

Ordinance 2022-29

SHORT TITLE:

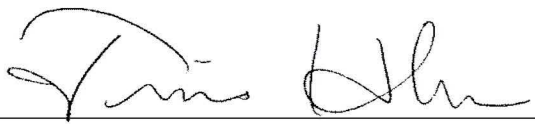
AN ORDINANCE ENACTING SIGN REQUIREMENTS FOR THE MIXED_USE (MU/NMU) ZONES. CITYWIDE APPLICATION. (PLOT20220224)

I
PASSAGE BY MUNICIPAL COUNCIL

ROLL CALL

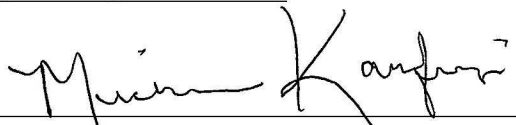
DISTRICT	NAME	FOR	AGAINST	OTHER
CW 1	KATRICE MACKAY	✓		
CW 2	DAVID SHIPLEY	✓		
CD 1	BILL FILLMORE	✓		
CD 2	GEORGE HANDLEY	✓		
CD 3	SHANNON ELLSWORTH	✓		
CD 4	TRAVIS HOBAN	✓		
CD 5	RACHEL WHIPPLE	✓		
TOTALS		7	0	

This ordinance was passed by the Municipal Council of Provo City, on the 9th day of August 2022, on a roll call vote as described above. Signed this 18th day of August 2022.


Chair

II
APPROVAL BY MAYOR

This ordinance is approved by me this 18th day of August 2022.


Mayor

Ordinance 2022-29

III

CITY RECORDER'S CERTIFICATE AND ATTEST

This ordinance was signed and recorded in the office of the Provo City Recorder on the 18th day of August 2022 and was published on the Utah Public Notice Website on the 10th day of August 2022. I hereby certify and attest that the foregoing constitutes a true and accurate record of proceedings with respect to Ordinance Number 2022-29.





City Recorder

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ORDINANCE 2022-29

AN ORDINANCE ENACTING SIGN REQUIREMENTS FOR THE MIXED USE (MU/NMU) ZONES. CITYWIDE APPLICATION. (PLOTA20220224)

WHEREAS, it is proposed that Provo City Code Section 14.38.106 be enacted to define sign regulations for the new Mixed-Use zones; and

WHEREAS, on July 27, 2022, the Planning Commission held a duly noticed public hearing to consider the proposed amendment, and after such meeting, the Planning Commission recommended approval to the Municipal Council by a vote of 6:0; and

WHEREAS, on August 9, 2022, the Municipal Council met to ascertain the facts regarding this matter and receive public comment, which facts and comments are found in the public record of the Council's consideration; 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 should be amended as described herein and (ii) the proposed amendment 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 14.38.106 is hereby enacted 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.

47 END OF ORDINANCE.

Exhibit A

14.38.106

Signs Permitted in Mixed-Use (MU, NMU) Zones.

Signs within the Mixed-Use (MU) and Neighborhood Mixed-Use (NMU) zones shall be regulated by the following provisions. Any signs, or types of sign, not expressly allowed by this section are prohibited.

(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. Signs are permitted to be illuminated only between the hours of 6am and 11pm.

(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 five (5) 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 of the second 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) *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 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 at the top of the second story of the building.

(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. Signs are permitted to be illuminated only between the hours of 6am and 11pm.

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

(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 1/2) 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) 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. Signs are permitted only to be illuminated between the hours of 6am and 11pm.
- (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) *Changeable Copy.* Projecting signs shall not be designed to include changeable copy.

(o) *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 surface level parking lot, sub-grade parking structure or above grade parking structure 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) *Monument Signs.* One (1) sign shall be permitted in the landscaped front yard or street side yard of any property with 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.

(e) *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. Signs are permitted only to be illuminated between the hours of 6am and 11pm.

(7) *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.