

**\*ITEM # 1** Development Services request an Ordinance Text Amendment to Section 14.38.030 (Signs and Outdoor Advertising - Exceptions) in order to amend language to sign code exceptions for temporary election campaign signs. Citywide application. Scott Johnson (801) 852-6433 snjohnson@provo.org PLOTA20240187

**Applicant:** Scott Johnson  
**Staff Coordinator:** Scott Johnson  
**Property Owner:** City Wide  
**Parcel ID#:** City Wide  
**Acreage:** City Wide  
**Number of Properties:** City Wide  
**Number of Lots:** City Wide

**ALTERNATIVE ACTIONS**

1. **Continue** to a future date to obtain additional information or to further consider information presented. *The next available meeting date is September 11, 2024 6:00 P.M.*
2. **Deny** the requested variance. *This action would not be consistent with the recommendations of the Staff Report. The Board of Adjustment should state new findings.*

**Relevant History:** Provo City has historically not allowed electronic signs to be in residential Zones. When the various exceptions to Chapter 14.38 Signs and Outdoor Advertising were adopted, the potential of such signs being electronic in nature was not anticipated. Provo City Development Services recently received a complaint regarding an electronic sign that fell within the “Exceptions” code of this chapter, and thus the City was not able to take any action regarding such sign.

**Summary of Key Issues:** The proposed amendment would require electronic campaign signs to comply with section 14.38.010(3) – Electronic Display and Animated Signs, which does not permit such signs to be in residential zones.

**Staff Recommendation:** Staff recommends that the Planning Commission provide a positive recommendation to the City Council for the requested text amendment.

## **OVERVIEW**

Provo City has historically not permitted electronic display signs in residential zones. Development Services received a complaint recently regarding an electronic temporary campaign sign located in a residential zone. Upon review of the city code, we found that the current language gave a broad exception to temporary campaign signs that did not allow us to address or take any enforcement actions on the sign that was brought to our attention. This amendment would ensure that if a temporary campaign sign is electronic or animated, it but must comply with section 14.38.010(3) (see attachment #2).

## **FINDINGS OF FACT**

As with all text amendments, Provo City Staff have the responsibility to evaluate the requests against the goals and objectives of the General Plan. Section 14.020.020(2) establishes the criteria for that evaluation, and has been reviewed as follows: (**staff response in bold**)

(a) Public purpose for the amendment in question.

**The public purpose for this amendment is to ensure that temporary election campaign signs which are electronic or animated will comply with other requirements for other electronic signs in Provo.**

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

**By requiring electronic or animated temporary election campaign signs to comply with section 14.38.010(3), Provo City Code would provide consistent requirements/restrictions regarding electronic signs.**

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

**The General Plan states the following in Chapter Three: “Without restrictions, signs can become flashy and overbearing” The proposed changes help to fulfill this statement by requiring all electronic signs to follow the same location restrictions.**

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

**There are no timing and sequencing provisions related to this request.**

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

**Staff believe that these amendments will only further the policies found in the General Plan, not hinder or obstruct them.**

(f) Adverse impacts on adjacent landowners.

**There should not be any adverse impacts on adjacent landowners due to this code change.**

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

**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.

**Does not apply.**

### **APPLICABLE ZONING CODES**

14.38.030 – Exceptions

14.38.010(3) – Electronic Display and Animated Signs

### **CONCLUSIONS**

Provo City Planning Commission should recommend approval of this Text Amendment proposal to provide clarification and consistency regarding the permitted location of electronic signs.

### **ATTACHMENTS**

1. Proposed Amendment Text
2. 14.38.010(3) – Electronic Display and Animated Signs

## **ATTACHMENT 1 - PROPOSED AMENDMENT TEXT**

### **14.38.030 Exceptions.**

This Chapter shall have no application to [signs](#) used exclusively for:

...

(6) ~~Temporary election campaign signs~~ Temporary election campaign signs, except that ~~these signs shall~~ may not be located in the [public](#) right-of-way or on [public property](#) and may not be electronic display or animated signs, except as such signs are permitted by section 14.38.010(3).

## **Attachment 2 - 14.38.010(3) – Electronic Display and Animated Signs**

### **14.38.010 General Requirements.**

[...]

(3) *Electronic Display and Animated Signs.* Except as otherwise provided in this Chapter, all animated signs are prohibited. On-premises electronic display signs are prohibited in all Project Redevelopment Option (PRO) zones, the Special Development Plan (SDP) Overlay zone, the Downtown Historic district, and the A1, RA, RC, R1, R2, VLDR, LDR, MDR, HDR, MU and NMU zones, but are permitted elsewhere. Businesses using electronic display signs are subject to the business licensing regulations contained in Chapter 6.06, Provo City Code. On-premises short hold time electronic display signs are prohibited in all zones, except as otherwise provided in Section 14.38.025, Provo City Code.