
SALT LAKE CITY COUNCIL STAFF REPORT

DATE: November 9, 2006

SUBJECT: Petition 400-05-02 – City Council request to amend the Zoning Ordinance Temporary Portable (A-frame) Sign regulations

AFFECTED COUNCIL DISTRICTS: If the ordinance is adopted the Zoning Ordinance text amendments would affect Council Districts citywide

STAFF REPORT BY: Janice Jardine, Land Use Policy Analyst

ADMINISTRATIVE DEPT. AND CONTACT PERSON: Community Development Department, Planning Division
Joel Paterson, Planning Programs Supervisor

NOTICE REQUIREMENTS: Newspaper advertisement and written notification to surrounding property owners 14 days prior to the Public Hearing

Should the Council choose to move this item forward to a public hearing after the briefing from the Administration, Council staff has identified the following tentative dates.

- November 21 Set hearing date
- December 5 Council hearing

KEY ELEMENTS:

- A. The proposed text changes are intended to address action by the Council requesting additional standards and location criteria be provided for temporary portable signs that limit the placement of such signs to a certain area around the business using the sign for advertising purposes. In addition, the Administration's transmittal notes that the proposed changes also address issues identified by the City's Public Utilities Department and Zoning Enforcement and Transportation Divisions.
- B. An ordinance has been prepared for Council consideration that would amend the Zoning Ordinance Sign Chapter relating to location of Temporary Portable (A-frame) Signs. (Sec. 21A.46.055) For ease of reference, the Temporary Potable Sign section of the Zoning Ordinance has been provided with the proposed changes shown in revision format. Please see Attachment 1 at the end of this staff report. Proposed changes, summarized below, include:
1. Limits the location of a temporary portable sign attended by a representative designated by the temporary portable sign owner that owns or works in a business on the block face on which the advertising business is located or on the two intersecting block faces. *(The Administration's transmittal notes that this language is intended to address concerns noted by Council Members regarding temporary portable signs being located miles from the advertising business and signs located with the City's corporate boundaries advertising businesses located outside of Salt Lake City.)*
 2. A 'block face' (for placement of temporary portable signs) in the Downtown and Gateway zoning districts is defined as all of the lots facing one side of a street between 2 intersecting collector and/or arterial streets.

3. Additional language to ensure that portable signs are not located within the roadway and that the City may request removal or relocation to accommodate construction activity within the public right of way.
 4. Location criteria to provide additional unobstructed sidewalk space.
 - a. 10 feet wide on Main Street between South Temple and 400 South.
 - b. 8 feet wide in the Downtown D-1, D-3, D-4 and Gateway Mixed Use zoning districts.
 - c. 6 feet wide in all other applicable zoning districts.
 5. Location criteria that allow the placement of a portable sign within 25 feet of a building with windows that provide a view of the sign from inside the building.
 6. The current temporary portable sign (A-frame sign) regulations allow portable signs to be located within the public right-of-way including park strips in certain downtown, commercial, manufacturing and mixed-use residential zoning districts. A sign permit or proof of insurance is not required. The purpose of the sign provisions is to encourage and facilitate additional retail activity.
- C. The public process included a Planning Division sponsored Open House, presentation to the City's Business Advisory Board and written notification of the Planning Commission hearing. The Administration's transmittal notes:
- a. Notice of the Open House was sent to Community Council Chairs, Downtown Alliance/Chamber of Commerce, Downtown Merchants Association, Vest Pocket Business coalition, The City business Advisory Board, and interested parties who participated in earlier open houses and public hearings regarding temporary portable signs.
 - b. The City Business Advisory Board provided a letter of support to the Planning Commission for the proposed temporary portable sign amendments.
 - c. *Please note: A memorandum from the City Business Advisory Board Chair expressing the Board's support of the proposed text amendments was received in the City Council office on September 26, 2006. The memorandum was provided to Council Members via electronic mail and is provided again for reference at the end of this staff report. Please see Attachment 2.*
- D. The City's Fire, Police, and Public Utilities Departments and Transportation and Engineering Divisions have reviewed the request. The Administrations transmittal and Planning staff report indicated that the proposed text amendments address issues identified by City Departments/Divisions.
- E. The Planning staff report provides the findings for the Zoning Ordinance Section 21A.50.050 - Standards for General Amendments. The standards were evaluated in the Planning staff report and considered by the Planning Commission. (Discussion and findings for the standards are found on pages 6-7 of the Planning staff report.)
- F. On March 8, 2006, the Planning Commission voted, based on the comments, analysis and findings, to forward a positive recommendation to the City Council to adopt the proposed Zoning Ordinance text amendments. No public comments were offered during the Commission's public hearing.
- G. Issues discussed at the Planning Commission hearing (summarized below) included:
1. Allowing the use of temporary portable signs in Research Park.
 2. The definition of block face and intersections.
 3. Potential City liability in relation to temporary portable signs.
 4. Planning staff noted:
 - a. The Zoning Ordinance currently allows temporary portable signs in the Research Park RP zoning district.
 - b. The definition of block face currently in the Zoning Ordinance is applicable to the Research Park RP zoning district.

- c. To the best of staff's knowledge there had not been any liability issues with temporary portable signs and other types of signs that encroach into the public right-of-way, such as marquee signs, require insurance.

MATTERS AT ISSUE /POTENTIAL QUESTIONS FOR THE ADMINISTRATION:

The Council may wish to discuss with the Administration whether the temporary portable sign regulations should be applied to other zoning districts that permit portable signs such as the Research RP and Mixed Use MU zoning districts. Doing so would provide consistency throughout the various zoning districts and provide consistent administration, interpretation and enforcement of the temporary portable sign provisions. For example, financial institutions, and accessory retail sales and services are permitted uses in the Research RP and Mixed Use MU zoning districts. Retail goods and service establishments, gas stations including convenience retail, restaurants with or without drive-through facilities are permitted in the Mixed Use MU zoning district.

MASTER PLAN AND POLICY CONSIDERATIONS:

- A. The City's Strategic Plan and the Futures Commission Report express concepts such as maintaining a prominent sustainable city, ensuring the City is designed to the highest aesthetic standards and is pedestrian friendly, convenient, and inviting, but not at the expense of minimizing environmental stewardship or neighborhood vitality. The Plans emphasize placing a high priority on maintaining and developing new affordable residential housing in attractive, friendly, safe environments and creating attractive conditions for business expansion including retention and attraction of large and small businesses.
- B. The 1990 Urban Design Element includes statements that emphasize preserving the City's image, neighborhood character and maintaining livability while being sensitive to social and economic realities. The document notes that signs contribute to the character of different areas of the City and are often a major identifying feature. Applicable policy concepts include the following statements:
 1. Provide ample opportunities for businesses to advertise products and services without having a detrimental effect on the community.
 2. Consider sign design and location as an integral part of all development, not as an afterthought.

CHRONOLOGY:

The Administration's transmittal provides a chronology of events relating to the proposed rezoning and master plan amendment. Key dates are listed below. Please refer to the Administration's chronology for details.

- Nov. 18, 2003 City Council action – adoption of Ordinance 65 of 2003
Amending the Zoning Ordinance to incorporate zoning standards for temporary portable signs
- Feb. 15, 2005 City Council action – adoption of Ordinance 5 of 2005
Removing the sunset date for temporary portable sign regulations and requesting the Administration provide future amendments to deal with distance and location criteria
- March 7, 2006 Planning Division sponsored Open House
- March 8, 2006 Business Advisory Board meeting
- March 22, 2006 Planning Commission hearing
- March 23, 2006 Ordinance requested from City Attorney's office

- April 7, 2006

Ordinance received from City Attorney's office

cc: Sam Guevara, Rocky Fluhart, DJ Baxter, Alison McFarlane, Ed Butterfield, Ed Rutan, Lynn Pace, Melanie Reif, Louis Zunguze, Orion Goff, Larry Butcher, Craig Spangenberg, Randy Isbell, Doug Wheelwright, Cheri Coffey, Joel Paterson, Russell Weeks, Jennifer Bruno, Jan Aramaki, Marge Harvey, Sylvia Jones, Lehua Weaver, Veronica Wilson, Barry Esham, Gwen Springmeyer

File Location: Community Development Dept., Planning Division, Zoning Text Amendment, Portable signs (A-frame signs)

PETITION 400-05-02
TEXT AMENDMENT TO ADD DISTANCE REGULATIONS TO
ZONING ORDINANCE PROVISIONS REGARDING PORTABLE SIGNS

21A.46.020 Definitions

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

"A-frame sign" means a temporary and/or portable sign constructed with two (2) sides attached at the top allowing the sign to stand in an upright position.

21A.46.030 General Sign Permit Requirements

- I. **Permission Required For Signs And Marquees On Or Over Public Right Of Way:** Except for portable signs authorized pursuant to section 21A.46.055 of this chapter, signs, marquees and other structures encroaching on or over the public sidewalk or on or over a public right of way shall obtain permission from the city pursuant to the city's rights of way encroachment policy.

21A.46.040 Exempt Signs

- N. **Portable Signs:** Portable signs as authorized pursuant to section 21A.46.055 of this chapter.

21A.46.055 **Temporary Portable Signs:** Pursuant to the terms and conditions set forth in this section, attended portable signs shall be allowed on public property in residential/business (RB), residential mixed use (R-MU), neighborhood commercial (CN), community business (CB), community shopping (CS), corridor commercial (CC), Sugar House business district (CSHBD), general commercial (CG), light manufacturing (M-1), heavy manufacturing (M-2), central business district (D-1), downtown support (D-2), downtown warehouse/residential (D-3), downtown secondary central business district (D-4), gateway-mixed use (G-MU) and business park (BP) zoning districts.

- A. **Size:** The maximum size of such portable signs shall not exceed three feet (3') in height and two feet (2') in width on a sidewalk. Illumination and other attached decorations or objects on such signs are prohibited.
- B. **Location:** *Within the zoning districts identified above, any person may display a freestanding portable sign on the city owned right of way (sidewalk or park strip) but not in the roadway. Signs may not be attached to any utility poles, traffic signs, newsracks or any other item or fixture in the public way. The usable sidewalk space must remain unobstructed. Unobstructed sidewalk space must be at least ten feet (10') wide on Main Street between South Temple and 400 South; and where available, eight feet (8') wide in the D-1, D-3, D-4 and G-MU districts. ~~six feet (6')~~ in In all other applicable areas a*
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minimum of six feet (6') of unobstructed space is required. In addition, any portable sign may not be placed in any location that would obstruct any ADA accessible feature.

C. **Construction:** All portable signs must be built so as to be reasonably stable and to withstand expected wind and other weather elements.

D. **Attended Portable Signs:** An "attended portable sign" is a portable sign placed by a person who, either in person or through a representative, at all times while the sign is in the public right of way, remains either: 1) within twenty five feet (25') of the sign or 2) on the first floor of a building whose front entrance is within twenty five feet (25') of the sign or which has windows providing a view of the portable sign from within the building. Salt Lake City reserves the right to request the removal or relocation of a portable sign to accommodate construction activity within the public right of way.

E. **Distance from Advertising Business:** Portable signs shall be permitted only on the block face (as defined in 21A.62.040 of this Title) on which the business being advertised is located and on up to two (2) block faces intersecting with the block face containing the advertising business, provided that the portable sign is located within a zoning district which permits said signs. Within the Downtown and Gateway zoning districts, a block face shall be defined as all of the lots facing one side of a street between two (2) intersecting collector or arterial streets.

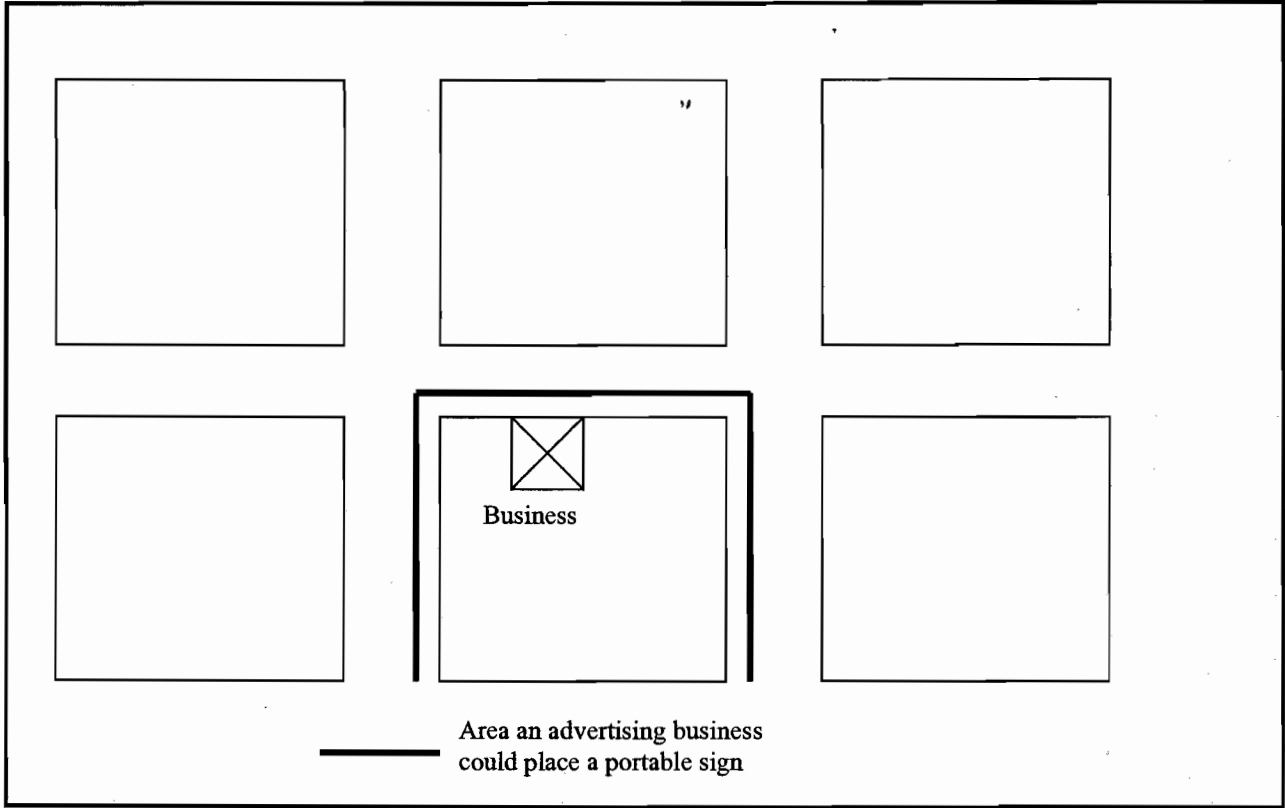
21A.46.060 Signs Specifically Prohibited In All Zoning Districts:

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

E. Portable signs, except where specifically permitted by district sign regulations;

21A.46.070 General Standards

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



— Area an advertising business
could place a portable sign



SEP 26 2006

MEMORANDUM

DATE: September 21, 2006

TO: City Council

FROM: Business Advisory Board
Mary Corporon - Chair

RE: Text amendment to Portable Signs Zoning Ordinance

CC: Mayor Ross C. Anderson, Alison McFarlane, Cindy Gust-Jensen, Sam Guevara, Louis Zunguze, Rocky Fluhart

Background

On March 8, 2006, Joel Patterson, Senior Planner, Preservation & Urban Design, presented a draft of the proposed text amendment to the Portable Signs Zoning Ordinance. The amendment places restrictions on the distance of a portable sign from an advertising business based on block faces defined as "lots facing one side of a street between two intersecting collector or arterial streets" with exceptions for businesses in the Downtown Zoning Districts. Additionally, the amendment will allow for windows that provide "a view of the portable sign from within the building" to be included as part of the attended portable sign requirement.

Discussion

The Board supports the use of A-frames signs (also referred to as sandwich signs) as a means to attract customers to Salt Lake City businesses. It is important to the Board that A-frame signs are allowed within two block faces of the business, as proposed. Additionally, the expanded definition of attended A-frames to include windows addresses the legitimate needs of some unique, small local businesses that must direct customers down small side streets, behind buildings, to nearby parking, or provide other directions.

In the past, A-frames signs have been described as visual pollution; however, it is important to note that the commercial "clutter" from small businesses gives character to the community. The Board felt it was essential to keep a balance between disorder and sterility. The proposed amendments to the ordinance seem to provide a reasonable solution."

Recommendations

The Board commends the City for implementing the Temporary Portable Sign Ordinance. The amendments to the original ordinance effectively address most of the reported abuses by businesses outside the City boundaries that use A-frame signs for advertisement purposes within the City. The amendments are fair and allow businesses in Salt Lake City to continue using A-frames with minimal restrictions. We appreciate the continuing support from the City.


A. LOUIS ZUNGUZE
DIRECTOR

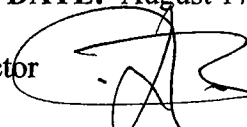
BRENT B. WILDE
DEPUTY DIRECTOR

SALT LAKE CITY CORPORATION
DEPT. OF COMMUNITY DEVELOPMENT
OFFICE OF THE DIRECTOR

ROSS C. "ROCKY" ANDERSON
MAYOR

CITY COUNCIL TRANSMITTAL

TO: Rocky Fluhart, Chief Administrative Officer  **DATE:** August 17, 2006

FROM: Louis Zunguze, Community Development Director 

RE: Petition 400-05-02 by the Salt Lake City Council requesting amendments to the Portable Sign regulations found in Chapter 21A.46 of the Zoning Ordinance

STAFF CONTACTS: Joel Paterson, Planning Programs Supervisor, at 535-6141 or joel.paterson@slcgov.com

RECOMMENDATION: That the City Council hold a briefing and schedule a Public Hearing

DOCUMENT TYPE: Ordinance

BUDGET IMPACT: None

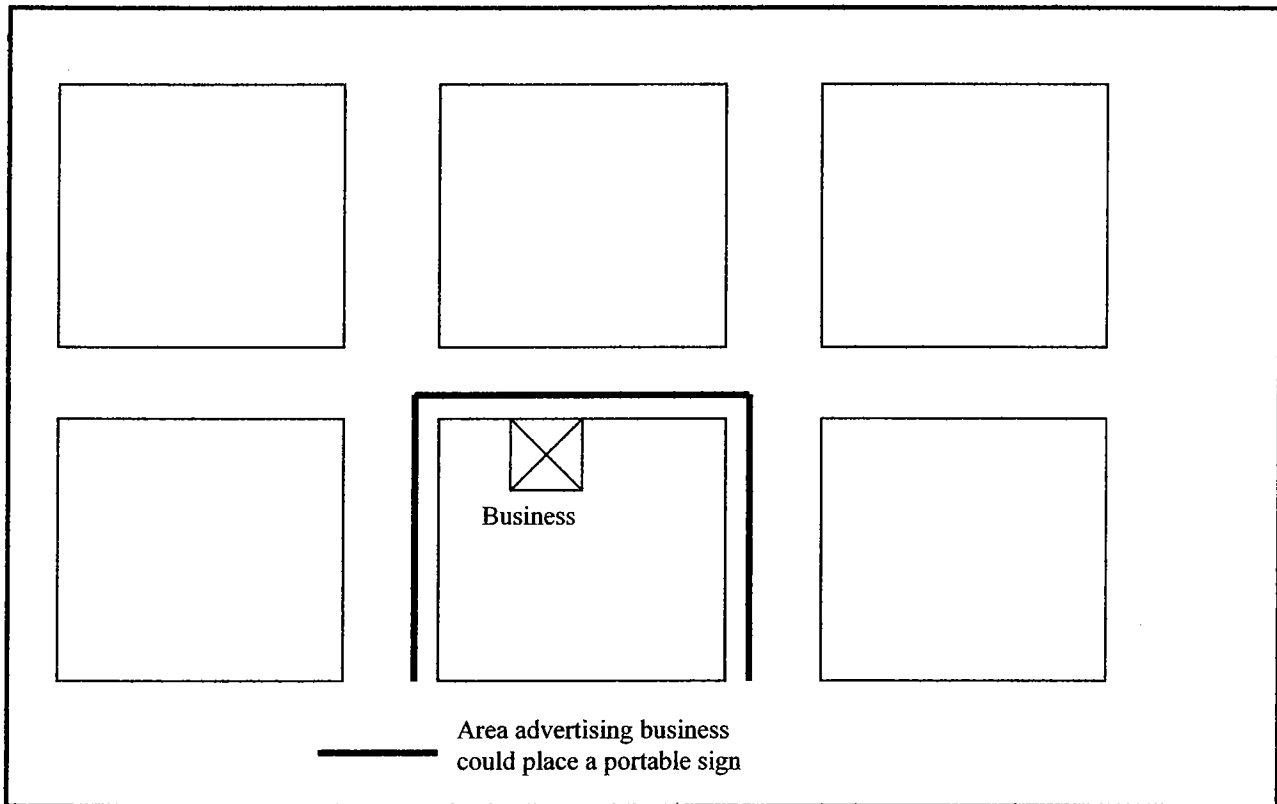
DISCUSSION:

Issue Origin: In May, 2003, acting on a request by the City Administration, the City Council enacted temporary zoning regulations to allow portable signs on City-owned rights-of-way (sidewalks or park strips) in certain zoning districts to encourage and facilitate additional retail activity in the City. Prior to the adoption of the temporary standards, portable signs were not allowed in Salt Lake City. Since the adoption of the temporary standards for portable signs, the City Council and Mayor Anderson have initiated the following petitions:

- Petition 400-03-26 – Initiated by Mayor Anderson as a follow-up to the temporary zoning standards. This petition included a request to amend the text of the Zoning Ordinance to incorporate zoning standards for portable signs. The City Council approved this petition on November 18, 2003, with the adoption of Ordinance 65 of 2003. The sunset date for this ordinance was December 4, 2003.
- Petition 400-04-47 – Initiated by Mayor Anderson to amend the portable sign regulations in the Zoning Ordinance by eliminating the sunset date adopted as part of Petition 400-03-26. The City Council approved this petition on February 15, 2005, with the adoption of Ordinance 5 of 2005.
- Petition 400-05-02 (the subject of this transmittal) – Initiated by the City Council to consider modifications to the portable sign provisions to limit the distance a sign may be located from the advertising business. The summary of this petition is as follows:

Analysis:

During a Public Hearing in December 2004, the City Council requested that an amendment be considered that would limit the distance that a portable sign could be located from the advertising business. The Council discussed instances of portable signs being placed miles from the advertising business and even signs within the Salt Lake City Corporate boundaries advertising businesses in other cities. To avoid these situations, Staff is proposing language in 21A.46.055.D "Attended Portable Signs" which limits the location of a portable sign attended by a representative designated by the portable sign owner that owns or works in a business on the block face on which the advertising business is located or on the two intersecting block faces as indicated on the illustration below:



The proposed approach, however, does necessitate a new definition of block face. For the purposes of administering the portable sign ordinance, currently the Zoning Ordinance definition of "block face" reads:

21A.64.040 Definitions

"Block face" means all of the lots facing one side of a street between two (2) intersecting streets. Corner properties shall be considered part of two (2) block faces, one for each of the two (2) intersecting streets. In no case shall a block face exceed one thousand feet (1,000').

Because the Downtown and Gateway Zoning Districts include the large number of blocks which are divided by minor streets, such as Regent Street, Pierpont Avenue, Market Street, and Exchange Place, the established block pattern may diminish the effectiveness of the portable sign regulations by limiting the ability of a business to place portable signs at major intersections. For this reason, under the Portable Sign regulations, the definition of “block face” in the Downtown and Gateway Zoning Districts is proposed to be modified, for the purpose of locating portable signs, to read: “all lots facing one side of a street between two (2) intersecting **collector and/or arterial** streets”. This modified definition would allow a block face to include all of the properties on one side of a ten acre block; for example, all the properties between State and Main streets or between 100 South and 200 South streets.

During discussions regarding the impact of the proposed amendments to the portable sign regulations, Staff determined that amendments to two other sections of the City Code are also necessary to maintain clarity. The proposed amendments in 21A.46.055.B “Location” are clarifications requested by the Transportation Division to further refine the language of the ordinance to ensure that portable signs are not located within the roadway and to provide additional unobstructed sidewalk space in the Central Business District where the pedestrian traffic is the greatest.

The proposed amendments to the provision in 21A.46.055.D “Attended Portable Signs” are intended to solve an issue raised by Zoning Enforcement. At times, enforcement is required because a portable sign is placed in front of a business but, because the front entrance is recessed or actually on the side of the building away from the property frontage, the portable sign could not be placed within the required twenty-five feet (25’) of the front entrance. The proposed language resolves this issue by allowing the placement of a portable sign within twenty-five feet (25’) of the entrance or a front window that provides a view of the sign from inside the advertising business.

Master Plan Considerations: The Urban Design Element encourages signage that provides ample opportunities for businesses to advertise products and services without having a detrimental effect upon the community. The Urban Design Element includes the following guidelines for signs:

- Require signs within a view corridor to be low profile and preferably mounted parallel to the building surface; and
- Encourage sign design as an integral part of the design of buildings and developments.

PUBLIC PROCESS:

Public Open House: The Planning Division held a Public Open House on March 7, 2006. Notice of the Open House was sent to all the Community Council Chairs, Downtown Alliance/Chamber of Commerce, Downtown Merchants Association, Vest Pocket Business Coalition, the Business Advisory Board, and interested parties who participated in earlier Open Houses and Public Hearings regarding portable signs. Two people attended the Open House and one submitted comments supportive of the proposed portable sign provisions. Public comments received as part of the review of this petition are included in Attachment 3 of the Planning Commission Staff Report, which is presented as Exhibit 5b of this transmittal.

Business Advisory Board: Staff made a presentation on the proposed amendments to the Business Advisory Board on March 8, 2006. The Board expressed support for the portable sign regulations and voted unanimously in favor of the petition. A letter of support is included in Attachment 3 of the Planning Commission Staff Report, which is presented as Exhibit 5b of this transmittal.

Planning Commission: The Planning Commission held a Public Hearing on March 22, 2006, and voted to forward a positive recommendation to the City Council to adopt the proposed Zoning Ordinance text amendments. No public comments were offered during the Public Hearing.

RELEVANT ORDINANCES:

Section 21A.50.050 Standards for General Amendments

Amendments to the Zoning Ordinance and Maps are authorized under Section 21A.50 of the Salt Lake City Zoning Ordinance, as detailed in Section 21A.50.050: "A decision to amend the text of this title or the zoning map by general amendment is a matter committed to the legislative discretion of the City Council and is not controlled by any one standard." It does, however, list five standards, which should be analyzed prior to amending the text of the Zoning Ordinance or rezoning property (Section 21A.50.050.A-E). The five standards are discussed in detail starting on page 5 of the Planning Commission Staff Report (see Exhibit 5b).

EXHIBIT 1
CHRONOLOGY

CHRONOLOGY

PETITION 400-05-02

February 15, 2005	The City Council requested the Planning Division to look at possible amendments to the portable sign regulations to address the distance that a sign could be placed from a business.
March 7, 2006	A Public Open House was held.
March 8, 2006	A presentation was made to the Business Advisory Board which voted to support the proposed amendments.
March 22, 2006	The Planning Commission held a Public Hearing and voted unanimously to forward a positive recommendation to the City Council.
March 23, 2006	Requested the City Attorney's Office to prepare an ordinance
April 7, 2006	The City Attorney's Office submitted a signed ordinance for City Council consideration.

EXHIBIT 2
PROPOSED ORDINANCE

SALT LAKE CITY ORDINANCE
No. _____ of 2006
(Amending Section 21A.46.055 of the Sign Code)

AN ORDINANCE AMENDING SECTION 21A.46.055, *SALT LAKE CITY CODE*,
PERTAINING TO TEMPORARY PORTABLE SIGNS, PURSUANT TO PETITION NO. 400-
05-02.

WHEREAS, the proposed amendments are consistent with the purposes, goals, objectives, and policies of Salt Lake City's general plan; and

WHEREAS, the City Council finds that the proposed amendments are in the best interest of the City.

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

SECTION 1. That Section 21A.46.055 of the Salt Lake City Code, pertaining to temporary portable signs be, and hereby is, amended to read as follows:

21A.46.055 Temporary Portable Signs:

Pursuant to the terms and conditions set forth in this section, attended portable signs shall be allowed on public property in residential/business (RB), residential/mixed use (R-MU), neighborhood commercial (CN), community business (CB), community shopping (CS), corridor commercial (CC), Sugar House business district (CSHBD), general commercial (CG), light manufacturing (M-1), heavy manufacturing (M-2), central business district (D-1), downtown support (D-2), downtown warehouse/residential (D-3), downtown secondary central business district (D-4), gateway-mixed use (G-MU) and business park (BP) zoning districts.

A. **Size:** The maximum size of such portable signs shall not exceed three feet (3') in height and two feet (2') in width on a sidewalk. Illumination and other attached decorations or objects on such signs are prohibited.

B. **Location:** Within the zoning districts identified above, any person may display a freestanding portable sign on the city owned right of way (sidewalk or park strip) but not in the roadway. Signs may not be attached to any utility poles, traffic signs, newsracks or any other item or fixture in the public way. The usable sidewalk space must remain unobstructed. Unobstructed sidewalk space must be at least ten feet (10') wide on Main Street between South Temple and 400 South; and where available, eight feet (8') wide in the D-1, D-3, D-4 and G-MU districts six feet (6'). In all other applicable areas a minimum of six feet (6') of unobstructed space is required. In addition, any portable sign may not be placed in any location that would obstruct any ADA accessible feature.

C. **Construction:** All portable signs must be built so as to be reasonably stable and to withstand expected wind and other weather elements.

D. **Attended Portable Signs:** An "attended portable sign" is a portable sign placed by a person who, either in person or through a representative, at all times while the sign is in the public right of way, remains either: 1) within twenty five feet (25') of the sign or 2) on the first floor of a building whose front entrance is within twenty five feet (25') of the sign or which has windows providing a view of the portable sign from within the building. Salt Lake City reserves the right to request the removal or relocation of a portable sign to accommodate construction activity within the public right of way.

Portable signs that are attended by a representative shall be permitted only on the block face (as defined in 21A.62.040 of this chapter) on which the business being advertised is located and on up to two (2) block faces intersecting and contiguous with the block face on which such business is located, provided that the portable sign is located within a zoning district which

permits said signs. Within the Downtown and Gateway zoning districts, a block face shall be defined as all of the lots facing one side of a street between two (2) intersecting collector and/or arterial streets.

SECTION 2. 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 _____, 2006.

CHAIRPERSON

ATTEST:

CHIEF DEPUTY CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. _____ of 2006.

Published: _____.

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EXHIBIT 3
CITY COUNCIL HEARING NOTICE

NOTICE OF PUBLIC HEARING

The Salt Lake City Council will hold a public hearing concerning Petition 400-05-02 and consider adopting an ordinance to amend provisions of Chapter 21A.46 of the Salt Lake City Zoning Ordinance pertaining to portable signs which are often referred to as “A-frame” signs.

The City Council will hold a public hearing:

Date:

Time: 7:00 p.m.

Place: Room 315 (City Council Chambers)
Salt Lake City and County Building
451 S. State Street
Salt Lake City, UT

Please enter the building from the east side

You are invited to attend this hearing, ask questions or provide input concerning the topic listed above. If you have any questions, contact Joel Paterson at 535-6141 between the hours of 8:00 a.m. and 5:00 p.m., or send e-mail to joel.paterson@slcgov.com

People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance in order to attend this Public Hearing. Accommodations may include alternate formats, interpreters, and other auxiliary aids. This is an accessible facility. For questions, requests, or additional information, please contact the ADA Coordinator at 535-7971; TDD 535-6021.

EXHIBIT 4
MAILING LABELS

KEN FULZ
WESTPOINTE CHAIR
1217 NORTH BRIGADIER CIR
SALT LAKE CITY UT 84116

KENNETH L NEAL
ROSE PARK CHAIR
1071 NORTH TOPAZ
SALT LAKE CITY UT 84116

ANGIE VORHER
JORDAN MEADOWS CHAIR
1988 SIR JAMES DRIVE
SALT LAKE CITY UT 84116

VICKY ORME
FAIRPARK CHAIR
159 NORTH 1320 WEST
SALT LAKE CITY UT 84116

MIKE HARMAN
POPLAR GROVE CHAIR
1044 WEST 300 SOUTH
SALT LAKE CITY UT 84104

RANDY SORENSON
GLENDALE CHAIR
1184 SOUTH REDWOOD DR
SLAT LAKE CITY UT 84104

PETER VON SIVERS
CAPITOL HILL CHAIR
223 WEST 400 NORTH
SALT LAKE CITY UT 84103

STEVE MECHAM
GREATER AVENUES CHAIR
1180 FIRST AVENUE
SALT LAKE CITY UT 84103

BILL DAVIS
DOWNTOWN CHAIR
329 HARRISON AVENUE
SALT LAKE CITY UT 84115

~~BILL PLASTOW~~
~~PEOPLE'S FREEWAY CHAIR~~
~~1625 SOUTH WEST TEMPLE~~
~~SALT LAKE CITY UT 84115~~

THOMAS MUTTER
CENTRAL CITY CHAIR
228 EAST 500 SOUTH #100
SALT LAKE CITY UT 84111

CHRIS JOHNSON
EAST CENTRAL CHAIR
PO BOX 520743
SALT LAKE CITY UT 84152

BRIAN WATKINS
LIBERTY WELLS CHAIR
1744 SOUTH 600 EAST
SALT LAKE CITY UT 84105

JIM WEBSTER
YALECREST CHAIR
938 MILITARY DRIVE
SALT LAKE CITY UT 84108

~~MARYDELLE GUNN~~
~~WASATCH HOLLOW CHAIR~~
~~1595 SOUTH 1300 EAST~~
~~SALT LAKE CITY UT 84105~~

ELIOT BRINTON
SUNNYSIDE EAST CHAIR
849 SOUTH CONNOR STREET
SALT LAKE CITY UT 84108

ELLEN REDDICK
BONNEVILLE HILLS CHAIR
2177 ROOSEVELT AVENUE
SALT LAKE CITY UT 84108

MICHAEL AKERLOW
FOOTHILL/SUNNYSIDE CHAIR
1940 HUBBARD AVE
SALT LAKE CITY UT 84108

SHAWN MCMILLEN
H. ROCK CHAIR
1855 SOUTH 2600 EAST
SALT LAKE CITY UT 84108

DAVE MORTENSEN
ARCADIA HEIGHTS/BENCHMARK
CHAIR
2278 SIGNAL POINT CIRCLE
SALT LAKE CITY UT 84109

MARK HOLLAND
SUGAR HOUSE CHAIR
1942 BERKELEY STREET
SALT LAKE CITY UT 84108

PAUL TAYLOR
OAK HILLS CHAIR
1165 OAKHILLS WAY
SALT LAKE CITY UT 84108

INDIAN HILLS CHAIR
Vacant

ST. MARY'S CHAIR
Vacant

TIM DEE
SUNSET OAKS CHAIR
1575 DEVONSHIRE DRIVE
SALT LAKE CITY UT 84108

Community Council
02/06/06
CJP

DANIEL JENSEN
WASATCH HOLLOW
1670 E. EMERSON
SLC UT 84105

ORGANIZATIONS:

Updated: 4/1/2005 sj

DOWNTOWN ALLIANCE
BOB FARRINGTON, DIRECTOR
175 EAST 400 SOUTH, #100
SALT LAKE CITY, UT 84111

S.L. CHAMBER OF COMMERCE
175 EAST 400 SOUTH, SUITE #100
SALT LAKE CITY, UT 84111

ATTN: CAROL DIBBLEE
DOWNTOWN MERCHANTS ASSN.
10 W. BROADWAY, SUITE #420
P.O. BOX
SALT LAKE CITY, UT 84101

HISPANIC CHAMBER OF
COMMERCE
P.O. BOX 1805
SALT LAKE CITY, UT 84110

VEST POCKET BUSINESS
COALITION
P.O. BOX 521357
SALT LAKE CITY, UT 84152-1357

SUGAR HOUSE MERCHANTS ASSN.
c/o BARBARA GREEN
SMITH-CROWN
2000 SOUTH 1100 EAST
SALT LAKE CITY, UT 84106

WESTSIDE ALLIANCE
c/o NEIGHBORHOOD HOUSING SVS.
MARIA GARCIA
622 WEST 500 NORTH
SALT LAKE CITY, UT 84116

*Cheri Coffey
625 E. Wilson
SLC, UT 84105*

*Joel Paterson
2450 E. Lamboorne Ave
SLC, UT 84109*

*Joel Paterson
451 S. State Bm 406
SLC, UT 84111*

Richard Wirick
57 W. 100 S.
Salt Lake City, UT 84101

Carey Cusimano
Mikado
67 W. 100 S.
Salt Lake City, UT 84101

Pam O'Mara
61 W. 100 S.
Salt Lake City, UT 84101

Fred Moesinger
55 W. 100 S.
Salt Lake City, UT 84101

EXHIBIT 5
PLANNING COMMISSION

EXHIBIT 5A

PLANNING COMMISSION

HEARING NOTICE AND POSTMARK

**AGENDA FOR THE
SALT LAKE CITY PLANNING COMMISSION MEETING
In Room 326 of the City & County Building at 451 South State Street
Wednesday, March 22, 2006, at 5:45 p.m.**

Dinner will be served to the Planning Commissioners and Staff at 5:00 p.m., in Room 126. During the dinner, Staff may share general planning information with the Planning Commission. This portion of the meeting is open to the public for observation.

- 1. APPROVAL OF MINUTES from Wednesday, March 8, 2006.**
- 2. REPORT OF THE CHAIR AND VICE CHAIR**
- 3. REPORT OF THE DIRECTOR**
- 4. PUBLIC NOTICE AGENDA Salt Lake City Property Conveyance Matters**

Projects within Salt Lake City:

- a) Salt Lake City Property Management and New Cingular Wireless PCS, LLC—Cingular Wireless is requesting that Property Management approve a site lease agreement to allow a portion of the City-owned street right-of-way to be used to install underground power and signal cables connecting a utility pole-mounted cellular telephone antenna installation within the public way to a remote site equipment shelter to be constructed in the rear yard area on an neighboring property at approximately 1314 South 1100 East Street. The property is located within Salt Lake City and the adjacent properties are zoned Neighborhood Commercial (CN) and Residential/Business (RB). Property Management staff intends to approve the site lease request.
- b) Salt Lake City Public Utilities Department and Freeport West Development—Freeport West is requesting that Public Utilities approve a new standard use permit to allow the re-routing of the Ridgeland Irrigation Canal (not City owned) to cross the City owned easement for the Lee Drain (storm water drain) at a new location located at approximately 4898 West California Avenue. Adjacent property is zoned Light Industrial (M-1). The Public Utilities staff intends to approve the standard use permit as requested.

Projects outside of Salt Lake City:

- c) Salt Lake Public Utilities Division and UTOPIA DBA Murray City—UTOPIA is requesting that Public Utilities issue a standard utility permit to allow installation of overhead telecommunications cables over the Salt Lake and Jordan Canal property located at approximately 700 East and I-215 within the boundaries of Midvale City. The Public Utilities staff intends to approve the utility permit request.
- d) Salt Lake City Public Utilities Division and the Utah Telecommunications Open Infrastructure Agency—Utah Telecommunications Agency is requesting that Public Utilities issue a standard utility permit to allow installation of telecommunications cables to cross Salt Lake City-owned canal property, at approximately 930 East South Union Avenue, in Midvale City. The Public Utilities staff intends to approve the utility permit request.
- e) Salt Lake City Public Utilities Department and Mr. Alonzo A. Hinckley—Mr. Hinckley is requesting that Public Utilities issue a standard use permit to allow him to continue gardening and maintaining landscaping on a small portion of Public Utilities owned property adjacent to the rear of 4471 Camille Drive in Holladay City. The Public Utilities staff intends to approve the standard use permit request.
- f) Salt Lake City Public Utilities Department and Donna and Graham Doxey—The Doxeys are requesting that Public Utilities vacate an existing right-of-way for the Big Cottonwood Conduit which impacts the rear of their property located at 6320 South Canyon Cove Drive in un-incorporated Salt Lake County. The conduit right-of-way is no longer needed because the conduit was relocated during the 1980s into Wasatch Drive. The Public Utilities staff intends to vacate the right-of-way in favor of the Doxeys, subject to compensation at fair market value, as requested.

NOTICE OF HEARING

Salt Lake City Planning Division
Planning Commission Secretary
451 South State Street, Rm. 406
Salt Lake City, UT 84111 JP

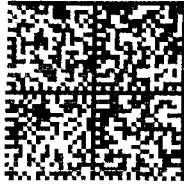
Joe Peterson

US POSTAGE
Mailed From 84111

03/07/2006
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Hasler



1. Fill out registration card and indicate if you wish to speak and which agenda item you will address.
2. After the staff and petitioner presentations, hearings will be opened for public comment. Community Councils will present their comments at the beginning of the hearing.
3. In order to be considerate of everyone attending the meeting, public comments are limited to 3 minutes per person per item. A spokesperson who has been asked by a group to summarize their concerns will be allowed 5 minutes to speak. Written comments are welcome and will be provided to the Planning Commission in advance of the meeting if they are submitted to the Planning Division prior to noon the day before the meeting. Written comments should be sent to:

Salt Lake City Planning Director
451 South State Street, Room 406
Salt Lake City, UT 84111
4. Speakers will be called by the Chair.
5. Please state your name and your affiliation to the petition or whom you represent at the beginning of your comments.
6. Speakers should address their comments to the Chair. Planning Commission members may have questions for the speaker. Speakers may not debate with other meeting attendees.
7. Speakers should focus their comments on the agenda item. Extraneous and repetitive comments should be avoided.
8. After those registered have spoken, the Chair will invite other comments. Prior speakers may be allowed to supplement their previous comments at this time.
9. After the hearing is closed, the discussion will be limited among Planning Commissioners and Staff. Under unique circumstances, the Planning Commission may choose to reopen the hearing to obtain additional information.
10. Salt Lake City Corporation complies with all ADA guidelines. If you are planning to attend the public meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify the City 48 hours in advance of the meeting and we will try to provide whatever assistance may be required. Please call 535-7757 for assistance.

For information on public or written comments and ADA accommodations, please see the reverse side of the agenda.

**PLEASE TURN OFF CELL PHONES AND PAGERS BEFORE THE MEETING BEGINS.
AT YOUR REQUEST A SECURITY ESCORT WILL BE PROVIDED TO ACCOMPANY YOU TO
YOUR CAR AFTER THE MEETING. THANK YOU.**

EXHIBIT 5B
PLANNING COMMISSION
STAFF REPORT

DATE: March 9, 2006

TO: Salt Lake City Planning Commission

FROM: Joel G. Paterson, AICP
Planning Programs Supervisor
Telephone: 535-6141
E-mail: joel.paterson@slcgov.com

RE: Staff Report for the March 22, 2006 Planning Commission Meeting

CASE NUMBER: 400-05-02

APPLICANT: Salt Lake City Council

STATUS OF APPLICANT: Section 21A.06.020 of the Salt Lake City Zoning Ordinance grants the City Council the authority to initiate petitions to amend the Zoning Ordinance

PROJECT LOCATION: Portable signs are allowed in the RB Residential Business, R-MU Residential Mixed Use, BP Business Park, and all commercial, downtown, Gateway and manufacturing zoning districts.

COUNCIL DISTRICT: The proposed amendments would affect all City Council Districts.

PROPOSED ZONING TEXT AMENDMENT: This petition requests to amend the portable sign regulations found in Chapter 21A.46 of the Zoning Ordinance by limiting the distance that portable signs could be located from an advertising business. The proposed amendment is included below. All zoning ordinance provisions relating to portable signs are presented in Attachment 1 (Zoning Ordinance Provisions Regarding Portable Signs):

21A.46.055 Temporary Portable Signs:

- B. Location:** *Within the zoning districts identified above, any person may display a freestanding portable sign on the city owned right of way (sidewalk or park strip) but not in the roadway. Signs may not be attached to any utility poles, traffic signs, newsracks or any other item or fixture in the public way. The usable sidewalk space must remain unobstructed. Unobstructed sidewalk space must be at least ten feet (10') wide on Main Street between South Temple and 400 South; and where available, eight feet (8') wide in the D-1, D-3, D-4 and G-MU districts. six feet (6') in In all other applicable areas a minimum of six feet (6') of unobstructed space is required. In addition, any portable sign may not be placed in any location that would obstruct any ADA accessible feature.*
- D. Attended Portable Signs:** *An "attended portable sign" is a portable sign placed by a person who, either in person or through a representative, at all times while the sign is in the public right of way, remains either: 1) within twenty five feet (25') of the sign or 2) on the first floor of a building whose front entrance is within twenty five feet (25') of the sign or which has windows providing a view of the portable sign from within the building. Salt Lake City reserves the right to request the removal or relocation of a portable sign to accommodate construction activity within the public right of way.*
- E. Distance from Advertising Business:** *Portable signs shall be permitted only on the block face (as defined in 21A.62.040 of this Title) on which the business being advertised is located and on up to two (2) block faces intersecting with the block face containing the advertising business, provided that the portable sign is located within a zoning district which permits said signs. Within the Downtown and Gateway zoning districts, a block face shall be defined as all of the lots facing one side of a street between two (2) intersecting collector and/or arterial streets.*

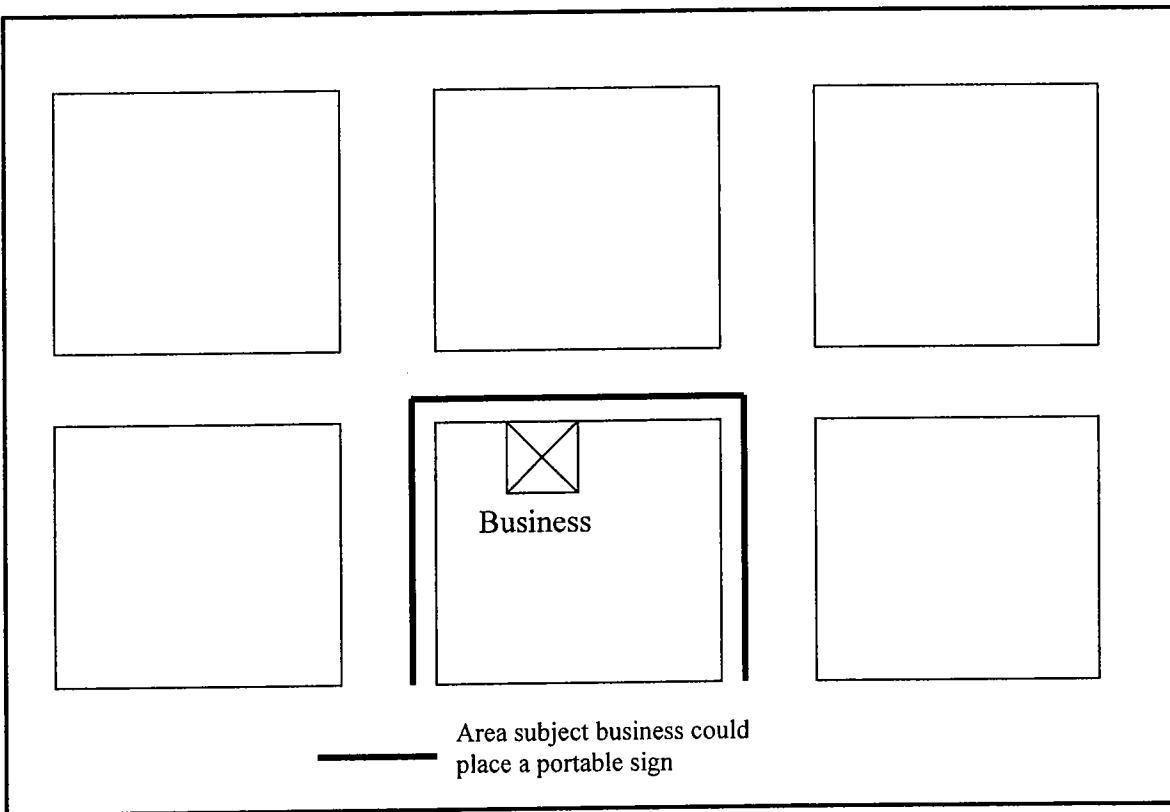
RATIONALE FOR THE

PROPOSED AMENDMENT: The proposed amendments in 21A.46.055.B are clarifications requested by the Transportation Division. These amendments further refine the language of the ordinance to ensure that portable signs are not located within the roadway and provide additional unobstructed sidewalk space in the Central Business District where the pedestrian traffic is the greatest.

The proposed amendment to the provision in 21A.46.055.D is proposed to solve an issue that was raised by the Housing and Zoning Enforcement Division. On a number of occasions, enforcement was required because a business owner placed a portable sign in

front of his business. Because the front entrance was recesses or actually on the side of the building away from the property frontage, the portable sign could not be placed within twenty-five feet of the front entrance. The proposed language would allow a portable sign as long as the advertising business has windows providing a view of the sign.

The City Council, during a public hearing in December 2004, requested that an amendment be considered that would limit the distance that a portable sign could be located from the advertising business. The Council discussed some examples of portable signs being placed miles from the advertising business and even signs within the Salt Lake City Corporate boundaries advertising businesses in other cities. To avoid this situation, Staff is proposing the language in 21A.46.055.E which limits the location of a portable sign to the block face on which the advertising business is located and on the two intersecting block faces as indicated on the following illustration.



Within the Downtown and Gateway zoning districts, a block face shall be defined as all of the lots facing one side of a street between two (2) intersecting collector and/or arterial streets. In other zoning districts, the following definition of block face will apply:

21A.64.040 Definitions:

“Block face” means all of the lots facing one side of a street between two (2) intersecting streets. Corner properties shall be considered part of two (2) block faces, one for each of the two (2) intersecting streets. In no case shall a block face exceed one thousand feet (1,000’).

The use of portable signs has been a critical success for business owners in the Downtown area and the definition of block face was modified for the Downtown and Gateway zoning districts because of the number of blocks which are divided by minor streets, such as Regent Street, Pierpont Avenue, Market Street and Exchange Place, that the effectiveness of the portable sign regulations might be diminished. For this reason, the definition of block face in the Downtown and Gateway zoning districts was modified to be “all lots facing on side of a street between two (2) intersecting **collector and/or arterial** streets”. This modified definition would allow a block face to include all the properties on one side of a ten acre block, for example, all the properties between State and Main streets or between 100 South and 200 South streets.

APPLICABLE LAND USE REGULATIONS:

Section 21A.46 Sign Regulations
Section 21A.50.050 Standards for General
Amendments

SUBJECT HISTORY: In May, 2003, acting on a request by the City Administration, the City Council enacted temporary zoning regulations for portable signs on City-owned right-of-way (sidewalk or park strip) in certain zoning district to encourage and facilitate additional retail activity in the City and to promote such activities. Subsequently, in November 2003, the City Council adopted an ordinance pertaining to Petition 400-03-38, to codify the portable sign regulations by amending the sign regulations in Chapter 46 of the Zoning Ordinance and included a sunset date of November 30, 2004. This was done to allow the City one year to monitor the use of portable signs and determine whether the regulations were effective. In December 2004, as part of its review of Petition 400-04-47, the City Council confirmed the portable sign regulations and made the provisions a permanent part of the Zoning Ordinance. The City Council also initiated a petition to consider modifications to the portable sign provisions to limit the distance a sign may be located from the advertising business.

MASTER PLAN SPECIFICATIONS: The Urban Design Element encourages signage that provides ample opportunities for business to advertise products and services without having a detrimental effect upon the community. Included in the Urban Design Element are guidelines for signs, which include: Require signs within a view corridor to be low profile and preferably mounted parallel to the building surface. Encourage sign design as an integral part of the design of buildings and developments.

COMMENTS, ANALYSIS AND FINDINGS:

1. **COMMENTS:** Staff requested comments from applicable City departments and divisions, community councils, business organizations and the Mayor's Business Advisory Board. Staff received comments from the following (City Department and Division comments are in Attachment 2, public comments are in Attachment 3):
 - a) **Housing and Zoning Enforcement:** The Housing and Zoning Enforcement Division is supportive of the proposed amendment.
 - b) **Permits and Licensing Division:** The Permits and Licensing Division responded verbally and expressed support for the proposed amendments and indicated that portable signs do not require a permit from Salt Lake City.
 - c) **Transportation:** The Transportation Division has requested the inclusion of language to clarify that portable signs can not be placed within the roadway and to require additional unobstructed sidewalk space in the Central Business District where there is a greater concentration of pedestrians on the street. The proposed amendment addresses these issues.
 - d) **Public Utilities:** The Public Utilities Department has no objection to the proposed ordinance and suggests that language be added to the portable sign regulations that would allow such signs to be relocated or taken down to accommodate work being done within the right-of-way. The proposed amendment addresses this issue.
 - e) **Engineering:** The Engineering Division has identified no concerns regarding this petition.
 - f) **Police:** The Police Department has identified no concerns regarding this petition.
 - g) **Fire:** The Fire Department has not responded to this request.
 - h) **Airport:** The Department of Airports has indicated that the proposed amendments will not affect the Salt Lake International Airport or airport operations.
 - i) **Public Open House:** The Planning Division held a public Open House on March 7, 2006. Notice of the Open House was sent to all the Community Council chairs, Downtown Alliance/Chamber of Commerce, Downtown Merchants Association, Vest Pocket Business Coalition and the Business Advisory Board. Two people attended the Open House and one submitted comments supportive of the portable sign provisions.
 - j) **Business Advisory Board:** Staff made a presentation on the proposed amendment to the Business Advisory Board on March 8, 2006. The Board expressed general support for the portable sign regulations and voted unanimously in favor of the petition. A letter of support is presented in Attachment 3.
2. **ANALYSIS AND FINDINGS**

A decision to amend the text of the zoning ordinance or the zoning map is a matter committed to the legislative discretion of the City Council and is not controlled by any one standard. However, in making its decision concerning a proposed

amendment, the Planning Commission and the City Council must consider the following factors:

21A.50.050 Standards for General Amendments

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

Discussion: The Urban Design Element calls for signage policies that allow ample advertising without having a detrimental effect upon the City. Portable signs have been an effective tool for many businesses within the City, especially in the Central Business District.

Findings: The proposed amendment is consistent with the purposes, goals, objectives, and policies of the adopted general plan of Salt Lake City.

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

Discussion: The use of portable signs has been allowed since 2003 and provided many small businesses with visibility. The portable sign regulations include provisions that limit the size and require adequate unobstructed sidewalk space to accommodate pedestrian traffic. The proposed amendments fine-tune and clarify the existing standards and respond to the request of the City Council to limit the distance that a portable sign may be located from the advertising business. The City has received relatively few complaints regarding portable sign and the business community has been supportive of the regulations. The Business Advisory Board and other business organizations have expressed support for portable signs since the City first considered creating these provisions.

Findings: The proposed amendments clarify and fine-tune the existing portable sign regulations. Portable signs have been a benefit to many businesses and appear to be harmonious with the overall character of existing development in commercial areas where the signs are allowed.

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

Discussion: The proposed amendments limit the distance that a portable sign may be located from the advertising business. The existing regulations regarding portable signs require that the signs be “attended” and if the sign is located more than twenty-five feet (25’) from the advertising business a representative from a business within 25 feet of the sign must agree to monitor the sign. The use of portable signs has been positive for the business community and the proposed amendments will not adversely affect adjacent properties.

Findings: The portable sign regulations have been well received by the business community and provide tangible benefits for many merchants. The proposed amendments will not create any adverse impacts on adjacent properties.

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

Discussion: The proposed amendments to the portable sign regulations will have no impact on the administration of overlay zoning districts.

Findings: Overlay districts are not affected by the proposed zoning amendment.

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

Discussion: The proposed regulation requires that the portable signs not interfere with pedestrian traffic. A minimum unobstructed sidewalk space must be maintained on all sidewalks. The placement of portable signs does not interfere with police or fire protection or public utility systems. Because the signs are portable, they are easily removable if they are incorrectly placed.

Findings: The proposed zoning amendment does not affect public facilities and services.

RECOMMENDATION: Based on the analysis and the findings presented in this report, the Planning Staff recommends that the Planning Commission forward a positive recommendation to the City Council to approve Petition 400-05-02 to amend the portable sign provisions in Section 21A.46.055 of the Zoning Ordinance.

Attachments:

1. Zoning Ordinance Provisions Regarding Portable Signs
2. Department and Division Comments
3. Public Comments
4. Petition

ATTACHMENT 1

ZONING ORDINANCE PROVISIONS
REGARDING PORTABLE SIGNS

PETITION 400-05-02
TEXT AMENDMENT TO ADD DISTANCE REGULATIONS TO
ZONING ORDINANCE PROVISIONS REGARDING PORTABLE SIGNS

21A.46.020 Definitions

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

"A-frame sign" means a temporary and/or portable sign constructed with two (2) sides attached at the top allowing the sign to stand in an upright position.

21A.46.030 General Sign Permit Requirements

- I. **Permission Required For Signs And Marquees On Or Over Public Right Of Way:** Except for portable signs authorized pursuant to section 21A.46.055 of this chapter, signs, marquees and other structures encroaching on or over the public sidewalk or on or over a public right of way shall obtain permission from the city pursuant to the city's rights of way encroachment policy.

21A.46.040 Exempt Signs

- N. **Portable Signs:** Portable signs as authorized pursuant to section 21A.46.055 of this chapter.

21A.46.055 Temporary Portable Signs: Pursuant to the terms and conditions set forth in this section, attended portable signs shall be allowed on public property in residential/business (RB), residential mixed use (R-MU), neighborhood commercial (CN), community business (CB), community shopping (CS), corridor commercial (CC), Sugar House business district (CSHBD), general commercial (CG), light manufacturing (M-1), heavy manufacturing (M-2), central business district (D-1), downtown support (D-2), downtown warehouse/residential (D-3), downtown secondary central business district (D-4), gateway-mixed use (G-MU) and business park (BP) zoning districts.

- A. **Size:** The maximum size of such portable signs shall not exceed three feet (3') in height and two feet (2') in width on a sidewalk. Illumination and other attached decorations or objects on such signs are prohibited.
- B. **Location:** *Within the zoning districts identified above, any person may display a freestanding portable sign on the city owned right of way (sidewalk or park strip) **but not in the roadway.** Signs may not be attached to any utility poles, traffic signs, newsracks or any other item or fixture in the public way. The usable sidewalk space must remain unobstructed. Unobstructed sidewalk space must be at least **ten feet (10') wide on Main Street between South Temple and 400 South; and where available, eight feet (8') wide in the D-1, D-3, D-4 and G-MU districts. ~~six feet (6')~~ in In all other applicable areas a***

DRAFT

minimum of six feet (6') of unobstructed space is required. In addition, any portable sign may not be placed in any location that would obstruct any ADA accessible feature.

- C. **Construction:** All portable signs must be built so as to be reasonably stable and to withstand expected wind and other weather elements.
- D. **Attended Portable Signs:** An "attended portable sign" is a portable sign placed by a person who, either in person or through a representative, at all times while the sign is in the public right of way, remains either: 1) within twenty five feet (25') of the sign or 2) on the first floor of a building whose front entrance is within twenty five feet (25') of the sign or which has windows providing a view of the portable sign from within the building. Salt Lake City reserves the right to request the removal or relocation of a portable sign to accommodate construction activity within the public right of way.
- E. **Distance from Advertising Business:** Portable signs shall be permitted only on the block face (as defined in 21A.62.040 of this Title) on which the business being advertised is located and on up to two (2) block faces intersecting with the block face containing the advertising business, provided that the portable sign is located within a zoning district which permits said signs. Within the Downtown and Gateway zoning districts, a block face shall be defined as all of the lots facing one side of a street between two (2) intersecting collector or arterial streets.

21A.46.060 Signs Specifically Prohibited In All Zoning Districts:

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

- E. Portable signs, except where specifically permitted by district sign regulations;

21A.46.070 General Standards

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

ATTACHMENT 2

DEPARTMENT AND DIVISION COMMENTS

Paterson, Joel

From: Spangenberg, Craig
Sent: Thursday, March 09, 2006 11:02 AM
To: Paterson, Joel
Cc: Isbell, Randy
Subject: RE: Request for Review - Zoning Ordinance Text Amendment to Portable Sign Regulations
Categories: Program/Policy

Joel:

Both Randy and I agree that the proposal does not present any problems for us from an enforcement standpoint.

Thanks,

Craig

From: Stewart, Brad

Sent: Thursday, March 09, 2006 9:06 AM

To: Paterson, Joel; 'Spangenberg, Craig'; Butcher, Larry; 'Walsh, Barry'; 'Smith, Craig'; Larson, Bradley; Smith, JR

Cc: Rokhva, Parviz; Spencer, John; Garcia, Peggy

Subject: RE: Request for Review - Zoning Ordinance Text Amendment to Portable Sign Regulations

Categories: Program/Policy

Joel,

Public Utilities has no objection to the proposed ordinance.

It would be helpful to those of us who have facilities or work in the Public ROW if there was some language in this ordinance that reminded the owners of the "A-frame" signs, that if requested, their signs must be taken down or moved to accommodate work in the ROW. Perhaps some language could be lifted from the "Revocable Public Way Encroachment Agreements" that property management uses. I am trying to avoid a situation where a City worker has to win a verbal joust with a business owner to move a sign because a business owner thinks he has a "property right" for the location of his sign.

Thanks,

Brad

Paterson, Joel

From: Smith, Craig
Sent: Thursday, March 09, 2006 8:44 AM
To: Paterson, Joel
Subject: RE: Request for Review - Zoning Ordinance Text Amendment to Portable Sign Regulations
Categories: Program/Policy

Joel,
I have thoroughly reviewed the proposed petition and have little to offer, except that I feel we are opening a big can of worms should this pass. My question is who will enforce?

From: Walsh, Barry
Sent: Thursday, March 09, 2006 1:29 PM
To: Paterson, Joel
Cc: Young, Kevin; Smith, Craig; Spangenberg, Craig
Subject: RE: Request for Review - Zoning Ordinance Text Amendment to Portable Sign Regulations

Categories: Program/Policy
March 9, 2006

Joel Paterson, Planning

Re: "A-Frame" Sign Pet 400-05-02 (Pet 400-03-38? 400-04-47?)

The transportation division review comments and recommendations for the Temporary Portable Sign ordinance is as Redlined to restrict any physical impact to pedestrian or vehicle travel ways, etc.

Sincerely,

Barry Walsh

Cc Kevin Young, P.E.
Craig Smith, Engineering
Craig Spangenberg, Zoning
File

From: Paterson, Joel
Sent: Thursday, March 09, 2006 8:25 AM
To: Spangenberg, Craig; Walsh, Barry; Smith, Craig
Subject: Request for Review - Zoning Ordinance Text Amendment to Portable Sign Regulations

Hello, all,

I sent this e-mail earlier but for some reason it was not delivered to your in-box.

The Salt Lake City Council initiated a petition requesting to amend provisions of the Salt Lake City Zoning Ordinance regarding portable signs which are often referred to as "A-frame" signs. The proposed amendments would limit the distance that portable signs could be located from an advertising business.

The proposed amendments are indicated below in **bold underlined** text. Please forward your comments to me by March 15th at the latest. If you have any questions, please contact me at 535-6141.

21A.46.055 Temporary Portable Signs: Pursuant to the terms and conditions set forth in this section, attended portable signs shall be allowed on public property in

residential/business (RB), residential mixed use (R-MU), neighborhood commercial (CN), community business (CB), community shopping (CS), corridor commercial (CC), Sugar House business district (CSHBD), general commercial (CG), light manufacturing (M-1), heavy manufacturing (M-2), central business district (D-1), downtown support (D-2), downtown warehouse/residential (D-3), downtown secondary central business district (D-4), gateway-mixed use (G-MU) and business park (BP) zoning districts.

- A. **Size:** The maximum size of such portable signs shall not exceed three feet (3') in height and two feet (2') in width on a sidewalk. Illumination and other attached decorations or objects on such signs are prohibited.
- B. **Location:** Within the zoning districts identified above, any person may display a freestanding portable sign on the city owned right of way (sidewalk or park strip), but not in the roadway. Signs may not be attached to any utility poles, traffic signs, newsracks or any other item or fixture in the public way. The usable sidewalk space must remain unobstructed. Unobstructed sidewalk space must be at least six feet (6') wide, 8 feet wide in the central business district(s) and 10 feet wide on Main Street in the CBD area. In addition, any portable sign may not be placed in any location that would obstruct any ADA accessible feature.
- C. **Construction:** All portable signs must be built so as to be reasonably stable and to withstand expected wind and other weather elements.
- D. **Attended Portable Signs:** An "attended portable sign" is a portable sign placed by a person who, either in person or through a representative, at all times while the sign is in the public right of way, remains either: 1) within twenty five feet (25') of the sign or 2) on the first floor of a building whose front entrance is within twenty five feet (25') of the sign or which has windows providing a view of the portable sign from within the building.
- E. **Distance from Advertising Business:** Portable signs shall be permitted only on the block face (as defined in 21A.62.040 of this Title) on which the business being advertised is located and on up to two (2) block faces intersecting with the block face containing the advertising business, provided that the portable sign is located within a zoning district which permits said signs. Within the Downtown Zoning Districts, a block face shall be defined as all of the lots facing one side of a street between two (2) intersecting collector or arterial streets.

Signs located in front of another property shall have written approval from that property owner.

Joel Paterson, AICP
Planning Programs Supervisor

Paterson, Joel

From: Smith, JR
Sent: Monday, March 13, 2006 3:19 PM
To: Paterson, Joel
Subject: RE: Request for Review - Zoning Ordinance Text Amendment to Portable Sign Regulations
Categories: Program/Policy

Joel,

Do not have any issues with this zoning ordinance text amendment.

J.R. Smith
SLCPD
Community Action Team

3/14/2006

Paterson, Joel

From: McCandless, Allen
Sent: Monday, February 27, 2006 8:53 AM
To: Paterson, Joel
Subject: A-Frame Business Signs

Joel,

I received a notice for the March 7th 2006 Open House for portable A-Frame signs and their locations from businesses. Regarding this petition, I am not aware of any airport-related issues that affect the airport, or airport operations.

--- Allen McCandless

ATTACHMENT 3
PUBLIC COMMENTS

Paterson, Joel

From: Butterfield, Edward
Sent: Thursday, March 16, 2006 2:32 PM
To: Paterson, Joel
Subject: Text Amendments to the Portable Sign Ordinance

Joel,

Thank you for presenting the proposed Temporary Portable Sign text amendments to the Business Advisory Board on Wednesday, March 8. During the meeting, the Board members voted unanimously to support the text amendments. The Board will present a memo, stating their support for the text amendments, at the Planning Commission meeting on March 22. I will send you a copy of the memo for distribution prior to the meeting.

Thanks again,

Edward Butterfield
Small Business/Economic Development Manager
Phone: 801.535.7941

3/16/2006

Business Advisory Board

AGENDA

Room 326

451 S. State Street

Wednesday, March 8, 2006

8:00 a.m.

Conducting: Mary Corporon

Excused: Greg Gruber, Peggy Lander

Start: 8:00 a.m.

Approval of February 8th meeting minutes

New Business:

8:00 – 8:45

1. Proposed amendments to the Salt Lake City Portable Sign Ordinance
Presenting: Joel Patterson, Senior Planner, Preservation & Urban Design

8:45 – 9:00

2. Business response to proposed renovation of Pioneer Park

Follow up Items:

9:00 – 9:15

3. Street Banner Ordinance - memo to City Council stating Board's position
4. Business Retention Program
5. Open discussion, events, agenda items for next month etc.

Calendar:

Next meeting: Wednesday, April 12th, 2006 - 8:00 a.m.

Adjournment: 9:15

SALT LAKE CITY PLANNING COMMISSION
PORTABLE (A-FRAME) SIGNS
ZONING AMENDMENTS
Open House
Meeting Roll March 7, 2006

NAME: RICHARD WIRICH	NAME:
PRINT NAME: Richard M. WIRICH	PRINT NAME:
ADDRESS: 65 W. 100 SOUTH	ADDRESS:
ZIP CODE: 84101	ZIP CODE:
E-MAIL:	E-MAIL:
NAME: JIM WEBSTER	NAME:
PRINT NAME:	PRINT NAME:
ADDRESS: 938 MILITARY DR	ADDRESS:
ZIP CODE: 84105	ZIP CODE:
E-MAIL:	E-MAIL:
NAME:	NAME:
PRINT NAME:	PRINT NAME:
ADDRESS:	ADDRESS:
ZIP CODE:	ZIP CODE:
E-MAIL:	E-MAIL:
NAME:	NAME:
PRINT NAME:	PRINT NAME:
ADDRESS:	ADDRESS:
ZIP CODE:	ZIP CODE:
E-MAIL:	E-MAIL:
NAME:	NAME:
PRINT NAME:	PRINT NAME:
ADDRESS:	ADDRESS:
ZIP CODE:	ZIP CODE:
E-MAIL:	E-MAIL:

Oxford Shop

SHOES FOR MEN

65 West 100 South • Salt Lake City, UT 84101

DISTANCE LIMITATION ON "A" FRAME SIGNS

If indeed the 25 foot distance from the business ordinance for "A" frame signs is passed and enforced by the city, we ask you, with all our hearts to make an exception for those consolidating for the whole block with one sign to be placed on the adjacent corner.


We the businesses on First South between Main and West Temple have united and call ourselves The Shops at Convention Corner. We consist of the Mikado Restaurant, Oxford Shop Men's Shoes, Mynt Martini Bar, UTah Artist Hands and Caffé Molise Restaurant.

Rather than displaying separate "A" Frame signs on the corner of Main St. and West Temple as we had done prior, we consolidated at a rather costly expense to make one uniform sign, with a small picture of each establishment.

The two signs have been very successful for our block and if we are not allowed to display them we estimate that it would cost, at the very least, 20% of our business, which would be especially devastating during the next several years of the L.D.S. Construction period on the block right across the street from us.

We ask that the city PLEASE Cooperate with us and Help Us Survive.







Most sincerely,




Richard Wirick
The Oxford Shop

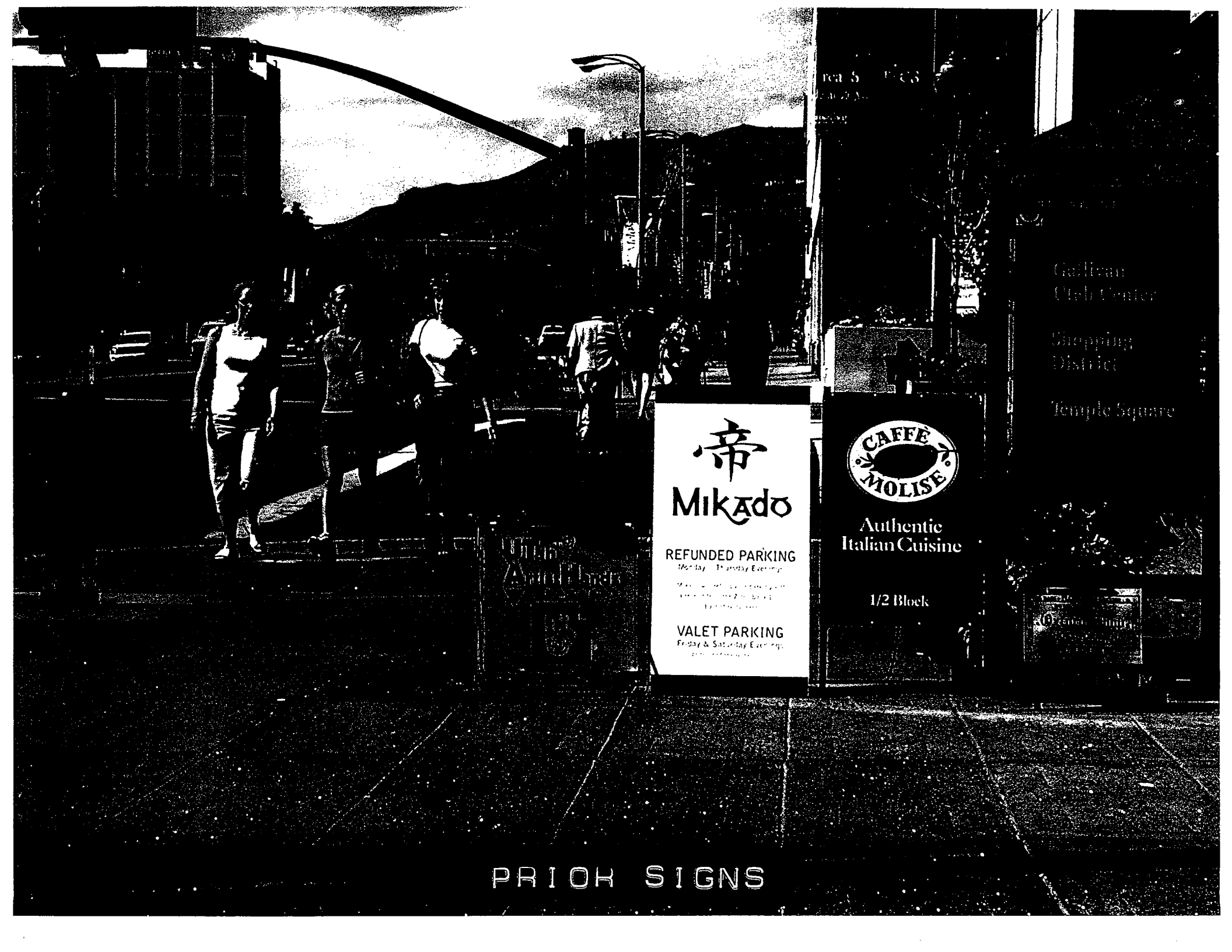
Marriott VACATION CLUB

*The Shops at
Convention Corner*

 Caffe Molise	 Oxford Shop
 Utah Artist Hands	 Ginko
 WasatchCOExchange	 Mikado



CONSOLIDATED SIGN



帝
Mikado
REFUNDED PARKING
 Monday - Thursday Evenings
 5:00pm - 11:00pm
 1st - 2nd Floor
VALET PARKING
 Friday & Saturday Evenings
 5:00pm - 11:00pm

CAFFE MOLISE
 Authentic Italian Cuisine
 1/2 Block

Area 5
 2007 Ave
 Gallivan Club Center
 Shopping District
 Temple Square

PRIOR SIGNS

ATTACHMENT 4
ORIGINAL PETITION

REMARKS

Petition No. 400-05-02

By City Council

Is requesting to adopt Ordinance 5 of 2005 and ask Planning and the Planning Commission to look at a possible amendment that would address distance and contiguous streets and send it back to the Council.

Date Filed _____

Address _____

Paterson, Joel

From: Zunguze, Louis
Sent: Wednesday, February 23, 2005 11:21 AM
To: LoPiccolo, Kevin
Cc: Wilde, Brent; Paterson, Joel; Spangenberg, Craig
Subject: FW: A-Frame Signs.....
Categories: Program/Policy

Kevin:

Please note and get together with your team and review the request from Council. The key thing from my standpoint is that whatever we suggest it must be enforceable, otherwise there is no need to create additional complications beyond what we already have with the current ordinance. I need your team's thoughts on this by March 15, 2005.

Thanks,

Louis

From: Jones, Beverly
Sent: Wednesday, February 23, 2005 11:03 AM
To: Zunguze, Louis
Cc: Jardine, Janice
Subject: A-Frame Signs.....

Here's the motion the Council made at their meeting on February 15th on A-Frame signs. Thanks!!!!

Councilmember Love moved and Councilmember Buhler seconded to **adopt Ordinance 5 of 2005 and ask Planning and the Planning Commission to look at a possible amendment that would address distance and contiguous streets and send it back to the Council**, which motion carried, all members voted aye.

(P 05-2)

EXHIBIT 5C
PLANNING COMMISSION
MINUTES

**SALT LAKE CITY
PLANNING COMMISSION MEETING
In Room 326 of the City & County Building
451 South State Street, Salt Lake City, Utah
Wednesday, March 22, 2006**

Present for the Planning Commission were Laurie Noda (Chairperson), Tim Chambless, Babs De Lay, John Diamond, Robert Forbis Jr., Peggy McDonough (Vice Chairperson), Prescott Muir, and Kathy Scott. Craig Galli and Jennifer Seelig were excused from the meeting.

Present from the Planning Division were Alexander Ikefuna, Planning Director; Doug Wheelwright, Deputy Planning Director; Joel Paterson, Planning Programs Supervisor; Janice Lew, Principal Planner; Lex Traugher, Principal Planner; and Cindy Rockwood, Planning Commission Secretary.

A roll is being kept of all who attended the Planning Commission Meeting. Chairperson Noda called the meeting to order at 5:46 p.m. Minutes are presented in agenda order and not necessarily as cases were heard by the Planning Commission. Audio recordings of Planning Commission meetings are retained in the Planning Office for an indefinite period of time.

A field trip was held prior to the meeting. Planning Commissioners present were Tim Chambless, Laurie Noda and Kathy Scott. Planning Division Staff present were Doug Wheelwright, Joel Paterson, Janice Lew, and Lex Traugher.

Petition 400-05-02 — A request initiated by the Salt Lake City Council to amend provisions of Chapter 21A.46 of the Salt Lake City Zoning Ordinance regarding portable signs which are often referred to as “A-frame” signs. The proposed amendments would limit the distance that portable signs could be located from an advertising business.

(This item was heard at 7:28 p.m.)

Chairperson Noda recognized Joel Paterson, Planning Programs Supervisor, as the representative from the Planning Division.

Mr. Paterson gave a brief history of the background of the petition. Mr. Paterson stated that portable signs have been included in the Ordinance since 2003. In 2004, the City Council requested a modification to the amendment regarding the portable sign standards to require a maximum distance away from the advertising business. As Staff considered the proposal, Staff is recommending that portable signs be permitted only on the block face on which the advertising business is located and on up to two block faces that intersect with that original block face. Mr. Paterson stated that in the Downtown area, the definition of block face has been modified to include properties that front on one side of

the street between intersecting arterial or collector streets. He also noted that outside of the Downtown or Gateway area, the definition of block face is the same as defined in the City Ordinance.

Mr. Paterson also noted that Staff is recommending other minor amendments to the Sign Standards, including the clarification that signs are not allowed in the roadway; clarification of the clear space required surrounding the signs; clarification of the attended sign standards to allow portable signs to be placed within 25 feet of the front door or a window. Mr. Paterson stated that the Public Utilities Division requested a modification to allow the City to request the removal or relocation of the portable sign to accommodate construction in the right-of-way.

Mr. Paterson stated the Business Advisory Committee had reviewed the proposals and recommended approval. He also noted that an Open House had been held where business owners from the Downtown area attended to request the continued use of portable signs.

Mr. Paterson stated that Staff is recommending the Planning Commission forward a positive recommendation to the City Council.

Chairperson Noda requested comments from the public. No comments were received. The Planning Commission entered Executive Session.

Commissioner McDonough requested further information regarding the use of portable signs in the Research Park area, and the terms of block face and intersections in relation to the area.

Mr. Paterson stated that the standards in the Ordinance do allow portable signs in Research Park which is zoned Research Park (RP) Zoning District. He noted that the definition for block face found in the Ordinance is applicable for the Research Park area.

Commissioner Chambless requested further information regarding the liability of the City in relation to the temporary signs.

Mr. Paterson stated that to the best of his knowledge there had not been any liability issues with portable signs. He also noted that with the exception of portable signs, signs in the public right-of-way are generally prohibited. Other types of signs that encroach into the right-of-way, such as marquee signs, require insurance.

Based on the analysis and findings presented in the Staff Report and discussion, Commissioner McDonough made a motion for the Planning Commission to transmit a favorable recommendation to the City Council to approve the amendments portrayed in the Portable Signs Provisions, Section 21A.46.055 of the Zoning Ordinance. Commissioner Forbis seconded the motion. All voted "Aye". The motion passed.

EXHIBIT 6
ORIGINAL PETITION

Petition No. 400-05-02

By City Council

Is requesting to adopt Ordinance 5 of 2005 and ask Planning and the Planning Commission to look at a possible amendment that would address distance and contiguous streets and send it back to the Council.

Date Filed _____

Address _____

D. Length of temporary zoning regulations. These temporary zoning regulations shall remain in effect for a period not to exceed six (6) months from the effective date of this ordinance or until the effective date of any ordinance passed by the City Council that may amend the City's portable sign regulations, whichever occurs first.

SECTION 2. EFFECTIVE DATE. That this ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah, this 13th day of May, 2003.

Bill No. 26 of 2003

Published: June 4, 2003

Dec 4, 2003

SALT LAKE CITY ORDINANCE
No. 26 of 2003
(Enacting Temporary Zoning Regulations for Portable Signs in
Certain Zoning Districts)

AN ORDINANCE ENACTING TEMPORARY ZONING REGULATIONS FOR PORTABLE SIGNS IN
CERTAIN ZONING DISTRICTS.

WHEREAS, § 10-9-404, Utah Code Ann., allows cities, without a public hearing, to enact ordinances establishing temporary zoning regulations for any part or all of the City if the City Council makes a finding of compelling, countervailing public interest; and

WHEREAS, the City's current zoning regulations prohibit portable signs in almost all zoning districts; and

WHEREAS, the City has been eager to encourage and facilitate additional retail activity in the City and has taken a variety of steps to promote such activities; and

WHEREAS, the City Council has now determined that the City's existing regulations concerning portable signs should be modified in order to preserve and stimulate retail activity in the City and that the need to modify the City's regulations constitutes a compelling, countervailing public interest, which justifies temporary zoning regulations; and

WHEREAS, the City Council finds that the City's interest in adopting these temporary regulations outweighs any private interest in the application and enforcement of the City's existing ordinances;

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

SECTION 1. The City shall and hereby does enact the following temporary zoning regulations:

**TEMPORARY ZONING REGULATIONS FOR PORTABLE SIGNS IN
CERTAIN ZONING DISTRICTS**

A. Finding of compelling, countervailing public interests. Pursuant to § 10-9-404, Utah Code Ann., the City Council finds that the adverse effects of applying and enforcing the City's current regulations for portable signs

in certain zoning districts is not in the best interest of the City and constitutes a compelling, countervailing public interest sufficient to justify the enactment of temporary zoning regulations for a period of six (6) months.

B. Balancing of public versus private interests. The City Council further finds that any harm to private interests in refraining to enforce the City's current portable sign regulations is de minimus and is outweighed by the City's interest in promoting additional retail activity within the City.

C. Authorization for temporary portable signs. Pursuant to the terms and conditions set forth in this ordinance, portable signs shall be allowed on public property in Residential Business (RB), Residential Mixed Use (RMU), Neighborhood Commercial (CN), Community Business (CB), Community Shopping (CS), Commercial Corridor (CC), Sugar House Business (CSHBD), General Commercial (CG), Light Manufacturing (M1), Heavy Manufacturing (M2), Central Business District (D1), Downtown Support (D2), Downtown Warehouse/Residential (D3), Downtown Secondary Central Business District (D4), Gateway-Mixed Use (GMU), Business Park (BP), and Mixed Use (MU) zoning districts on a temporary basis, for a period not to exceed six (6) months from the effective date of this ordinance. Such portable signs may only be displayed during business hours. During other time periods, and following the expiration of this ordinance, all such portable signs must be removed.

1. Size: The maximum size of such portable signs shall not exceed four feet (4') in height and three feet (3') in width on sidewalk. Illumination and other attached decorations or objects on these signs are prohibited.

2. Location: Within the zoning districts identified above, the owner or proprietor of a particular business establishment may display a portable sign on the City-owned right of way (sidewalk or park strip). The useable sidewalk space must remain unobstructed. Unobstructed sidewalk space must be at least four feet (4') in all areas except the Central Business District where it must be at least six feet (6'). In addition, any portable sign may not be placed in any location that would obstruct any handicapped access feature.

3. Construction: All portable signs must be built so as to be reasonably stable and to withstand expected wind and other weather elements.

amended and that there is a compelling, countervailing public interest in doing so; and

WHEREAS, the City Council finds that the City's interest in amending the Temporary Zoning Regulation outweighs any private interest in the application of the Temporary Zoning Regulation as enacted;

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

SECTION 1. That Section 1(c)(2) of the Temporary Zoning Regulation is amended to read as follows:

Location: Within the zoning districts identified above, any person may display a portable sign on the City-owned right-of-way (sidewalk or park strip). The usable sidewalk space must remain unobstructed. Unobstructed sidewalk space must be at least four feet (4') in all areas except the Central Business District where it must be at least six feet (6'). In addition, any portable sign may not be placed in any location that would obstruct any handicapped access feature.

SECTION 2. That the first paragraph of Section 1 C of the Temporary Zoning Regulation is hereby amended to read as follows:

C. Authorization for temporary portable signs. Pursuant to the terms and conditions set forth in this ordinance, portable signs shall be allowed on public property in Residential Business (RB), Residential Mixed Use (RMU), Neighborhood Commercial (CN), Community Business (CB), Community Shopping (CS), Commercial Corridor (CC), Sugar House Business (CSHBD), General Commercial (CG), Light Manufacturing (M1), Heavy Manufacturing (M2), Central Business District (D1), Downtown Support (D2), Downtown Warehouse/Residential (D3), Downtown Secondary Central Business District (D4), Gateway-Mixed Use (GMU) and Business Park (BP) zoning districts on a temporary basis, for a period not to exceed six (6) months from the effective date of this ordinance. Such portable signs may only be displayed during the hours of 8:00 a.m. to 11:00 p.m. During other time periods, and following the expiration of this ordinance, all such portable signs must be removed.

SECTION 3. Length of Temporary Zoning Regulations. That this amendment does not change the effective period of the Temporary Zoning Regulation as provided in Section 1(D) of the Temporary Zoning Regulation.

SECTION 4. Effective Date. That this ordinance shall become effective on the date of its first

publication.

Passed by the City Council of Salt Lake City, Utah, this 9th day of September, 2003.

Bill No. 65 of 2003.

Published: October 1, 2003.

SALT LAKE CITY ORDINANCE
No. 65 of 2003

(Amending Temporary Zoning Regulations for
Portable Signs in Certain Zoning Districts)

AN ORDINANCE AMENDING TEMPORARY ZONING REGULATIONS FOR PORTABLE SIGNS IN
CERTAIN DISTRICTS.

WHEREAS, § 10-9-404, Utah Code Annotated, allows cities, without a public hearing, to enact ordinances establishing temporary zoning regulations for any part or all of the City if the City Council makes a finding of compelling, countervailing public interest;

WHEREAS, the City's current zoning regulations prohibit portable signs in almost all zoning districts;

WHEREAS, the City Council adopted Ordinance No. 26 of 2003 on May 13, 2003 enacting temporary zoning regulations for portable signs in certain zoning districts, (the "Temporary Zoning Regulation");

WHEREAS, the City has a significant interest in esthetics, maintenance and safety that justifies banning or regulating portable signs on the City's right-of-way; and

WHEREAS, the City also has a significant interest in promoting economic development and health by allowing businesses and other persons in certain zoning districts to use portable signs in the City's right-of-way to advertise their business or services; and

WHEREAS, the City Council determines that the City's interest in promoting economic development and health outweighs its interest in safety, maintenance and esthetics, but only during the hours of the day when persons are most likely to see the portable signs and visit the business and other establishments in the zoning districts where the signs are allowed; and

WHEREAS, the City Council determines that from 11:00 p.m. to 8:00 a.m. its interest in esthetics, maintenance and safety and its interest in the prevention of theft, vandalism, destruction, or misuse of portable signs outweighs its interest in promoting economic development and health through the use of portable signs;

WHEREAS, the City Council has now determined that the Temporary Zoning Regulation should be