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## M E M O R A N D U M

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**DATE:** October 1, 2004  
**TO:** City Council Members  
**FROM:** Russell Weeks  
**RE:** Public Hearing: Ordinance Petition No. 400-04-10 – Proposed Amendment to Delta Center Specialized Signage District  
**CC:** Cindy Gust-Jenson, Rocky Fluhart, Lee Martinez, Louis Zunguze, Cheri Coffey, Doug Dansie, Gary Mumford, Janice Jardine

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This memorandum pertains to a proposed amendment to a section of the Salt Lake City *Zoning Ordinance*. The amendment originally was submitted to the Administration as Petition No. 400-04-10 by the LHM Arena Corporation. The proposed amendment would change one word in a table titled *Standards for the Delta Center* in Section 21A.46.110.A.3(b) of the *Zoning Ordinance*. The change would allow the Delta Center to place three, flat, “storefront” signs on each “storefront” face of the Delta Center instead of one “storefront” sign on each “storefront” face that the current *Zoning Ordinance* allows.

The City Council is scheduled to hold a public hearing on the proposed amendment at the Council’s formal meeting October 5. The City Council received a briefing from the Administration on September 7 and forwarded the proposed amendment for formal consideration.

### **OPTIONS**

It should be noted that the public hearing is required because the proposed ordinance is a text change to the City’s *Zoning Ordinance*. It should be noted that, according to the Administration’s transmittal, the *Zoning Ordinance* contains a specialized signage overlay district that is exclusive to the Delta Center. The overlay district was enacted to address specialized sign requirements unique to the Delta Center. Given that, two options appear available:

- Adopt the proposed ordinance after the public hearing.
- Do not adopt the proposed ordinance after the public hearing.

### **POTENTIAL MOTIONS**

- **Relating to the public hearing:** I move that the City Council close the public hearing.
- **Relating to the proposed ordinance:**
  - I move that the City Council adopt the ordinance amending *Salt Lake City Code* regarding sign regulations for the Delta Center Specialized Signage District, pursuant to Petition No. 400-04-10.
  - I move that the City Council deny Petition No. 400-04-10.

## **DISCUSSION/BACKGROUND**

The LHM (Larry H. Miller) Arena Corporation submitted the petition to the City in February 2004, according to the Administration transmittal. The Planning Commission unanimously adopted a motion at its April 28 meeting to recommend favorable consideration of the ordinance.

LHM Arena Corporation submitted the petition because it seeks to place two flat, “storefront” signs at Delta Center entrances to advertise the “NuSkin Theatre” located inside the Delta Center. According to the Planning Division staff report, “The proposal is to allow signage for the NuSkin Theatre on the side of each entrance of the Delta Center.”

The current ordinance allows one flat sign on each building face for “general building orientation” and one flat sign “per business storefront” for “storefront orientation.” The large signs that spell “Delta Center” at the top of the Delta Center are the “general building orientation signs.” The smaller signs above the doors of the Delta Center that spell out “Delta Center” are the “storefront orientation” signs. The LHM Arena Corporation has placed signs advertising the “NuSkin Theatre” at the Delta Center’s northeast entrance where they flank the Delta Center sign that is above the doors. Those particular signs were allowed because the northeast entrance is considered to have more than one “storefront,” according to the Administration. It appears to City Council staff that if the proposed ordinance is adopted, LHM Arena Corporation could install “NuSkin Theatre” signs next to the existing Delta Center signs on the northwest and southeast entrances as well.

According to the Administration’s transmittal, the *Zoning Ordinance* contains a specialized signage overlay district that is exclusive to the Delta Center. The overlay district was enacted to address specialized sign requirements unique to the Delta Center. According to the Planning Division staff report attached to the transmittal, the *Zoning Ordinance* allows for specialized sign districts to “accommodate unique situations where the signage package may need to differ from the surrounding area.”

According to the staff report, “Unlike most retail developments the Delta Center occupies the entire block yet is considered to have only one storefront along each side. A typical city block would have multiple storefronts. Allowing additional storefront signage for the Delta Center will not create a situation where it has more signage than the typical retail block.”

The staff report also noted that the Delta Center is not located within a historical district or a groundwater source protection overlay; that the proposal generated no comments when the Planning Division mailed a letter in March to a community council and other interested parties; and no one from the public spoke at the Planning Commission’s April 28 public hearing on the issue.