Katie Lewis, Salt Lake City Corporation Attorney

Billboard Ordinance Amendments - October 28, 2020 Salt Lake City Planning Commission

Billboards are nonconforming uses in Salt Lake City, in most zones. They once were permitted, but the code changed, now they are prohibited. Under city code, the billboard could remain until the lease expired, but once it expires they cannot move it. Under state law, billboards have other rights. If it existed as a nonconforming use in SLC, and that lease expires, Utah code allows billboard owners to relocate that billboard within one-mile radius to any commercial manufacturing or industrial zone, within one year. If a nonconforming billboard owners signs a new lease with a new property owner, the billboard can be moved. If the city says no, we will not issue you a permit, the city is required to give the billboard owner compensation, if certain circumstances are met under Utah law. No other nonconforming use survives.

Billboards are the only thing that have more rights than other uses. City code, in addition to the state rights, gives billboard owners the right to request to relocate, and the city then does not have to pay. And the other is a billboard bank. There are Special Gateways in the city - South Temple, 400 South, State and Main Street within coordinates. If a billboard is removed, the lease expires, that billboard owner gets 3 years to look within that defined area for a new place to relocate. There is also a General billboard bank for billboards not in the core gateway as described. That general billboard bank gives owners’ rights to relocate in certain cases.

The proposal before you is to remove the billboard bank. Billboards would still have the rights under state law, but would no longer be able to bank that for three years.

When asked why this is going forward now, the answer was “As you know even in a pandemic, wind, an earthquake and civil unrest, the city’s business goes forward.” And when queried about not receiving adequate notice, the answer was we are revising our ordinance to be in line with state law. Those individuals are here, so they have received notice.

Nonconforming billboards, those currently can be banked for three years. State law and billboard bank address specifically nonconforming billboards, and allows one year.

If a nonconforming billboard right is terminated, if they cannot find another place to put that billboard, there is no loss, the city does not have to pay them. So today, this is a request to relocate billboards which have more rights than any other conditional use, and to rely on those rights under state law, and to remove the billboard bank under city code.