of the provisions of this chapter shall be guilty of a misdemeanor and, upon conviction, shall be punished as provided in ~~s~~Section 1.12.050 of this code. A separate offense shall be deemed to be committed on each day an offense occurs or continues.

SECTION 9. Amending the Text of Salt Lake City Code Section 21A.60.020. That Section 21A.60.020 of the *Salt Lake City Code* (Zoning: List of Terms: List of Defined Terms) shall be, and hereby is amended as follows:

- a. Section 21A.60.020 is amended to delete the term “Alteration, sign”:

~~Alteration, sign. See chapter 21A.46 of this title.~~

- b. Section 21A.60.020 is amended to modify the term “Electronic changeable copy sign” to read as follows:

Electronic changeable copy ~~sign~~. See ~~e~~Chapter 21A.46 of this title.

SECTION 10. Effective Date. This Ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah, this ____ day of _____, 2023.

CHAIRPERSON

ATTEST AND COUNTERSIGN:

CITY RECORDER

Transmitted to Mayor on _____.

Mayor’s Action: _____ Approved. _____ Vetoed.

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MAYOR

CITY RECORDER
(SEAL)

Bill No. _____ of 2023.

Published: _____.
Ordinance regulating nonconforming signs

SALT LAKE CITY ORDINANCE
No. _____ of 2023

(An ordinance amending various sections of Title 21A of the Salt Lake City Code
pertaining to Nonconforming Signs)

An ordinance amending various sections of Title 21A of the *Salt Lake City Code* pursuant
to Petition No. PLNPCM2022-00984 pertaining to nonconforming signs.

WHEREAS, the Salt Lake City Planning Commission (“Planning Commission”) held a
public hearing on March 29, 2023 to consider a petition submitted by Mayor Erin Mendenhall
(“Applicant”) (Petition No. PLNPCM2022-0984) to amend various sections of Chapter 21A.46
(Zoning: Signs) of the *Salt Lake City Code* to modify regulations pertaining to nonconforming
signs; and

WHEREAS, at its March 29, 2023 meeting, the Planning Commission voted in favor of
transmitting a positive recommendation to the Salt Lake City Council (“City Council”) on said
petition; and

WHEREAS, after a public hearing on this matter the City Council has determined that
adopting this ordinance is in the city’s best interests.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Amending the Text of *Salt Lake City Code* Section 21A.46.020. That
Section 21A.46.020 of the *Salt Lake City Code* (Zoning: Signs: Definitions) shall be, and hereby
is amended as follows:

a. Section 21A.46.020 is amended to delete the definition of “ALTERATION,
SIGN”.

b. Section 21A.46.020 is amended to modify the definition of “ANIMATED SIGN” to read as follows:

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

c. Section 21A.46.020 is amended to modify the definition of “ELECTRONIC CHANGEABLE COPY SIGN” to read as follows:

ELECTRONIC CHANGEABLE COPY: The copy of a sign containing an electronically 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” shall not be defined as a type of “animated sign” if the message displayed is fully readable within three (3) seconds. Electronic changeable copy shall be considered, for the intents of this chapter, a sign face type rather than a sign type.

SECTION 2. Amending the Text of *Salt Lake City Code* Subsection 21A.46.030.A.

That Subsection 21A.46.030.A of the *Salt Lake City Code* (Zoning: Signs: General Sign Permit Requirements: Sign Permit Required) shall be, and hereby is amended to read as follows:

- A. Sign Permit Required: Except where exempted by the provisions of this chapter, it is unlawful for any person to erect, construct, enlarge, locate or modify any on or off premises sign within the city contrary to any provisions of this chapter without first obtaining a sign permit from the building official. No sign shall be erected, constructed, reconstructed, located or modified until the site plan for such sign has been approved and a sign permit issued by the building official. Such permits shall be issued only to State of Utah licensed contractors unless specifically exempted by the State of Utah.

SECTION 3. Amending the Text of *Salt Lake City Code* Section 21A.46.070. That Section 21A.46.070 of the *Salt Lake City Code* (Zoning: Signs: General Standards) shall be, and hereby is amended to read as follows:

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.46.060.B 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: The sign face identifying a discontinued use on the property shall be removed from the property when the use is discontinued. The removal of nonconforming signs shall be regulated by Section 21A.46.140.
- H. 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.

- I. 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.
- J. 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.
- K. 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 ~~A~~and Marquee Signs: As authorized in other sections of this chapter.

L. 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.

M. 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.

N. 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.

O. 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 through 21A.46.120 of this chapter for zoning district limitations on size, height and location of new development signs.

P. 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 Type¹	Display Period	Removal Required 3 Days After
Construction impact area mitigation sign	Per city guidelines ²	Per city guidelines ²
Construction sign	Duration of construction	Completion
Garage/yard sale sign	2 sales per year (7days 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 through 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.

- Q. 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.
- R. 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.
- S. 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.
- T. Freeway Frontage: Freeways shall be considered street frontage for signage purposes, except for monument signs. Pole signs approved on freeway frontage shall be limited to seventy five percent (75%) of the maximum size allowed for the zone. Reduced size pole signs shall be interchangeable with other pole signs on the same site.
- U. Historic District Signs: The historic landmark commission may authorize, as a minor alteration modification to an existing sign or the size or placement of a new sign in a historic district or on a landmark site, including placement of a sign type not allowed in the underlying zone, 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. If a sign in a local historic district or on a landmark site has been designated a vintage sign as per Section 21A.46.125 of this chapter, the modifications allowed in that section may be authorized by the historic landmark commission subject to the appropriate standards of Section 21A.34.020 of this title.
- V. 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.

SECTION 4. Amending the Text of *Salt Lake City Code* Subsection 21A.46.080.A.4.

That Subsection 21A.46.080.A.4 of the *Salt Lake City Code* (Zoning: Signs: Sign Regulations for Residential Districts: Sign Regulations for Single-Family and Two-Family Residential Districts: Supplementary Regulations) shall be, and hereby is amended to read as follows:

4. Supplementary Regulations:
 - a. Signs for Nonconforming Business Uses: Signs for permitted nonconforming business uses shall conform to Subsection 21A.46.090.A.4 of this chapter, sign regulations for the CN district, but shall not be internally illuminated.
 - b. Illumination: Signs for residential uses shall not be internally illuminated, except for new development signs and development entry signs.

SECTION 5. Amending the Text of *Salt Lake City Code* Subsection 21A.46.110.A.3.b.

That Subsection 21A.46.110.A.3.b of the *Salt Lake City Code* (Zoning: Signs: Sign Regulations for Downtown Districts: Sign Regulations for the D-1 and D-4 Downtown Districts: Sign Type, Size and Height Standards: Sports Arena Located on the Block between South Temple and 100 South Between 300 and 400 West Streets) shall be, and hereby is amended to read as follows:

- b. Sports Arena Located on the Block Between South Temple and 100 South Between 300 and 400 West Streets:

STANDARDS FOR THE SPORTS ARENA LOCATED ON THE BLOCK
BETWEEN SOUTH TEMPLE AND 100 SOUTH BETWEEN 300 AND 400
WEST STREETS

Types of Signs Permitted⁷	Maximum Area per Sign Face	Maximum Height of Freestanding Signs¹	Minimum Setback²	Number of Signs Permitted per Sign Type
Awning/canopy signs	5 square feet per linear foot of canopy length (sign area only)	Shall not be located above the second floor level of the building for both awning and canopy signs	May extend 6 feet from face of building but not within 2 feet from back of curb	1 per first floor window/door, may be combined with adjacent doors/windows
Flat sign (general building orientation)	5 square feet per linear foot of building face	See note 1	n/a	1 per building face
Flat sign (storefront orientation)	Flat sign (storefront orientation)	See note 1	n/a	3 per business storefront
Flat sign display, electronic changeable copy ³	No larger than 1,400 square feet per sign	See note 1	n/a	5 per city block
Freestanding sign, electronic changeable copy ⁴	Not more than 1,600 square feet per sign, which may be located in a continuous round display	45 feet	n/a	2 per city block
Monument sign	3 square feet per linear foot of street frontage	20 feet	None	5 per street frontage

Private directional sign ⁵	100 square feet	20 feet	No setback	No limit
Roof surface sign	30,000 square feet ⁶	n/a	n/a	1 per roof surface
Special event light pole sign	10 square feet	20 feet	n/a	2 per light pole
Special event sign	Sign may cover up to 60% of total building face ⁷	May not exceed the height of building	n/a	1 per street frontage
Window sign	90% of total frontage window area (interior or exterior) for sports arena events, not to exceed 6 months in duration for each calendar year unless otherwise allowed by the zoning administrator.	No Limit	n/a	No Limit

Notes:

1. For height limits on building signs, see Subsection 21A.46.070.J of this chapter.
2. Public property lease and insurance required for projection over property line.
3. Flat sign, electronic changeable copy may display static or rotating messages or operate as outdoor television monitors.
4. An advertising face on a freestanding sign with electronic changeable copy that is not oriented to a public street may be operated to allow full motion video display. Displays oriented to a public street must not allow animation, may change no more frequently than every 8 seconds and must complete each transition within 1 second.
5. Private directional sign may include electronic changeable copy within the sign area.
6. To be located on the horizontal plane of a roof surface, primarily viewable from planes and surrounding buildings located above the arena.
7. Advertising or corporate logos are limited to on premises advertising of sports arena events and sponsors only.

SECTION 6. Amending the Text of *Salt Lake City Code* Subsection 21A.46.120.E.4.b.

That Subsection 21A.46.120.E.4.b of the *Salt Lake City Code* (Zoning: Signs: Sign Regulations for Special Purpose Districts: Sign Regulations for the UI, PL, PL-2, I, UI, OS and NOS Districts: Sign Type, Size and Height Standards for the PL, PL-2 and I Districts: Standards for the Ballpark Located on the Southeast Corner of 1300 South and West Temple) shall be, and hereby is amended to read as follows:

- b. Standards for the Ballpark Located on the Southeast Corner of 1300 South and West Temple: Flat signs, construction signs, political signs, real estate signs, new development signs, window signs, public safety signs, and nameplates shall comply with the table for standards for the PL, PL-2 and I Districts.

Types of Signs Permitted	Maximum Area per Sign Face	Maximum Height of Freestanding Signs¹	Minimum Setback²	Number of Signs Permitted
Awning signs	1 square foot per linear foot of awning	See note 1	May extend 6 feet from face of building, 2 feet from back of curb face ⁵	1 per first floor door/window and not to extend beyond 1 foot on each side of the door or window width
Monument signs ^{3,4}	60 square feet of total sign face area including a base. The base shall be 25% of the sign height	8 feet	10 feet	1 per building frontage
Pole signs (triangle frame structure)	180 square feet per gross sign face. 540 square feet for the structure	30 feet	No sign projection over the property line	1 pole sign which allows 4 sign panels per sign face, 1 of which may contain electronic

				changeable copy ⁴ and 1 logo sign (12 total signs for the triangular pole sign)
Private direction signs ³	8 square feet of total sign face area including a base. The base shall be 25% of the sign height	4 feet	2 feet behind property lines	2 per driveway approach and as necessary for pedestrian direction

Notes:

1. For limits on the height of building signs, see Subsection 21A.46.070.J of this chapter.
2. Not applicable to temporary signs mounted as flat signs.
3. Modified from the standards for the PL, PL-2 and I Districts and required for the Ballpark Overlay District.
4. Electronic changeable copy shall only be permitted on arterial street frontages. Electronic changeable copy panels shall not exceed 50 square feet.
5. Public property lease and insurance required for projection over property line.

SECTION 7. Amending the Text of *Salt Lake City Code* Section 21A.46.140. That

Section 21A.46.140 of the *Salt Lake City Code* (Zoning: Signs: Nonconforming Signs) shall be, and hereby is amended to read as follows:

21A.46.140: NONCONFORMING SIGNS

- A. Applicability: The regulations in this section shall apply to all nonconforming signs with the following exceptions:
 1. Vintage signs shall be regulated by Section 21A.46.125 of this chapter.
 2. Billboards shall be regulated by Section 21A.46.160 of this chapter.
- B. Modifications: A sign permit may be issued for modifications to a nonconforming sign provided the modifications do not increase the level of nonconformity of such sign. This includes changes to dimensional standards, location, or the replacement of any part of the sign structure. This provision does not apply in the case of:

1. Any modification that is necessary due to a government action that results in the relocation or alteration of a sign, including signs that would become nonconforming due to the government action, are permitted.

C. Maintenance: Nonconforming signs shall be maintained as defined in Section 21A.46.020, including the temporary removal of the sign for repairs and other routine maintenance. The sign shall be reinstalled in the same location and in the same manner or relocated to a location that increases the level of conformity.

D. Sign Removal:

1. The sign face identifying a discontinued use on the property shall be removed from the property when the use is discontinued.
2. Nonconforming sign structures may remain on the property but shall be re-used to advertise on-site goods or services within one year or will be considered abandoned. An abandoned sign shall be removed in accordance with Subsection 21A.46.150.E with the following exception:
 - a. The zoning administrator may extend the one-year period if the property owner provides evidence that the property was marketed for occupancy at least once every calendar year.

E. Restoration of Signs:

1. Voluntarily Removed Signs: Unless authorized by Subsections 21A.46.140.B or 21A.46.140.C above, a nonconforming sign voluntarily removed from the property by the property owner or property owner's representative shall not be restored unless it is restored to conform with the regulations of this title.
2. Involuntarily Destroyed Signs: If a nonconforming sign is involuntarily destroyed in whole or in part due to fire or other calamity, the sign may be restored to its original condition with respect to size, setback, height, and other nonconforming dimensional standards of the zoning district in which the sign is located, provided such work is started within one year, unless a longer time frame is approved by the building official, after such calamity.

SECTION 8. Amending the Text of *Salt Lake City Code* Section 21A.46.150. That

Section 21A.46.150 of the *Salt Lake City Code* (Zoning: Signs: Permits, Inspection and Enforcement) shall be, and hereby is amended to read as follows:

21A.46.150: PERMITS, INSPECTION AND ENFORCEMENT:

- A. Enforcement by Building Official: The building official shall have the authority to enforce these sign regulations. In the performance of that duty, the building official may:
1. Issue Permits: Issue permits to construct, modify or repair signs which conform to the provisions of this chapter;
 2. Determine Conformance: Ascertain that all signs, construction, and all reconstruction or modifications of existing signs are built or constructed or modified in conformance with the provisions of these sign regulations and all other regulations incorporated herein by reference;
 3. Require Inspection Tags: Require that each sign located in the city requiring a sign permit have affixed to the sign or its supports a current inspection tag visible from the sidewalk or nearest convenient location. This inspection tag shall be issued pursuant to the procedures for sign inspections, set forth in Subsection B of this section;
 4. Issue Citations and Complaints: Issue citations and/or file complaints against violators of these sign regulations;
 5. Confiscate Signs: Confiscate signs located on public property in accordance with the provisions of Subsection H of this section.
- B. Inspection Requirements: The building official shall have the authority to inspect signs as follows:
1. Initial Inspection After Construction: The building official shall make an initial inspection prior to footings being poured on a freestanding sign, and upon the completion of construction, erection, re-erection or remodeling of any sign for which a permit has been issued and an inspection request is made.
 2. Issuance of Inspection Tag: Upon completion of the sign inspection, the building official shall issue the appropriate inspection tag to the owner or sign contractor if the sign is found to conform to the provisions of this chapter. The presence of a current inspection tag shall serve as certification that the sign to which it is affixed conforms to the provisions of this chapter at the time of its erection and tagging.
 3. Tag Data: Each sign inspection tag shall include the permit number and shall be recorded in the office of the building official as to the sign type, size, cost of construction, date of sign permit, and owner's and sign contractor's name and address.
 4. Tag Installation: The inspection tag shall be installed by the sign owner, or sign contractor taking out the permit.
 5. Inspection: The building official shall conduct an inspection of signs. If the building official finds any sign which has no visible inspection tag, has a visible inspection tag

but is in need of repair, or violates any provision of this chapter, the building official may take the necessary legal action as specified in Subsections D through I of this section.

- C. Legal Actions Authorized: The building official may take any appropriate action or institute any proceeding in any case where any sign is erected, constructed, reconstructed, modified, repaired, converted or maintained, or in any case where any sign is used in violation of these sign regulations or any other city ordinance, in order to accomplish the following purposes:
1. To prevent such unlawful erection, construction, reconstruction, modification, repair, conversion, maintenance or use of a sign; and
 2. To restrain, to correct, or to abate such violation.
- D. Notice of Violation: The building official may provide written notice of violation by registered mail to the owner of the property where the sign is located or person having charge or control or benefit of any sign found by the building official to be unsafe or dangerous, or in violation of these sign regulations or of any other city ordinance.
- E. Nonmaintained or Abandoned Signs: The building official may require each nonmaintained or abandoned sign to be removed from the building or premises when such sign has not been repaired or put into use by the owner, person having control or person receiving benefit of such structure within thirty (30) calendar days after notice of nonmaintenance or abandonment is given to the owner, person having control or person receiving the benefit of such structure.
- F. Unsafe or Dangerous Signs: If an unsafe or dangerous sign is not repaired or made safe within five (5) working days after the building official gives notice pursuant to Subsection D of this section, the building inspector may abate and remove the sign, and the person having charge, control or benefit of any such sign shall pay to the city the costs incurred in such removal within thirty (30) calendar days after written notice is mailed to such person.
- G. Illegal Signs: If an illegal sign is not brought into compliance with the provisions of these sign regulations within thirty (30) working days after the building official gives notice pursuant to Subsection D of this section, the building inspector may abate and remove the sign, and the owner, person having charge, control or benefit of any such sign shall pay to the city the costs incurred in such removal within thirty (30) calendar days after written notice is mailed to such person.
- H. Confiscation of Signs: The building official shall immediately confiscate any sign located on public property in violation of these sign regulations or any other city ordinances. Confiscated signs shall be stored at a location determined by the building official for a period of thirty (30) days, during which time the owner or person having charge, control or benefit of the confiscated sign may redeem the sign after payment of fifty dollars

(\$50.00) and any applicable civil fines established pursuant to Chapter 21A.20 of this title. The city shall not be liable for damages incurred to signs as a result of their confiscation. In addition to civil penalties sign owners and persons having charge, control or benefit of any sign erected in violation of this chapter shall be liable for any damages caused to public property, public facilities or public utilities by reason of the placement, attachment and/or removal of such unlawful signs. Signs not redeemed within thirty (30) days shall be destroyed.

- I. Violation/Penalty: Any person whether acting as owner or occupant of the premises involved, or contractor, or otherwise, who violates or refuses to comply with any of the provisions of this chapter shall be guilty of a misdemeanor and, upon conviction, shall be punished as provided in Section 1.12.050 of this code. A separate offense shall be deemed to be committed on each day an offense occurs or continues.

SECTION 9. Amending the Text of *Salt Lake City Code* Section 21A.60.020. That Section 21A.60.020 of the *Salt Lake City Code* (Zoning: List of Terms: List of Defined Terms) shall be, and hereby is amended as follows:

- a. Section 21A.60.020 is amended to delete the term “Alteration, sign”.
- b. Section 21A.60.020 is amended to modify the term “Electronic changeable copy sign” to read as follows:

Electronic changeable copy. See Chapter 21A.46 of this title.

SECTION 10. Effective Date. This Ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah, this ____ day of _____, 2023.

CHAIRPERSON

ATTEST AND COUNTERSIGN:

CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CITY RECORDER
(SEAL)

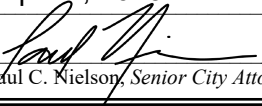
Bill No. _____ of 2023.

Published: _____.

Ordinance regulating nonconforming signs (final)

APPROVED AS TO FORM
Salt Lake City Attorney's Office

Date: **April 7, 2023**

By: 
Paul C. Nielson, Senior City Attorney

1. PROJECT CHRONOLOGY

Project Chronology

Petition: PLNPCM2022-00984

October 11, 2022	Application accepted.
October 11, 2022	Petition assigned to Katilynn Harris, Principal Planner.
October 2022 – February 2023	Petition reviewed internally, and staff drafted language to support goals of the petition.
February 6, 2023	Notice mailed to all Community Councils.
February 6, 2023	Application posted for the online open house.
March 16, 2023	Planning Commission agenda posted to the website and emailed to the listserv.
March 23, 2023	Staff report posted to Planning’s webpage.
March 29, 2023	Planning Commission meeting and public hearing. A positive recommendation was forwarded to the City Council.
April 7, 2023	Signed ordinance received from City Attorney’s Office.

2. NOTICE OF CITY COUNCIL HEARING

NOTICE OF CITY COUNCIL HEARING

The Salt Lake City Council is considering Petition **PLNPCM2022-00984** – Mayor Erin Mendenhall has initiated a petition to amend the zoning ordinance related to nonconforming signs. This proposed amendment is generally focused on aligning sign standards with city goals, supporting businesses, and addressing any applicable state law. The proposed changes would allow for more flexibility for the maintenance, reuse, modification, and updating of existing signs. The proposed changes also clarify when the removal of such signs is required. (Staff Contact: Katilynn Harris at 801-535-6179 or katilynn.harris@slcgov.com.)

As part of their study, the City Council is holding an advertised public hearing to receive comments regarding the petition. During the hearing, anyone desiring to address the City Council concerning this issue will be given an opportunity to speak. The Council may consider adopting the ordinance the same night of the public hearing. The hearing will be held:

DATE:

TIME: 7:00 pm

PLACE: Electronic and in-person options.
451 South State Street, Room 326, Salt Lake City, Utah

**** This meeting will be held via electronic means, while also providing for an in-person opportunity to attend or participate in the hearing at the City and County Building, located at 451 South State Street, Room 326, Salt Lake City, Utah. For more information, including WebEx connection information, please visit www.slc.gov/council/virtual-meetings. Comments may also be provided by calling the 24-Hour comment line at (801) 535-7654 or sending an email to council.comments@slcgov.com. All comments received through any source are shared with the Council and added to the public record.**

If you have any questions relating to this proposal or would like to review the file, please call Katilynn Harris at 801-535-6179 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, or via e-mail at katilynn.harris@slcgov.com. The application details can be accessed at <https://citizenportal.slcgov.com/>, by selecting the “planning” tab and entering the petition number PLNPCM2022-00984.

People with disabilities may make requests for reasonable accommodation, which may include alternate formats, interpreters, and other auxiliary aids and services. Please make requests at least two business days in advance. To make a request, please contact the City Council Office at council.comments@slcgov.com, (801)535-7600, or relay service 711.

3. ORIGINAL PETITION



MEMORANDUM

PLANNING DIVISION
DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Mayor Erin Mendenhall

Cc: Lisa Shaffer, Chief Administrative Officer; Blake Thomas, Department of Community and Neighborhoods Director; Michaela Oktay, Deputy Planning Director

From: Nick Norris, Planning Director

Date: October 5, 2022

Re: Amendments related to nonconforming signs in Chapter 21.46 of the Zoning Ordinance

The Planning Division is requesting that you initiate a zoning text amendment to modify the standards related to nonconforming signs. Nonconforming signs are existing signs that were permitted under previous versions of city code and that do not conform to current standards. These signs are allowed to continue to exist; however, the zoning ordinance is very restrictive when it comes to alterations and changes in ownership of such signs. The zoning ordinance prohibits any type of alteration of nonconforming signs, including modifications to the structure, the design, or the message. The zoning ordinance also requires the removal of a sign within 30 days after a use is discontinued. The limitations on nonconforming signs discourage updating the signs, including the method of illumination to more energy efficient systems, prevent property owners from making signs more complying to existing standards, encourage the keeping of poorly maintained structures, and create an unnecessary burden on business owners who are not allowed to reuse or update an existing nonconforming sign.

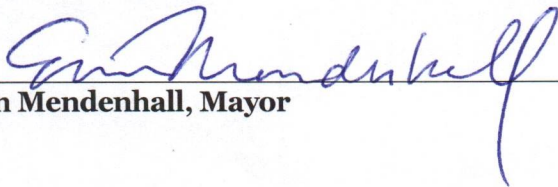
The standards for alterations of nonconforming signs have not been evenly applied for sign face changes that maintain the overall sign structure. Several sign permits have been issued since the adoption of the ordinance for the change of the text and message of signs as routine maintenance. While this is contrary to the language of the code, these permits were issued in good faith and to the benefit of property/business owners. The Planning Division believes that alterations to the face, sign cabinet, type of illumination, or the design, and even the replacement to a more complying sign, will not create an adverse impact to the surrounding properties and the city in general and supports small businesses because of an increase in flexibility regarding modifications to existing signs.

This zoning amendment would focus on aligning the sign standards with city goals, supporting businesses, and addressing any applicable state law. The intent of the change will be to allow more flexibility for reusing, modifying, and updating existing signs. A public process will be conducted to gauge public input on the proposed changes and the proposal will follow the same required steps of any other text amendment, including notification to recognized community organizations, a public hearing with the Planning Commission and a decision from City Council.

This memo includes a signature block to initiate the petition if that is the decided course of action. If the decided course of action is to not initiate the application, the signature block can remain blank. Please notify the Planning Division when the memo is signed or if the decision is made to not initiate the petition.

Please contact me at ext. 6173 or nick.norris@slcgov.com if you have any questions. Thank you.

Concurrence to initiate the zoning text amendment petition as noted above.



Erin Mendenhall, Mayor

10-10-22
Date

4. PUBLIC COMMENTS



**Comments on Salt Lake City's proposal to amend the Nonconforming Signs
Zoning Ordinance to permitted modifications to and maintenance of
signs that do not conform with the zoning code**

March 23, 2023

Scenic Utah is a 501c3 non-profit organization working to protect and enhance the scenic qualities of our communities, countryside, and roadways. Our focus areas include sign and billboard control, and we advocate for fair and practical policies aimed at reducing the negative impacts of outdoor advertising.

Our team of volunteers with deep experience in sign and billboard control has worked hard to understand the full rationale for the proposed text amendments. While we agree the City's nonconforming signs zoning ordinance should be updated to reflect current standards and technologies, we find key aspects of the proposed text amendments to be ambiguous and lacking in specificity. This ambiguity, we believe, has a high potential for unintended consequences.

Below is a summary of the following three principal concerns we have with the proposed text amendments:

- 1) Changing the definition from 'electronic changeable copy sign' to "a sign face type"
 - 2) Failing to include language that updates 'twirl times' and 'dwell times' for electronic signs
 - 3) Failing to include specific standards or criteria for determining the conditions under which a sign could be moved or modified – as well as a process for public notice and involvement in decisions about upgrades or modifications to nonconforming signs
- 1) It is unclear why the City seeks to change the definition of an 'electronic changeable copy sign' to mean a "a sign **face type**" (rather than a sign type). An electronic sign is a "type" of sign, as are back-lit signs, painted signs, pole signs, neon signs, etc. A sign "face" typically means the entire surface area of a sign intended for the display of copy and can include additional areas extending from the sign.

Many businesses have single sign faces comprised of multiple sign types. For example, some gas stations have signs with both static copy (displaying the name of the business) and electronic changeable copy (displaying fluctuating gasoline prices). Movie theaters' sign faces often include static copy displaying the name of the theater together with changeable electronic copy displaying movie titles and showtimes. Thus, in the current ordinance, a simple on-premises sign face can be comprised of multiple sign types; as long as it meets size and other criteria, it is considered to be one sign face.

If an electronic sign is defined as a sign face type, and only one sign face is allowed on a building or property, is the City intending, under the new definition, that if a business uses electronic copy on its sign face, that is the only type of copy allowed (since 'electronic changeable copy' would become a face type that excludes other face types)?

This is a confusing text amendment that implies everything on a sign face must either be electronic or static, but not both. The City should provide a clearer rationale for why this change is being proposed.

- 2) If the City is intending to better regulate electronic signage and allow for updates to existing nonconforming signs, twirl times and dwell times should be updated / specified and included in the proposed amendment. The current ordinance's lack of a specified dwell time, and its outdated 3-second twirl time, allows businesses to twirl digital messaging 20 times per minute – effectively projecting movies to sign audiences.

Current electronic sign technology allows for a twirl time of less than one second. The City's ordinance should reflect this and should specify sensible dwell times similar to or longer than that imposed by state law – which requires a minimum 8-second dwell time. (Certain zones in many cities, including some in Provo and elsewhere, require dwell times on on-premises signs of up to a minute or longer for safety and aesthetic purposes.)

- 3) The City states that the proposed amendments would allow more flexibility for maintaining, reusing, modifying, and updating existing nonconforming signs. We agree this is an important step for the reasons the Planning Department has articulated. However, the proposed amendment includes no standards or criteria for determining the specific conditions under which these signs can or should be maintained, updated, reused or modified.

For example, will signs with historical or cultural significance be considered differently from signs with no such history? Will aesthetics or zoning changes be a factor in determining how or whether a sign can be updated? Will 'upgrades' to electronic signage be permitted everywhere, or only in certain zones?

Failing to establish clear standards and criteria could also expose planning staff to difficult, even subjective, decision making. We envision a scenario where an iconic ice-cream cone sign is permitted to upgrade or be reused, simply because it is iconic and beloved, while a less favored sign depicting a large bucket of chicken is refused the same upgrade or reuse.

Finally, an updated nonconforming sign ordinance should describe the decision-making process the City will follow when permitting sign upgrades or modifications; its process for notifying and involving impacted communities about proposed sign modifications; and the process it will require for appealing a decision about sign modifications. If these sections are already articulated in the ordinance, the proposed text amendment should reference them.

The Scenic Utah team is available to meet with the appropriate Planning staff at their convenience to discuss our concerns and suggestions in further detail.

Respectfully,

Ralph Becker (Chair)

Kate Kopischke (Executive Director)

Scenic Utah

www.scenicutah.org

From: [Harris, Katilynn](#)
To: [REDACTED]
Subject: RE: (EXTERNAL) RE: Comments on SLC's Proposed Nonconforming Signs Text Amendment
Date: Tuesday, April 11, 2023 11:56:00 AM
Attachments: [image001.png](#)

Good morning Kate,

I apologize for my delay in getting back to you. Your follow up email got automatically sorted into a folder I didn't check until today. I will be sure to include both your initial comment and the follow up email in the transmittal package sent to city council.

Your initial comments were considered by the Planning Commission during their discussion of the text amendment as one of the commissioners specifically wanted clarification on some of the issues raised by your comments.

As you've pointed out, the standards regulating electronic copy are quite old and do not reflect modern advancements; however, amendments to those regulations are beyond the scope of this specific text amendment which is limited to standards related to nonconforming signs. Changes to electronic copy standards would require a separate petition. As you know, an attempt to address this aspect of the sign ordinance was initiated a few years ago and did not get taken up by the city council.

The proposed amendments to the electronic changeable copy sign term and definition are related to nonconforming signs which is why they are included in this proposed amendment. The current term created some interpretation issues because the definition indicates that electronic changeable copy is a component of a sign but the inclusion of "sign" in the defined term indicates that it is a type of sign akin to monument or flat signs. Because of how "sign" is defined in the ordinance, this created a situation where it wasn't clear if permitted signs that had electronic changeable copy on them were considered nonconforming because electronic changeable copy sign isn't included in the sign tables. The amendments to the defined term is simply to clarify that electronic changeable copy is not a sign as defined by the code and therefore is subject to the same regulations as any other sign face. Sign face is used in the definition because "sign face" is a defined term in the ordinance.

Thank you for your comments and please let me know if you have any additional questions.



KATILYNN HARRIS | *(She/Her/Hers)*
Principal Planner
PLANNING DIVISION | SALT LAKE CITY CORPORATION
Phone: (801) 535-6179
Email: katilynn.harris@slcgov.com
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From: Kate Kopischke [REDACTED]
Sent: Sunday, April 2, 2023 3:27 PM
To: Harris, Katilynn <katilynn.harris@slcgov.com>
Cc: Ralph Becker [REDACTED]; Petro, Victoria <victoria.petro-eschler@slcgov.com>; Puy,

Alejandro <alejandro.puy@slcgov.com>; Wharton, Chris <chris.wharton@slcgov.com>; Valdemoros, Ana <ana.valdemoros@slcgov.com>; Mano, Darin <darin.mano@slcgov.com>; Dugan, Dan <dan.dugan@slcgov.com>; amyfowler@slcgov.com; Mendenhall, Erin <erin.mendenhall@slcgov.com>; Otto, Rachel <rachel.otto@slcgov.com>

Subject: (EXTERNAL) RE: Comments on SLC's Proposed Nonconforming Signs Text Amendment

Dear Katilynn,

We appreciated your March 28 reply to our initial comments (attached) regarding SLC's proposed nonconforming signs text amendment. We're unsure whether they were considered by the Planning Commission before it forwarded a positive recommendation to City Council, but we wanted to provide additional detail on your note responding to our comments and questions.

We remain convinced that the proposed amended text is unclear and confusing and will create additional problems for the City – especially for permitting staff who are likely to be challenged on vague or missing definitions and standards regarding on-premises signs.

For example, the amendment does not address today's basic issues / challenges of electronic signage – including dwell time. We understand dwell-time standards are currently applied to billboards, not to on-premises signs. However, SLC's 'electronic changeable copy' sign standards were adopted many decades ago, long before the advent of today's digital sign technology.

If the City does not require specific dwell times for the growing number of Electronic Message Centers (or EMCs, as electronic changeable copy signs are commonly called), sign owners will remain free to change content every THREE seconds. Surely the EMC at Lifetime Store on Warm Springs Road, which projects to I-15 drivers the equivalent of a movie featuring its many sports and outdoor equipment products, is not what the City intends to allow?

Nor does the proposed text amendment address brightness ordinances or curfew times for sign operations – two standards that are increasingly being demanded by residents and applied in cities around the world.

We would encourage the City to initiate an additional petition to update its 70s-era electronic changeable copy definitions and standards to reflect current technology and terminology.

An additional confusion with the proposed text amendment is changing the definition of an electronic sign from a 'type' to a 'face.' The City maintains that an EMC is not a "type" of sign, like pole signs or monument signs. But neither is an EMC a "face", defined as a viewable area that may contain various modes of copy *other than electronic* (i.e., neon, backlit, painted, etc.).

An idea for avoiding this confusion – and any potential unintended consequences of calling EMCs a 'face' – is to remove the words 'face' and 'type' from the definition, and simply say 'a sign or portion of a sign.'

Updates to the sign ordinance that would have addressed some of these issues were proposed many years ago by the Planning Department and forwarded to the then-City Council, which never took up the sign ordinance changes.

We would be happy to work with you on this important – and certainly needed – sign ordinance update. If the City would find it useful, our team could provide more detailed comments and suggest amendments to a red-lined text version of the full ordinance that could clarify and address these concerns. We would also be happy to schedule a face-to-face meeting to discuss these issues.

Thank you for considering our comments, and for the work you do. We look forward to hearing from you.

Ralph Becker (Chair)
Kate Kopischke (Director)
Scenic Utah

SALT LAKE CITY PLANNING DIVISION

PLANNING COMMISSION SUMMARY OF ACTIONS

March 29, 2023 at 5:30 p.m.

4. Nonconforming Signs Text Amendment – Mayor Erin Mendenhall has initiated a petition to amend section 21A.46.140 of the zoning ordinance related to nonconforming signs. This proposed amendment is generally focused on aligning sign standards with city goals, supporting businesses, and addressing any applicable state law. The proposed changes would allow for more flexibility for maintaining, reusing, modifying, and updating of existing signs. The proposed changes also clarify when the removal of such signs is required. The planning commission may consider modifications to other related sections of title *21A Zoning* as part of this proposal.

Staff Contact: Katilynn Harris at 801-535-6179 or katilynn.harris@slcgov.com

Case Number: PLNPCM2022-00984

Action: A positive recommendation was forwarded to City Council

5. Updates to Policies & Procedure

Action: Adopted

From: Harris, Katilynn <Katilynn.Harris@slcgov.com>

Sent: Tuesday, March 28, 2023 1:07 PM

To: Kate Kopischke [REDACTED]

Subject: RE: (EXTERNAL) Comments on SLC's Proposed Nonconforming Signs Text Amendment

Good afternoon,

Again, thank you for your comments. As stated earlier, your comments have been shared with the Planning Commission in advance of the meeting this Wednesday. I also want to take a minute to try to address a few of the comments and questions raised.

1. Updating the definition of electronic changeable copy sign: The purpose for this change is to provide clarity in the zoning ordinance. In Chapter 21A.46, a sign is defined as the sign face and all portions of the structure itself. Additionally, a sign face is defined the part of a sign that is used to identify, advertise or communicate information. Electronic changeable copy is not considered a "sign type" as defined by the zoning code because any type of sign (pole, monument, flat, etc.) could contain electronic changeable copy as part of the sign face. Additionally, with exception to the sports arena area and the ballpark area, electronic changeable copy is not included in the sign type tables – the regulations (height, setbacks, size, etc.) are determined by the type of sign – whether it be a pole sign, flat sign, monument sign. The update to the definition of electronic changeable copy is to clarify that it is not considered a sign type that is regulated by specific zoning districts like a pole sign or monument sign would be but rather is a face type that could be included as part of any sign type.

Your comments reference electronic sign - The zoning ordinance also differentiates between electronic

changeable copy and electronic sign. Electronic changeable copy is defined in the general definitions section (21A.46.020) and is the definition we are proposing to make some changes to. Electronic sign is only defined in the billboard section (21A.46.160). This text amendment does not change or impact any regulations or definitions related to billboards.

2. Twirl times and dwell times of electronic signs: As mentioned above, electronic signs are only defined in the billboard section of the sign chapter (21A.46.160) and the only portions of sign ordinance that reference dwell time and twirl time are also in the billboard section. Billboards are regulated separately by section 21A.46.160 and the proposed text amendment is not making any changes to that chapter.

The definition of electronic changeable copy does have a reference to “the message being readable within 3 seconds” – we can further research to make sure this existing language is consistent with state code and best practices.

3. Specific standards for sign modifications: Any nonconforming sign may be maintained and modified as defined by 21A.46.020 so long as the maintenance or modification does not increase the degree of nonconformity. A sign can be nonconforming for a number of reasons including setback, height, size, or location. Nonconforming sign modifications do not require a public planning process and therefore only require a sign permit to make the modification. During the sign permit review process, the proposed changes will be evaluated against the sign ordinance and provided the modifications do not increase the degree of nonconformity, or create a new nonconformity, the modifications are permitted. This is in keeping with regulations for nonconforming uses and noncomplying structures found in 21A.40 of the zoning code.

Vintage signs are signs that have unique characteristics that contribute to the historical or cultural character of the neighborhood. These are designated through a process identified in 21A.46.125 and are regulated differently than other nonconforming signs – the proposed text amendment does not impact designated vintage signs. Additionally, any sign within a local historic district may be modified in accordance with 21A.46.070.V – the proposed text amendment does not impact modifications to signs in local historic districts.



KATILYNN HARRIS | *(She/Her/Hers)*
Principal Planner
PLANNING DIVISION | SALT LAKE CITY CORPORATION
Phone: (801) 535-6179
Email: katilynn.harris@slcgov.com
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From: Harris, Katilynn

Sent: Monday, March 27, 2023 12:38 PM

To: Kate Kopischke [REDACTED]

Subject: RE: (EXTERNAL) Comments on SLC's Proposed Nonconforming Signs Text Amendment

Thank you for your comments. I will forward them to the Planning Commission.



KATILYNN HARRIS | *(She/Her/Hers)*
Principal Planner
PLANNING DIVISION | SALT LAKE CITY CORPORATION
Phone: (801) 535-6179
Email: katilynn.harris@slcgov.com
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From: Kate Kopischke [REDACTED]
Sent: Friday, March 24, 2023 12:25 AM
To: Harris, Katilynn <katilynn.harris@slcgov.com>
Subject: (EXTERNAL) Comments on SLC's Proposed Nonconforming Signs Text Amendment

Dear Katilynn,

Please see Scenic Utah's comments, attached.

We welcome an opportunity to discuss these in greater detail, or to answer any questions as you develop your recommendations.

Best regards,

Kate Kopischke
Scenic Utah

From: [REDACTED]
To: [Harris, Katilynn](#)
Subject: (EXTERNAL) Fw: comments on changes to the sign ordinance
Date: Thursday, March 30, 2023 10:47:08 AM

Katilynn-Good to finally say "hello" to you. Here are the comments about the sign ordinance. I did a little ad-libbing but my remarks at the hearing were pretty close to the text below.
Sincerely, cindy c.

From: cindy cromer
Sent: Wednesday, March 29, 2023 4:37 PM
To: cindy cromer [REDACTED]
Subject: comments on changes to the sign ordinance

First some history of the City's sign ordinance:

- 1 Doug Dansie, who retired in 2019, was the sign guru. I never attempted to figure out the complexities of the ordinance. I just called Doug who could answer off the top of his head.
- 2 The long-time Planning Director Vern Jorgensen was committed to the removal of overhanging signs and awnings on Main Street. The result was a more sterile streetscape and greater difficulty locating businesses. One of the many insults to Main Street.

I think an additional consideration in the proposal should be Sustainability. No one is talking about how much building material is going to the dump. Repurposing an existing sign is likely to be labor intensive relative to the manufacture of a new sign (good) and simultaneously conserve materials (good).

The mantra is "Don't make something already nonconforming, more so." It is a good rule unless you are talking about in-line additions. So stick with that recommendation from staff: Don't make something nonconforming more nonconforming."

Here are some notorious examples:

-Jimmie John's at 600 E/400 S where the existing black ice cream cones were made more nonconforming by additional signage, lots of it (as if

black ice cream cones didn't attract enough attention

Scenic Motel on Foothill where the developers attempted to exploit the historic sign radically altering it

Salt Lake Regional's inappropriate monument signs in the South Temple Historic District Young Electric Sign should have known better, but obviously the City employee who approved the signs did not.

Which leads me to the conclusion that it is essential to have training for all City employees involved in permitting signs once the new ordinance is adopted. Essential.