

Ordinance 2017-01

SHORT TITLE:

An ordinance amending Provo City Code to allow for increased signage opportunities in the DT1, DT2, ITOD, Gateway, and West Gateway zones. (16-00180A)

PASSAGE BY MUNICIPAL COUNCIL

ROLL CALL

DISTRICT	NAME	MOTION	SECOND	FOR	AGAINST	OTHER	
CW 1	DAVID SEWELL			✓			
CW 2	GEORGE STEWART		✓	✓			
CD 1	GARY WINTERTON			✓			
CD 2	KIM SANTIAGO	✓		✓			
CD 3	DAVID KNECHT			✓			
CD 4	KAY VAN BUREN			✓			
CD 5	DAVID HARDING			✓			
				TOTALS	7	0	0

This ordinance was passed by the Municipal Council of Provo City, on the 3rd day of January 2017, on a roll call vote as described above. Signed this 11th January, 2017.



Chair

II

APPROVAL BY MAYOR

This ordinance is approved by me this 12 January 2017.



Mayor

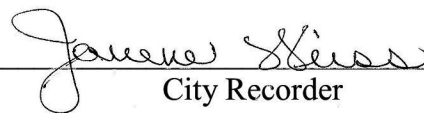
Ordinance 2017-01

III

CITY RECORDER'S CERTIFICATE AND ATTEST

This ordinance was signed and recorded in the office of the Provo City Recorder on the 12th day of January, 2017 , with a short summary being published on the 14th day of January, 2017, in The Daily Herald, a newspaper circulated in Provo, Utah. I hereby certify and attest that the foregoing constitutes a true and accurate record of proceedings with respect to Ordinance Number 2017-01





City Recorder

ORDINANCE 2017-01

AN ORDINANCE AMENDING PROVO CITY CODE TO ALLOW FOR INCREASED SIGNAGE OPPORTUNITIES IN THE DT1, DT2, ITOD, GATEWAY, AND WEST GATEWAY ZONES. (16-00180A)

WHEREAS, it is proposed by the applicant that amendments be made to Provo City Code Section 14.38.105 to provide additional signage opportunities for (i) tenants above the ground floor and (ii) tenants who only have access through a common entrance; and

WHEREAS, on October 26, 2016, the Planning Commission held a duly noticed public hearing to consider the proposal and after such hearing the Planning Commission recommended approval with conditions to the Municipal Council; and

WHEREAS, on January 3, 2016 the Municipal Council held a duly noticed public meeting to ascertain the facts regarding this matter, which facts are found in the meeting record; and

WHEREAS, after considering the Planning Commission’s recommendation, and facts and comments presented to the Municipal Council, the Council finds (i) Provo City Code Section 14.38.105 should be amended and (ii) this action, as set forth below, reasonably furthers the health, safety and general welfare of the citizens of Provo City.

NOW, THEREFORE, be it ordained by the Municipal Council of Provo City, Utah, as follows:

PART I:

Provo City Code Section 14.38.105 is hereby amended as set forth in the attached Exhibit A.

PART II:

- A. If a provision of this ordinance conflicts with a provision of a previously adopted ordinance, this ordinance shall prevail.
- B. This ordinance and its various sections, clauses and paragraphs are hereby declared to be severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid, the remainder of the ordinance shall not be affected thereby.
- C. The Municipal Council hereby directs that the official copy of the Provo City Code be updated to reflect the provisions enacted by this ordinance.
- D. This ordinance shall take effect immediately after it has been posted or published in accordance with Utah Code 10-3-711, presented to the Mayor in accordance with Utah Code 10-3b-204, and recorded in accordance with Utah Code 10-3-713.

END OF ORDINANCE.

Exhibit A

14.38.105. Signs Permitted in the Downtown (DT, ITOD, GW, or WG) Zones.

Signs within the DT1, DT2, ITOD, GW, or WG zones shall be regulated by the following provisions:

(1) Wall signs shall comply with the following requirements:

(a) Ground level businesses with individual front door entrances fronting public streets.

(i) Number. One (1) sign per business storefront.

(ii) Area. Two (2) square feet of sign for each foot of linear building facade.

(iii) Location. Sign shall be located on the first or second story facade.

(iv) Projection. Signs shall not project more than eighteen (18) inches from the facade.

(v) Illumination. Internal or external illumination is permitted. **Externally lit signs shall be illuminated only with stationary, shielded light sources directed solely onto the sign without causing glare.**

~~(b) Ground level businesses with access through a common entrance and tenants located above ground level are not allowed to have individualized wall signs on the exterior of the building.~~

~~Identification signs for these businesses may be located on a~~ **Building** ~~directory signs:~~

(i) May be located on an exterior wall next to a public entrance or within the common entrance of the building.

(ii) If located on an exterior wall, such directory signs shall not exceed nine (9) square feet and copy shall not exceed one (1) inch in height.

(iii) One (1) directory sign for each building facade with a public entrance is permitted.

(c) Building identification signs for buildings three (3) to four (4) stories in height:

(i) Number. One (1) sign per building facade consisting of individual letters (signs shall not consist of sign cabinets). No building shall be deemed to have more than four (4) facades.

(ii) Area. Two (2) square feet of sign for each linear foot of building facade.

(iii) Location. Shall be located on the top story of the building.

(iv) Projection. Sign shall not project greater than eighteen (18) inches from the facade.

(v) Illumination. Internal or external illumination is permitted. **Externally lit signs shall be illuminated only with stationary, shielded light sources directed solely onto the sign without causing glare.**

(vi) Size of Lettering. Letters are limited to two (2) feet in height.

(d) Building identification signs for buildings greater than five (5) stories in height:

(i) Number. One (1) per building facade consisting of individual letters (signs shall not consist of sign cabinets). No building shall be deemed to have more than four (4) facades.

(ii) Area. Four (4) square feet of sign for each linear foot of building facade.

(iii) Location. Shall be located on one of the top two (2) stories and not project above the wall line.

(iv) Projection. Sign may not project greater than eighteen (18) inches from the facade.

(v) Illumination. Internal or external illumination is permitted. **Externally lit signs shall be illuminated only with stationary, shielded light sources directed solely onto the sign without causing glare.**

(vi) Size of Lettering. Letters shall not exceed four (4) feet in height.

(e) ~~Mid-building level~~ Tenant identification signs for buildings **two-stories or greater than eight (8) stories** in height:

(i) Number. One (1) sign on each building facade **facing a public street**

(ii) Type. Signs shall consisting of individual letters **or logos** (signs shall not consist of sign cabinets) **facing a public street if the facade has a mid-story step-back consisting of at least four (4) feet.**

~~(iii)~~ Area. The sign shall not exceed fifty (50) square feet in area.

~~(iv)~~ Location. The sign shall be located on the story immediately below the building step-back, **if present, on the second floor of a two-story building, or below the top floor of a building greater than two stories in height.**

(ivv) Projection. Sign shall not project greater than eighteen (18) inches from the facade.

(vvi) Illumination. Internal and external illumination is permitted. Externally lit signs shall be illuminated only with stationary, shielded light sources directed solely onto the sign without causing glare.

(vii) Size of Lettering. Letters shall not exceed three (3) feet in height.

(f) Wall Mounted Electronic Message Center Signs.

(i) Number. One (1) sign on the building facade where an entrance to the building exists.

(ii) Area. The sign shall not exceed eight (8) square feet in area.

(iii) Location. The sign shall be located within three (3) feet of the building entrance and shall be mounted flat against the wall of the structure.

(2) Projecting Signs. One (1) sign shall be allowed to project from the building face for each street level-business or street level parking lot entry having street frontage subject to the following conditions:

(a) Entrance. The business shall have a public entrance directly onto the street.

(b) Location Height. The sign shall be located below the finished floor of the second level of a building or have a maximum height of fifteen (15) feet above the final grade, whichever is lower.

(c) Clearance. There must be a minimum eight (8) feet of clearance from the bottom of the sign structure to the ground directly below the sign.

(d) Area. Signs shall not exceed nine (9) square feet in area.

(e) Sign Length and Height. Sign length and height shall not exceed three and a half (3.5) linear feet.

(f) Projection. Signs, including mounting hardware, shall not project more than forty-eight (48) inches from the face of the building. Signs shall not project from nor be mounted to building elements that are located within the street right-of-way.

(g) Thickness. Signs, including the cabinet, shall not be more than ~~four (4)~~ five (5) inches thick. External lighting shall not be limited to the ~~four (4)~~ five (5) inch maximum sign cabinet thickness.

(h) Lettering Height. Individual sign letters shall not exceed twelve (12) inches in height.

(i) Frontage Width.

(i) Any storefront or business premise that is less than thirty (30) feet in width shall have only one (1) projecting sign.

(ii) If such a storefront or business premise contains more than one street level business, the maximum permitted sign area for a single sign may be divided between a maximum of two signs hung from a single sign mounting bracket.

(iii) Up to six (6) inches of space between signs shall not be included in the maximum height and width.

(iv) The maximum projection shall meet the requirement of 14.38.105 (2)(f)

(ij) Materials. Exposed surfaces of the sign may be constructed of metal, glass, stone, solid wood, or other materials that are architecturally compatible with the exterior of the structure. If staff determines that the proposed materials are not architecturally compatible, the sign will be referred to the Design Review Committee for review and approval.

(jk) Lighting. Projecting signs may be illuminated internally or externally. Externally lit signs shall be illuminated only with stationary, shielded light sources directed solely onto the sign without causing glare.

(kl) Hold Harmless Agreement. When a sign extends over a public right-of-way, a hold harmless agreement must be signed by the owner of the sign prior to approval and installation of said sign.

(lm) ~~Message Business Identification~~ Message Business Identification. The message on projecting signs shall be limited to the name of the business and its logo.

(mn) ~~Sign Type Projecting Signs~~ Sign Type Projecting Signs. Projecting signs shall not be electronic display signs.

(no) Changeable Copy. Projecting signs shall not be designed to include changeable copy.

(p) Exemptions. City owned Wayfinding and Parking Facility Identification Signs are exempt from the requirements of this subsection.

~~(c) Building Location. Projecting signs shall not project from building elements that are located within the street right-of-way.~~

(3) Parking Entry Sign. One parking entry sign may be constructed for any nonconforming surface level parking lot subject to the following restrictions:

(a) Number. One (1) sign is permitted for every parking entryway along a public street. No more than one (1) sign is permitted per street frontage.

(b) Height. The maximum height shall not exceed twelve (12) feet from the natural grade of the lot.

(c) Area. Signs shall not exceed nine (9) square feet in area.

(d) Projection. Signs shall not project over the property line into the public right-of-way.

(e) Exemptions. City owned Wayfinding and Parking Facility Identification Signs are exempt from the requirements of this subsection.

(4) Awning Signs. One (1) sign shall be permitted on each awning located over a first floor window **or door** subject to the following restrictions:

(a) Area. A maximum of one (1) square foot of sign may be installed on each lineal foot of awning.

(b) Location. Signs must be located on the vertical valence of the awning that directly faces a public street or right-of-way and must consist of graphics that are no more than twelve (12) inches in height.

(b)c) Projection. Awnings may project a maximum of six (6) feet from the property line into the public right-of-way.

(5) New Construction Signs. One sign shall be permitted along each street frontage of a new construction project subject to the following restrictions:

(a) Area. Signs shall not exceed sixty-four (64) square feet in area.

(b) Height. The maximum height shall not exceed twelve (12) feet from the natural grade of the lot.

(c) Projection. Signs shall not project over the property line into the public right-of-way.

(d) New construction signs must be removed prior to the issuance of a certificate of occupancy for the new project.

(6) Real Estate Signs. One (1) sign shall be permitted along each street frontage of any property that is being offered for sale, lease, or rent subject to the following restrictions:

(a) Area. Signs shall not exceed thirty-two (32) square feet in area.

(b) Height. The maximum height shall not exceed eight (8) feet.

(c) Projection. Signs shall not project over the property line into the public right-of-way.

(7) Window Signs. ~~Signs One (1)~~ shall be permitted ~~in~~ **on or inside** the ~~inside~~ windows on the first floor of commercial establishments subject to the following restrictions:

(a) Area. Signs shall not cover more than twenty-five percent (25%) of the total **window** area of the ~~window~~ **first floor** facade they are located on.

(b) Location. Signs are only permitted in windows that directly face a public street.

(c) Electronic display signs shall meet the standards in Section 14.38.025, Provo City Code.

(8) Monument Signs. One (1) sign shall be permitted in the landscaped front yard or street side yard of any property located in the DT1 zone, DT2 zone, WG zone, or GW zone subject to the following restrictions:

(a) Area. Signs for single tenant properties shall not exceed fifty (50) square feet. Signs for properties with more than one (1) tenant may have an additional ten (10) feet of sign for each additional tenant, up to one hundred (100) square foot maximum size.

(b) Height. The maximum height shall not exceed five (5) feet.

(c) Projection. Signs shall not project over the property line into the public right-of-way.

(d) Design. Signs shall be of a similar material and architecturally compatible with the main building. (Enacted 2010-31, Am 2013-16, Am 2013-28)

(9) A-Frames Signs. One (1) A-Frame sign shall be permitted for each ground level business with an individual front door entrance fronting a public street.

(a) Size. Maximum sign face size shall be twenty-four (24) inches wide and thirty-six (36) inches tall. Maximum sign stand frame size shall be twenty-seven (27) inches wide and forty-seven (47) inches tall when closed with a maximum depth of three (3) feet when opened.

(b) Sign Type. Sign faces shall be flat and lie in plane with the sign stand frame. Signs shall not be electrified or lighted in any manner.

(c) Location. The sign shall be located immediately in front of and between the side walls of the associated business. The sign shall be located immediately adjacent to the front façade of the business or within the park strip, provided a (6) six foot wide clear pedestrian way is maintained on the sidewalk. Signs shall not be located outside of this designated area in any other location within the public right-of- way.

(d) Time of Display. The sign shall be displayed only during the associated business's hours of operation.