

ITEM # 9* Development Services request an Ordinance Text Amendment to Section 14.38.105 (Signs Permitted in the Downtown Zones) in order to add regulations for marquee signs. Downtown Neighborhood. Aaron Ardmore (801) 852-6404 aardmore@provo.org PLOTA20240191

Applicant: Development Services

Staff Coordinator: Aaron Ardmore

ALTERNATIVE ACTIONS

1. **Continue** to a future date to obtain additional information or to further consider information presented. *The next available meeting date is August 28th, 2024, at 6:00 P.M.*
2. **Deny** the requested ordinance text amendment. *This action would not be consistent with the recommendations of the Staff Report. The Planning Commission should state new findings.*

Relevant History: Staff began discussing this proposal with the head of Downtown Provo Inc. (DPI) in May 2024, after realizing multiple businesses desired a marquee-style sign for their business. Staff then provided different versions of the proposed code to DPI in subsequent months and reached a working draft to bring forward on July 2nd.

Neighborhood Issues: No neighborhood issues have been reported to staff at the time of this report.

Summary of Key Issues:

- Provo Center Street has a history of marquee-style signs, giving the proposed amendment an example to draw from.
- The proposal would allow three (3) marquee signs per block face on Center Street between 500 West and 200 East.
- Signs would be limited to 100 square feet in size and not permitted to be electronic.

Staff Recommendation: Staff recommends that the Planning Commission recommend approval of the proposed amendment to the City Council.

OVERVIEW

Development Services is requesting a code amendment to add a new permitted sign type to the signs permitted in the downtown zones, Section 14.38.105, Provo City Code. This proposal was initiated after discussions with Downtown Provo Inc. (DPI) and drafted by staff.

The proposal adds a new marquee sign type to the signage options for downtown businesses with frontage on historic Center Street. The proposal limits the number of signs per block face, size of the sign, and regulates lighting options for the sign.

There is a history of marquee-style signs on Center Street dating back to the 1950's, and while only four remain (Fat Daddy Pizza, Harris Hearing Aids, B&H Pharmacy, and Bianca's) there is renewed interest in advertising downtown businesses in this way.

Staff believe that by limiting the size and number of these signs the historic integrity of Center Street will remain intact and business owners will be able to better advertise, all without having a messy or clustering effect on the street.

STAFF ANALYSIS

With any text amendment staff must review the proposed language against the goals and objectives of the General Plan. Section 14.02.020 of the Provo City Code provides specific criteria for this evaluation. That evaluation is as follows: (staff responses in bold)

(a) Public purpose for the amendment in question.

Staff response: The public purpose for the amendments is to help businesses thrive and in turn help Provo Center Street continue to thrive as the heart of the city.

(b) Confirmation that the public purpose is best served by the amendment in question.

Staff response: Staff believes that the proposed amendments will help to address the above public purpose.

(c) Compatibility of the proposed amendment with General Plan policies, goals, and objectives.

Staff response: The proposed amendments help to meet goals of the General Plan, specifically, Chapter 5, goal 1, to "Employ innovative approaches to promote local business and create community." Also, Chapter 4, goal 2 in the Downtown Master

Plan to encourages staff to “Continue to amend regulations for new development as the area continues to evolve.”

(d) Consistency of the proposed amendment with the General Plan’s “timing and sequencing” provisions on changes of use, insofar as they are articulated.

Staff response: There are no timing and sequencing issues related to this request.

(e) Potential of the proposed amendment to hinder or obstruct attainment of the General Plan’s articulated policies.

Staff response: Staff believes that this proposal would not hinder or obstruct General Plan policies.

(f) Adverse impacts on adjacent land owners.

Staff response: Staff believes the only adverse impact from this amendment could be to those that desire a marquee sign after the maximum number on their block face has been met.

(g) Verification of correctness in the original zoning or General Plan for the area in question.

Staff response: Does not apply.

(h) In cases where a conflict arises between the General Plan Map and General Plan Policies, precedence shall be given to the Plan Policies.

Staff response: Does not apply.

CONCLUSIONS

Staff have worked with DPI and legal to develop this proposed ordinance as a way to help business thrive and help the economic development of the city. Staff are comfortable with the proposed regulations and would hope that the Planning Commission recommends its adoption to the City Council.

ATTACHMENTS

1. Proposed Amendment
2. Current Marquee Signs on Center Street
3. Provo Center Street circa 1950s

ATTACHMENT 1 – PROPOSED AMENDMENT

14.38.105

Signs Permitted in the Downtown (DT1, DT2, ITOD, GW, and WG) Zones.

Signs within the General Downtown (DT1), Downtown Core (DT2), Interim Transit Oriented Development (ITOD), Gateway West (GW), and West Gateway (WG) zones shall be regulated by the following provisions. Any signs, or types of sign, not expressly allowed by this Section are prohibited.

[. . .]

(10) *Marquee Signs.* Marquee signs may be permitted for each block face on Center Street between 500 West and 200 East, having street frontage, subject to the following conditions:

- (a) *Number.* Three (3) marquee signs are permitted for each block face.
- (b) *Location.* The sign must be located above the first floor of the business storefront.
- (c) *Area.* Signs may not exceed one hundred (100) square feet in area.
- (d) *Thickness.* Signs, including the cabinet, may not be more than one (1) foot thick.
- (e) *Lighting.* Marquee signs may be illuminated internally or externally. Lighting must be stationary and shielded to direct solely onto the sign without causing glare. No neon lights are permitted.
- (f) *Hold Harmless.* When a sign extends over a public right-of-way, a hold harmless agreement must be signed by the owner prior to approval and installation of said sign.
- (g) *Sign Type.* Marquee signs may not include electronic display.

ATTACHMENT 2 – CURRENT MARQUEE SIGNS ON CENTER STREET



286 West Center



90 West Center



223 West Center



330 West Center

ATTACHMENT 3 – PROVO CENTER STREET CIRCA 1950s

