

Provo City Planning Commission Staff Report
Ordinance Amendment
Hearing Date:

Agenda Item: 2*

Applicant: Eric Holland, Peg Development

Staff Coordinator: Jim Bryan

Property Owner: N/A

Parcel ID#: N/A

Current Zone: CBD

Development Agreement Proffered:
N/A

***Council Action Required:** Yes

REQUEST

Eric Holland, Peg Development, representing Zions Bank, requests an ordinance text amendment to Chapter 14.38.080 Signs Permitted in Commercial (C) zones regarding signs within the CBD (Central Business District) zone. *CBD Neighborhood* 09-0016OA

RELEVANT HISTORY

Current ordinances do not address high rise office buildings currently being constructed in the downtown area.

NEIGHBORHOOD ISSUES

No issues have been brought to staff's attention as of the writing of this report.

STAFF REPORT SUMMARY OF KEY ISSUES

Current ordinances do not address multistory buildings located in the CBD zone appropriately regarding wall signage. The proposed ordinance addresses needs for mixed use land uses within the building.

ALTERNATIVE ACTIONS

1. **Recommend Approval** of the proposed ordinance amendment. *This action would be consistent with the recommendation of the Staff Report. Any additional changes should be stated with the motion.*
2. **Continue** to a future date to obtain additional information or to further consider information presented. *The next available meeting date is January 13, 2010 at 5:00 p.m.*
3. **Recommend Denial** of the proposed ordinance amendment. *This would be a change from the Staff recommendation; the Planning Commission should state new findings.*

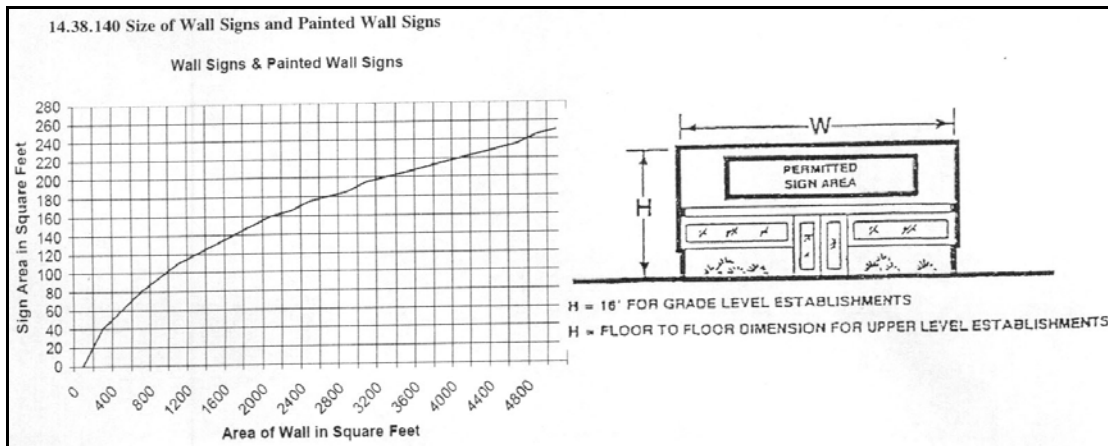
OVERVIEW

When Provo City's Sign ordinance was created in 1974, all commercial (C) zones were placed under section 14.38.080 Signs permitted in Commercial zones. This included shopping centers, retail centers and the Central Business District. Over a period of time, the sign ordinance has been modified to create ordinances specific for shopping centers. Development of multistory buildings within the downtown district has increased, yet the sign ordinance has not been modified to address the taller buildings.

PEG Development (the contractor for the new Zions' Bank), is constructing a new nine (9) story building at 180 North University Avenue within the CBD zone. As the building nears completion, the contractor submitted an application for a sign permit to install wall signs for the building. In reviewing the current ordinance, staff found that the proposed signage for the building exceeded the square footage permitted for wall signs, and the permit was not issued. The applicant contends that the proposed signage is in scale with the size of the building and has elected to request an ordinance text amendment that addresses wall signs for multistory buildings in the CBD zone.

FINDINGS OF FACT

1. In order to determine how much wall signage is permitted for a building in the C - Commercial zones, Chapter 14.38.080 currently refers to 14.38.140 Wall Signs chart as illustrated below.



2. The above chart stops at 5,000 square feet of wall area and the maximum size sign permitted would be 250 square feet in area regardless of the area of the wall. This chart was created in 1974 and has not been updated to reflect the larger structures that are being constructed in the CBD zone.
3. The square footage of Zion's Bank facades is greater than 10,000 square feet in area, but the size of a wall sign is limited by the existing charts to a 5,000 square foot wall.
4. In order to provide proportional signage for this size of a structure, either the chart needs to be enlarged or a text amendment is required. The applicant elected to submit for a text amendment.
5. Provo City Code Section 14.02.020(2) sets forth the following guidelines for consideration of ordinance text amendments:

Upon receipt of a petition by the Planning Commission, the Commission shall hold a public hearing in accordance with the provisions of Section 14.02.010 of this Title and may approve, conditionally approve, or deny the preliminary project plan. Before recommending an amendment to this Title, the Planning Commission shall determine whether such amendment is in the interest of the public, and is consistent with the goals and policies of the Provo City General Plan. The following guidelines shall be used to determine consistency with the General Plan:

- (a) *Public purpose for the amendment in question.*
- (b) *Confirmation that the public purpose is best served by the amendment in question.*
- (c) *Compatibility of the proposed amendment with General Plan policies, goals, and objectives.*
- (d) *Consistency of the proposed amendment with the General Plan's "timing and sequencing" provisions on changes of use, insofar as they are articulated.*
- (e) *Potential of the proposed amendment to hinder or obstruct attainment of the General Plan's articulated policies.*
- (f) *Adverse impacts on adjacent land owners.*
- (g) *Verification of correctness in the original zoning or General Plan for the area in question.*
- (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 ANALYSIS

1. With the recent completion of the Wells Fargo building, with Zions Bank building nearing completion and a future high rise under consideration for the down town area, the existing ordinance which addresses signage in the General Commercial zones, works well for commercial zones, but does not address the needs for large multistory, multiple tenant buildings that are being constructed in the CBD zone.
2. In the Downtown district there are several buildings with retail business on the ground floor and office uses above the ground floor. Part of the analysis has been to determine the appropriate amount of signage for each type of tenant. If each business within a large multistory structure were permitted a sign, then the building facade would be clutter with signs.

The existing ordinance is as follows:

(3) *Wall Signs and Painted Wall Signs. Except as otherwise provided in this Title, every wall sign and painted wall sign in a commercial zone shall comply with the following requirements:*

(a) *Area: The maximum area shall be as set forth in Section 14.38.140, Provo City Code.*

(b) *Number: There may be two (2) such signs for each building face, but in no case shall a total wall sign area for each face exceed that shown in Section 14.38.140, Provo City Code. No building shall be deemed to have more than four (4) building faces.*

(c) *Height: No part of any such sign shall extend above the top level of the wall upon, or in front of, which it is situated.*

(d) *Projection: No such sign, including any light box or structural part, shall project more than eighteen (18) inches from the face of the part of the building to which it is attached. No copy is permitted on the sides of any such sign.*

3. The current ordinance does not specify where the sign can go on a facade and only two signs for each building face are permitted. Sign permits are issued on a first come, first served basis, meaning that the first business located in the structure that applies for a sign permit takes advantage of using the allowed number signs and square footage, leaving other business without the opportunity to apply for signage.
4. Typically a high rise structure has ground floor tenants with front entrances to a public street that require signage, and major mid level tenants that desire sign recognition, in addition, a building identification sign. The current ordinance limits the number and size of signage that is not conducive to the needs of the clients.
5. The proposed ordinance addresses the following:
 - a. Ground-level businesses with individual front door entrances fronting public streets.
 - b. Ground-level businesses who access their space through a common entrance(s). Tenants above ground level are not allowed to have individualized wall signs on the exterior of the building. They must be located on a directory sign located next to or within the common entrance of the building.
 - c. Building Identification Signs for buildings 3-4 stories in height.
 - d. Building Identification Signs - buildings greater than five (5) stories in height.
 - e. Mid-building level tenant identification signs for buildings greater than eight (8) stories in height.
 - f. Roof signs are eliminated from the Commercial zones.
6. The proposed ordinance will permit signs that are scaled to the size of the building. Ground level signs will be permitted to be placed in a cabinet and upper level signs will be required to be individual letters. Illustrations have been provided below.
7. Provo City Code Section 14.02.020(2) as stated above has been reviewed for compliance and staff finds the following:
 - (a) *Public purpose for the amendment in question.* The new ordinance provides a comprehensive set of requirements to regulate wall signs in the Downtown and will meet the needs of multistory buildings.
 - (b) *Confirmation that the public purpose is best served by the amendment in question.*
 - (c) *Compatibility of the proposed amendment with General Plan policies, goals, and objectives.* The proposed amendment is compatible with the General Plan policies, goals, and objectives. Signs that are well designed and proportional to the building invite citizens to the downtown area and provide a sense of place and recognition.
 - (d) *Consistency of the proposed amendment with the General Plan's "timing and sequencing" provisions on changes of use, insofar as they are articulated.* Current ordinances do not meet the needs of buildings that are currently under construction. Timing is essential to meet the needs.
 - (e) *Potential of the proposed amendment to hinder or obstruct attainment of the General Plan's articulated policies.* The proposed ordinance will not hinder or obstruct the attainment of the General Plan's articulated policies.
 - (f) *Adverse impacts on adjacent land owners.* There should be no impact on adjacent land owners.
 - (g) *Verification of correctness in the original zoning or General Plan for the area in question.* Staff verifies that the ordinance affects the CBD zone and none other.
 - (h) *In cases where a conflict arises between the General Plan Map and General Plan Policies, precedence shall be given to the Plan Policies.* There are no conflicts between the General Plan map or policies.

NEIGHBORHOOD CONCERNS:

None have been noted.

CONCLUSIONS

The proposed ordinance addresses several concerns and provides restrictive signage in proportion to the size of the building.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission recommends to the Municipal Council approval of the proposed ordinance.

APPLICANT'S PROPOSED ORDINANCE:

1 14.38.080. Signs Permitted in Commercial (C) Zones.

2 For each place of business or occupancy within a commercial zone, the following types of signs shall be permitted
3 in conformance with the standards set forth: (See Section 14.38.090, Provo City Code for signs in shopping center
4 (SC) zones)

5 (1) Freestanding Signs Under Five (5) Feet in Height.

6 Appurtenant freestanding signs five (5) feet or less in height shall meet the following requirements:

7 (a) Area: Section 14.38.120, Provo City Code.

8 Said signs shall be placed no closer than fifty (50) feet apart. In the case of a parcel of property having multiple
9 occupancies with a common frontage, the frontage shall be deemed to be that of the entire commonly used parcel
10 of property and not the frontage of the individual business or occupancies.

11 (2) Freestanding Signs Over Five (5) Feet in Height. Appurtenant, freestanding signs over five (5) feet in height
12 shall comply with the following provisions:

13 (a) Area: Refer to Section 14.38.130, Provo City Code.

14 (b) Number: There may be one (1) such sign on each street frontage and one (1) additional sign for any
15 portion of each such frontage in excess of two hundred (200) feet. The size of any such additional sign shall be
16 determined from Section 14.38.130, Provo City Code, by counting as frontage that portion of each frontage which
17 is in excess of two hundred (200) feet.

18 (c) Height: No such sign shall exceed thirty-five (35) feet in height except in the CH zone where a
19 maximum height of fifty (50) feet will be allowed.

20 (d) Projection: No such sign shall project over a property line, nor more than five (5) feet into any
21 required front yard.

22 (3) ~~Wall Signs and Painted Wall Signs. Except as otherwise provided in this Title, every wall sign and painted~~
23 ~~wall sign in a commercial zone shall comply with the following requirements:~~ Wall signs in the CBD zone shall
24 comply with the following requirements:

25 (a) Ground Level businesses with individual front door entrances fronting public streets.

26 (i) Number: One (1) sign per business store front

27 (ii) Area: Two (2) square feet of sign for each foot of linear building facade for that business.

28 (iii) Location: The sign shall be located on the first or second story facades.

29 (iv) Projection: Signs shall not project more than 18" from the facade.

30 (v) Lighting: Internal or external lighting is permitted.

31 (b) Ground level businesses without individual front door entrances to a public street and with access through a
32 common entrance(s) and tenants located above ground level are not allowed to have individualized wall signs
33 on the exterior of the building. Identification signs for these businesses may be located on a directory sign located
34 next to or within the common entrance of the building. If located on an exterior wall, such directory signs shall
35 not exceed 9 square feet and copy shall not exceed one inch in height.

36 (c) Building Identification Signs for buildings 3-4 stories in height:

37 (i) Number: One (1) sign per building facade consisting of individual letters (signs shall not
38 consist of sign cabinets). No building shall be deemed to have more than four (4) facades.

39 (ii) Area: Two (2) square feet of sign for each linear foot of building facade.

40 (iii) Location: Shall be located on the top story of the building.

41 (iv) Projection: The sign shall not project greater than 18" from the facade.

42 (v) Lighting: Internal or external lighting is permitted.

43 (vi) Size of lettering: Letters are limited to two (2) feet in height

44 (d) Building Identification Signs - buildings greater than five (5) stories in height:

45 (i) Number: One (1) per building facade consisting of individual letters (signs shall not consist of sign
46 cabinets). No building shall be deemed to have more than four (4) facades.

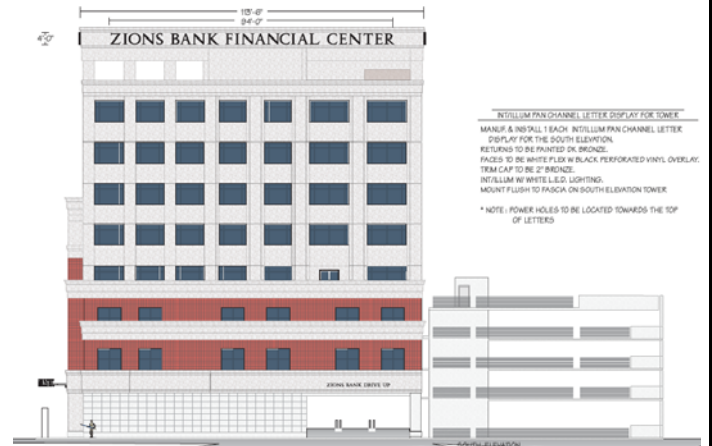
47 (ii) Area: Four (4) square feet of sign for each linear foot of building facade.

- 48 (iii) Location: Shall be located on one of the top two stories and not project above the wall line.
49 (iv) Projection: The sign may not project greater than 18" from the facade.
50 (v) Lighting: Internal or external lighting is permitted.
51 (vi) Size of lettering: Letters shall not exceed four (4) feet in height.
52 (e) Mid-building level tenant identification signs for buildings greater than eight (8) stories in height.
53 (i) Number: One (1) sign on each building facade consisting of individual letters (signs shall not consist
54 of sign cabinets) facing a public street if the facade has a mid-story step back consisting of at least four
55 (4) feet.
56 (ii) Area: The sign shall not exceed fifty (50) square feet in area.
57 (iii) Location: The sign shall be located on the story immediately below the building step back.
58 (iv) Projection: The sign shall not project greater than 18" from the facade.
59 (v) Lighting: Internal and external lighting is permitted.
60 (vi) Size of Lettering: Letters shall not exceed three (3) feet in height.
61
62 (4) Wall signs in other Commercial (C) zones
63 (a) Area: The maximum area shall be as set forth in Section 14.38.140, Provo City Code.
64 (b) Number: There may be two (2) such signs for each building face, but in no case shall a total wall sign area for
65 each face exceed that shown in Section 14.38.140, Provo City Code. No building shall be deemed to have more
66 than four (4) building faces.
67 (c) Height: No part of any such sign shall extend above the top level of the wall upon, or in front of, which it is
68 situated.
69 (d) Projection: No such sign, including any light box or structural part, shall project more than eighteen (18)
70 inches from the face of the part of the building to which it is attached. No copy is permitted on the sides of any
71 such sign.
72 ~~(4) Roof Signs. Roof signs in commercial zones shall comply with the following requirements:~~
73 ~~(a) Area: The area of a roof sign shall be included in the total area of all signs permitted by Section 14.38.140,~~
74 ~~Provo City Code.~~
75 ~~(b) Number: There shall be no more than one (1) such sign for the roof of each business establishment.~~
76 ~~(c) Height: No part of any such sign shall extend more than ten (10) feet above the highest point of the roof.~~
77 ~~(d) Projection: No part of any such sign shall project beyond the front line of the building.~~
78 ~~(e) Support: No roof sign shall be erected in such a manner that there is any visual support.~~
79 ~~(f) Animation: No part of any such sign shall have any animation.~~

North Elevation



South Elevation



West Elevation



East Elevation

