

Provo City Planning Commission

Report of Action

November 13, 2024

ITEM 6* Spencer Hymas requests an Ordinance Text Amendment to amend signage regulations for the FC3 Zone in Section 14.38.080 (Signs Permitted in Commercial Zones) and Section 14.38.095 (Signs Permitted in Regional Shopping Center Zone). Citywide application. Aaron Ardmore (801) 852-6404 aardmore@provo.org PLOTA20240271

The following action was taken by the Planning Commission on the above described item at its regular meeting of November 13, 2024:

RECOMMENDED APPROVAL

On a vote of 8:0, the Planning Commission recommended that the Municipal Council approve the above noted application.

Motion By: Lisa Jensen

Second By: Adam Shin

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

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 responded to questions from the Planning Commission regarding, size and type of signage allowed, distance from residential zones, and process.

CITY DEPARTMENTAL ISSUES

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

NEIGHBORHOOD MEETING DATE

- City-wide application; all Neighborhood District Chairs received notification.

NEIGHBORHOOD AND PUBLIC COMMENT

- This item was City-wide or affected multiple neighborhoods.

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: None.

APPLICANT RESPONSE

Key points addressed in the applicant's presentation to the Planning Commission included the following:

- Spencer Hymas responded to questions from the Planning Commission regarding the relative importance of the sign allowance to the overall project, tenant panels in the rendering, and sign location.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- The Planning Commission stated that this amendment felt more like a code cleanup than a significant change for the applicant. The proposed sign standards make sense for the zone and location, and they are happy to see that the establishment of the zone seems to be working to attract the desired commercial development for that area.



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

14.38.080 Signs Permitted in Commercial (CG, FC1, FC2, ~~FC3~~, CM, and CA) Zones.

Signs within the General Commercial (CG), Freeway Commercial (FC1), Freeway Commercial Two (FC2), ~~Freeway Commercial Three (FC3)~~, Heavy Commercial (CM), and Commercial Automotive (CA) zones shall be regulated by the following provisions [...]

(2) *Freestanding Signs Over Five (5) Feet in Height.* On-premises freestanding signs over five (5) feet in height shall comply with the following provisions:

- (a) *Area.* Refer to Section 14.38.130, Provo City Code.
- (b) *Number.* There may be one (1) such sign on each street frontage and one (1) additional sign for any portion of each such frontage in excess of two hundred (200) feet (except for the FC1, ~~and FC2, and FC3~~ zones). The size of any such additional sign shall be determined from Section 14.38.130, Provo City Code, by counting as frontage that portion of each frontage which is in excess of two hundred (200) feet.
- (c) *Height.* No such sign shall exceed thirty-five (35) feet in height.
- (d) *Projection.* No such sign shall project over a property line, nor more than five (5) feet into any required front yard.

14.38.095 Signs Permitted in Regional Shopping Center Zone (SC3).

Signs within the Regional Shopping Center (SC3) and Freeway Commercial Three (FC3) zones shall be regulated by the following provisions. Any signs, or types of sign, not expressly allowed by this Section are prohibited.

(1) *Freestanding Signs Over Five (5) Feet in Height.* Each shopping center facility established in an SC3 or FC3 zone may have a freestanding sign over five (5) feet in height as follows:

- (a) The area of the sign shall be as described in Section 14.38.130, Provo City Code.
- (b) If the frontage of the shopping center facility is more than two hundred fifty (250) lineal feet (see Section 14.38.130, Provo City Code) the planning commission may approve a freestanding sign with a total area exceeding three hundred twenty (320) square feet. The actual size of the larger sign shall be determined by the Planning Commission based on the following:
 - (i) The degree to which the signs and the landscaping thereof architecturally and aesthetically blend with the shopping center facility and the landscaping thereof.
 - (ii) The volume and speed of travel of vehicular traffic moving past the shopping center facility.
 - (iii) The total number of tenants and the number of major tenants in the shopping center facility.
 - (iv) The area of the larger sign shall not be increased more than thirty-two (32) square feet (in excess of three hundred twenty (320) square feet) for each twenty-five (25) lineal feet of frontage (in excess of two hundred fifty (250) lineal feet).
 - (v) No sign shall exceed seven hundred twenty (720) square feet of sign space. A second sign, not exceeding seven hundred twenty (720) square feet of sign space may be allowed if the shopping center facility has more than five hundred (500) lineal feet of frontage; provided, that no more than two (2) signs may be erected.
- (c) No freestanding sign shall exceed forty (40) feet in height.

- (d) Notwithstanding the above provisions, a shopping center facility that has more than ~~one thousand eight hundred (1,800)~~ **one thousand one hundred (1,100)** linear feet of frontage directly adjacent to Interstate 15 **and on/off ramps** shall be allowed one (1) freestanding sign that meets the following criteria:
- (i) Shall not exceed one thousand four hundred (1,400) square feet of sign space.
 - (ii) Shall not exceed ninety (90) feet in height.
 - (iii) Shall be located adjacent to Interstate 15.
 - (iv) Transition time between each message shall comply with the requirements of Chapter 6.06, Provo City Code.