

WHEN RECORDED PLEASE RETURN TO:

**SOUTH SALT LAKE CITY
220 E. MORRIS AVE SUITE 200
SOUTH SALT LAKE CITY, UT 84115**

CONDITIONAL USE PERMIT

Location: 3030 South State Street
Use: Electronic Message Center; Detached Pole Sign
Zone: Commercial Corridor
APN: 16-30-152-026-0000
Fee Title Owner: Mountain America Federal Credit Union
File Number: C-21-002
Date: November 4, 2021

Permit Issued to: Mountain America Federal Credit Union
3030 South State Street
South Salt Lake City, UT 84115

Findings of Fact:

1. On April 27, 2021, Freedom LED submitted an application to petition for a Conditional Use Permit (“CUP”) on behalf of Mountain America Credit Union to add a an Electronic Message Center (“EMC”) detached pole sign at 3030 South State Street.
2. Section 17.08 of the South Salt Lake Municipal Code regulates Signs.
3. Section 17.08.480 classifies Electronic Message Centers as a conditional use subject to Planning Commission approval.
4. The subject location, 3030 South State Street, is located in the Commercial Corridor district.
5. The proposed Electronic Message Center is part of a detached sign.
6. Detached signage is permitted in the Commercial Corridor district.

7. The application is for a new Conditional Use Permit.
8. The following standards apply to Electronic Message Centers according to 17.08.480:
 - a. Electronic Message Centers are not allowed off-premise, except on Billboards
 - b. All Electronic Message Centers must have an automatic dimmer to reduce Sign intensity after dark.
 - c. Light intensity may not exceed that produced by fifty-four (54) watts of incandescent lighting for daytime usage. An automatic dimmer must be installed to reduce nighttime intensity to that produced by thirty (30) watts of incandescent lighting. Light emitting diodes, magnetic discs and other lighting types may be used if the light intensity is not greater than that produced by incandescent lighting.
 - d. An Electronic Message Center may not flash or scintillate except to change the displayed wording to different wording.
 - e. Any display on the Electronic Message Center must remain lighted for at least two seconds.
 - f. An Electronic Message Center located within five hundred (500) feet of a residential area, or as otherwise determined by the Planning Commission, may not operate between the hours of ten p.m. and six a.m. of the following day.
 - g. For a minimum of five percent of the time the Sign is in use, the Electronic Message Center shall be devoted to public service messages.
9. The proposed Electronic Message Center has an automatic dimmer to reduce Sign intensity after dark.
10. The specific light intensity settings to be used are not specifically called out in the plans. The specifications for 54 watts maximum of incandescent lighting for daytime usage and 30 watts maximum for nighttime usage have been listed as a condition of approval.
11. The Electronic Message Center is within 500 feet of a residential area. It will not operate between the hours of ten p.m. and six a.m. of the following day have been listed as a condition of approval.
12. Section 17.08.330(C) (2) allows one and one-half square foot of sign area per lineal foot of street frontage up to a maximum of 200 square feet total.

13. The proposed location has 213 feet of frontage along State Street, allowing a total of 200 feet in detached sign area.
14. The total proposed detached signage is 113.8 feet in area, with a 75 square foot Electronic Message Center and 38.8 feet of detached static signage.
15. Section 17.08.350 of the South Salt Lake Municipal Code permits a maximum detached sign height of 35 feet. The height of the proposed signage is 25 feet high.
16. The proposed construction material of the pole cover is a stucco finish with a base rock / brick to match the new building, and a non-reflective Mountain America Credit Union brown paint.
17. No portion of the sign may be constructed of reflective material according to Section 17.08.110.
18. Section 17.08.110 requires all internally lit signage not to have lighting sources visible from the exterior of the sign.
19. The static lighting sources are contained to the interior of the signage. Due to the nature of an Electronic Message Center, the light source is visible from the exterior.
20. According to Section 17.08.150, all detached signs are to be located in a landscaped area. The proposed signage is located completely within the landscaping buffer for the property along State Street.
21. Section 17.08.310 requires all signage meet a permitted sign type for their respective land use districts. The proposed signage is classified as a Detached Sign type. The proposed property is located in the Commercial Corridor District. Detached Signs are permitted in the Commercial Corridor District.
22. Section 17.08.330 states that detached signs may be located anywhere on the parcel.
23. Section 17.08.360 states that Pole and Ground signs shall have a minimum Setback of 5 feet from any property line, with frontage setbacks having one additional foot of Setback for each foot of height over twenty-five feet.
24. The proposed signage is 25 feet high, requiring a setback of 5 feet. The proposed sign is setback 5 feet from the property line.

Conclusions of Law:

1. The use, as specifically conditioned below, is consistent with the South Salt Lake City General Plan.

2. The use, as specifically conditioned below, is compatible in use, scale, and design with allowed uses in the Commercial Corridor land use district.
3. The use, as specifically conditioned below, does not compromise the health, safety, or welfare of: Persons employed within or using the proposed development; Those residing or working in the vicinity of the proposed use or development; or Property or improvements in the vicinity of the proposed use or development.
4. The use, as specifically conditioned below does not impose disproportionate burdens on the citizens of the city.

Conditions of Approval:

1. The light intensity may not exceed that produced by fifty-four (54) watts of incandescent lighting for daytime usage, as measured from the nearest public right-of-way. An automatic dimmer must be installed to reduce nighttime intensity to that produced by thirty (30) watts of incandescent lighting, as measured from the nearest public right-of-way.
2. The sign may not operate between the hours of ten p.m. and six a.m. the follow day.
3. The digital face may not flash or scintillate except to change the displayed wording to different wording.
4. Any display on the digital face must remain lighted for at least two seconds.
5. A minimum of five percent of the sign use time shall be used for public service messages.
6. The maximum height of the Electronic Message Center detached sign is 25 feet.
7. The maximum area of the proposed Electronic Message Center is 5 feet x 15 feet (75 square feet).
8. The maximum area of the proposed static signage is 2 feet 8 inches x 14 feet 7 inches (38.8 square feet).
9. The maximum total area of the proposed detached signage is 113.8 feet in area.
10. The applicant shall obtain a South Salt Lake City sign permit prior to any construction.
11. The proposed signage shall comply with all building and construction codes.
12. Applicant shall demonstrate a matte finish or alternative measure to mitigate

surface reflectivity on the South Salt Lake sign permit application.

13. The message center will be used to advertise items, sales, services, or wares contained on the property in which it is located.
14. The proposed signage shall meet all requirements of Title 17.08.

Exhibits (available on file with South Salt Lake City Community Development Department):

- EXHIBIT A: CUP Application
- EXHIBIT B: Property Affidavit
- EXHIBIT C: Site Plan
- EXHIBIT D: Elevations
- EXHIBIT E: List of Mitigating Conditions
- EXHIBIT F: Staff Report

FOR SOUTH SALT LAKE CITY:

Laura Vernon,
Planning Commission Chair

FOR THE APPLICANT:

Carston McCullough