



Provo City Planning Commission

Report of Action

August 28, 2024

***ITEM #7** 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

The following action was taken by the Planning Commission on the above described item at its regular meeting of August 28, 2024:

RECOMMENDED APPROVAL

On a vote of 7:0, the Planning Commission recommended that the Municipal Council approve the above noted application.

Motion By: Adam Shin

Second By: Jonathon Hill

Votes in Favor of Motion: Adam Shin, Jonathon Hill, Jeff Whitlock, Lisa Jensen, Andrew South, Melissa Kendall, Barbara DeSoto

Jeff Whitlock was present as Chair.

- Includes facts of the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted; Planning Commission determination is generally consistent with the Staff analysis and determination.

TEXT AMENDMENT

The text of the proposed amendment is attached as Exhibit A.

STAFF PRESENTATION

The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations. Staff answered questions from the Planning Commission regarding existing marquee style signs, history of sign allowances, hold harmless agreements, and proposed limits for the sign type.

CITY DEPARTMENTAL ISSUES

- The Coordinator Review Committee (CRC) has reviewed the application and given their approval.

NEIGHBORHOOD MEETING DATE

- A neighborhood meeting is set to be held on 09/05/2024.

NEIGHBORHOOD AND PUBLIC COMMENT

- The Neighborhood District Chair was present /addressed the Planning Commission during the public hearing.

CONCERNS RAISED BY PUBLIC

Any comments received prior to completion of the Staff Report are addressed in the Staff Report to the Planning Commission. Key issues raised in written comments received subsequent to the Staff Report or public comment during the public hearing included the following:

- Quinn Peterson (Neighborhood Chair/Downtown Business Alliance) addressed the Commissions question on the history of sign regulation on Center Street, noted that he would be happy with more than the proposed three per block face, and indicated that there are two businesses waiting for this amendment so they can get marquee signs permitted.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Planning Commission expressed that the proposal seems reasonable and allowed some history of Center Street to return. They also indicated that it is helpful that the proposal started from business owners downtown, working with staff.



Planning Commission Chair



Director of Development Services

See Key Land Use Policies of the Provo City General Plan, applicable Titles of the Provo City Code, and the Staff Report to the Planning Commission for further detailed information. The Staff Report is a part of the record of the decision of this item. Where findings of the Planning Commission differ from findings of Staff, those will be noted in this Report of Action.

Legislative items are noted with an asterisk (*) and require legislative action by the Municipal Council following a public hearing; the Planning Commission provides an advisory recommendation to the Municipal Council following a public hearing.

Administrative decisions of the Planning Commission (items not marked with an asterisk) **may be appealed** by submitting an application/notice of appeal, with the required application and noticing fees to the Development Services Department, 445 W Center Street, Provo, Utah, **within fourteen (14) calendar days of the Planning Commission's decision** (Provo City office hours are Monday through Thursday, 7:00 a.m. to 6:00 p.m.).

BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS

EXHIBIT A

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 are permitted for each block face, having street frontage, subject to the following conditions:

- (a) *Number.* No more than three (3) marquee signs are permitted for each block face.
- (b) *Location.* Each 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.