

Ordinance 2018-06

SHORT TITLE:

An ordinance amending Provo City Code regarding signage. Citywide impact. (17-00190A)

I

PASSAGE BY MUNICIPAL COUNCIL

ROLL CALL

DISTRICT	NAME	FOR	AGAINST	OTHER
CW 1	DAVID SEWELL	✓		
CW 2	GEORGE STEWART	✓		
CD 1	GARY WINTERTON	✓		
CD 2	GEORGE HANDLEY	✓		
CD 3	DAVID KNECHT	✓		
CD 4	KAY VAN BUREN	✓		
CD 5	DAVID HARDING		✓	
TOTALS		6	1	


This ordinance was passed by the Municipal Council of Provo City, on the 23<sup>rd</sup> day of January 2018, on a roll call vote as described above. Signed this 7th day of February 2018.

  
Chair

II

APPROVAL BY MAYOR

This ordinance is approved by me this 8 February 2018.

  
Mayor

Ordinance 2018-06

III

CITY RECORDER'S CERTIFICATE AND ATTEST

This ordinance was signed and recorded in the office of the Provo City Recorder on the 9th day of February 2018, with a short summary being published on the 27<sup>th</sup> day of January 2018, 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 2018-06.



  
City Recorder

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ORDINANCE 2018-06.

AN ORDINANCE AMENDING PROVO CITY CODE REGARDING  
SIGNAGE. CITYWIDE IMPACT. (17-00190A)

WHEREAS, it is proposed to enact Provo City Code Chapter 6.06 (replacing a previously repealed chapter) and amend Chapter 14.38 to facilitate reasonable adjustments to the sign ordinance in relation to electronic messaging; and

WHEREAS, on December 13, 2017, the Planning Commission held a duly noticed public hearing to consider this proposal, and after such hearing the Planning Commission recommended approval to the Municipal Council by a vote of 8:0; and

WHEREAS, on January 9, 2018 and January 23, 2018, the Municipal Council held duly noticed public meetings to ascertain the facts regarding this matter, which facts are found in the meeting records; and

WHEREAS, after considering the Planning Commission recommendation and facts and comments presented to the Municipal Council, the Council finds (i) Provo City Code Chapter 6.06 should be enacted and Chapter 14.38 should be amended as set forth in Exhibit A, and (ii) this action 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 Chapter 6.06 is enacted and Chapter 14.38 is amended as set forth in 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.

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END OF ORDINANCE.

**EXHIBIT A**

**Chapter 6.06**

**Use of Electronic Signs**

6.06.010. Scope.

6.06.020. Hold Time and Transitions.

6.06.030. Brightness.

**6.06.010. Scope.** Any business operating an on-premises electronic display sign shall comply with the requirements of this Chapter in order to qualify for a business license.

**6.06.020. Hold Time and Transitions.**

- (1) Each message shall be illuminated for no less than eight (8) seconds before transitioning to a new message.
- (2) Notwithstanding subsection (1), the message may not be changed more than three (3) times per day unless the sign is permitted to be a high-churn electronic display sign under Provo City Code Chapter 14.38.
- (3) The images and messages displayed shall be static, and the transition from one static display to another shall be instantaneous with no special effects or the transition may provide a black screen for at least one (1) second.
- (4) Electronic display signs shall not include animation, full motion video, flashing, scrolling, strobing, racing, blinking, changes in color, fade in or fade out in any manner imitating movement, or any other means not providing constant illumination.
- (5) An electronic display sign that was in operation prior to May 28, 2013, is not subject to the requirements of this Section 6.06.020 so long as the sign is not replaced, reconstructed, upgraded, moved, or otherwise substantially changed.

**6.06.030. Brightness.**

(1) All electronic display signs shall come equipped with automatic dimming technology which automatically adjusts the sign's brightness in direct correlation with natural ambient light conditions at all times.

(2) No electronic display sign shall exceed a brightness level of more than three-tenths (3/10) foot candles above ambient light as measured using a foot candle (lux) meter perpendicular to the electronic display sign face measured at ground level and at the distances shown in the table below:

<b><u>Size (square feet)</u></b>	<b><u>Distance from source</u></b>
<u>0 to 100</u>	<u>100 feet</u>
<u>101 to 350</u>	<u>150 feet</u>
<u>351 to 650</u>	<u>200 feet</u>

<u>Size (square feet)</u>	<u>Distance from source</u>
<u>Over 650</u>	<u>250 feet</u>

(3) Prior to the issuance or renewal of a business license, the owner of an electronic display sign shall provide the City with a certification from the sign manufacturer stating that the sign is capable of complying with the above brightness provisions.

(4) An electronic display sign that was in operation prior to May 28, 2013 and that is not reasonably capable of complying with the brightness standards in this section is not subject to the requirements of this Section 6.06.030 so long as the sign is not replaced, reconstructed, upgraded, moved, or otherwise substantially changed.

## Chapter 14.38

### Signs and Outdoor Advertising

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14.38.025. On-Premises [High-Churn](#) Electronic Display Sign Standards.

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#### **14.38.010. General Requirements.**

The following general requirements shall apply to all signs and outdoor advertising structures which may be erected or maintained within the City of Provo.

(1) Sign Approval. Except as otherwise provided, it shall be unlawful and a class C misdemeanor to erect or maintain any sign or outdoor advertising structure in the City of Provo without first obtaining the approval of the Planning Commission for said sign or advertising structure, the giving of which shall be based upon the provisions of this Title.

(2) Permits. The approval of the Planning Commission shall be evidenced by a permit issued by the Building Inspection Division. All signs shall be constructed and all permits shall be issued in accordance with the provisions of the International Building Code. Permits for off-premises nonconforming signs shall be renewed on an annual basis. Applications for permits, or for the renewal of permits, shall require the applicant to disclose the owner of the sign and the owner of the property on which the sign is or will be located, all relevant dates in regard to expiration of any lease or lease option, the date and cost of construction of the sign, the date and cost of any modification of the sign, the fair market value as appraised for property tax purposes, the date the sign will be depreciated for federal income tax purposes, the cost of operating the sign, and any other information reasonably required by the planning commission. A permit may be revoked and a sign removed pursuant to Subsection (7) of this Section if the applicant for a permit makes a false or misleading statement in the permit application or renewal.

(3) Electronic Display and Animated Signs. Except as otherwise provided in this Chapter, all [electronic display and animated signs](#) are prohibited. [On-premise low-churn electronic display signs are permitted, but businesses using such signs are subject to the business licensing regulations contained in Provo City Code Chapter 6.06. On-premise high-churn electronic display signs are prohibited, except as otherwise provided in Section 14.38.025 of this Chapter.](#)

(4) Sound or Emissions. No sign shall be designed for the purpose of emitting sound, smoke, or steam.

(5) Movable Signs, Banners, and A-Frame Signs. Except as otherwise provided in this Chapter, all movable signs, banners and A-frame signs are prohibited. This prohibition shall include signs mounted or painted upon vehicles or trailers which are parked in any location for the purpose of calling attention to or advertising a person, place, or thing.

(6) Canopy Signs. Signs painted on or affixed to canopies which are part of the building shall be considered part of the total allowed area of wall signs for the walls from which the canopy projects. Signs painted on or affixed to canopies which are freestanding shall be considered part of the total allowable area of freestanding signs for that use. Signs suspended under canopies (marquees) which project over public rights-of-way shall be limited to six (6) square feet. Signs with changeable copy (reader boards) located on marquees of theaters or similar public assembly uses may combine the total allowable area for all building faces as permitted by Section 14.38.140, Provo City Code, so long as there are no wall signs placed upon building faces other than the face to which the marquee is attached.

(7) Violations.

(a) It is unlawful to erect or maintain a sign contrary to the provisions of this Chapter. If a sign is erected or

maintained in violation of this Chapter the Planning Commission may do the following:

- (i) Order the defect corrected within a fixed period of time, not exceeding thirty (30) days, if correction of the defect will bring the subject sign into compliance with the provisions of this Chapter; but
- (ii) If correction of the defect will result in a violation of the provisions of this Chapter, order that the subject sign be removed by, and at the expense of the owner of the sign, within a fixed period of time not exceeding thirty (30) days.

(b) If the owner of the sign contests the order of the Planning Commission, the remedy shall be an appeal to the zoning Board of Adjustment, which appeal shall be taken in the time and manner otherwise provided in this Title for appeals to the zoning Board of Adjustment.

(c) If the owner of the sign fails or refuses to remove the subject sign at the order of the Planning Commission, the City may remove the sign at any time after the owner thereof exhausts his or her administrative remedies in relation thereto, unless otherwise ordered by a court of law. Removal by the City shall be at the expense of the owner, and the City may obtain judgment against the owner in an amount equal thereto, together with reasonable attorneys' fees and costs.

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**14.38.025. On-Premises High-Churn Electronic Display Sign Standards.**

(1) On-premises high-churn electronic display signs are prohibited in all areas of the City of Provo, except for properties within the GW, WG, FC, FC2, CA, CG, PO, CM, SC1, SC2, SC3, M1, M2 FI, MP, PIC and PF zones which have frontage on the following streets and locations:

- (a) University Parkway, from 100 West northwesterly to the boundary line of the City of Provo;
- (b) North State Street, from Bulldog Boulevard (1230 North Street) northwesterly to the boundary line of the City of Provo;
- (c) Bulldog Boulevard, from Canyon Road (200 East) westward to North State Street;
- (d) Freedom Boulevard, from 550 North northward to ~~940 North Street~~ University Parkway;
- (e) 820 North Street, from 1890 West eastward to 1350 West Street;
- (f) Center Street, from 1300 West eastward to 600 West Street;
- (g) University Avenue, from 920 South southward to 1860 South;
- (h) 1860 South Street, from University Avenue eastward to South State Street; and
- (i) South State Street, from 640 South Street southward to the boundary line of the City of Provo.

(2) Properties described in Subsection (1) that have frontage along Interstate 15 (I-15) shall not have any on-premises high-churn electronic display sign located closer than one thousand two hundred (1,200) feet from another on-premises high-churn electronic display sign.

(3) ~~On premises electronic display signs are prohibited in the DT1 and DT2 zones with the following exceptions:~~

~~(a) A restaurant menu sign that is a wall sign meeting the requirements described in Section 14.38.105(1)(f), Provo City Code, may be an on-premises electronic display sign.~~

~~(b) Business Hours Sign. A sign displaying the hours of operation of a business and/or whether the business is open may be an on-premises electronic display sign. Such sign may not exceed four (4) square feet and may be located on a building face or within a window.~~



(4) All high-churn electronic display signs shall be subject to the following requirements:

(a) Comply with all other provisions of the respective zoning districts as set forth in this Title, including all sign regulations described in this Chapter.

(b) Comply with all the provisions of Chapter 6.06 regarding use of electronic display signs by a business.

(c) Hold Time. Each message shall be illuminated for no less than eight (8) seconds before transitioning to a new message.

~~(i) The images and messages displayed shall be static, and the transition from one static display to another shall be instantaneous with no special effects or the transition may provide a black screen for at least one (1) second.~~

~~(ii) Electronic display signs shall not include animation, full motion video, flashing, scrolling, strobing, racing, blinking, changes in color, fade in or fade out in any manner imitating movement, or any other means not providing constant illumination.~~

~~(iii) Each message shall be illuminated for no less than eight (8) seconds before transitioning to a new message.~~

(c) ~~Illumination.~~

~~(i) All electronic display signs shall come equipped with automatic dimming technology which automatically adjusts the sign's brightness in direct correlation with natural ambient light conditions at all times.~~

~~(ii) No electronic display sign shall exceed a brightness level of more than three tenths (3/10) foot candles above ambient light as measured using a foot candle (lux) meter perpendicular to the electronic display sign face measured at ground level and at the distances shown in the table below:~~

<b>Size (square feet)</b>	<b>Distance from source</b>
0 to 100	100 feet
101 to 350	150 feet
351 to 650	200 feet
Over 650	250 feet

(d) Prior to the issuance of any permit for construction or conversion, the owner shall provide the City with a certification from the sign manufacturer stating that the sign is capable of complying with the ~~above~~ brightness illumination and brightness standards provisions found in Chapter 6.06.

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**14.38.085. North University Avenue Riverbottoms Design Corridor and Specialty Support Commercial (SSC) Sign Standards.**

(1) An integrated sign design scheme which meets the requirements of this Section shall be required for each new performance development, shopping center, or office complex located within the North University Avenue Riverbottoms Design Corridor, as per Section 14.34.290(2), Provo City Code.

(2) Except as provided in Subsection (2)(a) of this Section, the provisions of this Section shall apply to any sign located within the North University Avenue Riverbottoms Design Corridor notwithstanding any other provision of

this Title and shall supersede sign provisions in any chapter with which this Chapter 14.38 may be associated for purposes of development except Section 14.38.010(1) and (2).

(a) The provisions of this Section shall not apply to an existing legal nonconforming sign provided, however, that the size, height, or location of any such sign shall not be changed except in accordance with the provisions of this Section.

(3) Monument Signs. Each commercial or professional office development in the North University Avenue Riverbottoms Design Corridor may have therein monument signs, in accordance with the following provisions:

(a) Number. There may, in each commercial center or professional office complex, be one (1) such sign for each three hundred (300) feet of street frontage.

(b) Area. The sign copy area of a monument sign shall not exceed sixty (60) square feet per side for two-sided signs. Double-faced, back-to-back, and V-type signs are permitted as a single sign or structure if both faces have common ownership. The monument structure upon which the sign is placed shall be designed to complement the architecture of the building, using the same materials and stylistic themes.

(c) Spacing. A minimum spacing of one hundred fifty (150) feet between sign structures may be permitted on sites with multiple structures.

(d) Height. No such freestanding sign (including the monument structure and pedestal) shall exceed ten (10) feet in height above the grade of street frontage sidewalk.

(e) Location.

(i) Except as otherwise provided in Subsection (3)(e)(ii) of this Section, each such monument sign shall be located on private property, outside the "clear vision" area of any street or driveway intersection, and shall not project over any property line;

(ii) Notwithstanding Subsection (3)(e)(i) of this Section, a sign located on a corner lot or parcel abutting University Avenue within the North University Avenue Riverbottoms Design Corridor may project up to twelve (12) feet into the University Avenue right-of-way from an adjacent property line but not closer than six (6) feet to any sidewalk or paved trail system located in the public right-of-way, subject to the qualifications set forth in Subsection (3)(e)(iii) of this Section and the following conditions:

(A) The controlling government agency grants written permission to locate the sign in the University Avenue right-of-way;

(B) Visibility of the sign, if placed on the lot or parcel as required by Subsection (3)(e)(i) of this Section, would be blocked by one (1) or more utility boxes or semaphore poles whose location and design is not controlled by the property owner, as observed at eye level from the curb or edge of pavement for University Avenue within one hundred (100) feet of the sign location; and

(C) The sign does not create a sight distance hazard as reasonably determined by the City Traffic Engineer based on the sign location and construction specifications, speed of nearby traffic, and other applicable City standards designed to achieve safe traffic movement.

(iii) A sign which existed prior to April 18, 2006, may not be relocated pursuant to the provisions of Subsection (3)(e)(ii) of this Section unless:

(A) Subsequent to the sign's original installation utility boxes or semaphore poles, whose location and design is not controlled by the property owner, are installed which block the sign in the manner described in Subsection (3)(e)(ii)(B) of this Section, and

(B) The applicant provides documentation that the sign meets the requirements of Subsection (3)(e)(iii)(A) of this Section.

(f) Materials. Structures supporting monument and shopping center identification signs shall be compatible with exterior materials used in building exteriors within the shopping/office center.

(g) Illumination. Internal illumination of a translucent sign face, or individual letters, characters, or figures shall be permitted, such that the sign face, letter or character glows.

(4) Wall Signs. Each business establishment or tenant of a shopping center or professional office facility may have wall signs in conformance with the standards listed below.

(a) Area. One (1) square foot of wall sign copy area for each linear foot of building frontage of the particular side the sign is on, or tenant space where the building setback from street frontage is less than two hundred (200) feet. For buildings with setbacks from street frontage of at least two hundred (200) feet or more, one and one-quarter (1 1/4) square feet of wall sign face for each linear foot of building frontage.

(b) Number. There shall be no more than one (1) such sign for the front face of each business or tenant. There may, in addition, be one (1) such sign for each business establishment or tenant having a rear or side building face with a public entrance.

(c) Height. No part of any such sign shall extend above the top level of a wall upon or in front of which it is situated.

(d) Projection. No wall sign, including structural part, shall project more than eighteen (18) inches from the face of the part of the building to which it is attached.

(e) Illumination. Internal illumination of a translucent sign face, or individual letters, characters, or figures shall be permitted, such that the sign face, letter or character glows.

(5) Shopping Center (SC3 Zone) Signs.

(a) Entry Archways. An archway displaying the name and logo of the shopping center may be located over a driveway, street or pedestrian entrance into the shopping center in accordance with the following provisions:

(i) Number. There may be one (1) sign and one (1) archway structure per entrance, not to exceed four (4) entrances.

(ii) Area. The area of the sign shall not exceed sixty (60) square feet.

(iii) Height. The height of the entry feature (archway) structure shall not exceed twenty-five (25) feet. Adequate vehicle and pedestrian clearance will be required as determined by Provo City.

(iv) Location. The sign shall be located on private property, outside the "clear vision" area of any street or driveway intersection, and shall not project over any property line.

(v) Materials. Materials shall be compatible with exterior materials used within the shopping center.

(vi) Illumination. Internal illumination is permitted.

(b) Entry Identification Monument Signs. A sign that identifies only the name of the shopping center and/or displays public greetings may be located at the entrances of the development.

(i) Number. There shall be not more than two (2) per driveway entrance.

(ii) Area. The area of the sign shall not exceed six (6) square feet.

(iii) Height. The sign (including the monument structure and pedestal) shall not exceed ten (10) feet in height above the grade of street frontage sidewalk.

(iv) Location. The sign shall be located on private property, outside the "clear vision" area of any street or

driveway intersection, and shall not project over any property line.

(v) Materials. Materials shall be compatible with exterior materials used within the shopping center.

(vi) Illumination. Internal illumination is permitted.

(c) Commercial Monument Signs. Commercial monument signs are only permitted to be located along the frontage of 4800 North.

(i) Number. There may be one (1) such sign for each three hundred (300) feet of street frontage, not to exceed two (2) signs if the frontage is greater than six hundred (600) feet.

(ii) Area. The sign copy area of a monument sign shall not exceed sixty (60) square feet per side for two-sided signs. The monument structure upon which the sign is placed shall be designed to complement the architecture of the building, using the same materials and stylistic themes.

(iii) Spacing. A minimum spacing of one hundred fifty (150) feet between sign structures is required.

(iv) Height. The sign (including the monument structure and pedestal) shall not exceed ten (10) feet in height above the grade of street frontage sidewalk.

(v) Location. Monument signs shall be located on private property, outside the "clear vision" area of any street or driveway intersection, and shall not project over any property line.

(vi) Materials. Materials shall be compatible with exterior materials used within the shopping center.

(vii) Illumination. Internal illumination is permitted.

(d) Shopping Center Commercial Signs.

(i) Number. There may be one (1) sign for each three hundred (300) feet of street frontage on University Avenue, not to exceed two (2) signs if the street frontage is greater than six hundred (600) feet.

(ii) Area. The area of the sign shall not exceed three hundred (300) square feet per face. The name and logo of the shopping center are not counted as part of the permitted square footage of the sign.

(iii) Spacing. A minimum spacing of one hundred fifty (150) feet between sign structures is required.

(iv) Height. A sign shall not exceed twenty-five (25) feet in height.

(v) Location. The sign(s) may be located on University Avenue within the Provo City right-of-way (trail system) subject to the obtaining of written permission from Provo City.

(vi) Materials. Materials shall be compatible with exterior materials used within the shopping center.

(vii) Illumination. Internal illumination is permitted.

(6) Research and Business Park Zone (RB&P).

(a) Monument Signs. Monument signs are only permitted to be located along the frontage of University Avenue.

(i) Number. There may be one (1) such sign for each three hundred (300) feet of street frontage.

(ii) Area. The sign copy area of a monument sign shall not exceed sixty (60) square feet per side for two-sided signs. The monument structure upon which the sign is placed shall be designed to complement the architecture of the building, using the same materials and stylistic themes.

(iii) Spacing. A minimum spacing of one hundred fifty (150) feet between sign structures is required.

(iv) Height. The sign (including the monument structure and pedestal) shall not exceed ten (10) feet in height above the grade of street frontage sidewalk.

(v) Location. There may be a monument sign located on each corner of River Park Drive. The signs shall not be located any closer than fifteen (15) feet of the back of University Avenue street curb within the public right-of-way subject to written permission from the controlling government agency.

(vi) Materials. Materials shall be compatible with exterior materials used within the Research and Business Park.

(vii) Illumination. Internal illumination and electronic display signs are not permitted.

~~(7) Electronic Signs. Electronic signs which are electronically controlled contain temporary text messages that can be changed from time to time. Electronic signs are subject to the following design specifications:~~

~~(a) Signs shall automatically dim during hours of darkness.~~

~~(b) Sign messages shall not change more frequently than ten (10) seconds.~~

~~(8) Prohibited Signs. Temporary signs are not permitted except as permitted in this Chapter such as real estate and campaign signs. These types of signs shall not be located in the public right-of-way.~~

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**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) 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) Tenant Identification Signs.

(i) Number.

(A) For buildings two (2) to four (4) stories in height: one (1) sign per building facade facing a public street.

(B) For buildings five (5) stories or greater in height: two (2) signs per building facade facing a public street.

(ii) Type. Signs shall consist of individual letters or logos (signs shall not consist of sign cabinets).

(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 (2) story building, or below the top floor of a building greater than two (2) stories in height.

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

(vi) 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. 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 five (5) inches thick. External lighting shall not be limited to the 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 premises that is less than thirty (30) feet in width shall have only one (1) projecting sign.
  - (ii) If such a storefront or business premises contains more than one (1) street level business, the maximum permitted sign area for a single sign may be divided between a maximum of two (2) 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 Subsection (2)(f) of this Section.
- (j) 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.
- (k) 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.
- (l) 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.
- (m) Message. The message on projecting signs shall be limited to the name of the business and its logo.
- (n) Sign Type. Projecting signs shall not be electronic display signs.
- (o) 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.

(3) Parking Entry Sign. One (1) 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.

(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 (1) 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 shall be permitted on or inside the 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 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.

(9) A-Frame 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 facade of the business or within the park strip, provided a six (6) 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.

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#### **14.38.160. Definitions Pertaining to Signs.**

The following words and phrases, whenever used in this Title, shall be construed as defined in this Section.

**“A-frame sign”** means any sign or structure composed of two (2) sign faces mounted or attached back-to-back in such a manner as to form a basically triangular vertical cross-section through the faces.

**“Animated sign”** means any sign with action, motion, or moving parts, including devices activated by wind or forced air, and signs that revolve, and which are designed and constructed to give their message through movement or semblance of movement created through a sequence of progressive changes of parts or lights. This does not include electronic display signs.

**“Building face”** means the visible outer surface of a main exterior wall of a building. The area of the face of the building shall be the total area of such surface including the area of doors and windows which open into surface.

**Canopy.** See “Marquee.”

**“Convert, converted, conversion”** means any sign face that is changed from its existing, nondigital or nonelectronic displays to an electronic display sign. Any sign that is remodeled, repaired, or maintained in such a way that it is now an electronic display sign shall be considered a conversion.

**“Electronic display sign”** means any sign, or portion thereof, that displays electronic images, graphics or pictures, with or without textual information. Such a sign has the capability of being changed or altered by electronic means on a fixed display screen composed of a series of lights including light emitting diodes (LEDs), fiber optics, plasma displays, light bulbs, or other illumination devices within the display area where the message is displayed. Electronic display signs include computer programmable, microprocessor controlled electronic or digital displays.

**“Erect”** means to build, construct, place, relocate, enlarge, substantially alter, attach, suspend, paint, post, or display. Normal maintenance, including refinishing, is not included in this definition provided the sign copy is not changed or altered.

**“Freestanding sign”** means any sign that is standing on or erected into the ground. Such signs are usually, but not

necessarily, supported from the ground by one (1) or more poles or posts or similar uprights, with or without braces. Any sign which is mounted into the ground, but has the supports passing through any portion of the roof of a building or structure, shall be considered to be a roof sign.

**“Frontage”** means the length of the sides along the street or any other principal public thoroughfare, but not including such length along an alley, water course, railroad, street, or thoroughfare with no permitted access.

**“High-churn electronic display sign”** means any electronic display sign whose image or message is changed more than three (3) times per day.

**“Low-churn electronic display sign”** means any electronic display sign whose image or message is changed three (3) times per day or less.

**Marquee.** A “marquee” shall mean and include any roofed structure attached to and supported by a building, and projecting over public property.

**“Movable sign”** means any sign not affixed to or erected into the ground.

**“Off-premises electronic display sign”** means any off-premises sign, as defined in this Section, that is also an electronic display sign, as defined in this Section.

**“Off-premises sign”** means any sign which advertises products, services, or business establishments which are not located, conducted, manufactured, or sold upon the same premises upon which the sign is erected.

**“On-premises sign”** means any sign which advertises products, services, or business establishments which are located, conducted, manufactured, or sold upon the same premises upon which the sign is erected.

**“Outdoor advertising structure”** means a structure erected and maintained for outdoor advertising purposes upon which a poster, bill, printing, or painting may be placed to advertise products, goods, services, or business establishments other than those located, conducted, manufactured, or sold upon the premises on which the structure is erected.

**“Projecting sign”** means any sign attached to a building or structural wall and extending horizontally outward from such wall more than eighteen (18) inches.

**“Property”** means land or real estate, with or without structures; not goods or services.

**“Residential zone”** or **“district”** means any zone which is designated by the prefix “R” in this Title.

**“Roof sign”** means any sign which is erected upon or over the roof or over a parapet of any building or structure.

**“Sign”** means any words, lettering, parts of letters, figures, numerals, phrases, sentences, devices, designs, pictures, trade names, or trademarks by which anything is made known, such as are used to designate a firm, association, corporation, profession, business, or service, whether placed on the ground, rocks, trees, stumps, or other natural objects, or on a building, wall, roof, frame, support, fence, or other manmade structure, which are visible from any public street, public highway, or public road right-of-way. For the purpose of this Title, the word “sign” does not include the flag, pennant, or insignia of any nation, state, city, or other political unit, or of a nonprofit organization. It shall not include, further, any official notice issued by any court, public body or officer, or directional warning or information sign or structure required or authorized by law.

**Sign Area.** Sign area shall mean the area of a sign that is used for display purposes, excluding the minimum frame and supports. In computing sign area, only one (1) side of a back-to-back or double-face sign covering the same subject shall be computed when the signs are parallel or diverge from a common edge by an angle of not more than forty-five (45) degrees. In relation to signs that do not have a frame or a separate background, sign area shall be computed on the basis of the least rectangle, triangle, or circle large enough to frame the display.

**“Time and temperature device”** means any mechanism that displays the time and/or temperature, but does not display any commercial advertising or identification.

**“Wall sign”** means any sign posted or painted upon, suspended from, or otherwise affixed to a wall, fascia, canopy, or marquee in an essentially vertical position or with exposed face of the sign in a place approximately parallel with the wall or fascia upon which it is attached.

**“Wind sign”** means any propeller, whirligig, or similar commercial device which is designed to flutter, rotate, or display other movement under the influence of wind. This definition shall not include pennants, flags, or banners.