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ORDINANCE 2021-

AN ORDINANCE AMENDING PROVO CITY CODE
REGARDING THE HOLD TIMES FOR ELECTRONIC SIGNS
AND SIGN SIZE LIMITS. CITYWIDE APPLICATION. (19-102)

WHEREAS, it is proposed that Provo City Code Chapters 6.06 and 14.38 be amended to update hold times and permitted locations for electronic signs and to replace the size limit tables with more legible graphs; and

WHEREAS, on March 10, 2021, the Planning Commission held a duly noticed public hearing to consider the proposed amendment, and after such meeting, the Planning Commission recommended approval to the Municipal Council by a vote of 8:0; and

WHEREAS, on March 16 and March 30, 2021, the Municipal Council met to ascertain the facts regarding this matter and receive public comment, which facts and comments are found in the public record of the Council's consideration; and

WHEREAS, after considering the facts and comments presented to the Municipal Council, the Council makes the following findings:

- (i) Provo is open for business. The Municipal Council wants new businesses and existing businesses to thrive;
- (ii) Signage is an important way for businesses to communicate their presence and location and to advertise;
- (iii) Signage can also be detrimental to community aesthetics and traffic safety. It can be distracting due to size, brightness, or frequency of message updates;
- (iv) It is desirable and necessary to regulate signage in a way that strikes a good balance between the interests of businesses and community residents;
- (v) Provo regulates signage size according to such factors as zone and street frontage of the business. Somewhat larger signs are allowed in predominantly commercial areas;
- (vi) Provo already regulates digital sign brightness in accordance with the best practice recommendation of the International Sign Association. That recommendation is that signs not exceed a brightness level of 0.3 foot candles above ambient lighting conditions as measured by a foot candle (lux) meter perpendicular to the sign face, from a specified distance related to the size of the sign. Signs that follow this guideline are readable at night but not so bright as to be offensive or overly distracting on account of the brightness level;
- (vii) The distinguishing characteristic of digital signage as compared to static signage of similar size and brightness is the ability to change messages quickly and easily;
- (viii) Various studies (a partial list of which is included in Exhibit C) support the following findings of the Council regarding digital sign transitions and hold times:
 - a. Crash risk increases by 2.8 times when a driver's eyes leave the road for 2 or more seconds;

- 45 b. Research and industry sponsored studies show that digital signs take drivers’
46 eyes off the road for 2, 3 and even 5 seconds at a time;
47 c. Changing digital signs receive significantly more glances and more long
48 glances than static signs;
49 d. When a driver sees an image transition, there is an increase in glances longer
50 than two seconds;
51 e. Drivers are neurophysiologically predisposed to orient to motion and sudden
52 changes in the periphery of their vision. Increased transition duration (hold
53 time) helps avoid or reduce such sudden motion or changes;
54 f. For traffic safety, it is also recommended to set minimum hold times such that
55 no driver will see more than one message change;
- 56 (ix) In commercial areas, improving traffic safety is the primary goal of digital hold
57 time regulation and preserving community aesthetics is secondary. To minimize
58 distraction and improve safety, drivers should encounter at most one message
59 change while passing a particular area. While state regulations use an 8 second
60 minimum hold time to achieve this goal at freeway speeds, driving speeds in the
61 city environment are lower and there can be more digital signs in close proximity.
62 In consideration of those factors, longer minimum hold times are appropriate;
- 63 (x) In areas that are not predominantly commercial, the primary goal is to preserve
64 community aesthetics. A much longer minimum hold time is necessary for that
65 purpose. This allows businesses to change their message multiple times throughout
66 the day while minimizing aesthetic distractions for pedestrians, cyclists and
67 motorists;
- 68 (xi) Provo City Code should be amended as described herein; and
69 (xii) The proposed amendment reasonably furthers the health, safety, and general
70 welfare of the citizens of Provo City.

71
72 NOW, THEREFORE, be it ordained by the Municipal Council of Provo City, Utah, as
73 follows:

74
75 PART I:

76
77 Provo City Code Chapters 6.06 and 14.38 are hereby amended as set forth in Exhibits A
78 and B, respectively.

79
80 PART II:

81
82 A. If a provision of this ordinance conflicts with a provision of a previously adopted
83 ordinance, this ordinance shall prevail.

84
85 B. This ordinance and its various sections, clauses and paragraphs are hereby declared to be
86 severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid,
87 the remainder of the ordinance shall not be affected thereby.
88

89 C. The Municipal Council hereby directs that the official copy of the Provo City Code be
90 updated to reflect the provisions enacted by this ordinance.

91

92 D. This ordinance shall take effect immediately after it has been posted or published in
93 accordance with Utah Code 10-3-711, presented to the Mayor in accordance with Utah Code
94 10-3b-204, and recorded in accordance with Utah Code 10-3-713.

95

96 END OF ORDINANCE.

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Chapter 6.06
USE OF ELECTRONIC SIGNS

Sections:

- 6.06.010** **Scope.**
- 6.06.020** **Hold Time and Transitions.**
- 6.06.030** **Brightness.**

6.06.010

Scope.

Any business operating an on-premises electronic display sign shall comply with the requirements of this Chapter in order to qualify for a business license.

(Enacted 2018-06)

6.06.020

Hold Time and Transitions.

(1) The minimum hold time for an electronic display sign is the minimum amount of time that a message must be displayed before transitioning to a new message. ~~Each message shall be illuminated for no less than eight (8) seconds before transitioning to a new message.~~ Except as otherwise provided in Subsection (2), the minimum hold time for all on-premise electronic display signs is one hour.

(2) ~~Notwithstanding Subsection (1) of this Section, the message may not be changed more than three (3) times per day unless the sign is permitted to be a high-churn electronic display sign under Chapter 14.38, Provo City Code.~~ Notwithstanding Subsection (1), the minimum hold time for an on-premise electronic display sign described in this Subsection (2) shall be:

- (a) 8 seconds for a sign adjacent to and facing Interstate 15;
- (b) 15 seconds for a sign located in an SC3 zone and associated with a commercial building housing 20 or more different tenants; and
- (c) one minute for all signs that are not described in Subsections (2)(a) or (2)(b) and are located in areas specified in Provo City Code Section 14.38.025 as allowing short hold time electronic display signs.

(3) The images and messages displayed shall be static, and the transition from one static display to another shall be instantaneous with no special effects or the transition may provide a black screen for at least one (1) second.

141 (4) Electronic display signs shall not include animation, full motion video, flashing, scrolling,
142 strobing, racing, blinking, changes in color, fade in or fade out in any manner imitating
143 movement, or any other means not providing constant illumination.

144
145 (5) An electronic display sign that was in operation prior to May 28, 2013, is not subject to the
146 requirements of this Section so long as the sign is not replaced, reconstructed, upgraded, moved,
147 or otherwise substantially changed.

148
149 (Enacted 2018-06)

150
151 ...

Chapter 14.38

SIGNS AND OUTDOOR ADVERTISING

Sections:

- 14.38.010 General Requirements.
- 14.38.020 Signs on Premises.
- 14.38.025 On-Premises ~~High-Churn~~ Short Hold Time Electronic Display Sign Standards.
- 14.38.030 Exceptions.
- 14.38.040 Location Standards.
- 14.38.050 Special Purpose Signs.
- 14.38.060 Classification of Signs.
- 14.38.070 Signs Permitted – Agricultural (A) and Residential (R) Zones.
- 14.38.075 Signs Permitted in Public Facilities (PF) and Open Space, Preservation and Recreation (OSPR) Zones.
- 14.38.080 Signs Permitted in Commercial (C) Zones.
- 14.38.085 North University Avenue Riverbottoms Design Corridor and Specialty Support Commercial (SSC) Sign Standards.
- 14.38.090 Signs Permitted in Neighborhood Shopping Center (SC1) Zones and Community Shopping Center Zones (SC2).
- 14.38.095 Signs Permitted in Regional Shopping Center Zones (SC3).
- 14.38.100 Signs Permitted in Industrial (M) Zones.
- 14.38.105 Signs Permitted in the Downtown (DT, ITOD, GW, or WG) Zones.
- 14.38.110 Signs Permitted in Other Zones.
- 14.38.115 Off-Premises Signs and Outdoor Advertising Structures.
- 14.38.120 Size of Freestanding Signs to Five (5) Foot Height.
- 14.38.130 Size of Freestanding Signs Over Five (5) Foot Height.
- 14.38.140 Size of Wall Signs and Painted Wall Signs.
- 14.38.145 Size of Other Signs.
- 14.38.150 Nonconforming Signs.
- 14.38.160 Definitions Pertaining to Signs.
- 14.38.170 Off-Premises Electronic Display Signs (Billboards).

14.38.010

General Requirements.

The following general requirements shall apply to all signs and outdoor advertising structures which may be erected or maintained within the City of Provo.

(1) *Sign Approval.* Except as otherwise provided, it shall be unlawful and a class C misdemeanor to erect or maintain any sign or outdoor advertising structure in the City of Provo without first obtaining the approval of the Planning Commission for said sign or advertising structure, the giving of which shall be based upon the provisions of this Title.

198 (2) *Permits.* The approval of the Planning Commission shall be evidenced by a permit issued by
199 the Building Inspection Division. All signs shall be constructed and all permits shall be issued in
200 accordance with the provisions of the International Building Code. Permits for off-premises
201 nonconforming signs shall be renewed on an annual basis. Applications for permits, or for the
202 renewal of permits, shall require the applicant to disclose the owner of the sign and the owner of
203 the property on which the sign is or will be located, all relevant dates in regard to expiration of
204 any lease or lease option, the date and cost of construction of the sign, the date and cost of any
205 modification of the sign, the fair market value as appraised for property tax purposes, the date the
206 sign will be depreciated for federal income tax purposes, the cost of operating the sign, and any
207 other information reasonably required by the Planning Commission. A permit may be revoked
208 and a sign removed pursuant to Subsection (7) of this Section if the applicant for a permit makes
209 a false or misleading statement in the permit application or renewal.

210
211 (3) *Electronic Display and Animated Signs.* Except as otherwise provided in this Chapter, all
212 animated signs are prohibited. On-premises ~~low-churn~~ electronic display signs are prohibited in
213 all Project Redevelopment Option (PRO) zones, the Special Development Plan (SDP) Overlay
214 Zone, the Downtown Historic District, and the A, RA, RC, R1, R2, ~~R2.5, R3, R4, and R5 zones,~~
215 VLDR, LDR, MDR, and HDR zones, but are permitted elsewhere. Businesses using electronic
216 display signs are subject to the business licensing regulations contained in Chapter 6.06, Provo
217 City Code. On-premises ~~high-churn~~ short hold time electronic display signs are prohibited in all
218 zones, except as otherwise provided in Section 14.38.025, Provo City Code.

219
220 (4) *Sound or Emissions.* No sign shall be designed for the purpose of emitting sound, smoke, or
221 steam.

222
223 (5) *Movable Signs, Banners, and A-Frame Signs.* Except as otherwise provided in this Chapter,
224 all movable signs, banners and A-frame signs are prohibited. This prohibition shall include signs
225 mounted or painted upon vehicles or trailers which are parked in any location for the purpose of
226 calling attention to or advertising a person, place, or thing.

227
228 (6) *Canopy Signs.* Signs painted on or affixed to canopies which are part of the building shall be
229 considered part of the total allowed area of wall signs for the walls from which the canopy
230 projects. Signs painted on or affixed to canopies which are freestanding shall be considered part
231 of the total allowable area of freestanding signs for that use. Signs suspended under canopies
232 (marquees) which project over public rights-of-way shall be limited to six (6) square feet. Signs
233 with changeable copy (reader boards) located on marquees of theaters or similar public assembly
234 uses may combine the total allowable area for all building faces as permitted by Section
235 14.38.140, Provo City Code, so long as there are no wall signs placed upon building faces other
236 than the face to which the marquee is attached.

237
238 (7) *Violations.*

239 (a) It is unlawful to erect or maintain a sign contrary to the provisions of this Chapter. If a
240 sign is erected or maintained in violation of this Chapter the Planning Commission may do
241 the following:
242

243 (i) Order the defect corrected within a fixed period of time, not exceeding thirty (30)
244 days, if correction of the defect will bring the subject sign into compliance with the
245 provisions of this Chapter; but

246
247 (ii) If correction of the defect will result in a violation of the provisions of this Chapter,
248 order that the subject sign be removed by, and at the expense of, the owner of the sign,
249 within a fixed period of time not exceeding thirty (30) days.

250
251 (b) If the owner of the sign contests the order of the Planning Commission, the remedy
252 shall be an appeal to the zoning Board of Adjustment, which appeal shall be taken in the
253 time and manner otherwise provided in this Title for appeals to the zoning Board of
254 Adjustment.

255
256 (c) If the owner of the sign fails or refuses to remove the subject sign at the order of the
257 Planning Commission, the City may remove the sign at any time after the owner thereof
258 exhausts his or her administrative remedies in relation thereto, unless otherwise ordered by a
259 court of law. Removal by the City shall be at the expense of the owner, and the City may
260 obtain judgment against the owner in an amount equal thereto, together with reasonable
261 attorneys' fees and costs.

262 263 **14.38.020**

264 **Signs on Premises.**

265 Except as provided within the provisions of respective zoning districts, and unless otherwise
266 expressly provided in this Chapter, no sign shall be permitted which is not used exclusively to
267 advertise the ownership, sale, or lease of property upon which said sign is placed, or to advertise
268 a business conducted, services rendered, goods produced or sold upon such premises, or to
269 advertise or identify any other lawful activity conducted upon such premises.

270 271 **14.38.025**

272 **On-Premises ~~High-Churn~~ Short Hold Time Electronic Display Sign Standards.**

273 (1) On-premises ~~high-churn~~ short hold time electronic display signs are prohibited in all areas
274 of the City of Provo, except for properties within the GW, WG, FC, FC2, CA, CG, PO, CM,
275 SC1, SC2, SC3, M1, M2 FI, MP, PIC and PF zones which have frontage on the following streets
276 and locations:

277
278 (a) University Parkway, from 100 West northwesterly to the boundary line of the City of
279 Provo;

280
281 (b) North State Street, from ~~Bulldog-Cougar~~ Boulevard (1230 North Street) northwesterly
282 to ~~the boundary line of the City of Provo~~ 1720 North;

283
284 (c) ~~Bulldog-Cougar~~ Boulevard, from Canyon Road (200 East) westward to North State
285 Street;

286
287 (d) Freedom Boulevard, from ~~550~~100 North northward to University Parkway;

288

289 (e) 820 North Street, from ~~1890 West~~ I-15 eastward to 1350 West Street;

290
291 ~~(f) Center Street, from 1300 West eastward to 600 West Street;~~

292
293 (f) Draper Lane from 820 N to 600 S;

294
295 (g) University Avenue, from ~~920~~600 South southward to Lakeview Parkway (1860 South);

296
297 ~~(h) 1860 South Street, from University Avenue eastward to South State Street; and~~

298
299 ~~(i) South State Street, from 640 South Street southward to the boundary line of the City of~~
300 ~~Provo.~~

301
302 (h) 4800 North from Provo River to University Avenue;

303
304 (i) Towne Centre Blvd; and

305
306 (j) University Avenue from 4800 N to 5200 N

307
308 (2) Properties described in Subsection (1) of this Section that have frontage along Interstate 15
309 (I-15) shall not have any on-premises ~~high-churn~~ short hold time electronic display signs located
310 closer than one thousand two hundred (1,200) feet from another on-premises ~~high-churn~~ short
311 hold time electronic display sign.

312
313 (3) All ~~high-churn~~ short hold time electronic display signs shall be subject to the following
314 requirements:

315
316 (a) Comply with all other provisions of the respective zoning districts as set forth in this
317 Title, including all sign regulations described in this Chapter.

318
319 (b) Comply with all the provisions of Chapter 6.06, Provo City Code, regarding minimum
320 hold times and use of electronic display signs by a business.

321
322 ~~(c) Hold Time. Each message shall be illuminated for no less than eight (8) seconds before~~
323 ~~transitioning to a new message.~~

324
325 ~~(c)~~ Prior to the issuance of any permit for construction or conversion, the owner shall
326 provide the City with a certification from the sign manufacturer stating that the sign is
327 capable of complying with the illumination and brightness standards found in Chapter 6.06,
328 Provo City Code.

329
330 (Enacted 2013-16, Am 2018-06)

331
332 ...

333

334 **14.38.085**

335 **North University Avenue Riverbottoms Design Corridor and Specialty Support**
336 **Commercial (SSC) Sign Standards.**

337 (1) An integrated sign design scheme which meets the requirements of this Section shall be
338 required for each new performance development, shopping center, or office complex located
339 within the North University Avenue Riverbottoms Design Corridor, as per Section [14.34.290\(2\)](#),
340 Provo City Code.

341
342 (2) Except as provided in Subsection [\(2\)\(a\)](#) of this Section, the provisions of this Section shall
343 apply to any sign located within the North University Avenue Riverbottoms Design Corridor
344 notwithstanding any other provision of this Title and shall supersede sign provisions in any
345 chapter with which this Chapter may be associated for purposes of development except Section
346 [14.38.010\(1\)](#) and (2), Provo City Code.

347
348 (a) The provisions of this Section shall not apply to an existing legal nonconforming sign;
349 provided, however, that the size, height, or location of any such sign shall not be changed
350 except in accordance with the provisions of this Section.

351
352 (3) *Monument Signs.* Each commercial or professional office development in the North
353 University Avenue Riverbottoms Design Corridor may have therein monument signs, in
354 accordance with the following provisions:

355 (a) *Number.* There may, in each commercial center or professional office complex, be one
356 (1) such sign for each three hundred (300) feet of street frontage.

357
358 (b) *Area.* The sign copy area of a monument sign shall not exceed sixty (60) square feet per
359 side for two-sided signs. Double-faced, back-to-back, and V-type signs are permitted as a
360 single sign or structure if both faces have common ownership. The monument structure upon
361 which the sign is placed shall be designed to complement the architecture of the building,
362 using the same materials and stylistic themes.

363
364 (c) *Spacing.* A minimum spacing of one hundred fifty (150) feet between sign structures
365 may be permitted on sites with multiple structures.

366
367 (d) *Height.* No such freestanding sign (including the monument structure and pedestal)
368 shall exceed ten (10) feet in height above the grade of street frontage sidewalk.

369
370 (e) *Location.*

371
372 (i) Except as otherwise provided in Subsection [\(3\)\(e\)\(ii\)](#) of this Section, each such
373 monument sign shall be located on private property, outside the “clear vision” area of
374 any street or driveway intersection, and shall not project over any property line.

375
376 (ii) Notwithstanding Subsection [\(3\)\(e\)\(i\)](#) of this Section, a sign located on a corner lot
377 or parcel abutting University Avenue within the North University Avenue Riverbottoms
378 Design Corridor may project up to twelve (12) feet into the University Avenue right-of-
379

380 way from an adjacent property line but not closer than six (6) feet to any sidewalk or
381 paved trail system located in the public right-of-way, subject to the qualifications set
382 forth in Subsection [\(3\)\(e\)\(iii\)](#) of this Section and the following conditions:
383

384 (A) The controlling government agency grants written permission to locate the
385 sign in the University Avenue right-of-way;
386

387 (B) Visibility of the sign, if placed on the lot or parcel as required by Subsection
388 [\(3\)\(e\)\(i\)](#) of this Section, would be blocked by one (1) or more utility boxes or
389 semaphore poles whose location and design is not controlled by the property owner,
390 as observed at eye level from the curb or edge of pavement for University Avenue
391 within one hundred (100) feet of the sign location; and
392

393 (C) The sign does not create a sight distance hazard as reasonably determined by
394 the City Traffic Engineer based on the sign location and construction specifications,
395 speed of nearby traffic, and other applicable City standards designed to achieve safe
396 traffic movement.
397

398 (iii) A sign which existed prior to April 18, 2006, may not be relocated pursuant to the
399 provisions of Subsection [\(3\)\(e\)\(ii\)](#) of this Section unless:
400

401 (A) Subsequent to the sign's original installation utility boxes or semaphore poles,
402 whose location and design is not controlled by the property owner, are installed
403 which block the sign in the manner described in Subsection [\(3\)\(e\)\(ii\)\(B\)](#) of this
404 Section, and
405

406 (B) The applicant provides documentation that the sign meets the requirements of
407 Subsection [\(3\)\(e\)\(iii\)\(A\)](#) of this Section.
408

409 (f) *Materials.* Structures supporting monument and shopping center identification signs
410 shall be compatible with exterior materials used in building exteriors within the
411 shopping/office center.
412

413 (g) *Illumination.* Internal illumination of a translucent sign face, or individual letters,
414 characters, or figures shall be permitted, such that the sign face, letter or character glows.
415

416 (4) *Wall Signs.* Each business establishment or tenant of a shopping center or professional
417 office facility may have wall signs in conformance with the standards listed below.
418

419 (a) *Area.* One (1) square foot of wall sign copy area for each linear foot of building
420 frontage of the particular side the sign is on, or tenant space where the building setback from
421 street frontage is less than two hundred (200) feet. For buildings with setbacks from street
422 frontage of at least two hundred (200) feet or more, one and one-quarter (1 1/4) square feet
423 of wall sign face for each linear foot of building frontage.
424

425 (b) *Number*. There shall be no more than one (1) such sign for the front face of each
426 business or tenant. There may, in addition, be one (1) such sign for each business
427 establishment or tenant having a rear or side building face with a public entrance.
428

429 (c) *Height*. No part of any such sign shall extend above the top level of a wall upon or in
430 front of which it is situated.
431

432 (d) *Projection*. No wall sign, including structural part, shall project more than eighteen (18)
433 inches from the face of the part of the building to which it is attached.
434

435 (e) *Illumination*. Internal illumination of a translucent sign face, or individual letters,
436 characters, or figures shall be permitted, such that the sign face, letter or character glows.
437

438 (5) *Shopping Center (SC3 Zone) Signs*.
439

440 (a) *Entry Archways*. An archway displaying the name and logo of the shopping center may
441 be located over a driveway, street or pedestrian entrance into the shopping center in
442 accordance with the following provisions:
443

444 (i) *Number*. There may be one (1) sign and one (1) archway structure per entrance, not
445 to exceed four (4) entrances.
446

447 (ii) *Area*. The area of the sign shall not exceed sixty (60) square feet.
448

449 (iii) *Height*. The height of the entry feature (archway) structure shall not exceed
450 twenty-five (25) feet. Adequate vehicle and pedestrian clearance will be required as
451 determined by Provo City.
452

453 (iv) *Location*. The sign shall be located on private property, outside the “clear vision”
454 area of any street or driveway intersection and shall not project over any property line.
455

456 (v) *Materials*. Materials shall be compatible with exterior materials used within the
457 shopping center.
458

459 (vi) *Illumination*. Internal illumination is permitted.
460

461 (b) *Entry Identification Monument Signs*. A sign that identifies only the name of the
462 shopping center and/or displays public greetings may be located at the entrances of the
463 development.
464

465 (i) *Number*. There shall be not more than two (2) per driveway entrance.
466

467 (ii) *Area*. The area of the sign shall not exceed six (6) square feet.
468

469 (iii) *Height*. The sign (including the monument structure and pedestal) shall not exceed
470 ten (10) feet in height above the grade of street frontage sidewalk.

471
472 (iv) *Location.* The sign shall be located on private property, outside the “clear vision”
473 area of any street or driveway intersection; and shall not project over any property line.
474

475 (v) *Materials.* Materials shall be compatible with exterior materials used within the
476 shopping center.
477

478 (vi) *Illumination.* Internal illumination is permitted.
479

480 (c) *Commercial Monument Signs.* Commercial monument signs are only permitted to be
481 located along the frontage of 4800 North.
482

483 (i) *Number.* There may be one (1) such sign for each three hundred (300) feet of street
484 frontage, not to exceed two (2) signs if the frontage is greater than six hundred (600)
485 feet.
486

487 (ii) *Area.* The sign copy area of a monument sign shall not exceed sixty (60) square
488 feet per side for two-sided signs. The monument structure upon which the sign is placed
489 shall be designed to complement the architecture of the building, using the same
490 materials and stylistic themes.
491

492 (iii) *Spacing.* A minimum spacing of one hundred fifty (150) feet between sign
493 structures is required.
494

495 (iv) *Height.* The sign (including the monument structure and pedestal) shall not exceed
496 ten (10) feet in height above the grade of street frontage sidewalk.
497

498 (v) *Location.* Monument signs shall be located on private property, outside the “clear
499 vision” area of any street or driveway intersection; and shall not project over any
500 property line.
501

502 (vi) *Materials.* Materials shall be compatible with exterior materials used within the
503 shopping center.
504

505 (vii) *Illumination.* Internal illumination is permitted.
506

507 (d) *Shopping Center Commercial Signs.*
508

509 (i) *Number.* There may be one (1) sign for each three hundred (300) feet of street
510 frontage on University Avenue, not to exceed two (2) signs if the street frontage is
511 greater than six hundred (600) feet.
512

513 (ii) *Area.* The area of the sign shall not exceed three hundred (300) square feet per
514 face. The name and logo of the shopping center are not counted as part of the permitted
515 square footage of the sign.
516

517 (iii) *Spacing*. A minimum spacing of one hundred fifty (150) feet between sign
518 structures is required.

519
520 (iv) *Height*. A sign shall not exceed twenty-five (25) feet in height.

521
522 (v) *Location*. The sign(s) may be located on University Avenue within the Provo City
523 right-of-way (trail system) subject to the obtaining of written permission from Provo
524 City.

525
526 (vi) *Materials*. Materials shall be compatible with exterior materials used within the
527 shopping center.

528
529 (vii) *Illumination*. Internal illumination is permitted.

530
531 (6) *Research and Business Park Zone (RB&P)*.

532
533 (a) *Monument Signs*. Monument signs are only permitted to be located along the frontage
534 of University Avenue.

535
536 (i) *Number*. There may be one (1) such sign for each three hundred (300) feet of street
537 frontage.

538
539 (ii) *Area*. The sign copy area of a monument sign shall not exceed sixty (60) square
540 feet per side for two-sided signs. The monument structure upon which the sign is placed
541 shall be designed to complement the architecture of the building, using the same
542 materials and stylistic themes.

543
544 (iii) *Spacing*. A minimum spacing of one hundred fifty (150) feet between sign
545 structures is required.

546
547 (iv) *Height*. The sign (including the monument structure and pedestal) shall not exceed
548 ten (10) feet in height above the grade of street frontage sidewalk.

549
550 (v) *Location*. There may be a monument sign located on each corner of River Park
551 Drive. The signs shall not be located any closer than fifteen (15) feet of the back of
552 University Avenue street curb within the public right-of-way subject to written
553 permission from the controlling government agency.

554
555 (vi) *Materials*. Materials shall be compatible with exterior materials used within the
556 Research and Business Park.

557
558 (vii) *Illumination*. Internal illumination and electronic display signs are not permitted.

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560 (7) *Prohibited Signs*. With the exception of for sale, rent, or lease signs authorized by Section
561 [14.38.050\(1\)](#), Provo City Code, all other types of signs not explicitly authorized by this Section

are prohibited. [Electronic versions of the types of signs explicitly authorized by this Section are allowed as specified in Provo City Code 14.38.010\(3\).](#)

(Enacted 1996-77, Am 2006-18, Am 2010-38, Am 2013-16, Am 2018-06, Am 2019-28)

14.38.095

Signs Permitted in Regional Shopping Center Zones (SC3).

In the regional shopping center zones, there may be for each place of business or occupancy, wall signs or painted wall signs and freestanding signs over five (5) feet in height as follows:

(1) *Freestanding Signs Over Five (5) Feet in Height.* Each shopping center facility established in an SC3 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) linear feet of frontage directly adjacent to Interstate 15 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.

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(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 Provo City Chapter 6.06.

(2) *Wall Signs and Painted Wall Signs.* Each business establishment or tenant of a shopping center facility may have a wall sign or painted wall sign as follows:

(a) A wall sign may not exceed fifteen percent (15%) of the total wall area in square feet.

(b) There may be only one (1) sign for each face of a business.

(c) No part of any sign shall extend above the top level of the wall upon or in front of which it is situated except for wall signs for independent pads in the zone where no part of any such sign shall extend more than five (5) feet above the top level of the wall or roof. The projection of such sign shall project no more than five (5) feet from the face of the building to which it is attached.

(3) *Freestanding Signs under Five (5) Feet.* Freestanding signs under five (5) feet in height may be permitted on an individual development pad as follows:

(a) The maximum area of sign space shall be as described in Section [14.38.120](#), Provo City Code.

(b) There may be one (1) freestanding sign under five (5) feet in height for each individual pad in the shopping center facility.

(c) The maximum height for each freestanding sign under five (5) feet shall be five (5) feet.

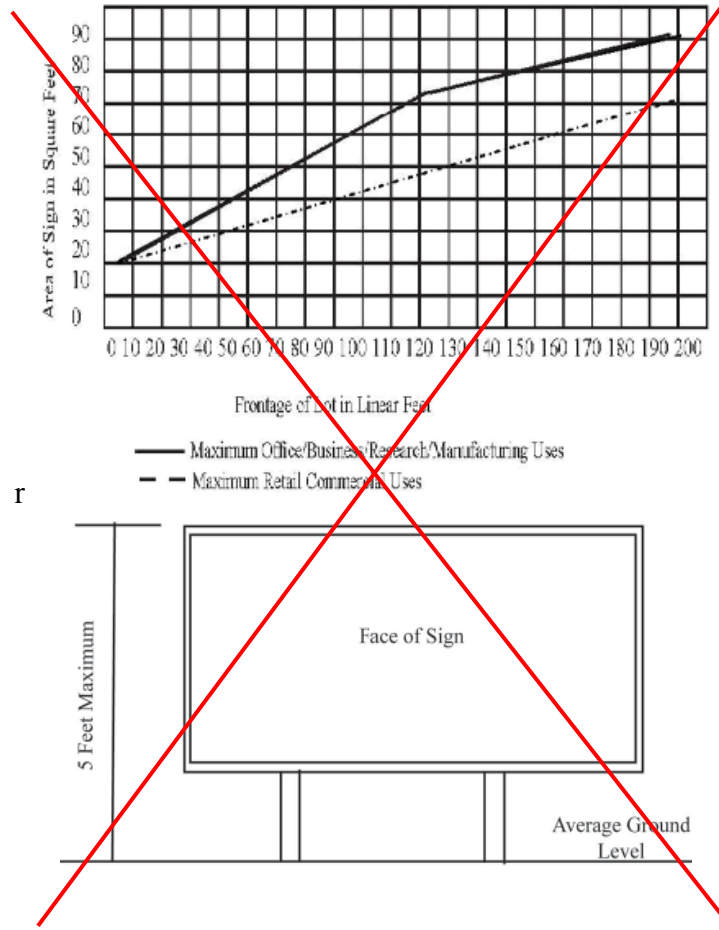
(d) All signs must be architecturally compatible using similar building materials and colors.

(e) Each sign must be in conformance with the setback requirements of the zone.

(Enacted 1987-51, Am 1995-02, Am 2013-16, Am 2017-29)

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648 **14.38.120**
 649 **Size of Freestanding Signs to Five (5) Foot Height.**

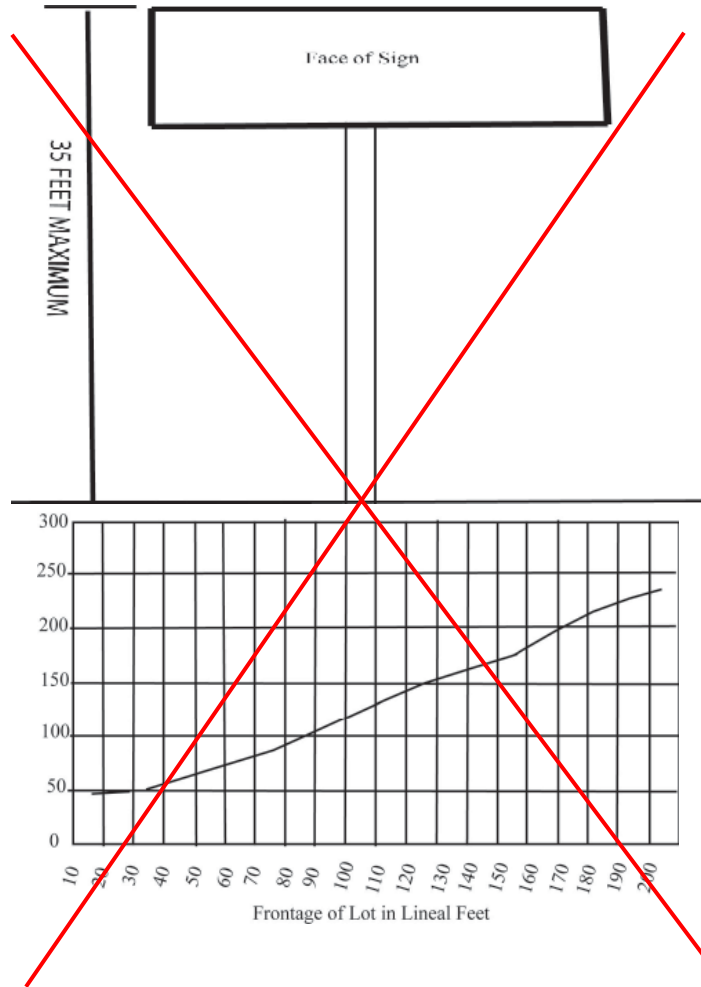


653 (1) Ground Mounted signs up to five (5) feet in height must not exceed the following maximum
 654 sign face area based on street frontage in linear feet:
 655

Frontage of Lot	Maximum Area of Sign Face
Up to 10 linear feet	20 square feet
11 to 30 linear feet	30 square feet
31 to 50 linear feet	40 square feet
51 to 70 linear feet	50 square feet
71 to 90 linear feet	60 square feet
91 to 110 linear feet	70 square feet
111 to 150 linear feet	80 square feet
Over 150 liner feet	90 square feet

657 **14.38.130**
 658 **Size of Freestanding Signs Over Five (5) Foot Height.**
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663 (1) Freestanding signs over five (5) feet in height must not exceed the following maximum sign
 664 face area based on street frontage in linear feet:

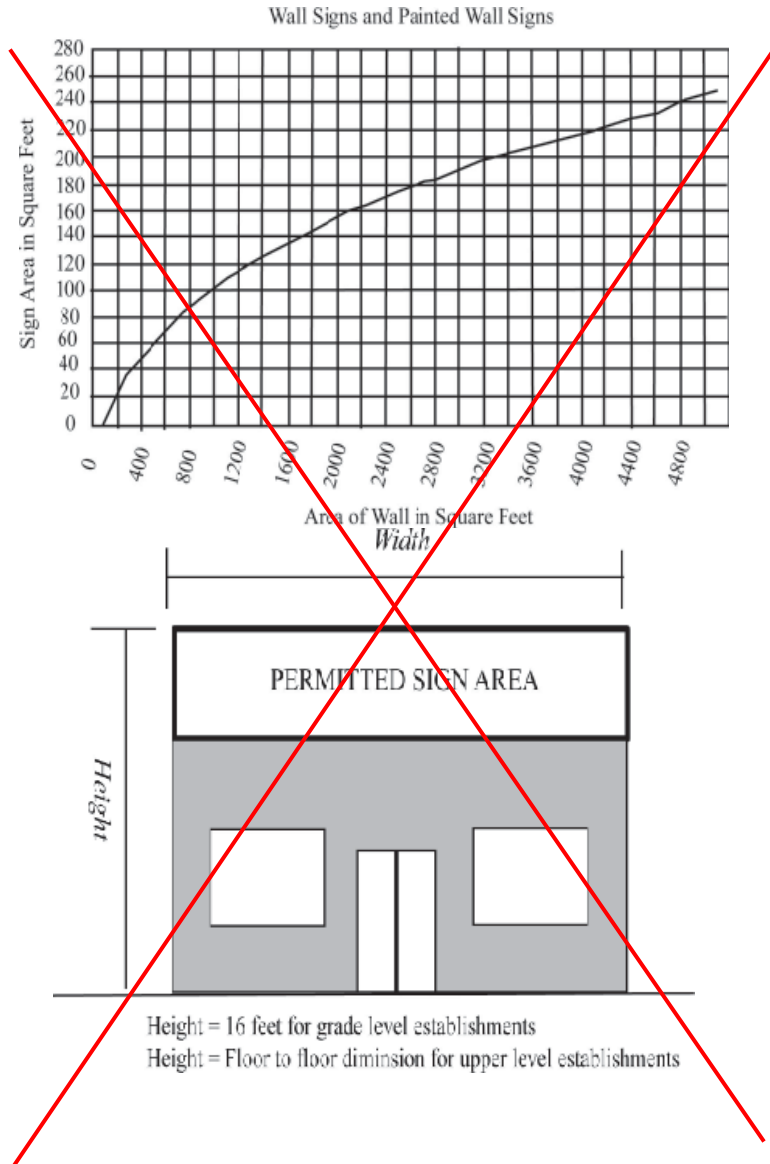
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Frontage of Lot	Maximum Area of Sign Face
Up to 30 linear feet	50 square feet
31 to 60 linear feet	70 square feet
61 to 80 linear feet	90 square feet
81 to 100 linear feet	120 square feet
101 to 120 linear feet	140 square feet
121 to 140 linear feet	160 square feet
141 to 160 linear feet	180 square feet
161 to 180 linear feet	210 square feet
Over 180 linear feet	230 square feet

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667 **14.38.140**
 668 **Size of Wall Signs and Painted Wall Signs.**

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 670 (1) Wall Signs and Painted Wall Signs must not exceed the following maximum sign face area
 671 based on the wall face square footage:
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Area of Wall	Maximum Area of Sign Face
Up to 200 square feet	20 square feet
201 to 400 square feet	45 square feet
401 to 600 square feet	70 square feet
601 to 800 square feet	90 square feet
801 to 1000 square feet	100 square feet
1001 to 1300 square feet	120 square feet

1301 to 1700 square feet	140 square feet
1701 to 2100 square feet	160 square feet
2101 to 2600 square feet	180 square feet
2601 to 3200 square feet	200 square feet
3201 to 4100 square feet	220 square feet
4101 to 4800 square feet	240 square feet
Over 4800 square feet	260 square feet

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14.38.145
Size of Other Signs.

(1) If not otherwise regulated as to maximum sign area in this code, signs are governed by the following:

Maximum Sign Area	Street Frontage
20 sq. ft.	85 ft. or less
25 sq. ft.	86-90 ft.
30 sq. ft.	91-99 ft.
35 sq. ft.	100 ft. or more

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14.38.160
Definitions Pertaining to Signs.

The following words and phrases, whenever used in this Title, shall be construed as defined in this Section.

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“**A-frame sign**” means any sign or structure composed of two (2) sign faces mounted or attached back-to-back in such a manner as to form a basically triangular vertical cross-section through the faces.

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“**Animated sign**” means any sign with action, motion, or moving parts, including devices activated by wind or forced air, and signs that revolve, and which are designed and constructed to give their message through movement or semblance of movement created through a sequence of progressive changes of parts or lights. This does not include electronic display signs.

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“**Building face**” means the visible outer surface of a main exterior wall of a building. The area of the face of the building shall be the total area of such surface including the area of doors and windows which open into surface.

706 **Canopy.** See “Marquee.”

707

708 **“Convert, converted, conversion”** means any sign face that is changed from its existing,
709 nondigital or nonelectronic displays to an electronic display sign. Any sign that is remodeled,
710 repaired, or maintained in such a way that it is now an electronic display sign shall be considered
711 a conversion.

712

713 **“Electronic display sign”** means any sign, or portion thereof, that displays electronic images,
714 graphics or pictures, with or without textual information. Such a sign has the capability of being
715 changed or altered by electronic means on a fixed display screen composed of a series of lights
716 including light emitting diodes (LEDs), fiber optics, plasma displays, light bulbs, or other
717 illumination devices within the display area where the message is displayed. Electronic display
718 signs include computer programmable, microprocessor controlled electronic or digital displays.

719

720 **“Erect”** means to build, construct, place, relocate, enlarge, substantially alter, attach, suspend,
721 paint, post, or display. Normal maintenance, including refinishing, is not included in this
722 definition provided the sign copy is not changed or altered.

723

724 **“Freestanding sign”** means any sign that is standing on or erected into the ground. Such signs
725 are usually, but not necessarily, supported from the ground by one (1) or more poles or posts or
726 similar uprights, with or without braces. Any sign which is mounted into the ground, but has the
727 supports passing through any portion of the roof of a building or structure, shall be considered to
728 be a roof sign.

729

730 **“Frontage”** means the length of the sides along the street or any other principal public
731 thoroughfare, but not including such length along an alley, water course, railroad, street, or
732 thoroughfare with no permitted access.

733

734 **“High-churn Short hold time electronic display sign”** means any electronic display sign
735 whose **minimum hold time is less than one (1) hour** ~~image or message is changed more than~~
736 ~~three (3) times per day.~~

737

738 **“Low-churn Long hold time electronic display sign”** means any electronic display sign whose
739 ~~image or message is changed three (3) times per day or less~~ **minimum hold time is at least one**
740 **(1) hour.**

741

742 **Marquee.** A “marquee” shall mean and include any roofed structure attached to and supported
743 by a building, and projecting over public property.

744

745 **“Movable sign”** means any sign not affixed to or erected into the ground.

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747 **“Off-premises electronic display sign”** means any off-premises sign, as defined in this Section,
748 that is also an electronic display sign, as defined in this Section.

749

750 **“Off-premises sign”** means any sign which advertises products, services, or business
751 establishments which are not located, conducted, manufactured, or sold upon the same premises
752 upon which the sign is erected.

753
754 **“On-premises sign”** means any sign which advertises products, services, or business
755 establishments which are located, conducted, manufactured, or sold upon the same premises
756 upon which the sign is erected.

757
758 **“Outdoor advertising structure”** means a structure erected and maintained for outdoor
759 advertising purposes upon which a poster, bill, printing, or painting may be placed to advertise
760 products, goods, services, or business establishments other than those located, conducted,
761 manufactured, or sold upon the premises on which the structure is erected.

762
763 **“Projecting sign”** means any sign attached to a building or structural wall and extending
764 horizontally outward from such wall more than eighteen (18) inches.

765
766 **“Property”** means land or real estate, with or without structures; not goods or services.

767
768 **“Residential zone”** or **“district”** means any zone which is designated by the prefix “R” in this
769 Title.

770
771 **“Roof sign”** means any sign which is erected upon or over the roof or over a parapet of any
772 building or structure.

773
774 **“Sign”** means any words, lettering, parts of letters, figures, numerals, phrases, sentences,
775 devices, designs, pictures, trade names, or trademarks by which anything is made known, such as
776 are used to designate a firm, association, corporation, profession, business, or service, whether
777 placed on the ground, rocks, trees, stumps, or other natural objects, or on a building, wall, roof,
778 frame, support, fence, or other manmade structure, which are visible from any public street,
779 public highway, or public road right-of-way. For the purpose of this Title, the word “sign” does
780 not include the flag, pennant, or insignia of any nation, state, city, or other political unit, or of a
781 nonprofit organization. It shall not include, further, any official notice issued by any court, public
782 body or officer, or directional warning or information sign or structure required or authorized by
783 law.

784
785 **Sign Area.** Sign area shall mean the area of a sign that is used for display purposes, excluding
786 the minimum frame and supports. In computing sign area, only one (1) side of a back-to-back or
787 double-face sign covering the same subject shall be computed when the signs are parallel or
788 diverge from a common edge by an angle of not more than forty-five (45) degrees. In relation to
789 signs that do not have a frame or a separate background, sign area shall be computed on the basis
790 of the least rectangle, triangle, or circle large enough to frame the display.

791
792 **“Time and temperature device”** means any mechanism that displays the time and/or
793 temperature, but does not display any commercial advertising or identification.

794

795 **“Wall sign”** means any sign posted or painted upon, suspended from, or otherwise affixed to a
796 wall, fascia, canopy, or marquee in an essentially vertical position or with exposed face of the
797 sign in a place approximately parallel with the wall or fascia upon which it is attached.
798

799 **“Wind sign”** means any propeller, whirligig, or similar commercial device which is designed to
800 flutter, rotate, or display other movement under the influence of wind. This definition shall not
801 include pennants, flags, or banners.
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804 Exhibit C

805
806 **Partial List of Studies Consulted**

807
808 “Digital Signs and Billboards: Crafting and Enforcing Local Regulations” – a slide summary of a
809 90-minute presentation from the Veridian Group, a consultancy specializing in human factors
810 research, available at [http://media.traffordpub.com/products/digital-signs-and-billboards-](http://media.traffordpub.com/products/digital-signs-and-billboards-crafting-and-enforcing-local-regulations-2013-12-11/presentation.pdf)
811 [crafting-and-enforcing-local-regulations-2013-12-11/presentation.pdf](http://media.traffordpub.com/products/digital-signs-and-billboards-crafting-and-enforcing-local-regulations-2013-12-11/presentation.pdf).

812
813 “The impact of road advertising signs on driver behavior and implications for road safety: A
814 critical systematic review”, a study from Australia examining 90 research papers related to the
815 topic, available at <https://www.sciencedirect.com/science/article/pii/S0965856418310632>

816
817 “Effects of electronic billboards on driver distraction”, a Swedish study available at
818 <https://www.scenic.org/wp-content/uploads/2019/09/eebdd.pdf>.

819
820 Night-time Brightness Level Recommendations for On-Premise Electronic Message Centers,
821 update August 2016
822 (https://www.signs.org/media/files/ISA_EMCR_recommendations_refresh_FINAL.pdf).