



**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
MARCH 19, 1998**

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, March 19, 1998.

A G E N D A

Closed Session - City Council Work Session Room - Main Level

2:30 p.m. Personnel

Work Session - City Council Chambers - Lower Level

4:30 p.m. Council questions and comments
Review of regular meeting
5:00 p.m. Park City Mountain Resort Development Agreement
5:30 p.m. Other meeting questions/comments

Regular Meeting - City Council Chambers - Lower Level

6:00 p.m.

I ROLL CALL

II PUBLIC INPUT

Eccles Performing Arts Center - Robert Bluestone and Terri Orr

III COMMUNICATIONS FROM COUNCIL AND STAFF

**IV WORK SESSION NOTES AND MINUTES OF MEETING OF FEBRUARY 5, 1998,
FEBRUARY 19, 1998 AND FEBRUARY 26, 1998**

V PUBLIC HEARING

Ordinance approving the Jorgensen Replat at 501 Deer Valley Drive, consolidating Lots 4, 5, 30 and 31, Block 65 of the Amended Park City Survey, located in the Southeast Quarter of Section 16, Salt Lake Base and Meridian, Park City, Utah

VI CONSENT AGENDA

1. Ordinance approving the Jorgensen Replat at 501 Deer Valley Drive, consolidating Lots 4, 5, 30 and 31, Block 65 of the Amended Park City Survey, located in the Southeast Quarter of Section 16, Salt Lake Base and Meridian, Park City, Utah
2. Ordinance approving a record of survey plat for the Chateaux at Silver Lake Condominiums at 7815 Royal Street East, described as Lot 23 of the Amended Deer Valley Club Estates, Township 2 South, Range 4 East, Salt Lake Base and Meridian
3. Award of contract for construction to install conduit for fiber optics system from the Public Works Building to the Library and Education Center and Parks Maintenance Building
4. Ordinance amending Title 11 of the Municipal Code of Park City to update the effective editions of the building codes

VII RESIGNATIONS AND APPOINTMENTS

1. Reappointment of Fred Jones and Diane Zimney to the Planning Commission for terms expiring January 2002
2. Reappointment of Phil Archer, Holly Carlin, Lani Furr, George Hull, Joram Liechtenstein, Gail Meakins, and Brigitta Wray to the Parks, Recreation and Beautification Advisory Board
3. Acceptance of resignation of Larry Stanley from the Board of Appeals
4. Appointment of Clint Magee to the Board of Appeals
5. Reappointment of Jim Petrie to the Historic District Commission for a term expiring February 2000

VIII NEW BUSINESS

1. Amendments to Title 12, Sign Code, of the Municipal Code of Park City, Utah
2. Park City Mountain Resort Development Agreement

IX ADJOURNMENT

Posted: 3/16/98



**PARK CITY WORK SESSION NOTES
SUMMIT COUNTY, UTAH
MARCH 19, 1998**

Present: Mayor Brad Olch; Council members Hugh Daniels, Roger Harlan; Shauna Kerr; Chuck Klingenstein; and Paul Sincock

Toby Ross, City Manager; Jan Scott, City Recorder; Jodi Hoffman, City Attorney; Rod Daughtee, Technical Services; Tom Bakaly, Finance Manager; Meg Ryan, Planner; and Alison Kuhlow, Planner

Doug Clyde, PCMR; Kim McGuire, developer; and Bill Coleman, realtor

1. Council questions and comments. Chuck Klingenstein complimented Mark Harrington on his presentation on sexually oriented business ordinances at the Rocky Mountain Land Use Institute (RMLUI) in Denver last week. Paul Sincock reported that he attended the National League of Cities (NLC) Conference in Washington, D.C. and will be preparing a report. He commented on the letter from Cheryl Fox on bus shelters and felt that her input should be considered. Mr. Sincock thanked Council member Daniels for his report on the Olympics. He referred to the innovative newspaper kiosks in San Francisco and distributed a diagram he prepared of what could be done in Park City. The revenue from the kiosks helped to pay for public toilets, and he requested information from the San Francisco public works division. Mr. Sincock talked about the confusion with the Egyptian Theater sign and encouraged the Council and the public to attend the Arts Council Academy Awards fund-raiser next Monday night.

Roger Harlan complimented staff on their participation at the RMLUI Conference. He pointed out that in September 2000, the American Trails Symposium will be meeting in Park City and it is possible that Summit County would be selected as a recipient of a grant presented by President Clinton. Hugh Daniels thanked the County Commissioners for eliminating the shelter adoption fee for the Friends of the Animals. In response to a request from Hugh Daniels, Paul Sincock volunteered to attend the Interagency meeting next week. With regard to recent reporting on an affordable housing request, Mr. Daniels emphasized that Council did not express that it has done enough for affordable housing, but rather chose not to give a parcel to Habitat to Humanity. This Council continues to look for opportunities in obtainable housing and particularly employee housing, and employers also need to cooperate. Ms. Kerr added that she also attended the NLC conference in D.C. and attended breakfast with Utah's congressional delegation. She reported that she was pleased that there were commitments from all of them with regard to federal support for transportation and security for the Olympics. She commented on the quality of the RMLUI conference and recognized the snow hauling efforts of the Public Works Department during the week.

In response to questions from City Recorder Jan Scott, the Council indicated its preference of April 10 for Deer Valley Day and canceled the City Council meeting of April 2.

2. Review of regular meeting.

Park City Mountain Resort Development Agreement. The City Attorney explained that this agreement brings together all of the terms of the small scale master planned development approved by the Planning Commission and City Council. Through illustration of a map, she described the ski resort terrain and development area. The agreement outlines conditions of approval within the 25 acres proposed for redevelopment, as well as to development restrictions on approximately 2,000 acres of ski terrain in Summit and Wasatch Counties. Residential or destination commercial development in the Development Exclusion Area, which is approximately 1,800 to 1,900 acres of the Park City Alpine Terrain, is prohibited. However, there may be improvements to on-mountain facilities within the Development Exclusion Area, subject to criteria.

There was discussion about the exhibit maps. Chuck Klingenstein suggested a policy discussion about the inclusion of impact fees as a condition of all future development agreements. Ms. Hoffman discussed off-site exactions and emphasized that she didn't feel that impact fees will be eliminated. Shauna Kerr believed that impact fees should be included in all agreements. Ms. Hoffman explained that PCMR is concerned that if they are assessed, that they not be at a disadvantage if other developers are not, and she agrees. Chuck Klingenstein explained that is why he suggested a policy discussion. He supports impact fees as development should pay its fair share of all of the impacts that occur. Shauna Kerr believed that this requirement should be across-the-board and this developer should not be singled out. This should be the policy in the future to protect the interests of the City. Paul Sincock asked if all future development will have a development agreement with that language. Ms. Hoffman explained that projects require a conditional use permit approval would have a development agreement.

Doug Clyde of PCMR, explained that his concern with the fees-in-lieu-of is that the City has the opportunity of entering into contracts with big projects as they come to town. However, there are a lot of vested projects and he didn't think the City will have an opportunity to go back and charge those developers. If impact fees go away, other sorts of fees would be imposed to cover those already vested. He is concerned that PCMR would pay twice by paying fees in the development agreement and paying fees that properties or businesses are assessed in order to cover the costs of vested rights. He felt there is an inherent problem in making this fair. There was discussion about offsetting fees and the City Attorney emphasized that the City has to start somewhere in procuring the right to these fees. Paul Sincock asked if there could be language in the agreement so that PCMR doesn't pay twice. Ms. Hoffman stated that that would be difficult because it is unknown where that money would come from, i.e., property taxes or business license fees.

Roger Harlan pointed out that there is no date certain for employee housing. Ms. Hoffman explained that the thinking was that until a certain percentage of buildings are built, there aren't employees generated and another consideration the cash flow. Paul Sincock suggested language that in the event PCMR does not attain 50% within a specified period, it will agree to provide a proportional amount. Doug Clyde felt it reasonable to agree to a date certain for a portion of the employee housing. He explained that if there was a scenario where there was a downturn in the market, PCMR would be forced to spend the \$3 million which could be allocated to improvements that would make them more competitive. Chuck Klingenstein suggested that there be an option in this situation that rather than building the units, PCMR be allowed to rent a block of units until the actual structures are built. Mr. Clyde agreed that may be more desirable, and Roger Harlan noted that would be acceptable to him.

Paul Sincock pointed out that if residential and commercial development is excluded, the only remaining type is industrial. Ms. Hoffman explained that what is allowed is restaurants on the mountain that are accessed by skiers. Ms. Kerr felt that it would be better to enumerate on what is allowed as opposed to what isn't allowed. This would be clearer than saying "things that are not rubber-tired". Doug Clyde interjected that they would like to include summer activities like biking, hiking, or horseback riding. Ms. Hoffman suggested including both concepts. With regard to a comment made by Paul Sincock, Mr. Clyde understood that there is a different lighting standard for ski areas. Mr. Sincock understood that special event lighting, like the Olympics, would be handled differently. Ms. Hoffman stated that the Olympics will be handled under a master festival license.

With regard to comments on policy discussed earlier, Mr. Daniels believes the City has to start somewhere and should take measures to protect itself in the event the legislature takes away impact fees. Mr. Daniels questioned the definition of condominium, "means a residential unit taxed as a second home", and pointed out that people can apply to the County for primary residence status. Ms. Hoffman recognized that a 2,500 square foot unit is very liveable, but it is not necessarily the City's and PCMR's desire to have full-time residents and at least owners should be paying second home property taxes. Ms. Kerr questioned if owners could be bound through this agreement. Doug Clyde noted that they had similar concerns as it appeared that it may put the City in a position of regulating something it really can't. Mr. Daniels acknowledged the interest of bed base, but is concerned that this definition tied to equivalents becomes a problem. Ms. Hoffman suggested describing a condominium as a unit within a project with a front desk. Paul Sincock recommended defining a condominium in relation to ownership and Ms. Kerr pointed out that it has to tie into equivalencies. She pointed out that using the word "condominium" is the confusion. The City Attorney emphasized that they are not concerned about the technical definition of condominium and Ms. Kerr suggested language "for purposes of this equivalency formula, condominium shall be used as follows", and then describe that it has a front desk, nightly rentals, bed base, etc. Mr. Clyde explained that as these parcels are sold, it will be required that the buildings have a front desk and within the design, maximize the number of lock-out units. This will result in buildings "looking"

like a nightly lodge and Mr. Clyde discouraged requiring a declaration that runs with the land. Ms. Hoffman clarified that the Council could take this language out completely. Mr. Clyde indicated that language including front desk, maximizing lock-out, etc. is acceptable, but would not want to preclude the possibility of having a handful of penthouse units. By and large, the majority of the units would be nightly rental, and he hoped the language could be flexible.

Meg Ryan explained that the lighting ordinance was designed to accommodate the ski area. The height of the pole is limited to 70 feet, and since the ski area may require higher levels of illumination, it must go through a conditional use process.

Fiber optics project. In response to a question from Hugh Daniels with regard to service to the temporary pro shop, Rod Daughtee explained that there are man holes throughout the project area. Tom Bakaly stated there are two accounts funding the project, one is the fiber optics budget funded at \$110,000 and the remaining \$14,000 is from the \$200,000 information systems account. There is another appropriation planned for the fiber optics budget next year.

Sign Code. Chuck Klingenstein expressed that once a project receives approval from the City, it is in everyone's best interest to market that project and there should be an allowable time period. Under Option 3, there is a possibility for the Community Development Director to extend six month periods, but most phases take a year or more. He stressed that he is not a proponent of visual pollution, but would like adequate signage for construction projects and marketing. Chuck Klingenstein added that on large projects, the Planning Commission would have the ability through the CUP process to review a sign plan that works with the timing of the project.

Kim McGuire, developer, stated that Option 3 fails to consider larger projects and a condition of financing is pre-marketing reservations or sales. If one is not allowed to install signs until a grading permit, you're precluded from solid marketing until the ground is torn up, which is a mistake. The logical time for pre-marketing is immediately after the project is approved when the plan check process is initiated. He admitted there is a problem if a sign is installed and the project is delayed. The sign could remain for a time certain like six months and it has to be removed if a permit is not pulled. There has to be a mechanism which allows the sign to remain when the project is finished as this is a critical time for adequate marketing. Mr. McGuire emphasized that there are lag times between phasing. He explained that construction projects are transitory and require special rules and advocated that it become a part of the CUP process or construction mitigation plan and that it be addressed on a project-by-project basis. The Mayor asked what would happen if the next phase wasn't built for four more years. Mr. McGuire felt there must be a mechanism for determining when a sign comes down. There was discussion about taking down the signs when a percentage of the units have been sold, but it was pointed out that this is not easy for staff to monitor. Jodi Hoffman discussed the CUP process where a sign proposal could be presented by the developer; adding one more variable is not a big deal. Chuck Klingenstein suggested that the City Attorney work with the planning staff on this issue. He added that he didn't want to place the burden on the Planning

Commission and would like to consider an administrative process. Hugh Daniels asked to what extent there are problems with construction signs and it was pointed out that it really hasn't been a concern until recently when there has been more aggressive enforcement.

Ms. Kerr stated that she doesn't have a problem with the sign once a project is there and there is something to market, but is concerned about "premature" signs cropping up when there is an approval, creating visual clutter on vacant land. Mr. McGuire explained that developers would be inclined to tear down vegetation and grade the area so that a sign could be installed. Paul Sincok suggested six months or until a grading permit is pulled.

Bill Coleman understood that freestanding signs are allowable in GC, RC, and RDM zone and asked if that was a mistake in the Code. He urged Council to reconsider allowing signs in the setback area. Alison Kuhlow explained that this was discussed at the last meeting, and Council members indicated that clear site lines are important. Ms. Kuhlow stated that staff considered the Planning Commission review of an extended time line within or without a CUP process. Again, it is not clear what the rules are, and an applicant would have to lobby the Planning Commission. She felt this is not consistent and would prefer that the Council set a time frame now rather than the Planning Commission. There was discussion about a time line of six months or until a grading permit is pulled and this being calculated against the full year allowed. Ms. Kerr felt this discussion is getting too complicated and signs should be tied to a routine function of CDD. She suggested that the Council adopt the ordinance tonight and direct staff to refine this provision so that it makes sense to everyone.

See regular meeting minutes.

Prepared by Janet M. Scott



**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
MARCH 19, 1998**

I ROLL CALL

Mayor Brad Olch called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, March 19, 1998. Members in attendance were Brad Olch, Hugh Daniels, Roger Harlan, Shauna Kerr, Chuck Klingenstein, and Paul Sincok. Staff present were Toby Ross, City Manager; Kurt VonPuttkammer; Pat Putt, Planning and Zoning Administrator; Rick Lewis, Community Development Director; and Jodi Hoffman, City Attorney.

II PUBLIC INPUT

The Mayor invited the public to comment on any matter of City business.

Eccles Performing Arts Center - Robert Bluestone and Teri Orr - Teri Orr introduced classical guitarist Robert Bluestone of Sante Fe, who will be performing at the Eccles Performing Arts Center this weekend and has met with various members of the community. Robert Bluestone stated that he tours all around the country and it is a pleasure to visit a town like Park City. He is a connoisseur of how the arts work in a community and it is his goal to get his art into the fabric of peoples' everyday lives. Mr. Bluestone believed that the Eccles Center is an opportunity to enrich the community and also to make some money. The Sante Fe opera house generates \$130 million and the Indian Market generates \$110 million annually; Sante Fe embraces the arts and he urged Council to use the arts to the community's benefit. Cultural tourism generated \$86 billion of business in the U.S. and a quarter was from the arts. Mr. Bluestone felt that the Eccles Center is a great facility and congratulated the Council on Park City. He stated that he visited the schools, the Senior Citizen Center, the Rotary, and the Conexion Amigo group. The Mayor invited Mr. Bluestone back to Park City, and Mr. Bluestone complimented Teri Orr's competence in managing the Center.

With no further comments, the public input session was closed.

III COMMUNICATIONS FROM COUNCIL AND STAFF

None.

**IV WORK SESSION NOTES AND MINUTES OF MEETING OF FEBRUARY 5, 1998,
FEBRUARY 19, 1998 AND FEBRUARY 26, 1998**

Chuck Klingenstein corrected Page 9 of the February 19, 1998 Minutes. Hugh Daniels disclosed that he will be abstaining from the Work Session Notes and Minutes of February 5, 1998 as he was not in attendance. Roger Harlan corrected Page 1 of the Work Session Notes and Page 1 of the Work Session Notes of February 19, 1998. Chuck Klingenstein, "I move approval of the Work Session Notes and Minutes of the Meetings of February 5, 19, and 26, 1998 (as corrected)." Paul Sincock seconded. Motion carried.

Hugh Daniels	Aye, meetings of February 19 and 26, 1998 Abstention, meeting of February 5, 1998
Roger Harlan	Aye
Shauna Kerr	Aye
Chuck Klingenstein	Aye
Paul Sincock	Aye

V PUBLIC HEARING

Ordinance approving the Jorgensen Replat at 501 Deer Valley Drive, consolidating Lots 4, 5, 30 and 31, Block 65 of the Amended Park City Survey, located in the Southeast Quarter of Section 16, Salt Lake Base and Meridian, Park City, Utah - Planner Kurt VonPuttkammer explained that this is a request to combine four 25' x 75' lots on the northerly side of Deer Valley Drive. The Planning Commission added a condition that the remodel comply with Historic District Guidelines, although it would not have to go to the Historic District Commission for approval. With no questions or comments from the Council or the public, the Mayor closed the public hearing.

VI CONSENT AGENDA

The Mayor pointed out that there are four items on the Consent Agenda, and there is a change to a condition for Item 2. Chuck Klingenstein, "I move approval of the Consent Agenda, noting the changes to the parking on Item 2 for the Chateau at Silver Lake Condominiums". Hugh Daniels seconded. Motion unanimously carried.

1. Ordinance approving the Jorgensen Replat at 501 Deer Valley Drive, consolidating Lots 4, 5, 30 and 31, Block 65 of the Amended Park City Survey, located in the Southeast Quarter of Section 16, Salt Lake Base and Meridian, Park City, Utah - See staff report and public hearing.

2. Ordinance approving a record of survey plat for the Chateaux at Silver Lake Condominiums at 7815 Royal Street East, described as Lot 23 of the Amended Deer Valley Club Estates, Township 2 South, Range 4 East, Salt Lake Base and Meridian - See staff report and Work Session Notes.

3. Award of contract for construction to install conduit for fiber optics system from the Public Works Building to the Library and Education Center and Parks Maintenance Building - See staff report.

4. Ordinance amending Title 11 of the Municipal Code of Park City to update the effective editions of the building codes - See staff report.

VII RESIGNATIONS AND APPOINTMENTS

The Mayor recommended approval of resignations and appointments and requested motions.

1. Reappointment of Fred Jones and Diane Zimney to the Planning Commission for terms expiring January 2002 - Hugh Daniels, "I so move". Chuck Klingenstein seconded. Motion unanimously carried.

2. Reappointment of Phil Archer, Holly Carlin, Lani Furr, George Hull, Joram Liechtenstein, Gail Meakins, and Brigitta Wray to the Parks, Recreation and Beautification Advisory Board - Paul Sincok, "I so move". Roger Harlan seconded. Motion carried unanimously.

3. Acceptance of resignation of Larry Stanley from the Board of Appeals - Chuck Klingenstein, "I so move". Paul Sincok seconded. Motion carried unanimously.

4. Appointment of Clint Magee to the Board of Appeals - Chuck Klingenstein, "I so move". Hugh Daniels seconded. Motion carried unanimously.

5. Reappointment of Jim Petrie to the Historic District Commission for a term expiring February 2000 - Hugh Daniels, "I so move". Paul Sincok seconded. Motion carried unanimously.

VIII NEW BUSINESS

1. Amendments to Title 12, Sign Code, of the Municipal Code of Park City, Utah - See staff report and Work Session Notes. Bob Wells, member of the Chamber/Bureau committee reviewing the ordinance, noted that most of the recommendations have been taken into consideration in the ordinance. He distributed a memo to Council pointing out areas that may need further consideration. Mr. Wells stated that each category of sign has a limitation to certain zone districts, principally the commercial zones. There is no provision in the ordinance to allow these signs in master planned developments in other zone districts that include commercial activity, i.e., Deer Valley. Subdivision signs are prohibited in the RD zone where most subdivisions are located, i.e., Park Meadows, Thaynes, Deer Valley. Planner Meg Ryan explained that this is intentional. Signs are allowed for commercial, but subdivisions have to apply for a sign at the time of the plat. In

commercial zones, there is a conditional use process or a small scale master planned development process which would address all of the Deer Valley projects. Bob Wells didn't think it makes sense to have a prohibition in the ordinance that may be allowed under another process. Meg Ryan suggested that language be added, ". . .through the CUP process". Mr. Wells continued that subdivision signs are also prohibited in setbacks; most subdivisions don't have common areas. The committee previously proposed a formula that dealt with total sign area based on the size of a building. The Community Development Director can allow signage up to 5% and the committee hopes that the policy will be more liberal than restrictive that enables larger projects more flexibility than the 36 square foot limitation. He pointed out that the language for directory signs is confusing as it refers to a prohibition on residential in one part and allows directory signs for residential and commercial in another section. Directory signs are limited to 20 square feet which would be limiting if there is are four or five buildings in a project. Mr. Wells pointed out that freestanding signs are limited to 20 square feet unless there is other signage on the building, in which event, there can only be 10 square feet. This essentially does away with the visibility of that type of sign and the committee proposes that the freestanding sign be allowed to reach the 20 square feet even if the project or building does have other signs. Real estate signs are limited to one per property, and Mr. Wells discussed the difficulties with open house signs. He pointed out that sponsors of banners on City light standards are required to be non-commercial and non-profit and discussed the celebrations by both Deer Valley Resort and Park City Mountain Resort for their anniversaries, and asked if this is a change in policy. Pat Putt explained that there isn't a change of policy and the language is the same; those events were sponsored by the City. He asked if a-frame signs are prohibited in private plazas.

Alison Kuhlow explained that at the March 5, 1998 meeting, staff addressed a number of these issues in the staff report. MPD is an overlay to a zoning district and signs are not precluded in MPDs. Allowing subdivision signs in setback areas was discussed at the last meeting. She also illustrated an example of the sign formula suggested by the committee, and Council decided on a capped number with criteria for exceptions. The language under directory signs was modified but staff is recommending a cap for directory signage as well. Council directed staff to subtract freestanding signs from the total sign area calculation. Ms. Kuhlow stated that limiting real estate signs to one per property could contain additional language with regard to open house signs. A-frame signs on private plazas are not regulated by the City. Ms. Kuhlow added that three open house signs are allowed and this is addressed in the Code.

With regard to construction/project marketing signs, Ms. Kuhlow suggested language, "Upon final project approval by staff, Planning Commission, or City Council, the project marketing sign may be installed for a period of up to six months. If a grading or building permit is not issued within those six months of the approval date, the sign shall be removed. If a building or grading permit is issued within six months, the project marketing sign is permitted until such time as a final temporary certificate of occupancy is issued for the project. If the sign was removed due to not obtaining a grading or building permit within the first six months, it shall be installed upon the

issuance of a grading or building permit and shall remain until the final temporary certificate of occupancy is issued for the project". Ms. Kuhlow explained that this allows for initial marketing and there is a definite time period based upon each individual project, but requires extra tracking by staff to be able to monitor the temporary certificates of occupancy. This is beyond what the ordinance now allows which is the removal of the sign when a permanent sign is installed. Ms. Kuhlow clarified that the final temporary certificates of occupancy would be for the total project, not each building, and the sign would be in place until the last building receives the final certificate of occupancy. Mr. McGuire objected to this language because of the retention paid to builders at the time that temporary certificates of occupancy are issued, but his comments were not picked up on a microphone.

Planning and Zoning Administrator Pat Putt referred to staff's compromise and pointed out that as long as there is an active building permit, a sign could be installed for one to three years. Staff feels this is most reasonable and well beyond what is on the books now. He asked to what point does the City want to allow projects to be advertised. Mr. Putt understood the concerns of the development community but a two to three year time period for a project marketing sign, in addition to the other forms of real estate marketing, is adequate. Ms. Kerr asked how much staff time will staff's proposal prompt. Mr. Putt felt it will take additional time to monitor by the Building Department, but staff is confident that it is possible, and this is a reasonable middle ground. Chuck Klingenstein requested that Council approve the Sign Code in its form. He emphasized that Council does not want to increase staff workload; there needs to be a time-certain trigger, and he would rather not make a decision on project marketing signs tonight. In response to a question from Ms. Kerr about staff work load, Ms. Ryan commented that of all of the alternatives, this option is the easiest to monitor.

Paul Sincok added that it is in the best interest of the City and the developer to make sure that projects are marketed and all of these signs come down. Rick Lewis interjected that staff has to determine when a sign comes down now; the inspection of the last unit would trigger a look at the signs. It was indicated to Mr. Sincok that if an extension was needed for a particular situation, the Community Development Director could grant that. Mr. McGuire made comments that were not picked up by a microphone regarding an allowable time period after the final inspection. Paul Sincok suggested six months after the final inspection, and if there are exceptions to that, an application can be made to the Community Development Department. Ms. Kerr pointed out that this would be one more thing to do after the temporary certificate of occupancy is issued. The Mayor noted that there would probably only be a few projects a year to monitor, and perhaps there could be some responsibility on the part of the developer to follow-up. The City Manager suggested that the City require the developer to post a bond, eliminating the last inspection. Mr. McGuire again made comments from the audience. Mr. Daniels understood that with regard to phasing, if a project took a year off, after six months the sign would have to come down, but once a permit is obtained for the next phase, it is back up.

Hugh Daniels, "I move approval of the amendments to Title 12, Sign Code, of the Municipal Code of Park City, Utah with the exception of Section 12-10-2(c), constructions signs and project marketing signs". Chuck Klingenstein seconded. The Mayor thanked Ms. Kuhlout for months of hard work on this project. Hugh Daniels thanked the Chamber/Bureau and public for their involvement. Motion unanimously carried.

2. Park City Mountain Resort Development Agreement - The Mayor asked if there are any additional questions or comments. The City Attorney felt confident that she has all of the changes discussed in work session to amend the agreement which will be executed by the Mayor. Paul Sincock, "I move approval of the Development Agreement between Park City Municipal Corporation, Powdr Development Company, Park City Ski Holidays, and the Greater Park City Company relating to the development commonly known as the Park City Mountain Resort in substantially the same language as submitted, including comments and suggestions made in the Work Session, and the exhibits". Chuck Klingenstein seconded. Motion carried unanimously.

IX ADJOURNMENT

With no further business, the regular meeting of the City Council was adjourned, and the Council again convened in closed session.

MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 2:30 p.m. Members in attendance were Mayor Brad Olch, Hugh Daniels, Roger Harlan, Shauna Kerr, Chuck Klingenstein, and Paul Sincock. Toby Ross, City Manager, was also present. Chuck Klingenstein, "I move to close the meeting to discuss personnel". Paul Sincock seconded. Motion unanimously carried.

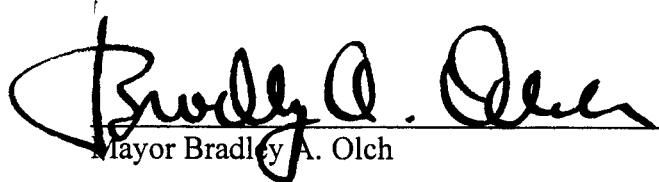
The meeting opened at approximately 4:40 p.m. The Council again convened in closed session after the adjournment of the regular meeting at approximately 7 p.m. to discuss a personnel matter. The closed session adjourned at approximately 7:30 p.m.

STATE OF UTAH)
 ss.
COUNTY OF SUMMIT)

CERTIFICATE OF CLOSED SESSION CITY COUNCIL OF PARK CITY, UTAH

As presiding officer of the City Council of Park City, Utah, I hereby certify that the closed session meeting held by the City Council on March 19, 1998, was held pursuant to Section 52-4-5(1)(a)(I) to discuss the character, professional competence, or physical or mental health of an individual.

DATED this 16 day of APRIL, 1998.


Mayor Bradley A. Olch

Subscribed and sworn before me this 16 day of APRIL, 1998.



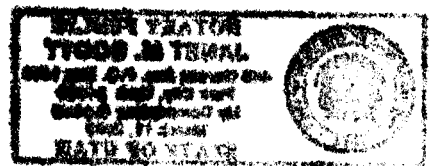

Janet M. Scott, Notary Public

The meeting for which these minutes were prepared was noticed by posting 24 hours in advance and by delivery to the news media two days prior to the meeting.

Prepared by Janet M. Scott




Janet M. Scott, City Recorder





DATE: March 13, 1998
DEPARTMENT: Technical Services
AUTHOR: Rod Daughetee
TITLE: Enter into contract with Mountain States Construction for conduit duct construction for phases 3 & 4 of the Fiber Optic Plan.
TYPE OF ITEM: Award of Contract

SUMMARY RECOMMENDATIONS:

Technical Services recommends entering into a contract with Mountain States Construction for the completion of the main fiber optic conduit system for the Golf course/Spiro Plant and the Park City Education Center routes. This furthers the City's goal of a electrical/communication system for all City main office buildings except the Park City Racquet Club. The contract amount is \$124,163.60.

DESCRIPTION:

A. Topic:

Technical Services recommends the construction and completion of the main fiber optic conduit system for the Golf course/Spiro Plant and the Miners Hospital/Park City Education Center. This will be used to complete telephone and data communications for the City to these locations.

B. Background:

This project continues the City's overall fiber optic plan. Currently, we have approximately 5 kilometers of electrical/fiber optic conduit. The addition of 3.4 kilometers completes the City's plan for a total of 8.4 kilometers for the backbone system.

C. Analysis:

The proposed phases III & IV of the PCMC Fiber Optic Network generally consists of the installation of the conduit and direct burial lines to the Spiro Tunnel Water Filtration Plant, Miner's Hospital Building and the Education Resources Building from the existing Fiber Optic Network Backbone that is centralized at the Public Works building. The proposed routing to the Spiro Tunnel Water Filtration Plant will extend from approximately the intersection of SR-224/Sr-248 across the PCMC Golf Course in a manner acceptable to the Parks & Golf Superintendent and the City Engineer. The proposed routing to the Miner's Hospital Building

be required for purposes of determining building heights. This survey shall be submitted to the building department prior to rough framing approval. This survey shall assist the Community Development Department in determining the grade for measurement of height of this project as defined in the Land Management Code.

7. Final architectural design and colors will be reviewed and approved by the Community Development Staff prior to building permit issuance. All mechanical equipment shall be screened.
8. A master sign plan, reviewed and approved by the Planning Department, is required for this project. All individual signs shall comply with the Master Sign Plan, and each sign requires a sign permit, reviewed and approved by the Community Development Department prior to installation.
9. The City Engineer shall review and approve appropriate excavation, grading, utility, public improvement and drainage plans for compliance with City standards as a condition precedent to permit issuance.
10. The Snyderville Basin Sewer Improvement District review and approval of the sewer plans is a condition precedent to building permit issuance.
11. Fireplaces in the individual condominium units shall be of a non-solid fuel burning type, such as gas fireplaces or pellet stoves. Wood burning fireplaces are allowed only in common areas.
3. 225 Heber Avenue - Poison Creek, Conditional Use Permit for construction in Frontage Protection Zone

Planner Ryan reported that this item came before the Planning Commission at the last work session on a different format because the project requires three types of approval. One is a plat amendment, the second is for design of construction in the Frontage Protection Zone, and the third is the review for new design approval by the Historic District Commission. These processes have been running simultaneously, and at the last work session the Planning Commission reviewed preliminary designs for the project which is an approximately 18,000-square-foot building on a .44 acre parcel located adjacent to the White Pine Touring property and across the street from the Gateway and lower City parking lot. It is also adjacent to the bike path. Last week the Planning Commission forwarded a positive recommendation to the City Council which is scheduled on the City Council's agenda the end of March. The Historic District Commission has been working on the design

improvements, and pedestrian amenities to be completed with this proposal, shall be provided to the City prior to condominium plat recordation or building permit issuance. All public improvements shall be completed according to City standards and accepted by the City Engineer prior to release of this guarantee.

4. A final plat or record of survey shall be submitted to the City for review and approval and shall be recorded at the County prior to sale of individual condominium units. Conditions, Covenants, and Restrictions for this project shall be submitted to the City Attorney for review and approval and shall be recorded at the time of plat recordation.
5. The Planning Department's review and approval of an overall landscape and lighting plan, showing existing and proposed vegetation, and including a detailed limits of disturbance plan, is a condition precedent to issuance of a building permit for any of the units.
6. The developer shall provide a detailed Construction Management Plan (CMP) prior to issuance of any building permits that addresses at a minimum the following:
 - a) A construction staging, storage, circulation and parking plan.
 - b) The developer shall instruct respective contractors that there is to be no wash out of concrete trucks on on-site landscape areas. Further, the developer shall identify acceptable off-site dirt storage and disposal sites, obtain written permission by the owner, and post a financial surety to the satisfaction of the City that will provide for the rehabilitation of the said storage and disposal site.
 - c) The landscape plan shall include a re-vegetation plan as required by the City.
 - d) Any temporary parking signs, subject to Public Works Director and City Engineer approval, shall be addressed in the CMP.
 - e) The applicant shall comply with applicable Utah Air Quality standards regarding dust mitigation and with any applicable Utah Water Quality standards and shall provide any necessary permits or evidence of compliance prior to issuance of building construction. Park City does not guarantee or monitor compliance with these standards.
 - f) An existing conditions survey that identifies and determines existing grade shall be conducted by the applicant and submitted prior to issuance of a footing and foundation permit. A surveyor's certificate of finished floor elevations, tied to USGS elevations, shall

11. A detailed excavation plan is required to assist the City in mitigating the impacts of the excavation of the parking structure on the residents of Park City, especially in Deer Valley.
12. The applicant has agreed to provide a final landscape plan for approval by the City. The plan will describe landscaping materials to adequately buffer the project from adjacent uses along property lines and Royal Street. The plan will also describe landscaping to enhance the pedestrian plazas, both internal to the project and along Royal Street.
13. The proposed pavers in Royal Street are not a part of this approval. A separate plan and encroachment permit application are required for CDD consideration of any proposed pavement detailing in Royal Street.
14. The proposal requires a total of 323 parking spaces, and 483 spaces are provided in the proposed parking structure.

Conclusions of Law - The Chateau CUP

1. The proposed project complies with all requirements outlined in the Land Management Code, specifically Sections 7.5 and 10.
2. The use as conditioned is compatible with surrounding structures in use, scale, mass, and circulation.
3. The use as conditioned is consistent with the Park City Comprehensive Plan.
4. The use as conditioned is consistent with the Deer Valley Resort Seventh Amended and Restated Large Scale Master Planned Development and the Amended Deer Valley Club Estates subdivision plat.
5. Any effects in difference in use or scale have been reasonably mitigated through careful planning and/or conditions.

Conditions of Approval - The Chateau CUP

1. All standard project conditions shall apply.
2. All conditions of approval of the Amended Deer Valley Club Estates subdivision plat and the Deer Valley Resort Seventh Amended and Restated MPD continue to apply.
3. A financial guarantee, in a form and amount as acceptable to the City, for the value of all landscaping, public

7815 Royal St.

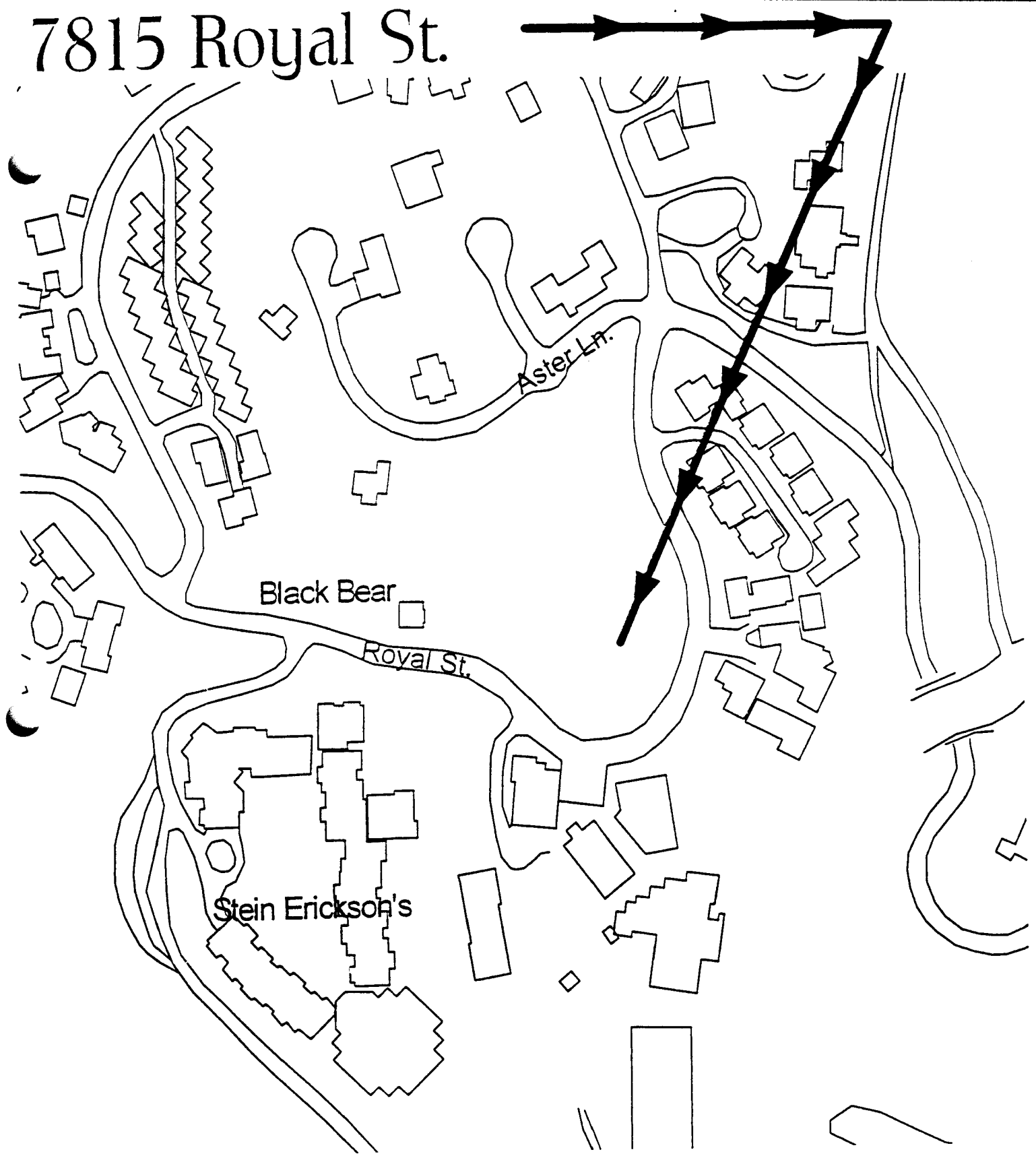
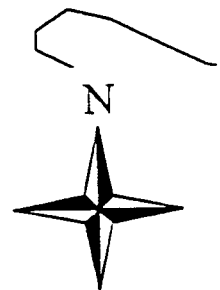


Exhibit - A
Vicinity Map



Council approval and shall thereafter exist as common area.

6. The final condominium record of survey shall be recorded at the County within one year of the date of City Council approval. If recordation has not occurred within the one year time frame this approval and the record of survey shall be considered null and void.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 19 th day of March, 1998.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Deputy City Attorney

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3. The property is subject to the Deer Valley Resort Seventh Amended and Restated Large Scale Master Planned Development Permit of April 14, 1993.
4. The proposed plat changes the type of ownership of this property to condominium ownership.
5. A financial guarantee for all public improvements, including all public trails and sidewalks, is necessary to ensure completion of these improvements and to protect the public from liability and physical harm if these improvements are not completed by the developer or owner.
6. Under state law, convertible space expires after 5 years. A five year expiration is consistent with the expiration of the Chateaux at Silver Lake CUP to ensure future development complies with contemporary LMC regulations.
7. On February 25, 1998 the Planning Commission held a public hearing on the proposed record of survey plat and forwarded a positive recommendation to the City Council.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned record of survey and that neither the public nor any person will be materially injured by the proposed plat. The plat is consistent with the Park City Land Management Code and applicable State law regarding record of survey plats. The plat is consistent with the Planning Commission approval of the Chateaux at Silver Lake CUP, a Small Scale Master Planned Development.

SECTION 3. PLAT APPROVAL. The record of survey plat, known as the Chateaux at Silver Lake condominium plat, at 7815 Royal Street East, is hereby approved as shown on Exhibit A, with the following conditions:

1. The City Attorney and City Engineer shall review and approve the final form and content of the record of survey plat and the Conditions, Covenants and Restrictions (CC&R's), for compliance with State law, the Land Management Code, and the conditions of approval, prior to recording the plat.
2. All conditions of approval for the Chateaux at Silver Lake CUP shall apply.
3. All standard project conditions shall apply.
4. A financial guarantee, for the value of all public improvements to be completed, shall be provided to the City prior to plat recordation. All public improvements shall be completed according to City standards and accepted by the City Engineer prior to release of this guarantee.
5. All convertible space shown on this record of survey shall expire 5 years from the date of City

**AN ORDINANCE APPROVING A RECORD OF SURVEY PLAT
FOR THE CHATEAUX AT SILVER LAKE CONDOMINIUMS
AT 7815 ROYAL STREET EAST,
DESCRIBED AS LOT 23 OF THE AMENDED DEER VALLEY CLUB ESTATES,
LOCATED IN THE NORTHWEST QUARTER OF SECTION 27,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN,
PARK CITY, UTAH**

WHEREAS, the owners, Silver Lake Associates L.L.C, of the property at 7815 Royal Street East, located in the Northwest Quarter of Section 27, Township 2 South, Range 4 East, Park City, Utah and known as the Chateaux at Silver Lake Condominiums, have petitioned the City Council for approval of a record of survey plat; and

WHEREAS, proper notice was sent and the property posted according to requirements of the Land Management Code and state law; and

WHEREAS, on February 25, 1998 the Planning Commission held a public hearing to receive public input on the proposed record of survey and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, on March 19, 1998 the City Council reviewed the proposed record of survey plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the record of survey plat;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. FINDINGS OF FACT.

1. On March 12, 1997 the Planning Commission approved a Small Scale Master Planned Development for the 78 unit condominium project known as the Chateaux at Silver Lake CUP, a Small Scale MPD.
2. The Chateaux at Silver Lake project is located at 7815 Royal Street East and the property is zoned RD-MPD, Residential Development- Master Planned.

content of the record of survey and the Conditions, Covenants and Restrictions (CC&R's), for compliance with State law, the Land Management Code, and these conditions of approval, prior to recording the record of survey.

2. All conditions of approval for the Chateaux CUP shall apply.
3. All standard project conditions shall apply.
4. A financial guarantee, for the value of all public improvements to be completed, shall be provided to the City prior to record of survey recordation. All public improvements, including public trails and sidewalks, shall be completed according to City standards and accepted by the City Engineer prior to release of this guarantee.
5. All convertible space shown on this record of survey shall expire 5 years from the date of City Council approval and shall thereafter exist as common area.
6. The final condominium record of survey shall be recorded at the County within one year of the date of City Council approval. If recordation has not occurred within the one year time frame this approval and the record of survey shall be considered null and void.

EXHIBITS:

Exhibit A- Proposed record of survey

Exhibit B- Location map

Exhibit C- Conditions of CUP approval

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RECOMMENDATION:

Staff recommends approval of the condominium plat for 7815 Royal Street- Chateaux at Silver Lake Condominiums, based upon the following:

Findings of Fact

1. The property is located in the RD-MPD zoning district.
2. The property is subject to the Deer Valley Resort Seventh Amended and Restated Large Scale Master Planned Development Permit of April 14, 1993.
3. The property is subject to the March 12, 1997 Chateaux CUP.
4. The proposed plat changes the type of ownership of this property to condominium ownership.
5. A financial guarantee for all public improvements, including all public trails and sidewalks, is necessary to ensure completion of these improvements and to protect the public from liability and physical harm if these improvements are not completed by the developer or owner.
6. Under State condominium law, convertible space expires after 5 years. A five year expiration is consistent with State law and expiration of the Chateaux CUP to ensure future development complies with contemporary LMC regulations.
7. On February 25, 1998 the Planning Commission held a public hearing and forwarded a positive recommendation to the City Council.

Conclusions of Law

1. The record of survey complies with the Park City Land Management Code and with the Utah Condominium Ownership Act.
2. The record of survey is consistent with the March 12, 1997 Planning Commission approval of the Chateaux CUP.
3. There is good cause for this record of survey.
4. Neither the public nor any person will be materially injured by the proposed record of survey.

Conditions of Approval

1. The City Attorney and City Engineer shall review and approve the final form and

Valley Resort. An additional service drive access is located on the east side of the development. With the exception of this limited service drive, all vehicular traffic and pick up/drop off activity occurs within the parking structure.

LMC

The proposed condominium plat is consistent with the Land Management Code and the approved Chateaux CUP. Staff is recommending a condition of approval that a financial guarantee for completion of all public improvements associated with this project, including all required sidewalks and public trails, be posted prior to plat recordation. All conditions of approval of the Chateaux CUP apply.

Expiration

Staff recommends a condition of approval regarding a 5 year expiration of vested development rights under the approved MPD for the convertible space for Buildings B and C. Under Utah State Condominium law development of convertible space expires 5 years from date of plat recordation, with an administrative option to extend the time frame with Homeowner's Association approval. Staff believes it is prudent to put a expiration date on future vesting, thus requiring proposed development on any convertible space to return to the Planning Commission for plan approval, once the 5 year period expires, unless construction is complete. This is important because revisions are made over time to the Land Management Code in response to changing conditions in the community, such as parking requirements, height limits, and design requirements. Staff also recommends the standard one year expiration date of plat approval to ensure that approved plats are recorded in a timely manner.

Landscape plan and trails

A preliminary landscape plan for the entire site was approved prior to issuance of the building permit. A final landscape plan, showing plaza details, foundation plantings, lighting, trails and sidewalks, and other amenities will be reviewed and approved by the Community Development Department prior to issuance of a certificate of occupancy for each phase.

D. Department Review

The City Engineer has reviewed the plat and has recommended minor changes prior to plat recordation. The City Attorney's office will review and approve the plat and CC&Rs for final form and compliance with the LMC and State Law prior to recordation.

E. Planning Commission Action

On February 25, 1998 the Planning Commission held a public hearing. There was no public input at the hearing. The Commission forwarded a positive recommendation to the City Council with findings of fact, conclusions of law, and conditions of approval as stated in this staff report.

Planning Commission approved a Small Scale Master Planned Development for the 78 unit condominium project known as the Chateaux at Silver Lake Village. Approximately 7,500 sf of commercial uses and 16,800 sf of support commercial and convention uses were also approved on the 3.24 acre site. The property is located at 7815 Royal Street East. (Exhibit A). A copy of the conditions of MPD approval is attached for your information (Exhibit B).

On February 25, 1998 the Planning Commission held a public hearing on the proposed record of survey plat and forwarded a positive recommendation to the City Council.

This request is for approval of a final condominium record of survey for the parking structure and Building A of the Chateaux Condominium project. Building A is the southern most of the three buildings, situated opposite the traffic turn around for Silver Lake Village. A final record of survey must be recorded with the County in order for the current owner to sell ownership interests to other parties. The Chateaux Condominiums are currently under construction (utility improvements, excavation, and foundation work has begun). The project will be constructed in three phases during the next 2 to 3 years.

C. Project Description

Uses

Building A of the Chateaux Condominium project consists of 26 residential units, 7,013 sf of commercial uses, and 17,950 sf of support commercial and convention uses. The Deer Valley Master Plan allows up to 7,500 sf of commercial uses and 19,950 sf of support commercial and convention uses on this parcel.

Parking

The parking structure provides a total of 485 parking spaces. Four of the spaces are smaller than the LMC requires, therefore there are 481 code compliant spaces. The entire project, including future buildings B and C, requires 333 parking spaces. This parking calculation is based on the project total of 78 residential units (181 spaces, includes parking for lock-outs per the Deer Valley MPD), maximum of 7,500 sf of commercial uses (35 spaces), and 17,950 sf of support commercial and convention uses (117 spaces). This project provides an excess of 148 parking spaces.

This record of survey designates all but 40 parking spaces as common area. The remaining 40 spaces are designated as private spaces, ie. Parking Condominiums. The CC&R's permit those 40 spaces to be leased, turned into storage, and/or sold separately. If these 40 spaces are sold or leased to others the project would have an excess of 108 parking spaces.

Access

Access to the underground parking structure is off of Royal Street East on the west side of the development, near the fire station. The parking structure serves all of the residential and commercial units, as well as provides parking for the Silver Lake area and Deer

PARK CITY

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CITY COUNCIL STATE REPORT

DATE: March 13, 1998 (March 19, 1998 meeting)
DEPARTMENT: Planning Department
AUTHOR: Kirsten A. Whetstone, AICP
TITLE: 7815 Royal Street East, Chateaux Condominiums- Record of Survey for Building A and the Parking Structure
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: Approve with conditions.

DESCRIPTION:

A. Topic

PROJECT STATISTICS:

Applicant:	Peter Tomai, Silver Lake Associates LLC
Location:	7815 Royal Street East
Zoning:	RD-MPD
Adjacent Land Uses:	Silver Lake fire station, Black Bear Lodge, Silver Lake Lodge, Mount Cervin Condos and Plaza, The Knoll single family homes and lots, Sterling Lodge Condominiums, Goldener Hirsch hotel, Deer Valley Club and Sterlingwood Condominiums
Date of Application:	January 16, 1998

B. Background

The property is legally described as Lot 23 of the Amended Deer Valley Club Estates Subdivision plat which was recorded in December of 1992. On March 12, 1997 the

SECTION 4. EFFECTIVE DATE.

This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 19 th day of March, 1998.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Deputy City Attorney

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SECTION 2. CONCLUSIONS OF LAW.

The City Council hereby concludes that there is good cause for the above-mentioned plat amendment and that neither the public nor any person will be materially injured by the proposed plat. The plat is consistent with the Park City Land Management Code and applicable State law.

SECTION 3. PLAT APPROVAL.

The plat amendment located at 501 Deer Valley Drive, is hereby approved as shown on Exhibit A, with the following conditions:

1. City Attorney and City Engineer review and approval of the plat amendment, for compliance with the Land Management Code and these conditions of approval, is a condition precedent to plat recordation.
2. All Standard Project Conditions and Land Management Codes shall apply.
3. The final plat shall be recorded at Summit County within one year from the date of City Council approval. If recordation has not occurred within the one year time frame, this approval and the plat shall be considered null and void.
4. A Construction Mitigation Plan will be required from the applicant prior to any issuance of a building permit for construction on the newly created lot.
5. A ten foot (10'-0") non-exclusive snow storage easement along Deer Valley Drive shall be dedicated to the City and noted on the amended plat.
6. Any new construction or addition to the existing structure shall be similar in architecture and comply with the Historic District Design Guidelines.

**AN ORDINANCE APPROVING THE JORGENSEN REPLAT
AT 501 DEER VALLEY DRIVE, CONSOLIDATING LOTS 4, 5, 30 AND 31, BLOCK 65,
OF AMENDED PARK CITY SURVEY,
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN,
PARK CITY, UTAH**

WHEREAS, the owner, Michael and Laura Jorgensen, of the property at 501 Deer Valley Drive, located in the Southeast Quarter of Section 16, Township 2 South, Range 4 East, Park City, Utah, has petitioned the City Council for approval of a plat amendment; and

WHEREAS, proper notice was sent and the property posted according to requirements of the Land Management Code and state law; and

WHEREAS, on February 25, 1998 the Planning Commission held a public hearing to receive public input on the proposed plat amendment and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, on March 19, 1998, the City Council reviewed the proposed plat amendment and held a public hearing; and

WHEREAS, it is in the best interest of Park City, Utah to approve the plat amendment;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. FINDINGS OF FACT.

1. The Project is located in the R-1, Residential District, zoning district.
2. The plat amendment combines four lots into one lot.
3. The proposed lot size of 7,500 square feet is consistent with the existing development patterns in the surrounding area.
4. The project is located on Deer Valley Drive with a high volume of traffic and important connection to the Silver Lake area.
5. The project is located on a steep hillside with minimal snow storage areas.

4. The project is located on Deer Valley Drive with a high volume of traffic and important connection to the Silver Lake area.
5. The project is located on a steep hillside with minimal snow storage areas.

Conclusions of Law:

1. There is good cause for the amendment in that the plat amendment will result in one lot, as compared to the original configuration of four lots.
2. Neither the public nor any person will be materially injured by the proposed plat amendment.

Conditions of Approval:

1. City Attorney and City Engineer review and approval of the plat amendment, for compliance with the Land Management Code and these conditions of approval, is a condition precedent to plat recordation.
2. All Standard Project Conditions and Land Management Codes shall apply.
3. The final plat shall be recorded at Summit County within one year from the date of City Council approval. If recordation has not occurred within the one year time frame, this approval and the plat shall be considered null and void.
4. A Construction Mitigation Plan will be required from the applicant prior to any issuance of a building permit for construction on the newly created lot.
5. A ten foot (10'-0") non-exclusive snow storage easement along Deer Valley Drive shall be dedicated to the City and noted on the amended plat.
6. Any new construction or addition to the existing structure shall be similar in architecture and comply with the Historic District Design Guidelines.

EXHIBITS:

Exhibit A-Proposed plat map
Exhibit B-Vicinity map
Exhibit C- Existing site plan

E. Noticing

This project was noticed to property owners within 300' of the affected property on February 9, 1998. In addition, this item was advertised in the **Park Record** on February 9, 1998, as a regular agenda item. Staff received two phone calls at the time of this report.

One neighbor called to discuss the possibilities for development once the lots were combined and attended the Planning Commission meeting. A second neighbor called to express concern about the lot lines in this area. She stated she is not contesting the plat, but attended the Planning Commission meeting to articulate her concerns to the Planning Commission.

ALTERNATIVES:

- A. Approve the Plat Amendment, thereby, allowing the removal of the existing lot lines.
- B. Deny the Plat Amendment, thereby, retaining the current parcel configuration.
- C. Continue the item for further discussion and input.

SIGNIFICANT IMPACTS:

If the plat amendment is approved as requested, the applicant will be able to add to the existing structure or add additional dwelling units.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

The lots will remain in their current configuration and the Community Development Department will not issue any permits for additions to the existing building which could cross the existing lot lines or which would fail to meet the required building setbacks.

RECOMMENDATION:

Staff recommends the City Council discuss whether or not this proposal results in a project consistent with Chapter 15 and successfully mitigate the impacts resulting from the proposed development. Following the discussion, Staff recommends the City Council conduct a public hearing, consider public input, and approve the proposed plat amendment of Lots 4, 5, 30, and 31, Block 65, the Amended Park City Survey based on the following:

Findings of Fact

- 1. The Project is located in the R-1, Residential District, zoning district.
- 2. The plat amendment combines four lots into one lot.
- 3. The proposed lot size of 7,500 square feet is consistent with the existing development patterns in the surrounding area.

The Planning Commission reviewed this project and forwarded a positive recommendation to the City Council at their February 25 meeting.

C. Analysis.

Combining the lots rectifies the situation of the existing structure crossing property lines. As the structure is located on the site, the City would require a lot combination for any improvements to the structure which require a permit.

Approving the lot combination will create a lot consistent with the existing development patterns in this area of Deer Valley Drive. The parcel is adjacent to a single family residence and a four-plex. Some historic structures exist in this neighborhood.

If the plat amendment is approved as requested, the newly created lot would be 7,500 square feet in size. In the R-1 zone, the newly created lot would be large enough for a three-unit dwelling if underground parking is provided. Without underground parking, a two-unit dwelling is allowed by the R-1 zone.

For any new structures or additions to the existing structure, all setbacks will be measured from the proposed perimeter property lines of the newly formed lot. Therefore, the building mass would be determined by the R-1 zone setbacks and height requirements. The R-1 zone has no square footage limit of building area. The front yard setback for this zone is 15'-0" feet and the side yard setback is 5'-0".

The planning staff raised the issue that the narrow side yard with the larger building allowed by this amendment may create a canyon effect between structures. The following three possible options were offered to the Planning Commission:

1. address the setbacks in the LMC for this zone; and/or
2. request design review by the Historic District Commission for any additions or new structures; and/or
3. Increase the side yard setbacks on this property as a condition of approval.

The Planning Commission forwarded the project with a condition of approval requiring any new construction or addition to the existing structure to be similar architecture and comply with the Historic District Design Guidelines. No Historic District Commission approval would be required.

D. Department Review

The Community Development Department has reviewed this plat amendment request. The request was discussed at the January 20 Staff Review meeting where the City Engineer and Chief Building Official were in attendance. No concerns were brought to the attention of the Planning Department by these departments.



CITY COUNCIL STAFF REPORT

DATE: March 19, 1998
DEPARTMENT: Planning Department
AUTHOR: Kurt von Puttkammer, AIA 
TITLE: 501 Deer Valley Drive, plat amendment
for Lots 4, 5, 30, and 31, Block 65, to
Amended Plat of the Park City Survey
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS:

Staff requests the City Council conduct a public hearing, consider public input, and review the project within the context of the Land Management Code. Staff recommends the City Council adopt an ordinance amending the plat at 501 Deer Valley Drive, to combine Lots 4, 5, 30, and 31 of Block 65, the Amended Park City Survey, to create one lot, as conditioned.

DESCRIPTION:

A. Topic.

PROJECT STATISTICS

Applicant:	Jonathan DeGray for Michael and Laura Jorgenson
Proposal:	Plat amendment for Lots 4, 5, 30, and 31 of Block 65 of the Amended Park City Survey.
Zoning:	R-1, Residential District
Adjacent Land Uses:	Residential-Single family
Date of Application:	January 2, 1998
Project Planner:	Kurt von Puttkammer, AIA
Recommendation:	Approve with conditions

B. Background.

On January 2, 1998, the Community Development Department received an application to combine four 25'-0" wide by 75'-0" deep lots into one lot. Currently, there is a single family residence on the lots. The house and decks extend onto all four platted lots.

and the Education Resources Building (Park City Library) will extend south along the bike path, from an existing pull box, to Miner's Hospital then extend to the Education Resources building along existing roadways/walking paths.

The construction award is based on a open public bid of the project. Bids ranged from \$124,163.15 to \$324,263.00. The average bid was \$219,517.66. We believe that the early timing for the construction of this project provides significant savings to the City. Mountain States Construction is currently under contract with US West and other utilities and have performed this type of work in Park City. A bid bond is posted for the project with a \$250 per day penalty for not completing the project on time. The Spiro/golf course route must be completed by May 1, 1998. The Education/Miners hospital route must be completed by June 15, 1998. There are funds available in the Fiber Optics and Information Systems Enhancements budgets for the \$124,163.40 contract. There are adequate funds in the FY 1998-99 Budget Plan for the fiber optic cable and inner-duct to complete the entire communication backbone system.

D. Department Review:

The City Engineer and Parks & Golf Department have been contacted and involved in all aspects of the project. Department heads and Mid Managers are currently reviewing options for current and future usage of the system. The system has been reviewed by the City Engineer and the Finance Manager.

ALTERNATIVES:

A. Approve the Request:

Finish the backbone conduit system.

B. Deny the Request:

Abandon the project and use the exiting system only for Marsac and Public works communication. Re-bid the project at a later time.

C. Continue the Item:

Delay the project for another year and re-bid the project. Or, require a later construction period with \$60,000-\$80,000 dollars in increased costs.

SIGNIFICANT IMPACTS:

Special provisions to coordinate construction impact and minimize Park City disturbance are taken into consideration.

RECOMMENDATION:

Approve the contract.



DATE: March 3, 1998
DEPARTMENT: BUILDING
AUTHOR: RON IVIE
TITLE: BUILDING OFFICIAL
TYPE OF ITEM: LEGISLATIVE

SUMMARY RECOMMENDATIONS: Recommend amending Title 11 of the Municipal Code to update the effective 1997 Editions of Building Codes

DESCRIPTION:

A. Topic: This is a request to amend an existing ordinance in order to comply with the State adopted 1997 Building Codes.

B. Background: This is before Council as a housekeeping item in order to keep Park City in compliance with State mandated codes. The Uniform Building Codes are National codes which are updated every three years. In the past City Council has always approved this request.

C. Analysis: The implication of not doing this would be to fall out of compliance with State law and not be able to enforce the codes to the 1997 standard.

D. Department Review: The Building Department and Legal Department reviewed the issue.

ALTERNATIVES:

A. Approve the Request: Allow the Building Department to inspect to the 1997 standards and be in compliance with State law.

B. Deny the Request: Would put the City out of compliance with State law and require enforcement only to the 1994 standards.

C. Continue the Item: Would delay our ability and effectiveness in enforcing to the current standards.

D. Do Nothing: Continue enforcing to the 1994 codes and be out of compliance with State law.

SIGNIFICANT IMPACTS:

The City will be in compliance with State law and we will be inspecting in accordance with the 1997 codes. There is no fiscal impacts involved.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

The City will not be in compliance with State law and will not be able to inspect under the 1997 codes.

RECOMMENDATION:

The City Council should adopt an Ordinance amending Title 11 of the Municipal code to update the effective Editions of Building Codes.



Ordinance No. 98-

**AN ORDINANCE AMENDING TITLE 11 OF THE MUNICIPAL CODE
OF PARK CITY TO UPDATE THE EFFECTIVE
EDITIONS OF THE BUILDING CODES**

WHEREAS, the City Council has determined that updated building rules and regulations safeguard the health, safety, and property of the community; and

WHEREAS, updating the building codes facilitates customer service and the public's general knowledge of the current law;

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL of Park City, Utah that:

SECTION 1. AMENDMENT. Title 11 of the Municipal Code of Park City, Utah is hereby amended as follows:

CHAPTER 3 - UNIFORM BUILDING CODE

11-3-1. UNIFORM BUILDING CODE ADOPTED.

The Uniform Building Code, ~~1994~~ 1997 edition, establishing rules and regulations for the design, construction quality of materials, use and occupancy, location and maintenance of building and structures, as promulgated by the International Conference of Building Officials, together with the following ~~amendments:~~ Appendix Chapters and Amendments.

- (A) ~~Appendix~~ Chapter 11, Divisions 1 and 2, Chapter 12, ~~Division 2, Chapter 13,~~ Chapter 15, Chapter 16, Division 1, Chapter 30, and Chapter 33, located in the appendix of the Uniform Building Code are adopted and incorporated herein with an Amendment to Section 3306.1 as follows: Except as specified in Section 3306.2 of this section, no person shall do any grading or removing or grubbing existing vegetation without first having obtained a grading permit from the building official.

11-3-2. AUTOMATIC FIRE EXTINGUISHING SYSTEMS.

- (F) All existing buildings within the Historic Commercial Business District shall be required to

be protected with a fire sprinkling system, in compliance with the Uniform Building Code Standards by August 15, 1996.

~~—All newly constructed structures used as dwelling units in a multi-unit structure shall have at least one hour fire resistive separation between units.~~

CHAPTER 4 - MECHANICAL CODE.

11-4-1. MECHANICAL CODE.

The Uniform Building Mechanical Code, 1994 1997 edition, establishing rules and regulations for the design, construction quality of materials, use and occupancy, location and maintenance of building and structures, as adopted by the International Conference of Building Officials is hereby adopted as the Mechanical Code of Park City.

CHAPTER 5 - UNIFORM HOUSING CODE.

11-5-1. HOUSING CODE.

The Uniform Housing Code, 1994 1997 edition, printed as code in book form, and adopted by the International Conference of Building Officials (providing minimum requirements for the protection of life, limb, health, safety and welfare of the general public and the owners and occupants of residential buildings is hereby adopted as the Housing Code of Park City.

- (A) **APPLICATION.** The provisions of the Housing Code shall apply to all buildings or portions thereof used, or designed for or intended to be used for human habitation. Occupancies in existing buildings may be continued as provided in Section ~~104(C)~~ 3401 of the Uniform Building Code, except as to those structures found to be substandard as defined in the Housing Code.

CHAPTER 6 - UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS.

11-6-1. ADOPTION OF A CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS.

The "Uniform Code for the Abatement of Dangerous Buildings, 1994 1997 edition," printed as a code in book form and adopted by the International Conference of Building Officials (providing for a just, equitable and practicable method whereby buildings or structure which from any cause endanger the life, limb, health, morals property, safety or welfare of the general public or their occupants, may be required to be repaired, vacated, or demolished) is hereby adopted as the Abatement of Dangerous Buildings Code for Park City.

CHAPTER 7 - UNIFORM PLUMBING CODE.

11-7-1. ADOPTION OF A PLUMBING CODE.

~~The Uniform Plumbing Code, 1991 edition, as amended~~ The International Plumbing Code 1997 edition, as promulgated by the International Code Council, is hereby approved and adopted as the plumbing code of Park City. Section 106.1 of the International Plumbing Code is amended as follows:

- (B) **PLUMBING INSPECTIONS.** The Building Official shall perform all functions of plumbing inspection and shall, among other things, inspect the construction, installation and repair of all plumbing fixtures and appliances and apparatus connected with a plumbing system which are installed within the limits of Park City and shall require that they conform to the provisions of the Plumbing Code, ~~including Park City and Utah State amendments which are incorporated herein by this reference.~~

CHAPTER 8 - NATIONAL ELECTRICAL CODE.

11-8-1. ADOPTION OF ELECTRICAL CODE.

The National Electrical Code, 1993 ~~1996~~ edition, as adopted by the National Fire Protection Association ~~and the American Standards Association and~~ printed as a code in book form is hereby approved and adopted as the electrical code of this City, including all Park City and state amendments which are incorporated herein by this reference.

- (B) **PERMITS, INSPECTIONS AND FEES.** No alterations or additions shall be made in existing wiring, nor shall any new wiring be installed or any apparatus which generates, transmits, transforms or utilizes any electricity be installed without first obtaining a permit thereof. Applications for such permit, describing such work, shall be made in writing and shall conform to the requirements set forth in the Uniform Building Code as to extent of information disclosed. ~~No permit shall be required for the use of approved lamps, lights, appliances, tools, or equipment connected to permanently installed wiring by means of a receptacle or fixture.~~ The fee for electrical permits shall be as set forth in Park City Fee Resolutions.

CHAPTER 9 - UNIFORM FIRE CODE.

11-9-1 UNIFORM FIRE CODE.

The "Uniform Fire Code", ~~1994~~ 1997 edition as ~~adopted~~ promulgated by the International Conference of Building Officials and the Western Fire Chiefs Association and printed as codes in book form is hereby adopted as the Fire Code of Park City with the following amendments to Appendix Chapter III C.

CHAPTER 10 - UNIFORM SIGN CODE.

11-10-1. UNIFORM SIGN CODE ADOPTED.

The Uniform Sign Code, 1994 1997 edition, as adopted by the International Conference of Building Officials and printed as a code in book form is hereby approved and adopted with the following amendment to table 4-B as the Uniform Sign Code of this City.

TABLE 4-B - PROJECTION OF SIGNS

CLEARANCE (feet)	MAXIMUM PROJECTION (feet)
x 304.8 for mm	x 304.8 for mm
Less than 8	Not permitted
8	+ 3
8 to 16	1 plus 0.5 for each foot of clearance in excess of 8
Over 16	5

SECTION 2. EFFECTIVE DATE. This Ordinance shall become effective upon publication.

PASSED AND ADOPTED this 19th day of March, 1998.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington, Deputy City Attorney

CITY COUNCIL STAFF REPORT

DATE: March 26, 1998
DEPARTMENT: Planning Department
AUTHOR: Alison Kuhlow AK
TITLE: Revisions to Title 12, Signs, of the Park City Municipal Code
TYPE OF ITEM: Public Hearing

SUMMARY RECOMMENDATIONS:

Staff requests that the City Council adopt the attached Ordinance amending and reorganizing the Sign Code, Title 12 of the Municipal Code of Park City.

A. Topic:

Proposed amendments to Title 12, Signs, of the Municipal Code.

B. Background:

The City Council held a public hearing regarding the proposed changes to the Sign Code on February 19, 1998 and March 5, 1998. At that time public comments were taken and Staff was given direction on several issues and to revise text within the code as it relates to Project Marking Signs (P.M.S).

Since the March 5, 1998 meeting Staff has added the following additional text within the Code:

- Language to exempt historic signs and plaques from the sign regulations (Section 12-8-1(C));
- Removal of the need for Community Development Director approval in regards to Public Necessity Signs; and,
- Option #3, as chosen by the Council, as it relates to Project Marketing Signs (P.M.S.)

Process to Date:

In October 1995, the staff initiated the proposed amendments to the Sign Code. Over the course of the last two years, a public review process was conducted at the Planning Commission level. Three public hearings were held on the subject and staff contacted all the Main Street Merchants and the business community. In April of 1996, the City Council held a work session on the proposed amendments. Directions on several items were given to staff. In May of 1996, the ordinance was tabled until high priority scale projects were completed.

Throughout the last eight months, Staff has held three Work Sessions with the City Council discussing the proposed changes to the Sign Code. The comments received were addressed and incorporated within the revisions. Copies of the previous Work Session Staff Reports are available through the Planning Department.

C. Analysis:

Objective:

The purpose of the Sign Code is to:

- 1) To set forth explicit parameters which will enhance the appearance of the community by allowing businesses to clearly identify themselves;
- 2) To encourage aesthetically pleasing signs which complement the building architecture;
- 3) To give the business community very clear direction on what is permitted; and,
- 4) Improve the health, safety and welfare of the citizens of Park City by minimizing visual clutter and clearly identifying traffic and directional signs.

The proposed amendments were initiated with these parameters in mind. After the February 19, 1998, City Council Meeting, Staff re-evaluated certain elements in the proposed code and clarified regulations. The draft before you reflects these changes.

Project Marketing Signs

After the March 5, 1998 meeting one Council member asked the Staff to consider the following alternatives for Project Marketing Signs. Staff's comments are listed below in italics.

- 1) Allow the installation of the sign to occur once Planning Commission or City Council approval is received for the project.

Staff had previously considered this idea in earlier drafts but chose not to include it for the following reasons:

- *unlimited duration*
- *potential of disrupting view corridors and open space for prolonged periods. The Staff still does not support this option but can explore it should the Council wish to pursue this idea.*

- 2) Removing the sign once a certain percentage of units were sold or temporary certificates of occupancy are issued.

Staff has the following concerns in regards to this alternative:

Staff has no way of tracking the number of units sold in a project. If this alternative were chosen, the Staff would need to create a new tracking system just for this sign type. The Building Department does issue the temporary certificates of occupancy, but primarily to buildings, not individual units, within a project. Tracking by the percentage of units given a temporary certificate of occupancy would not correspond to the current way that permits are issued, which is by building not individual units. Tracking the projects with regards to the certificate of occupancy also adds an additional level of review by the Planning Department Staff and a change in current procedure by the Building Department.

- 3) Develop individual time periods for display of Project Marketing Signs based on the size of the project.

Developing different time lines for each project causes different parameters for sign display duration, enforcement and tracking of individual projects. Staff fears that this suggestion goes against the original premise for the revisions to the Sign Code which was to give the business community clear direction on what is permitted, create less bureaucracy, and to set forth explicit parameters which will enhance the appearance of the community by allowing businesses to clearly identify themselves.

- 4) Allow the Planning Commission to set the duration for display per project.
Please refer to previous statement. This alternative may also add to the Planning Commission meeting agenda.

- 5) Revisit the phasing time lines of projects.
Staff can draft criteria, per the Council's direction, which allows for the same time line allowed for the

first phase of the project, for all additional phases. The option chosen at the March 5, 1998 meeting proposes an additional time frame of six (6) months once a subsequent phase has been commenced, as long as construction continues on the project's initial construction. This option allows a reasonable time for Project Marketing Signs and would not require a cumbersome process.

All of the suggestions outlined above and included in the March 5, 1998 City Council Report are alternatives that are intended to reflect the Council's objectives to preserve open space, provide a view corridor and enhance the City's visual aesthetics to both its residents and visitors. Staff recommends the Council proceed with the adoption of the Sign Code as drafted which includes Option #3 as chosen at the March 5, 1998 meeting regarding Project Marketing Signs.

Option #3: One Sign incorporating both real estate and construction information into one divided sign, but with modified regulations from what is currently allowed.

Option #3 proposes the following:

- Location of the sign shall not be closer than twenty (20) feet to the curb line or edge of pavement.
- Height of sign shall not exceed seven (7) feet.
- The Construction Sign may not exceed thirty-six (36) square feet in area, but shall be divided to allow for twelve (12) feet of the sign area to be used to display the construction information as outlined within the CMP.
- Time Limit for Construction Sign
Installation of the Construction Sign shall occur after the issuance of a grading permit for the project. The sign shall be removed within one year of its installation. If an extension due to the length of construction is needed the Community Development Director may grant an additional time frame of six (6) months. For phased projects, when a subsequent phase has commenced, the sign may remain for an additional six (6) months so long as construction continues on the project's initial construction.

If the City Council wishes to implement one of the options listed above, Staff recommends that the Council make the changes as part of the adoption of the Sign Code. Staff recommends the Council proceed with the Sign Code as drafted with Option #3 regulations for Project Marketing Signs.

D. Department Review:

The Community Development Department has reviewed the proposed amendments. The Legal Department has reviewed the final draft and ordinance.

E. Public Input

Copies of the draft discussed at the January 22, 1998 Work Session were distributed to the Chamber of Commerce, Main Street Merchant Association, Park City Restaurant Association, Park City Board of Realtors, Park City Resort Merchant Association, Park City Lodging Association, Prospector Square Property Owners, Silver Lake Merchant Association, local sign companies and various City Departments.

Staff met with the Chamber of Commerce's focus group, on February 9, 1998, to review the proposed changes to the Sign Code. The City Council held public hearings on February 19, 1998 and March 5, 1998 regarding the revisions to the Sign Code.

In 1996, the Planning Commission held three public hearings during their review of the Code revisions and encouraged the staff to solicit public input. Staff also met with the Main Street Merchants Association to review the proposed changes. Subsequent meetings between members of a sign committee formed by the Association and the Planning Staff took place to discuss additional changes to the Code. Staff worked with these groups to rework the proposed amendments. The Merchants generally supported the draft as presented in 1996 and in addition recommended that the staff emphasize pre-application conferences to familiarize applicants with the design standards and review process. As a result of these discussions, Staff will revise the business license brochure to include information about sign permit applications.

RECOMMENDATION:

The Planning Department requests that the City Council approved the attached ordinance based on the following findings with the following conditions;

E. FINDINGS OF FACT:

1. A uniform sign code has been adopted by the City Council of Park City, Utah to promote the health, safety and welfare of the residents of Park City; and
2. It is in the best interest of the community to develop standards so that there is consistent criteria for review of sign applications and the community has clear notice of the Sign Code standards; and
3. The City Council finds that the proposed changes to the Sign Code are necessary to prevent visual clutter, to aid tourists in easily identifying business locations, to facilitate traffic regulation, to preserve the historic and resort nature of Park City, to safeguard and enhance property values, and to supplement existing zoning regulations; and
4. The Planning Staff has considered standards in other resort communities and input from the Planning Commission and business community in recommending these changes to the Sign Code;

CONCLUSIONS OF LAW:

1. The proposed ordinance is consistent with the Park City Land Management Code, the General Plan and State and Federal requirements.

EXHIBITS:

Exhibit A - Proposed Amendments to the Sign Code Ordinance

Ordinance No. 98-

AN ORDINANCE AMENDING AND REORGANIZING THE SIGN CODE, TITLE 12 OF THE MUNICIPAL CODE OF PARK CITY

WHEREAS, a uniform sign code has been adopted by the City Council of Park City, Utah to promote the health, safety and welfare of the residents of Park City; and

WHEREAS, it is in the best interest of the community to develop standards so that there is consistent criteria for review of sign applications and the community has clear notice of the Sign Code standards; and

WHEREAS, the City Council finds that the proposed changes to the Sign Code are necessary to prevent visual clutter, to aid tourists in easily identifying business locations, to facilitate traffic regulation, to preserve the historic and resort nature of Park City, to safeguard and enhance property values, and to supplement existing zoning regulations; and

WHEREAS, the Planning Staff has considered standards in other resort communities and input from the Planning Commission and business community in recommending these changes to the Sign Code;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah, that:

SECTION 1. AMENDMENT TO CHAPTER 7 OF THE LAND MANAGEMENT CODE. Title 12 of the Municipal Code of Park City is hereby amended to read as follows and table of contents adjusted accordingly:

TITLE 12 - SIGN CODE

CHAPTER 1 - PURPOSE AND SCOPE

12-1-1. PURPOSES AND SCOPE. The City Council of Park City, Utah finds and declares that by controlling and standardizing signage in the community, the regulations set forth in this Title will reduce potential hazards to motorists and pedestrians; encourage signs which, by their good design, are integrated with and harmonious to the buildings and sites which they occupy; encourage sign legibility through the elimination of excessive and confusing sign displays; prevent confusion of business signs with traffic regulations; preserve and improve the appearance of the city as an *place historic, mountain and resort community* in which to live and work; ~~create an unique environment to attract visitors; attraction to non-residents to come to visit or trade;~~ allow each individual business to clearly identify itself and the goods and services which it offers in a clear and distinctive manner; safeguard and enhance property values; protect public and private investment in buildings and open space; supplement and be a part of the zoning regulations imposed by Park City; and promote the public health, safety, and general welfare of the citizens of Park City.

12-1-2. INTERPRETATION. The Planning Commission, or Historic District Commission if the sign is in the Historic District, shall have the authority and duty to interpret the provisions of this Title at the request

of the Community Development Director or when a written appeal from a decision of the Community Development Department is filed with the Planning Commission or Historic District Commission for signs in the Historic District. In interpreting and applying the provisions of this Title, the sign requirements contained herein are declared to be the maximum allowable for the purpose set forth. The Community Development Department, *Historic District Commission* and/or the Planning Commission may determine *that* a smaller sign ~~would be~~ *is more* appropriate based on the size and scale of the structure(s), pedestrian traffic, *safety issues, orientation, and neighborhood compatibility* (~~See Section 12-4-1~~). The types of signs ~~allowable~~ by this Title shall be plenary and sign types not specifically ~~allowable~~ as set forth within this Title, shall be prohibited.

CHAPTER 2 - DEFINITIONS

12-2-1 DEFINITIONS. For purposes of this Title, the following abbreviations, terms, phrases, and words shall be defined as specified in this section:

(A) **ABANDONED SIGN.** Any sign applicable to a use which has been discontinued for a period of three (3) months.

(B) **ALTERATIONS.** Alterations as applied to a sign means change or rearrangement in the structural parts or its design, whether by extending on a side, by increasing in area or height, or in moving from one location or position to another.

(C) **AREA OF SIGN.** ~~The area of a sign shall include the entire area within any type of perimeter or border which may enclose the outer limits of any writing, representation, emblem, figure, or character. The area of the sign having no perimeter or border shall be computed by enclosing the entire area within a parallelogram, circle or triangle of the smallest size sufficient to cover the entire area of the sign and computing the area of the parallelogram, circle or triangle.~~

The area of a sign face shall be computed by measurement of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display. This shall include any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed. The area calculation shall not include structural supporting framework, bracing or wall when such wall meets zoning ordinance regulations and is clearly incidental to the display itself.

If individual letters are mounted directly on a wall or canopy, each message shall be considered a sign. The sign area shall be the area in square feet of the smallest rectangle which encloses the sign, message or logo.

(D) **BALCONY.** A platform that projects from the wall of a building and is surrounded by a railing or balustrade.

(E) **BANNER.** A strip of cloth, plastic, paper or other material on which letters or logos are ~~a sign is~~ painted or written, hung up or carried on a crossbar, staff, string or between two poles. ~~A banner is characterized as a free flowing sign. Banners shall include signs, posters and banners and their common definitions.~~

(F) **BILLBOARD OR OFF-PREMISE SIGN.** A permanent outdoor advertising sign ~~which that~~ advertises

goods, products, or services not necessarily sold on the premises on which said sign is located. ~~This includes umbrellas displaying verbiage other than the on-premise business name.~~

~~(G) BUILDING FACE OR WALL.~~ All window and wall area of a building on one plane or elevation.

~~(H) CANOPY.~~ A roofed structure constructed of fabric or other material placed so as to extend outward from a building providing a protective shield for doors, windows, and other openings, supported by the building and supports extended to the ground directly under the canopy or cantilevered from the building.

~~(J) COMMUNITY OR CIVIC EVENT.~~ A public event ~~which that~~ is of interest to the community as a whole rather than the promotion of any product, political candidate, religious leader or commercial goods or services.

DISPLAY BOX. *A freestanding or wall sign enclosed in glass for the express purpose of displaying menus, current entertainment or other like items.*

~~(M) FLAG.~~ A piece of cloth, plastic, paper or similar material, usually rectangular or triangular, attached by one edge to a staff, pole or rope as a distinctive symbol of a country, government, organization or other entity or cause. ~~All flags which contain the name or logo of an establishment, advertising copy or other miscellaneous messages shall be considered signs for purposes of this chapter.~~

~~(O) HEIGHT OF SIGN.~~ The height of a sign is the vertical distance measured from natural grade or approved final grade ~~(which ever yields gives the visibility of the lower Sign)~~ the ground plane to the top of the Sign, including the air space between the ground and the sign. *Only when the topography is altered to adjust the ground height to the level of the public right-of-way, shall the sign be measured from final grade.*

~~(Q) LOW PROFILE SIGN.~~ On-premise identification sign having a maximum height of eight (8) feet which is incorporated into a landscape planter.

MASTER SIGNAGE PLAN. A plan designed to show the relationship of signs for any cluster of buildings or any single building housing a number of users or in any arrangement of buildings or shops which constitute a visual entity as a whole.

~~(R) MONUMENT SIGN.~~ A free-standing Sign with an enclosed base meant to serve as a major identification Sign.

~~(S) NAME PLATE.~~ Signs identifying the name, occupation, and/or professions of the occupants of the premises.

~~(T) NATURAL GRADE.~~ The elevation of the existing surface of the land prior to commencement of construction of any improvements proposed or any previous site disturbance.

~~(U) NON-CONFORMING SIGN (LEGAL).~~ Any advertising structure or sign which was lawfully erected and maintained prior to such time as it came within the purview of this Code and any amendments thereto, and which fails to conform to all applicable regulations and restrictions of this Code.

OFF-PREMISE SIGN. *The purpose is Any Sign located off the premises, which that is used to advertise,*

identify and/or direct attention to a professional business, service, activity, product, campaign or attraction which is carried on, sold, offered or manufactured off the premises.

~~(V)~~ **ON-PREMISE OR BUSINESS IDENTIFICATION SIGN.** A sign which ~~that~~ directs attention to a business, commodity, service, industry or other activity which is sold, offered, or conducted on the premises upon which the sign is located, or to which it is affixed.

PREMISE. *Land and the buildings upon it.*

~~(Y)~~ **PUBLIC PROPERTY.** Any property owned by a governmental entity.

~~(Z)~~ **SIGN.** Sign shall mean and include every advertising message, announcement, declaration, demonstration, display, illustration, insignia, surface or space erected or maintained in view of the observer thereof primarily for identification, advertisement, or promotion of the interest of any person, entity, product, or service, and visible from outdoors. The definition of a sign shall also include the sign structure, supports, lighting system, and any attachments, flags, ornaments or other features used to draw the attention of observers.

SIGN, AWNING. *Any sign painted on or attached to an awning.*

SIGN, CABINET. *A frame covered by translucent material. The entire structure is one unit and the copy is not intended to include the individual letters.*

SIGN, CAMPAIGN. *A temporary sign on or off-premises, announcing, promoting, or drawing attention to any candidate(s) seeking public political office in a forthcoming election; or signs announcing political issues, for or against.*

SIGN, CANOPY. *Any sign painted or attached to a canopy.*

SIGN, CHANGEABLE COPY. ~~A sign which is characterized by changeable copy, whether said Sign is free-standing or wall Sign, or whether said Sign projects from and is supported by a building. The graphical content of a sign, which that can be changed or altered through mechanical or electrical means. A sign that is characterized by graphical content that can be changed or altered through mechanical or electrical means.~~

SIGN, CONSTRUCTION. *A temporary sign placed on the site identifying a new development, the contractor, builder and/or financial institution and may include a plat map, Project Marketing Sign and real estate information.*

SIGN, DIRECTIONAL (GUIDE SIGN). Signs which serve as directional guides to recognized areas of regional importance and patronage. To clarify and define such areas of regional importance and patronage, ~~five (5) three (3) four (4)~~ types of areas are intended to be included:

- (1) Recreational and entertainment centers of recognized regional significance.
- (2) Major sports stadiums, entertainment centers or convention centers having a seating capacity in excess of ~~3,000~~ 1,000 persons.
- (3) Historical landmarks, churches, schools, community centers, hospitals and parks.

- (4) Public safety, municipal directional, parking and essential services.
- (5) ~~Temporary special events & festivals.~~

SIGN, DIRECTORY. *An identification sign, internally located on site the premise to direct traffic, which that contains the name of a building, complex or center and name and address of two (2) or more businesses being part of the same sign structure or interior to the building which can be seen from the outdoors.*

SIGN, ELECTRONIC. *A window, wall or other sign which that changes copy electronically.*

SIGN, FREE-STANDING (MONUMENT). *A sign which that is supported by one or more uprights or braces which are fastened to, or embedded in the ground or a foundation in the ground and not attached to any building or wall. Free-standing Signs refer to on-premise advertising or project identification Signs for the purpose of this Code.*

SIGN, HANGING. *A sign attached underneath a canopy, awning or colonnade.*

SIGN, HOURS OF OPERATION. *A sign which that displays the hours of during which the building's tenant serves the public operation, this includesing "open" and "closed" signs.*

SIGN, MASTER IDENTIFICATION. *A sign which identifies only the name and/or logo and/or address of a commercial, or industrial, or condominium complex the owner and tenants thereof.*

SIGN, INTERNALLY ILLUMINATED. *Internally Illuminated Signs include any sign face which is lit or outlined by a light source located within the sign.*

SIGN, LUMINOUS TUBE (NEON). *Any sign which has characters, letters, figures, designs or outline which is illuminated by gas filled luminous tubes, such as neon, argon or florescent.*

SIGN, POLE. *An on-premise freestanding sign that is supported by one or more upright of not greater than twelve (12) inch diameter and are not attached or braced by any other structure.*

SIGN, PORTABLE. *Any sign that can be moved from place to place, which is not permanently affixed to the ground or building, and is for the purpose of display only.*

SIGN, PROJECTING. *A sign attached to a building or other structure, perpendicular to the street and extending in whole or in part more than six (6) inches beyond any wall of the building or structure.*

SIGN, PUBLIC NECESSITY. *A sign which that informs the public of any danger or hazard existing on or adjacent to the premises.*

SIGN, REAL ESTATE. *A temporary sign advertising the sale, rental or lease of the premises or part of the premises on which the sign is displayed.*

SIGN, ROOF. *A sign erected or painted upon or above the roof or parapet of a building.*

SIGN, SOLICITATION. *Sign used to advise solicitors that they are not welcome on the property.*

SIGN, SPECIAL PURPOSE. *Sign of a temporary nature other than those established by a business; for the*

purpose of advertising a special event pertaining to drives or events of a civic, philanthropic, educational, or religious organization.

SIGN, SPECIAL SALE. Temporary signs used to advertise a special sale on the premises.

SIGN, SUBDIVISION OR PROJECT ENTRANCE. An identification sign located at the entrance to a residential *subdivision* or commercial development.

SIGN, TEMPORARY. A sign which is intended for use during a specified limited time. Temporary signs, as defined by this Code, shall include Real Estate Signs, *Yard Sign, and Campaign Sign and construction Project Identification Signs.*

SIGN, UMBRELLA. A sign installed upon an umbrella that includes letters and symbols ~~which~~ that displays the name of the on-premise and/or off-premise business.

SIGN, VEHICLE. Any sign, logo or advertisement placed, painted, attached, or displayed on a vehicle advertising a company, store or service for a non-profit or for-profit business.

SIGN, WALL. A sign with messages or copy erected parallel to and attached to or painted on the outside wall of a building ~~and extending not more than six (6) inches from the wall.~~

SIGN, WINDOW. A sign installed upon or within ~~one five feet twenty three (3) feet~~ from the window, visible from the street and exceeds two (2) square feet in area, for the purpose of viewing from outside of the premises. This term does not include merchandise displays.

SIGN, YARD. A temporary sign that announces a garage sale, open house or similar event on a property.

~~(HH)~~ **THEATER MARQUEE.** A permanent structure with changeable copy letters, ~~which~~ that is used to advertise theater events.

~~(H)~~ **UMBRELLA.** A collapsible shade for protection against weather consisting of metal or fabric stretched over hinged ribs radiating from a central pole, ~~or any structure meeting the common definition of umbrella, that has letters and symbols which display the name of the on-premise business.~~

~~(KK)~~ **WALL MURAL.** ~~Murals which~~ A work of art, such as a painting applied directly to a wall that is purely decorative in nature and content, and do not include advertising by picture or verbal message ~~are exempt from sign regulation.~~

~~(MM)~~ **ZONE DISTRICT.** Refers to land use regulatory zones under the zoning ordinances of Park City.

CHAPTER 3 - PERMITS

12-3-1 PERMITS REQUIRED. No person shall erect, alter, or relocate any permanent or temporary sign within Park City without first *submitting a sign application and receiving approval of the* obtaining a Sign Permit ~~and a Building Permit~~ from the City, unless the sign is exempt under this code. Any person who hangs, posts, or installs a sign ~~which~~ that requires a permit under this code and who fails to obtain an *approved* permit before installing the sign, shall be guilty of a Class C misdemeanor and shall be fined accordingly.

12-3-2 PRE-APPLICATION CONFERENCE. A pre-application conference with the Community

Development Department is encouraged in order for the applicant to become acquainted with application procedures, design standards, and related city ordinances. Completed Sign Permit Applications are to be submitted to the *Planning* Department. The staff may assist in the preparation of the application, and shall provide information to applicants on the regulations created by this Code. ~~(See Sign Application brochure - handout available at the Planning Department)~~

12-3-3 APPLICATIONS REQUIREMENTS. ~~A complete application~~ *Applications for Sign Permits for permanent signs* must include the following:

- (A) **Building Elevations/Site Plan.** ~~A site plan building elevation~~ drawn to scale which specifies the location of the sign structure, ~~or drawings or photographs which show the scale of the sign in context with the scale of the building if the sign is to be mounted on the building.~~ *If the proposed sign is free-standing, Staff will require the applicant to submit a site plan specifying the sign location on the parcel with its relation to adjacent streets and buildings.*
- (B) **Scaled Installation and Design Drawing.** Colored rendering or scaled drawing including dimensions of all sign faces, descriptions of materials to be used, manner of construction and method of attachment, and color samples.
- (C) **Master Sign Plan.** ~~A complete signage plan, also referred to as a Master Sign Plan shall be submitted to the Planning Department for any commercial building which that houses more than one use. The Master Sign Plan must be designed so that it establishes a common theme or design, uses similar construction methods, has compatible colors, lettering style, symbols, scale, and size of signs and/or identical background. This must be submitted, by the owner, prior to issuance of a permit for any one sign on the building. (See Section 12-5-3 for further information). If a Master Sign Plan has been established for the building, verification of compliance with said plan shall be submitted with the sign application.~~
- (D) **Lighting.** *Any exterior lighting proposed for signs shall be included in the sign application. Plans submitted shall indicate the location on the premises, and the type of illumination devices, fixtures, lamps, supports, reflectors, installation and electrical detail. All lighting shall comply with the standards as specified in the Land Management Code Section ?. A Sign permit application on the form provided by the Community Development Department.*
- (E) **Application Forms.** *Submit a completed Planning Department Sign Permit Application and Building Permit Application on a form provided by to the Community Development Department. Both applications are available at the Planning Department.*
- (F) **Fees.** *Payment of the appropriate fees to the Park City Municipal Corporation.*

12-3-4 PERMIT FEES. Sign Permit Applications shall be reviewed according to a fee schedule established by resolution. See Fee Schedule at the Planning Department.

12-3-5 REVIEW PROCEDURES. Complete Sign Permit Applications will be reviewed by the ~~Planning Staff and Building Official, and are subject to the review of the~~ Community Development Department Director, ~~within ten (10) thirty (30) calendar days of upon receipt of the a complete application and application fee.~~ The application will be either approved, denied or returned with requested modifications. Both the Planning and Building Departments must approve the application before a permit can be issued.

Either department may return the application for modifications or clarification. ~~If a permit application has not been processed within ten (10) working days, and written reasons given for the denial of the permit issued within that time, the application is deemed approved.~~

The Building Department shall inspect, as it deems necessary, Sign Applications regulated by this Code to ascertain whether the signs have been adequately installed and adequately maintained to minimize risks to the public.

The application for a permit for erection of a sign or other advertising structure in which electrical wiring and connections are to be used shall be submitted to the ~~electrical inspector~~ Building Department. The ~~electrical inspector~~ Building Department shall examine the plans and specifications with respect to all wiring and connections to determine if they comply with the electrical code of the City, and shall be approved if the plans and specifications comply with the code or denied if non-compliance with the Uniform Building Code is found.

~~12-3-7. MASTER PLANNED DEVELOPMENTS.~~ Master Planned Development (MPD) projects with buildings which house more than one use or tenant shall have their Master Sign Plan reviewed as part of the MPD review process and for no additional fee.

~~CHAPTER 4 - SIGN STANDARDS DESIGN STANDARDS.~~ [Note: "Sign Types" was moved to Chapter 5.]

All Signs must comply with the following design standards:

12-4-1 TOTAL SIGN AREA SIZE REQUIREMENTS. *The sign area, per building facade, may not exceed 5% of the building face to which the sign applies, or ~~45~~ 36 square feet per building face or 36 square feet per building face if used in conjunction with a free-standing sign, regardless of the number of businesses occupying the building, whichever is smaller. If additional sign area is necessary, the ~~Planning Commission~~ Community Development Director may grant additional sign area, but in no case may the total sign area exceed 5% of the building face to which the sign is attached applies. To grant additional sign area on applications, the ~~Planning Commission~~ Community Development Director must make findings based on the following criteria:*

- (A) **Location.** Signs should be designed to fit within and emphasize architectural elements of the building's facade.
- (B) **Compatibility.** Signs should establish a visual continuity with adjacent building facades and should be oriented to emphasize pedestrian visibility.
- (C) **Multiple Tenant Buildings.** *The building must have more than one tenant in more than one space.*
- (D) **Street Frontage.** *The building must have more than fifty (50) feet of street frontage.*

~~the total area of all permanent signs on one building face, including window signs, wall signs, projecting signs, and hanging signs, shall not exceed 45 square feet per building face or 36 square feet per building face if used in conjunction with a free-standing sign, regardless of the number of businesses occupying the building. If additional sign area is necessary, the Planning Commission may grant additional sign area, but in no case may the total sign area exceed 5% of the building face to which the sign is attached applies.~~

The total maximum area of all permanent signs on one building face, including ~~all on-premise signs~~ Window Signs, Wall Signs, projecting Signs, and hanging Signs shall not exceed 45 square feet per building face or

36 square feet per building face if used in conjunction with a free standing sign, regardless of the number of business occupying the building shall be calculated by the following formula:

Additionally, the maximum area of all permanent Signs shall not exceed twenty (20) square feet per building face, or ten (10) square feet if used in conjunction with a free-standing or monument Sign. (Please see Section 12-5-1(a) for Free-Standing and Monument Signs). If additional signage is necessary, In the case of *a multi-tenant, mixed-use, or retail buildings*, the Planning Commission Department may grant additional signage *area on a for a building face* with more than fifty (50) feet of linear frontage, but in no case may the total signage area exceed 5% of the building face to which the sign is attached. (See Section 12-5-1(f) for specific size requirements for awning Signs, Section 12-5-1(a) for free-standing and monument Signs, Section 12-5-1(a) for temporary Signs, Section 12-5-3(a) for project construction Signs, and Section 12-5-4(a) for portable yard Signs.) Additional signage may be permitted subject to all requirements of this code. and including the following criteria:

- (A) ~~Location~~. The signs shall fit within and emphasize architectural elements of the building's facade.
- (B) ~~Compatibility~~. The signs shall establish a visual continuity with adjacent building facades.
- (C) ~~Scale~~. The signs shall be oriented toward pedestrians or vehicles in close proximity.

12-4-2 AREA OF INDIVIDUAL SIGNS. The area of a sign shall include the entire area within any type of perimeter or border ~~which that~~ may enclose the outer limits of any writing, representation, emblem, figure, or character *exclusive of the supporting framework*. ~~The area of the sign having no perimeter or border shall be computed by enclosing the entire area within a parallelogram, circle, or triangle of the smallest size sufficient to cover the entire area of the sign and computing the area of that parallelogram, circle, or triangle.~~

~~The area of the second side of a two-sided sign, i.e. hanging, projecting and free-standing signs, shall not be included when calculating signage area unless the sides diverge more than 30 degrees. Where a sign has more than two (2) faces, the total area of the third face and all additional faces shall be included in determining the area of the sign. All existing signs, whether conforming or non-conforming signs shall be counted in establishing the permitted area of size of all new signs to be allowed on the property.~~

When the sign faces of a backed sign, i.e. projecting, hanging, or free-standing signs, are parallel or within thirty (30) degrees of parallel, only one sign face is counted into the total sign area. If the sign faces are not parallel or within thirty (30) degrees of parallel, each sign face is counted into the total sign area.

12-4-3 INDIVIDUAL LETTER HEIGHT. Signs shall be limited to a maximum letter height of one (1) foot. The Community Development Department may grant an exception to the letter height, allowing a *total up to a height of eighteen (18) inches*, when such extended height would be compatible with the letter's font, the buildings architecture, and the placement of the sign upon the building.

For buildings located along the Frontage Protection Zone, a letter height exception may be granted by the Community Development Director when such building is greater than one-hundred and fifty (150) feet from the right-of-way of which the building has vehicular access. The maximum letter height in these cases shall be no greater than thirty (30) inches.

12-4-4 LOCATION ON BUILDING. Signs shall be designed so that it is their locations are

confined to the building surface below the finished floor of the second floor or twenty (20) feet above adjacent natural grade whichever is lower. For buildings with ~~sign bands approved or existing~~ significant architectural features ~~that may conflict with sign locations~~, the Community Development Director may grant exceptions to the second floor level signage restriction. Signage located above the finished floor elevation of the second floor shall be restricted to *the Building Identifications Sign, Windows Signs and a Directory Sign, properly located adjacent to an entrance.* Architectural details of a building often suggest a location, size, or shape for a sign.

Signage should compliment the architectural details of the building. Signs should help to establish a visual continuity with adjacent store fronts and relate directly to the store entrance. Signs must be oriented toward pedestrians or vehicles in close proximity; signs oriented for distance viewing will not be permitted. Signs shall be designed and located on the building or on the premises in a manner that is compatible with the mass and scale of the building to which the sign applies. Signs must not obscure architectural details of the building; nor cover doors, windows, or other integral elements of the facade. Signs shall not obstruct views of nearby intersections and driveways.

12-4-5 SETBACK REQUIREMENTS. Permanent signs shall not be placed in the setback area as defined for the zone in which the sign is located. However, in the General Commercial Zone, signs may be set back ten (10) feet from the property line with the exception of those in the Frontage Protection Zone. The Community Development Department Director may decrease the setback if it is determined that the public will be better served with a sign located otherwise, due to site specific conditions such as steep terrain, integration of signage on retaining walls, heavy vegetation, or existing structures on the site or adjoining properties. (See Section 12-7-2(b) for specific setback requirements for temporary Signs and Section 12-7-3(b) for setback requirements for temporary construction project Signs).

12-4-6 PROJECTION AND CLEARANCE. No sign may project more than 36 (thirty-six) inches from the face of a building or pole. Projecting and Hanging Signs must maintain at least 8 (eight) feet of clearance from ground level. ~~Clearance for signs projecting or hanging over landscaped areas may be reduced to 7 (seven) feet if the sign is set back at least three (3) feet from any hard surface or pavement.~~ Signs may not extend over the applicant's property line except those ~~which that~~ are proposed to be placed over the Main Street sidewalk. Signs may extend over City property only after review by the City Engineer and with the written approval of the Community Development Director and ~~a certificate of insurance an encroachment agreement acceptable to the City Attorney.~~

12-4-7 MASTER SIGNAGE PLANS. Buildings or clusters of buildings, *within a project*, having more than one tenant or use, **shall provide a Master Signage Plan** for the entire structure or project *prior to any sign permit approval by the Planning Department.* The signage plan must be designed so that it establishes a common theme or design, uses similar construction methods, has compatible colors, ~~lettering, lettering style, symbols,~~ scale and size of signs and/or identical background. *All regulations as stated herein shall apply.*

Master Signage Plans for office buildings must have their primary focus on the identification of the building, and individual tenants may be identified by using small lettering on a window or door or directories. Total signage area within the plan is subject to the maximum size limitations of this Title. Signage area cannot be transferred to a single building or facade from other buildings in the project.

For multi-tenant retail and mixed-use buildings, ~~which that~~ contain any combination of uses including

residential, office, service or retail uses, sign plans shall be designed so that ~~wall signage is~~ **are** confined to the building surface below the finished floor elevation of the second floor or twenty (20) feet above adjacent ~~natural finished~~ grade whichever is lower. Signs ~~below the finished floor elevation of the second floor~~ may be located on flat wall areas, within windows or on sign bands above windows. For buildings with pre-existing sign bands or architectural features, the Community Development Director may grant exceptions to the second floor level signage restriction (~~See Section 12-6-1~~).

Master Sign Plans shall include the location and fixture type of all exterior lighting of the proposed signs. The lighting plan shall specify wattage and bulb type to ensure compatibility with the lighting standards as stated in this *Title and other applicable City Codes Chapter*. Lighting fixtures shall be similar in style and should direct all light onto the sign surface. Spot lights and flood lights shall be prohibited.

12-4-48 SIGN MATERIALS. Exposed surfaces of signs may be constructed of metal, glass, stone, concrete, high density foam board, brick, solid wood, or cloth. Other materials may be used in the following applications:

- (A) **Face.** The face or background of a sign may be constructed of exterior grade manufactured composite board if the face of the sign is painted and the edges of the sign are framed and sealed with silicone. Plywood is prohibited except on temporary signs where painted plywood may be used.
- (B) **Letters.** Synthetic or manufactured materials may be used for individual cut-out or cast letters in particular applications where the synthetic or manufactured nature of the material would not be obvious due to its location on the building and/or its finish. Ivory colored plastic may be used for internally illuminated letters (~~See Section 12-5-6(b)~~). Other materials may be approved by the Planning Commission at its discretion, but are otherwise prohibited. The sign materials should be compatible with the face of the building and should be colorfast and resistant to corrosion.

12-4-59 COLOR. Signs must be finished in subdued earthtone colors. Earthtones may be defined in this context to include the full spectrum of soil, clay *and metallic* colors. Spectrums of off-whites to deep browns, and light grays to black provide a wide range of acceptable colors. Brighter colors may be used provided they are imbued with brown or black tones. For example: pink imbued with brown would tend toward mauve and would be acceptable. Bright reds imbued with brown or black tones give a deeper burgundy or maroon color and may also be acceptable. Colors should compliment the color scheme of the building. A matte or flat finish is required for all painted surfaces. In no case will "day-glo", fluorescent, reflective colored materials that give the appearance of changing color or brilliant luminescent colors be permitted.

12-4-10 ILLUMINATION.

The purpose of regulating sign illumination is to prevent light trespass and provide clear illumination of signs without causing potential hazards to pedestrians and vehicles.

- (A) **Externally Illuminated Signs.**
 - (1) *Fixtures. Lighting fixtures shall be simple in form and should not clutter the building. The fixtures should be partially or fully shielded as to contain the light rays to the sign.*
 - (2) *Light Source. Only certain light sources are allowed when lighting signs. The following table describes the type of light sources permitted and the maximum wattage they are permitted. Colored lights are prohibited. See section 12-4-10C for seasonal lighting.*

Type of Source (Bulb Type)	Maximum Wattage Allowed
High Pressure Sodium	55
Fluorescent	75

(B) **Internally Illuminated Signs.**

(1) Letters. Internally Illuminated Signs include any sign face which is lit or outlined by a light source located within the sign.

(a) Individual pan-channel letters with a plastic face or individual cut-out letters (i.e. letters routed out of the face of an opaque cabinet sign) are permitted. The cut-out letters shall consist of a single line with a maximum stroke width of 1 1/2 inches. Variations in stroke width may be reviewed and approved by the Community Development Department. The plastic face or backing of the letters must be ivory colored.

(b) Reversed pan-channel letters with an internal light source reflecting off of the building face may also be used for "halo" or "silhouette" lighting. Internally illuminated pan-channel letters are not permitted on Free-standing Signs.

(2) Light Source. The light source for internally illuminated signs must be white.

(3) Wattage. Wattage for internally illuminated signs shall be specified on the sign application. In the case of multi-tenant buildings, the Planning Department will regulate the voltage and type of light to keep the signs consistent.

(4) Zoning Restrictions. Individual pan-channel letters and individual reversed pan-channel letters are prohibited within the Historic District. Signs which incorporate "halo" or "silhouette" lighting behind one sign face with the letters cut out of metal or wood sign material are allowed within the Historic District.

(C) **Seasonal.** Seasonal restrictions apply to all zones except all residential uses within the HR-1, HR-2, HRL, SF, RM, R-1, RDM, and RD Districts. Strings of lights that outline buildings, building architectural features and surrounding trees, shall be allowed from the 1st of November through the 15th of April only. These lights shall not flash, blink or simulate motion.

(D) **Prohibited Lighting** Lights which flash or move in any manner are prohibited.

(See Section 12-12-2 for further information regarding the inspection of electrical Signs.)

12-4-711 SIGN CONTENT. Signs shall be limited in content to material that is intended to be permanent (with the exception of theater or gallery marquees). It is the City's intent to facilitate traffic flow and avoid traffic hazards caused by confusing or cluttered signage. Because individuals tourists, who may be looking for a specific business often depend on sign text that assimilates business names as listed in telephone directories or other promotional advertisements, the name of the business, nature of the goods or services offered, and street address may be contained in the sign except that a Free-standing Sign may only identify the name of the building, project or one primary businesses. Statements of prices for specific items, listing of items beyond a general category of merchandise, telephone numbers, or similar information directed at the merchandise sold or service provided, rather than the identification of the business are prohibited. The use of logotypes or other symbols is appropriate in addition to the name of the business, as long as the materials and colors used are in compliance with the regulations set forth in this Title. Applications for signs which that contain misleading content or false information shall be denied.

In each instance, and under the same conditions to which this code permits any sign, a sign containing an

ideological, political, or other ~~non-commercial~~ similar message and constructed to the same physical dimensions and character shall *not* be permitted.

CHAPTER 5 - UNSAFE AND UNLAWFUL SIGNS

12-510-1 ABATEMENT OR REMOVAL OF UNSAFE, DANGEROUS NON-MAINTAINED OR ABANDONED SIGNS. If, upon inspection, the Building Official determines a sign or awning permitted by the Park City Sign Code to be unsafe, unmaintained, or abandoned, the Building Official may issue a written order to the owner of the sign and occupant of the premises stating the nature of the violation and requiring them to repair or remove the sign within five (5) working days after receipt of notice from the City. In cases of emergency, the Building Official may cause the immediate removal of a dangerous or defective sign. Signs removed in this manner must present a imminent hazard to the public safety.

12-510-2 ABATEMENT AND REMOVAL OF ILLEGAL SIGNS VIOLATIONS OF SIGN CODE. Any person who hangs, posts, or installs a sign ~~which~~ *that* requires a permit under this Code, and who fails to obtain a permit before installing the Sign, shall be guilty of a Class C misdemeanor and be fined accordingly.

CHAPTER 6 - NONCONFORMING SIGNS

12-106-1 REMOVAL OF CONFORMANCE CRITERIA FOR NON-CONFORMING SIGNS. All signs, except billboards, (see below), *shall conform or be removed as follows upon the happening of any of the events described below or where any of the following conditions apply; the sign or signs shall be brought into compliance within which are not in conformance with this Title shall be removed by the owner or user of the sign within two (2) years from the date of this section, and a new permit shall be secured therefore, or shall be removed. on which the Department gives notice to the owner that the sign is non-conforming, unless another date is agreed to pursuant to subsection (B) below. In any event, the non-conforming sign shall not be transferred to a new tenant or occupant of the premises on which the sign is erected, but shall be removed at the termination of the tenancy to which it applies.*

- A) *When a non-conforming sign is destroyed or damaged to an extent in excess of fifty (50) percent of the sign value.*
- B) *The sign is relocated in any manner.*
- C) *If the sign is altered structurally, or if more that fifty (50) percent of the copy as measured by the sign area is altered, except for changeable copy signs and maintenance.*
- D) ~~*If the business or service for which the non-conforming sign(s) was installed is expanded or modified. All improvements to a single business or use within any twelve (12) month period shall be treated cumulatively in the administration of this subsection.*~~

12-106-2 ALTERATION OF NON-CONFORMING SIGNS. Non-conforming signs may be maintained and repaired in accordance with Section 12-12-1 of this Title, provided that the alterations and repairs are for the purpose of maintaining the sign in its original condition. Alterations to a non-conforming Sign ~~which~~ *that* change the size, use, content, color, lighting, or appearance of a non-conforming sign are *considered structural alterations* and shall be brought into subject to design review and approval by the Community Development Department. ~~To be considered, substantial modifications must be proposed which~~

~~that bring the sign closer to full compliance with the standards of this Code, but in no case shall a non-conforming sign be conveyed to a new tenant, and the amortization period of the sign shall not be extended. Alterations of a substantial nature which bring the sign closer to full compliance with size, location, or height standards may be made, and if those modifications are substantial, the Director may start a new five (5) year amortization period from the date of the substantial modification. To be considered substantial, the modification must have brought the sign into conformance with the lighting, color, and materials standards in addition to making a major modification to height, size, or location.~~

12-106-3 REPAIR OF DAMAGED NON-CONFORMING SIGNS. No sign ~~which that~~ is not in conformance with this Code shall be repaired or restored after having been damaged to the extent of more than fifty percent (50%) of its value immediately prior to the event causing the damage or destruction. The owner of the sign or owner of the property shall have the obligation to properly remove the sign.

12-106-4 NON-CONFORMING BILLBOARDS. A non-conforming billboard may be terminated by acquiring the billboard and associated property rights through:

- (i) gift;
- (ii) purchase;
- (iii) agreement;
- (iv) exchange; or
- (V) eminent domain.

A legislative body may also remove a billboard without providing compensation if, after providing the owner with reasonable notice of proceedings and an opportunity for a hearing, the legislative body finds that:

- (A) the applicant for a permit intentionally made a false or misleading statement in his application;
- (B) the billboard is unsafe;
- (C) the billboard is in an unreasonable state of repair; or
- (D) the billboard has been abandoned for at least 12 months.

~~(B)~~ **12-6-5 AMORTIZATION period.** Upon receipt of notice, the owner of any non-conforming sign may enter into an agreement with the City to bring the sign into compliance, or to remove the sign, after a reasonable period of amortization which shall not, in any event, exceed five (5) years. In the absence of such an agreement, the owner of the sign is deemed to have consented to the two year amortization period. Signs which have been in place for more than three (3) years prior to the adoption of this Code, and were non-conforming under the previous ordinance, shall not be eligible for an amortization period of more than two (2) years. Signs which have been in place for less than three (3) years prior to the effective date of this Code will be given a two (2) year amortization period, unless the owner can establish a necessity for a longer period, such as a lease agreement on the sign itself, recent improvements of substantial cost, or similar investment or commitment that makes an amortization period of longer than two (2) years necessary to avoid an economic loss. In no event will the amortization period exceed five (5) years from the date of notice that a sign is non-conforming.

12-106-5 REMOVAL OF SIGNS BY THE BUILDING OFFICIAL AND COST ACCESSED AGAINST OWNERS. The Building Official may cause the removal of an illegal sign in cases of emergency, or for failure to comply with the written orders of removal or repair under the

procedures and authority of ~~Ordinance No. 85-9~~ the Municipal Code of Park City Section 6-1-5, as amended.

~~(A) **12-6-6 NOTICE.** Notice of the non-conforming status of signs shall be given by the Department in writing. The notification shall state the location of the sign, and the modifications needed to bring it into conformance, or that the sign must be removed entirely if it cannot be made to conform. Notices may be sent by regular United States mail and notice is deemed complete upon mailing. Notices may be sent by certified or registered mail, but that is not required.~~

CHAPTER 7 - PROHIBITED SIGNS

12-7-1 OFF-PREMISE SIGNS. *A permanent outdoor sign which advertises goods, products, or services not sold on the premises on which the sign is located, is prohibited.*

12- 97-12 PROHIBITED SIGNS. No person shall erect, alter, maintain, or relocate any sign as specified in this Chapter in any zone:

~~**A-frame Signs.** Any portable 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.~~

- (A) **Animated Signs.** A rotating or revolving sign, or signs where all or a portion of the signs moves in some manner.
- (B) **Bench Signs.** Any outdoor bench or furniture with ~~commercial any~~ signage.
- (C) **Electronic Message Signs.** A permanent free-standing roof, wall, or other Sign which changes copy electronically using switches and electric lamps. Automatic changing signs, such as ~~public service~~ announcements, time, temperature and date signage are prohibited. ~~Municipal governmental~~ public safety, ~~and~~ municipal directional ~~and informational~~ signs are exempt.
- (D) **Flashing Signs or Lights.** Any sign ~~which that~~ contains an intermittent or flashing light source, or which includes the illusion of intermittent or flashing light by means of animation, or an externally mounted intermittent light source. Flashing light sources are prohibited.
- (E) **Home Occupation Signs.** Business Identification Sign for a home occupation.

~~**Illuminated awnings.** Illuminated (back-lit), Translucent, awnings are not considered appropriate in Park City and are prohibited.~~

- (F) **Inflatable Signs or Displays.** Any inflatable object used for signage or promotional purposes.

~~(H) **Subdivision Sign Residential Free-standing and Monument Signs.** Any sign which that serves to identify the name of a subdivision or single family residential project. Please refer to Section 12-7-4 for regulations on Subdivision Development Temporary Signage.~~

- (G) **Mobile or Portable Signs.** A sign not permanently attached to the ground or building, except for Public Necessity Signs and temporary signs as allowed by this Code
- (H) **Portable Signs.** *Any sign that can be moved from place to place, is not permanently affixed to the ground or building, and is for the purpose of display only is prohibited. Temporary Open House Signs for real estate are permitted but must comply with the regulations as stated in Section 12-10-2(D).*
- (I) **Roof Signs.** Any Signs erected partly or wholly on or over the roof of a building, including ground signs that rest on or overlap a roof. Signs mounted anywhere on a mansard roof are not allowed.
- (J) **Wind Signs.** Any propeller, whirling, or similar device ~~which~~ that is designed to flutter, rotate, or display other movement under the influence of the wind. This shall include "gasoline flags", or banners.
- ~~(M) **Vehicle Signs.** Roof or antenna mounted signs on automobiles, except for student driver signs. Vehicle Signs painted, vinyled or magnetically attached to the sides of vehicles or the vehicle's windows are allowed, as long as the vehicle is in use or parked in a bonafide parking space. Vehicle Signs may not be illuminated.~~
- (K) **Video Signs.** Animated visual messages ~~which~~ that are projected on a screen.

CHAPTER 8 - ~~CRITERIA FOR~~ NON-REGULATED SIGNS

12-8-1 SIGNS EXEMPT FROM PERMIT REQUIREMENT. The following signs are not subject to a permit requirement. ~~if the following standards are met.~~ They shall be regulated by the following size and placement standards and shall not be included when calculating permitted sign area for any parcel, use or development. Building permits may be required for the installation of these signs even though they are exempt from design review and regulation.

- (A) **Addressing Numbers.** Addressing numbers may be no higher than twelve (12) inches. When placed on commercial buildings, they may be taken into account in the review of the signage plan, and counted as signage area if part of the overall signage area for the building.

~~**Flags, symbols, or insignias.** The flag of the United States, the state of Utah flag, other flags or insignias of governmental entities or agencies and decorative flags may be displayed, and not counted as signage. However, these types of flags are subject to the same standards as found in Section 12-5-1(S).~~
- (B) **Campaign Signs.** *Campaign Signs are exempt from obtaining permits as long as the sign is in compliance with the regulations as stated in Section 12-10-2(B).*
- (C) **Historic Signs and Plaques.** *Locations and size may be reviewed by the Historic District Commission.*

- (D) **Hours of Operation Sign.** One "hours of operation" sign is allowed per entryway. Each sign may not exceed one square foot in area. The sign may not be illuminated.
- (E) **Interior Signs.** Non-illuminated signs ~~which that~~ are on the interior of buildings set back at least ~~three (3) feet five (5) feet set back~~ at least two (2) square feet in area from any window are not regulated at all. Illuminated interior signs setback at least ten feet are not regulated for design but a building permit is required ~~for electrical and installation details. All signs placed within the regulated area will be included within the total sign area calculation per building facade. Please refer to Section 12-9-2(O) for Window Sign requirements, and Section 12-9-2(I) for Luminous Tube Sign requirements.~~
- (F) **Nameplates (residential).** One nameplate sign for each single family residence, ~~which that~~ shall not exceed one square foot in area. If lighted, a building permit is required.
- (G) **Private Plazas.** Private pedestrian walkways may have signs on privately owned walls or plazas that are so located as to be oriented to the plaza and not to public streets are not regulated, however building permits shall be required for mounting and wiring. *Private Plazas as part of a Master Planned Development must have an approved Master Sign Plan. Private Plazas approved prior to March 19, 1998, do not need come into conformance with the Sign Code and Master Sign Plan requirements.*
- (H) **Private Recreational Facilities.** Signs located inside open air recreational facilities ~~which that~~ are not oriented to public streets, e. g. Directional Signs in ski resorts and golf courses are not regulated.
- (I) **Public Necessity Signs.** Public Necessity Signs such as bus stop, no parking and street name signs installed by or with permission of Park City Municipal Corporation are exempt from permit requirements. Approval of the Public Works Director ~~and Community Development Director~~ is required in order to insure safe placement and prevent unsightly or distracting sign placement.
- (J) **Real Estate Signs.** *Real Estate Signs are exempt from obtaining permits as long as the sign is in compliance with the regulations as stated in Section 12-10-2(D).*
- (K) **Solicitation Signs.** One "no solicitors" sign, not to exceed one square foot, is allowed per major entrance to any building or apartment complex.
- (L) **Special Events Fliers.** Fliers or posters advertising special events may be displayed on the inside of windows of businesses, provided all window signage does not exceed 30% of window area and the owner of the business approves of the placement. Such posters may be displayed for up to one week prior to an event, and must be removed within 48 hours after the event. Posters or fliers may not be tacked up to the exterior of any building or to telephone/utility poles or distributed by placement on parked automobiles or on door steps, etc.
- (M) **Special Sale Signs.** Merchants may advertise special sales with temporary paper signs on the inside of windows provided that all window signage does not cover more than ~~fifty percent (50%)~~ thirty percent (30%) of the window area. Special sale signs may be displayed two (2) weeks at a time, five (5) times a year. ~~Please see Section 12-7-2 for Temporary Signs.~~

- (N) **Trespassing Signs.** "No trespassing" signs may be posted on doors, windows or other property entrances, or on fence or property lines. They may not exceed one square foot in area, and may not be illuminated.
- (O) **Vacancy Signs.** Vacancy Signs are allowed only for those buildings ~~which that~~ are permitted and licensed for nightly rentals within the *HR-1, HR-2, HCB, HRC, GC and RC* zones. Vacancy Signs may be a maximum of two (2) square feet. If illuminated, approval from the Community Development Department and a building permit ~~is~~ are required. ~~Neon Luminous tube signs~~ are prohibited.
- (P) **Vehicle Signs.** Vehicle Signs ~~Painted, vinyl or magnetically attached to the sides of vehicles or the vehicle's windows are allowed, as long as the vehicle is in use or parked in a bonafide parking space.~~ Roof or antenna mounted signs on automobiles are prohibited, except for student driver signs.
- (Q) **Yard Signs.** Yard Signs are exempt from obtaining permits as long as the sign is in compliance with the regulations as stated in Section 12-10-2(G).

CHAPTER 9 - PERMITTED SIGN REGULATIONS

12-9-1 ON-PREMISE SIGNS. *On-Premise signs as used in this Title shall mean the primary purpose is to advertise, identify and/or direct attention to a profession, business service, activity, product, campaign, or attraction which that is carried out, sold, offered or manufactured in or upon the premise.*

12-59-12 TYPES OF SIGNS ALLOWED. *In addition to the following regulations, all signs must be in compliance with all other provisions of this Title. types of signs are allowed subject to Planning staff review based upon the regulations set forth in this code:*

(A) **Awning and Canopy Signs**

(1) **Size.** ~~Only A maximum of 20% of the canvas area on~~ any one face of an awning may be used for signage area regardless of the size of the building facade to which the sign applies ~~not to exceed that which would be allowed otherwise.~~

(2) **Height Limit.** Awnings must have a minimum clearance of eight (8) feet to the frame and seven (7) feet to the bottom of the valance.

(3) **Number of Signs.** Not applicable

(4) **Setback and Orientation.** Awnings must be located in a traditional manner above doors, windows, or walkways, provided said walkways lead to a bona fide entrance, if they are compatible with the architecture of the building, and follow relevant design guideline criteria. All other locations are prohibited. Free-standing Awning Signs are prohibited.

They Awnings may project a maximum of 36 inches from the face of the building except when used as entrance canopies, in which case awnings may extend to the setback lines. Awnings are permitted calculated as part of the total as signage area for the building. The design must provided they blend

with the architecture of the building and ~~do~~ *should* not obscure details of the building. Awnings should serve as an accent to the building's design but should not be the dominant architectural feature. Awnings are counted as signage area if they have lettering or other graphics conveying a commercial message or name of a business or product sold in the building to which the awning is attached.

(5) Zoning Restrictions. Awning Signs are permitted in all commercial zoning districts.

(6) Content. Sign content shall be limited to the tenant name or the nature of the goods or services provided.

(7) Design. *Awnings in the Historic District are encouraged to resemble the typical awning found during the mining area.* Only fire resistant canvas will be permitted. Material should be high quality, colorfast and sunfade resistant. Vinyl or plastic materials are not ~~considered permitted~~ in Park City. Awning colors are generally limited to a single field color with a single contrasting color for lettering and logos. However, if the awning is striped in a traditional manner, either with vertical stripes along the entire awning or horizontal stripes along the valance, two field colors may be used. Corporate colors may be used only if they are finished in subdued earthtone colors. ~~For a more complete description of the permitted colors please see Section 12-4-5 of this Code.~~

(8) Illumination. Illuminated (back-lit) translucent awnings or translucent letters on opaque backgrounds are prohibited. Canvas awnings illuminated in the traditional manner with high pressure sodium or florescent lighting are permitted.

(B) Changeable Copy Signs. Manual Changeable Copy signs are permitted, provided they comply with the following regulations. Electronic Changeable Copy Signs are prohibited.

(1) Size. All other size requirements set forth in this Code must be adhered to.

(2) Height Limit. Sign plans shall be designed so that the signage area is confined to the building surface below the finished floor elevation of the second floor or twenty (20) feet above adjacent natural grade, whichever is lower.

(3) Number of Signs. The maximum number of Changeable Copy signs for a commercial or non-profit business is one (1).

(4) Setback and Orientation. Changeable Copy Signs shall be placed so as to utilize existing architectural features of a building without obscuring them. The sign shall be orientated toward pedestrians or vehicles within close proximity.

(5) Zoning Restrictions. Changeable Copy Signs are allowed in all commercial zoning districts.

(6) Content. Changeable copy signs may only be used in conjunction with gas station pricing, theaters, entertainment, educational facilities, non-profit art galleries, or similar exhibit facilities.

(7) Design. The sign materials should be compatible with the face of the building and should be colorfast and resistant to erosion. *The individual letters shall be uniform in size and color. Letters*

shall be enclosed within a case with a transparent face. The individual letter shall not exceed eight (8) inches in height.

(8) Illumination. Illumination of Changeable Copy Signs shall be enclosed in the case, down directed toward the letters.

(C) ~~Directional or Guide Signs.~~

(1) Size. Directional or Guide Signs ~~which~~ that give direction to recognized areas of regional importance and patronage may be a maximum of sixteen (16) square feet.

(2) Height Limit. Directional or Guide Signs shall be no more than eight (8) feet in height when measured from natural grade.

(3) Number of Signs. The number of Directional or Guide Signs shall be determined appropriate by the Community Development Director ~~and/or the Public Works Director.~~

(4) Setback and Orientation. Setback and orientation shall be determined appropriate by the Community Development Director.

(5) Zoning Restrictions. Directional or Guide Signs are permitted in all Zoning Districts.

(6) Content. Directional or Guide Signs serve to identify recreational and entertainment centers of recognized regional significance, major sports stadiums, entertainment centers or convention centers having a seating capacity in excess of 3,000 persons, historical landmarks, public safety, municipal directional, parking and essential services.

(7) Design. Design shall be compatible with other Directional and Guide Sign in order to establish a consistent standard which citizens and visitors can recognize.

(8) Illumination. Illumination of Directional or Guide Signs ~~is prohibited.~~

(C) Directory Sign. Directory Signs shall be permitted to provide information for commercial multi-tenant projects, ~~either commercial or residential.~~

(1) Size. Wall mounted Directory Signs shall adhere to all other size requirements as set forth in this Code. ~~twenty (20) square feet~~ Free-standing Directory Signs may have a maximum of ~~thirty-six~~ ~~fifteen (15)~~ twenty (20) square feet of sign area to serve as a directory for the project. Each phase of an expandable condominium or other phased project shall be considered a part of the initial phase for signage purposes if the project is joined by a common conditional use permit, zoning approval or management structure such as a condominium homeowners' association.

(2) Height Limit. The height of the Directory Sign shall not exceed ~~six (6)~~ seven (7) feet, and shall be directed towards pedestrians.

(3) Number of Signs. The combined area of all Directory Signs on a project may not exceed twenty (20) square feet in area.

(4) Setback and Orientation. Signs shall be located in the common area of the project and oriented

toward a central pedestrian path, *entrance* or common parking area. *Free-standing* Directory Signs must maintain the setback requirements for the zone in which they are located.

(5) Zoning Restrictions. Directory Signs are allowed in all zoning districts, provided they are identifying multi-tenant projects, either commercial or residential.

(6) Content. The contents of *such commercial* Directory Signs shall be limited to the name of the multi-tenant structure, its street address, and the names and unit numbers of the tenants of the project. *Directory Signs in a residential complex shall identify the building and unit numbers.* Directory Signs may not be oriented for off-site viewing. No telephone numbers, rental information, or sales information shall be permitted on the Directory Sign.

(7) Design. Directory Signs shall be simple in form and shall be compatible with the architectural elements and materials of the multi-tenant project.

(8) Illumination. *Lighting of the Directory Sign is permitted. Lighting shall be down directed towards the text.*

(D) Display Boxes *Display boxes will be included in the total sign area for a building facade. Display boxes may contain an establishment's current menu, current entertainment information and merchandise.*

(1) Size. *The maximum size shall be six (6) square feet and shall be included in the calculation of the total building sign area.*

(2) Height Limit. *The height of a display box shall be oriented towards pedestrian viewers.*

(3) Number of Signs. *Not Applicable*

(4) Setback and Orientation. *Displays boxes shall be oriented towards pedestrian viewers. Wall mounted display boxes shall not extend from the building over public property.*

(5) Zoning Restrictions. *Display Boxes are allowed in all commercial zoning districts.*

(6) Content. *This Display Box may be used for changeable copy signs provided the sign remains inside the mounted display box. The display box shall also contain merchandise which is typical and representative of products for sale in the business premises and shall not be used to display wares of another business located elsewhere or merchandise not available in the store to which the display case applies.*

(7) Design. *The size and scale shall be appropriate to the surroundings and shall be designed and fabricated so as to be compatible with the surrounding architecture. Free-standing display boxes shall be designed and constructed to withstand wind and may be located only on private property. Display boxes must be constructed to coordinate with the building design, must contain a clear face which would protect the menu/event display from the weather and must not extend over public property.*

(8) **Illumination.** *Lighting of the display box is permitted within the display case. Lighting shall be down directed towards the items displayed.*

- (E) **Entrance/Exit Signs** *Entrance and exit signs are not included into the total sign area allowed for a structure. Entrance and exit signs are for the facilitation of traffic onto and off the site.*

(1) **Size.** Entrance/Exit Signs shall be limited to a maximum of three (3) square feet per side.

(2) **Height Limit.** Entrance/Exit Signs shall be no higher than five (5) feet above the ground at the top of the sign.

(3) **Number of Signs.** Two Entrance/Exit Signs are allowed at each approved driveway opening for commercial uses and multi-tenant dwellings.

(4) **Setback and Orientation.** Entrance/Exit Signs shall not be placed in the City right-of-way.

(5) **Zoning Restrictions.** Entrance/Exit Signs are permitted in all commercial and multi-family residential zoning districts.

(6) **Content.** The Content shall be limited to "Entrance" or "Exit".

(7) **Design.** Entrance/Exit Signs shall be simple in form and shall be compatible with the architectural elements of the commercial or multi-family project.

(8) **Illumination.** *Illumination of Entrance/Exit Sign is permitted, provided that the lighting complies with Section 12-4-10.*

- (F) **Flags.** *The regulations stated below regarding flags shall apply to all zones in the City except for Single Family zones..*

(1) **Size.** The maximum size of any one flag shall be 24 square feet *if visible from a public right-of-way. Flags used in conjunction with telecommunication facilities may request a larger flag size due to the increase allowable height of the flag poles used. The increase flag size requires approval by the Community Development Director.*

(2) **Height Limit.** Flag poles may not exceed the maximum height of the nearest building or 25 feet measured from natural or final grade, whichever yields the smaller pole. Flag poles, in association with a telecommunication facility may not exceed the height as specified for the zone in which it is located.

(3) **Number of Flags.** No more than three free-standing flag poles per property may be shown at any time if these Flags are visible from a public right-of-way. Properties with right-of-way frontage greater than 100 yards may be allowed an additional three flags per additional 100 yards of *street frontage*. Flag poles are restricted to only flying one flag per pole.

No more than eight (8) building mounted flags per property may be shown at any time if these Flags

are visible from a public right-of-way.

(4) **Setback and Orientation.** Free-standing flag poles shall not be placed in the setback area as designed for the zone in which ~~it is the flags are~~ located.

(5) **Zoning Restrictions.** Flags are allowed in all zoning districts. ~~Decorative flags are not considered as signage and require a permit in all zoning districts, except those districts residential in nature.~~

(6) **Content.** All flags which contain the name or logo of an establishment or advertising copy shall be considered signs for purposes of this Chapter. The Flag of the United States, the state of Utah, other flags or insignias of governmental entities, or decorative flags are not considered signs for purposes of maximum allowable square footage calculation, but are subject to the restrictions of this section.

(7) **Design.** It is recommended that the flagpoles be black, brown, dark green or bronze. ~~The flag poles shall utilize noise reduction methods. Flags shall be kept in good repair. may contain internal halyards.~~ Design of the U.S. flag should be consistent with the Federal Flag Code, 36 U.S.C. Section 173-8 as amended.

(8) **Illumination.** Flags may be illuminated ~~so that provided that the lighting complies with Section 12-4-10.~~ Lighting proposed for the flags shall be included in the sign application.

(G) **Free-standing Sign** ~~Municipal, public safety and municipal Directional Signs are exempt from these requirements.~~

(1) **Size.** Free-Standing Signs shall be limited to a maximum of ~~thirty-six (36)~~ twenty (20) square feet in area, unless there are other approved signs on the building, in which case this maximum shall be reduced to ten (10) square feet. ~~Unless the building to which the sign applies has no other signage, in which case a forty-five (45) square foot sign is allowed. However, in no case may the area of a free-standing sign exceed a total of one (1) square foot in three (3) feet of frontage occupied by the business or enterprise or 5% (five percent) of the building facade area to which the sign applies.~~

(2) **Height limit.** Free-standing may not exceed a height of ~~ten (10)~~ ~~six (6)~~ seven (7) feet. ~~Exception: Free-standing Monument signs with solid or included bases may not exceed a height limit of five (5) feet.~~

(3) **Number of Signs.** Businesses, projects or parcels are limited to one (1) Free-Standing Sign. ~~Except that properties with more than 1000 (one thousand) feet of continues frontage and: If the property with has more than one entrance and frontage on more than one street one additional sign may be permitted for directional proposes only. The directional sign shall not exceed three (3) feet in area.~~ The combined square footage of all Free-Standing Signs shall not exceed the maximum square footage allowed. ~~Provided that the combined square footage of all free-standing signs does not exceed 72 (seventy-two) square feet (two 36 square foot signs). Where there is frontage on more than one street, each frontage is treated independently. Signage area may not be transferred from one frontage to another.~~

(4) **Setback and Orientation.** Free-Standing Signs shall not be placed in the setback area as defined for the zone in which the sign is located. However, in the General Commercial Zone, signs ~~may~~ *must* be set back ten (10) feet from the property line.

Free-Standing Signs may be aligned either perpendicular or parallel to the road provided that signs perpendicular to the road are finished on both sides, and that signs parallel to the road maintain a setback of at least twenty-five (25) feet from the curb or edge of pavement. With the exception of those in the Frontage Protection Zone, the Community Development Director may decrease this setback if it is determined that a particular road alignment or traffic conditions would facilitate adequate visibility of the sign for street or pedestrian traffic.

(5) **Zoning restrictions.** Free-Standing Signs may be allowed in the commercial zones GC, and RC. Free-Standing Signs located in the Frontage Protection Zone or the HBC Zone require a Conditional Use Permit. ~~In the HCB Zone only with Conditional Use approval from the Planning Commission (Section 12-3-6). Free-standing signs are permitted in all other zones except that in the Hr-1, HRL, HRC and RD zones, they are permitted only as part of subdivision of 50 (fifty) lots or more or master planned developments, subject to the provisions of Section 12-4-1(k).~~

(6) **Content.** ~~Because it is the City's intent to facilitate traffic flow and avoid traffic hazards caused by confusing or cluttered signage, and because tourists, who may be looking for a specific business often depend on Sign text that assimilates business names as listed in telephone directories or other promotional advertisements, Free-standing Signs are permitted for the purpose of identifying the name of the a building, project or one primary business only.~~

(7) **Design.** Free-Standing Signs with a solid or enclosed base are permitted. Signs supported by at least two (2) poles without enclosed bases are also permitted provided that the exposed pole's height does not constitute more than 50% of the Sign's overall height (i.e., the height of the open area beneath a sign cannot exceed 50% of the Sign's total height).

(8) **Illumination.** ~~Please refer to Section 12-4-6 of this Title. Lighting of Free-Standing Signs is permitted, provided that the lighting complies with Section 12-4-10. However, internally illuminated pan-channel letters are not permitted on Free-standing Signs. Any exterior lighting proposed for the signs shall be included in the sign application.~~

(H) **Hanging and Projecting Signs.**

(1) **Size.** No single Hanging or Projecting Sign may exceed *twelve (12) square feet in area*. A Hanging Sign may be placed on a building or underneath an approved canopy, awning, or colonnade, as long as it does not project more than thirty-six (36) inches from the face of the building to which it is attached. *Sign brackets incorporating design elements that are descriptive or informative of the business use shall be included as part of the sign area.*

(2) **Height Limit.** Hanging and Projecting Signs must have at least eight (8) feet of ground clearance unless reduced according to the projection and clearance provisions of Section 12-6-3, ~~and cannot be higher than the building to which they are attached.~~

(3) **Number of Signs.** There is no number of maximum hanging signs per building face. The total square footage of signage area shall not exceed the maximum square footage allowed per building

face.

(4) **Setback and Orientation.** Hanging and Projecting Signs may not project more than thirty-six (36) inches from the face of the building to which it is attached. They may not extend beyond the applicant's property, except those which are proposed to be placed over the Main Street sidewalks. Signs may extend over City property only after review by the City Engineer and with the written approval of the Community Development Director and an encroachment agreement acceptable to the City Attorney. *Hanging and Projecting Signs must have a minimum of six (6) feet of separation between each sign similar in nature.*

(5) **Zoning Restrictions.** Hanging and Projecting Signs are permitted within all commercial zoning districts.

(6) **Content.** Sign content shall be limited to the tenant name and the nature of the goods or services provided.

(7) **Design.** Exposed surfaces of signs may be constructed of metal and/or solid wood. The sign materials should be compatible with the face of the building and should be colorfast and resistant to corrosion.

(8) **Illumination.** *Lighting of Hanging/Projecting Signs is permitted, provided that the lighting complies with Section 12-4-10. Any exterior lighting proposed for the signs shall be included in the sign application.*

(I) **Luminous Tube Signs (Neon).** Neon Luminous Tubes (LT) used to draw attention to a business or building in any manner, including (but not limited to) neon text, or logos are considered signage and shall be regulated according to the provisions of this code as follows.

(1) **Size.** All other size requirements set forth in this Code must be adhered to.

(2) **Height Limit.** Neon LT Signs shall be limited to the ground floor elevation.

(3) **Number of Signs.** Not Applicable

(4) **Setback and Orientation.** Neon LT Signage must be located within a building and displayed through a window rather than being attached to the exterior of the building. *If the a neon LT Signage are located within ten (10) twenty (20) feet of the front window, visible from the street and exceeds two (2) square feet in area, it is considered as signage area and must have a permit and will be included in the total sign area for the building. Neon LT Signs located ten (10) feet back from the window is are considered interior lighting and is are not regulated. The Neon Sign must be designed to be compatible with the space in which it is located, and have a sense of balance and proportion.*

(5) **Zoning Restrictions.** Neon LT Signs may be used only in the HCB, HRC, and GC zones. Neon LT Signs are prohibited in all other zones.

(6) **Content.** LT Neon signage may include letters graphics and symbols displaying the name of the

on-premise business.

The following are prohibited in *neon LT Signs*: open/closed Signs; vacancy/no vacancy signs, product brand names, message/sales promotion. *Neon LT Signs* may not flash, move, alternate, or show animation. The outlining of a building's architectural features is prohibited. In certain cases, open/closed Directional Signs for drive-through, may be permitted to facilitate traffic circulation and control traffic congestion.

(7) Design. The following historic colors are permitted in the Historic District in primary shades only: red, yellow, white, blue, green. All others are prohibited. Other colors are permitted in the ~~RC and GC zones~~, but are subject to the design standards of *this title Chapter 4*.

(8) Illumination. *Neon LT Signs* within themselves are illuminated. No other additional illumination is permitted.

(J) Menu/Event Sign.

(1) Size. The maximum size shall be *two* square feet and shall be included in the calculation of the total building signage area *unless enclosed within a display box which is included in the calculation of the building sign area*.

(2) Height Limit. Height of a Menu/Event Display Sign shall be oriented towards pedestrian viewers, *with a maximum height of six feet (6')*.

(3) Number of Signs. One Menu/Event Display Sign is permitted per *restaurant, per building tenant elevation*.

(4) Setback and Orientation. Displays for menus *and events* may be located on the inside of a window for a restaurant or inside a wall mounted or free-standing display box.

(5) Zoning Restrictions. Menu/Event Display Signs are allowed in all commercial zoning districts.

(6) Content. This display may be used for changeable copy signage provided the signage remains inside the mounted menu box or inside the window frame.

(7) Design. *All wall mounted or free standing menu boxes shall be reviewed within the context of the Historic District Design Guidelines. Free-standing display boxes shall be designed and constructed to withstand wind and may be located only on private property. If a Display boxes is used, it must be constructed to coordinate with the building design, must contain a clear face which would protect the menu/event display from the weather and must not extend over public property.*

(8) Illumination. Lighting of the menu or event display is permitted within the display. *Lighting shall be down directed towards the text. Any lighting proposed for the display boxes shall be included in the sign application. Light fixtures must be simple in form and mounted so they do not obscure building ornamentation. The light fixtures should emphasize the contiguity of the building surface and should not clutter the building in an unorganized manner. Spot lights and flood lights shall be directed only at the sign surface. No exposed light sources are allowed, and all light sources must be shaded to contain light rays to the sign. Colored lighting is prohibited.*

- (K) **Projecting Signs.** *See Hanging Signs* Projecting Signs are permitted provided that the signs meet the following provisions:

(1) ~~Size.~~ No single Projecting Sign may exceed 18 (eighteen) 8 (eight) square feet in area.

(2) ~~Height Limit.~~ Projecting Signs must have at least eight (8) feet of ground clearance unless reduced according to the projection and clearance provisions of Section 12-6-3, and cannot be higher than the building to which they are attached.

(3) ~~Number of Signs.~~ There is no number of maximum projecting signs per building face. The total square footage of signage area shall not exceed the maximum square footage allowed per building face.

(4) ~~Setback and Orientation.~~ Projecting Signs may not project more than thirty-six (36) inches from the face of the building to which it is attached. They may not extend beyond the applicant's property, except those which are proposed to be placed over the Main Street sidewalks. Signs may extend over City property only after review by the City Engineer with the written approval of the Community Development Director and an certificate of insurance encroachment agreement acceptable to the City Attorney.

(5) ~~Zoning Restrictions.~~ Projecting Signs are permitted in the commercial zoning districts.

(6) ~~Content.~~ Sign content shall be limited to the tenant name or the nature of the goods or services provided.

(7) ~~Design.~~ Exposed surfaces of signs may be constructed of metal and/or solid wood. The sign materials should be compatible with the face of the building and should be colorfast and resistant to corrosion.

(8) ~~Illumination.~~ Any exterior lighting proposed for the signs shall be included in the sign application. Light fixtures must be simple in form and mounted so they do not obscure building ornamentation. The light fixtures should emphasize the contiguity of the building surface and should not clutter the building in an unorganized manner. Spot lights and flood lights shall be directed only at the sign surface. No exposed light sources are allowed, and all light sources must be shaded to contain light rays to the sign. Colored lighting is prohibited.

- (M) ~~Public Necessity Sign.~~ Public Necessity Signs such as "Bus Stop", "No Parking" and street name

(1) ~~Size.~~ Public Necessity Signs may be a maximum of twelve (12) square feet in area.

(2) ~~Height Limit.~~ Maximum of eight (8) feet in height when measured from natural grade.

(3) ~~Number of Signs.~~ Not applicable

(4) ~~Setback and Orientation.~~ Setback and orientation is determined appropriate by the Community Development Department.

(5) ~~Zoning Restrictions.~~ Public Necessity Signs must be approved by the Public Works Director and

the Community Development Director, if the sign is to remain in place for more than five working days.

~~(6) Content. These signs shall contain no advertising of any kind. This shall not apply to signs erected by the City, state highway department, franchised utilities, or their contractors.~~

~~(7) Design. Design shall be compatible with other Public Necessity Signs in order to establish a consistent standard of which citizens and visitors can recognize.~~

~~(8) Illumination. Illumination of Public Necessity Signs is prohibited.~~

(L) **Subdivision Signs.**

(1) Size. Subdivision Signs are limited to a maximum of ten (10) square feet per sign.

(2) Height Limit. Subdivision Signs may not exceed a height of seven (7) feet.

(3) Number of Signs. Subdivisions are limited to one (1) Subdivision Sign.

(4) Setback and Orientation. Subdivision Signs shall not be placed in the setback area as defined for the zone in which the sign is located.

Subdivision Signs may be aligned either perpendicular or parallel to the road provided that the signs perpendicular to the road are finished on both sides and that signs parallel to the road maintain a setback of at least twenty-five (25) feet from the curb or edge of pavement.

(5) Zoning Restrictions. Subdivision Signs are permitted in all other zones except in the HR-1, HR-2, HRL, HRC, and RD zones. Subdivision Signs are only permitted as part of subdivisions of fifty (50) lots or more or master planned developments.

(6) Content. The sign shall contain only the name of the subdivision.

(7) Design. Subdivision Signs shall be designed with natural materials, including rock and stone.

(8) Illumination. Illumination of subdivision Signs is prohibited.

(M) **Umbrella Sign.** Unless approved as a Conditional Use Permit, Umbrellas shall meet the following requirements:

(1) Size. Signage on umbrellas is limited to a height of no more than 5" letters and graphics. Only the area of the umbrella containing the signage, as opposed to the entire area of the umbrella, shall be considered, for purposes of calculation, the maximum allowable square footage.

(2) Height Limit. Not applicable

(3) Number of Signs. Not applicable

(4) Setback and Orientation. Umbrellas shall be located on private property.

(5) Zoning Restrictions. Umbrella signs are permitted in all commercial zoning districts.

(6) Content. Umbrellas ~~may only contain~~ *are counted as signage area if they have* lettering or other graphics displaying the name and/or logo of the on-premise business.

(7) Design. Materials should be high quality vinyl, *nylon, canvas or other similar material* in order to withstand the weather and climate changes. Umbrella colors are generally limited to a single field color with a single contrasting color for lettering and logos. However, if the umbrella is striped, two colors may be used. Corporate colors may be used, only if they are finished in subdued earthtone colors. ~~For a more complete description of the permitted colors please see Section 12-4-5 of this Code.~~

(8) Illumination. Illumination of Umbrella Signs is prohibited.

(N) Wall Signs. Wall Signs may be placed upon a building provided that they meet the following conditions of approval.

(1) Size. The size of the wall signs shall not exceed *the maximum square footage allowed per building facade*.

(2) Height Limit. Sign plans shall be designed so that *the signage* are confined to the building surface below the finished floor elevation of the second floor or twenty (20) feet above adjacent *natural finished* grade whichever is lower.

(3) Number of Signs. There is no maximum number of wall signs specified per building face. *However, in a multi-tenant building the primary focus of sign area shall be for Building Identification.* The total square footage of *signage area* shall not exceed the maximum square footage of *signage area* allowed per building face.

(4) Setback and Orientation. Wall signs shall be placed so as to utilize existing architectural features of a building without obscuring them. Wall sign shall be orientated toward pedestrians or vehicles within close proximity.

(5) Zoning Restrictions. Wall Signs are permitted in all zones.

(6) Content. Wall Signs may identify the name of a building, project of primary business. Wall Signs may also identify the nature of the goods or services offered and/or the street address.

(7) Design. The Sign materials should be compatible with the face of the building and should be colorfast and resistant to erosion.

(8) Illumination. *Lighting of Wall Signs is permitted, provided that the lighting complies with Section 12-4-10. Any exterior lighting proposed for the signs shall be included in the sign application.* ~~Please refer to Section 12-4-6 of this Title.~~

(O) Window Signs. Window Signs are permitted provided they meet the following criteria.

(1) **Size.** Permanent Window Signs shall be no more than one (1) square foot *each* and thirty percent (30%) of the total transparent area of the window.

(2) **Height Limit.** Window Signs are limited to the *ground main* floor level of the building. *Window Signs are permitted upon second storey windows within the Historic District.*

(3) **Number of Signs.** Not Applicable

(4) **Setback and Orientation.** Window Signs may be placed in or upon any window ~~provided that on windows below the elevation of the second floor level provided that the total square footage of signage area does not exceed thirty percent (30%) of the total transparent area of the window is obscured. Window Signs include any signs within twenty (20) three feet (3') of the front window, visible from the street and exceeds two (2) square feet in area. except that in multi-tenant buildings, window Signs shall be restricted to windows below the second floor level. (See Section 12-5-3) Windows on or above the elevation of the second floor level shall be limited to not more than two rows of lettering identifying the business with characters not exceeding six (6) inches in height.~~

(5) **Zoning Restrictions.** Window Signs are permitted in all zoning districts.

(6) **Content.** Window Signs may identify the name of the tenant or the nature of the goods sold.

(7) **Design.** The Window Sign must be permanently attached to the window face by either using vinyls, etching or other similar attachment methods. The vinyl color should be compatible with the building face., *White ivory* or cream lettering is preferred.

(8) **Illumination.** Illumination of Window Signs are prohibited.

CHAPTER 10 - TEMPORARY SIGNS

12-710-1 POLICY. It is the policy of the City as outlined in this Section to restrict the use of temporary signage. Temporary signage ~~is are~~ often poorly constructed, poorly maintained, and located in a manner that obscures traffic Signs, views of intersections of public and private streets and driveways and tends to depreciate the scenic beauty and quality of life of the community by creating visual clutter. Temporary signage ~~has~~ a place in the community for specialized purposes, such as announcing properties for sale or lease, construction activities, temporary sales, or making political or ideological statements. Temporary signage ~~is are~~ permitted for those and similar purposes subject to the regulations of this Chapter.

12-710-2 TYPES OF TEMPORARY SIGNS. Temporary Signs are those signs which are installed on a property with the intent of displaying them continuously for more than twenty-four (24) hours, but ~~which that~~ are not a part of a permanent land use on the property, and are not intended to be displayed for more than one year. *Real Estate Signs, Construction Signs, Special Purpose Signs, Yard Signs, and Campaign Signs* Temporary signs include signs announcing properties for sale, lease or rent, and campaign signs and other similar signs of a non-commercial nature. Temporary signs are permitted subject to the following regulations on placement and location.

(A) **Business Name or Tenant Change Signs.** *Due to a change in business name or tenant, a temporary*

sign is permitted as per the following regulations.

(1) Size. Business Name or Tenant Change Signs shall not exceed twenty-four (24) square feet of area on the exposed sign face, and shall not exceed the sign area per building face when included within the sign area calculation for all permanent signs.

(2) Height Limit. All requirements as stated in this Chapter shall apply.

(3) Number of Signs. Only one temporary wall sign is permitted on any one parcel of property. Additional window sign area may also be use, but may not exceed the total sign area allowed per building face.

(4) Setback and Orientation. Temporary signs are permitted in any zone, provided that they comply with all size and setback requirements for the permanent signs of similar nature.

(5) Zoning Restrictions. Business Identification Signs are allowed in all zoning districts.

(6) Content. The content of Business Identification Signs shall be limited to the text of the business name.

(7) Design. Temporary Business Identification Signs shall be mounted on hardware of wood, painted metal or other similar material. Sign mounting shall comply with the Uniform Sign Code's standards for installation.

(8) Illumination. Illumination of Temporary Business Signs is prohibited.

(B) Campaign Signs. Campaign Signs do not require a Sign Permit, as issued by the Planning Department, but shall comply with the following regulations.

(1) Size. Campaign Signs shall not exceed three (3) square feet of area on the exposed sign face.

(2) Height Limit. No portion of the sign shall extend more than ~~six (6)~~ four (4) feet above natural grade or finished grade, whichever yields the lower sign. Mounting devices may extend above the sign by not more than six (6) inches.

(3) Number of Signs. Only one temporary sign is permitted on any one parcel of property, except that for sixty (60) days preceding a general or special election, up to three (3) election-related temporary signs may be placed on any one parcel of property, all of which must comply with the size, color, and placement standards of this Code.

(4) Setback and Orientation. Temporary signs are permitted in any zone, provided that they are located a minimum of twenty (20) feet back from the edge of the curb, or edge of pavement where there is no curb, of the street on which the sign fronts. If this twenty (20) foot distance would be within a structure, the sign may be within three (3) feet of the front of the structure. Signs must be parallel to the street on which the building fronts, and placed in front of the front facade with the building as a backdrop. Signs may not be positioned in the side yard. Signs may be displayed through windows or other glass areas subject to the restrictions of Section 12-8-1(I) and 12-8-1(m). On vacant

lots, where there is no structure, the sign shall maintain the twenty (20) foot setback from the street.

(5) Zoning Restrictions. Campaign Signs are allowed in all zoning districts.

(6) Content. The content of Campaign Signs shall be limited to the text associated with the election candidate or issue.

(7) Design. Campaign Signs shall be mounted on hardware of wood or painted metal, no part of which shall be greater than four inches by four inches (4" x 4') in cross section. Mounting hardware shall be painted or stained in earthtones. No message may be written on the mounting hardware, so that the entire message area of the sign is contained on the sign face itself.

(8) Illumination. Illumination of Campaign Signs is prohibited.

- (C) Construction Signs and Project Marketing Signs ~~TEMPORARY SIGNAGE FOR CONSTRUCTION PROJECTS~~. Because of the unique need to identify construction projects clearly for material suppliers, deliveries, and construction workers, ~~and to allow for initial marketing~~, temporary construction ~~project entry~~ Signs are permitted subject to the following regulations. Portions of the sign are limited to the Construction Information and separate portions are limited to the real estate information.

~~Temporary construction Construction Signs are to be may not be installed upon prior to granting of conditional use permits by the City for the project the Sign pertains to and or upon prior to the issuance of footing and foundation permits on permitted uses which do not require conditional use approval. On conditional uses, if the footing and foundation permits have not been taken out within six (6) months of the erection of the Sign, the Sign must be removed until permits are issued. Temporary project Signs must be removed within thirty (30) days from the date the last certificate of occupancy is given on the site. If a subsequent phase is commenced during that time, the Sign may remain so long as construction continues on the project's initial construction. If a permanent Sign is constructed on the site, all temporary signage must be removed. When a project is owned by one party and units are being marketed, but the time limit is beyond the 30 days after a certificate of occupancy is issued, the Community Development Director may authorize the temporary placement of a Sign which is subject to the limitations of this section, except that it may be displayed for a period of 90 days. This Sign would be in lieu of standard real estate Signs. Until a Sign Permit is approved by the Community Development Department and issued by the Building Department. The sign may then be displayed no more than one year from the date of issuance. Project Identification Signs are permitted subject to the following regulations:~~

(1) Size. Residential projects containing four (4) or more dwelling units, and/or commercial projects containing four thousand (4,000) square feet or more of commercial floor area, are allowed one Construction/Project Marketing Sign on the property in conjunction with a project under development or construction. ~~Three (3) square feet of signage area is allowed for each residential unit, provided that in no event may The total sign area of the Construction/Project Marketing Sign shall not exceed thirty (36) square feet in area, but shall be divided to allow sign area for construction and real estate information..~~ The sign area identifying real estate information may not exceed ~~thirty-two (32)~~ twenty four (24) square feet in area. ~~The construction information is limited to a total sign area of twelve~~

(12) square feet..

are allowed one Construction/Project Marketing Sign on the property in conjunction with a project under development or construction. ~~Two (2) square feet of signage area is allowed for each one thousand (1,000) square feet of commercial floor area, provided that in no event may The sign area may not exceed twenty four (24) square feet in area.~~

(2) Height Limit. Construction/Project Marketing Sign may not exceed ~~ten (10)~~ seven (7) feet in vertical height from the ground at the point where the sign is located. Signs mounted on a construction barricade or fence may not extend above the height of the barricade or fence.

(3) Number of Signs. One (1) Construction/Project Marketing Sign is permitted per project access point.

(4) Setback and Orientation. Temporary signage on construction sites may not be closer than twenty (20) feet to the curb line, or edge of pavement if there is no curb, of the street on which the project fronts, which is the street providing access to the project. If that twenty (20) foot setback places the sign within the construction limits of disturbance, the sign may be placed closer to the street, but not more than ten (10) feet outside of the construction limits of the disturbance. In the HCB Zone, and the Prospector Commercial Subdivision, and other areas ~~which that~~ have been approved or zoned with no setback or sideyard requirements, the sign may be located on the construction barricade or fence surrounding the site, even if that places the sign within the public right-of-way. No portion of the sign may extend above the barricade or fence.

Construction/Project Marketing Signs must be located in a manner that does not obstruct the view, for normal passenger vehicles, of adjoining streets from the driveway of the site to the adjoining street.

Where there are conditions such as heavy vegetation on the property, or extremely steep terrain that make the sign placement standards of this Title impractical because the sign is not visible from the street, the Community Development Director, ~~or some member of that department, so authorized;~~ may grant an exception ~~of to~~ the sign setback standards, but not the size or street orientation standards. In no event may Construction/Project Marketing Signs, subject to the setback requirements, be placed within the public right-of-way.

(5) Zoning Restrictions. Temporary construction Construction/Project Marketing Signs are permitted in all zoning districts. ~~Project Identification Signs are to be may not be installed upon prior to the granting of conditional use permits by the City for the project the sign pertains to. and or upon Construction/Project Marketing Signs may not be installed prior to the issuance of footing and foundation of a grading permit for the projects. The sign shall be removed within one year of its installation. If an extension due to the length of construction is needed the Community Development Director may grant an additional time frame of six (6) months. For phased projects, when a subsequent phase has commenced, the sign may remain for an additional six (6) months so long as construction continues on the project's initial construction. on permitted uses which do not require conditional use approval. On conditional uses, if the footing and foundation permits have not been taken out within six (6) months of the erection of the sign, the sign must be removed until permits are issued. Temporary Construction Signs must be removed within thirty (30) days from the date the~~

~~last certificate of occupancy is given on the site. If a subsequent phase is commenced during that time, the sign may remain so long as construction continues on the project's initial construction. If a permanent sign is constructed on the site, all temporary signage must be removed. When a project is owned by one party and units are being marketed, but the time limit is beyond the 30 days after a certificate of occupancy is issued, the Community Development Director may authorize the temporary placement of a sign which is subject to the limitations of this section, except that it may be displayed for a period of 90 days. This sign would be in lieu of standard Real Estate Signs.~~

(6) **Content.** A Construction/Project Marketing Sign may identify a new development, the contractor, builder and/or financial institution and may include a plat map and real estate information. A *Construction Sign may not contain sale prices.*

(7) **Design.** ~~Temporary and yard Construction/Project Marketing Signs, excluding construction project entry signs,~~ shall be mounted on hardware of wood or painted metal, no part of which shall be greater than four inches by four inches (4" x 4") in cross section. ~~Construction Construction/Project Marketing Signs,~~ because of their larger size and the increased risk of disruption nearby, shall be mounted on at least two (2) four inch by four inch (4" x 4") posts with back bracing, or such other means that comply with the Uniform Sign Code's standards for installation. Mounting hardware shall be painted or stained in earth tones. No message may be written on the mounting hardware, so that the entire message area of the sign is contained on the sign face itself.

(8) **Illumination.** Illumination of Construction/Project Marketing Signs is prohibited.

- (D) **Real Estate Signs** *Real Estate Signs do not require a Sign Permit, as issued by the Planning Department, but shall comply with the following regulations.*

(1) **Size.** *Real Estate Signs* shall not exceed three (3) square feet of area on the exposed sign face.

(2) **Height Limit.** No portion of the sign shall extend more than six (6) feet above natural grade or finished grade, whichever yields the lower sign. Mounting devices may extend above the sign by not more than six (6) inches.

(3) **Number of Signs.** Only one temporary sign is permitted on any one parcel of property and must comply with the size, color, and placement standards of this Code.

(4) **Setback and Orientation.** Temporary signs are permitted in any zone, provided that they are located a minimum of twenty (20) feet back from the edge of the curb, or edge of pavement where there is no curb, of the street on which the sign fronts. If this twenty (20) foot distance would be within a structure, the sign may be within three (3) feet of the front of the structure. Signs must be parallel to the street on which the building fronts, and placed in front of the front facade with the building as a backdrop. Signs may not be positioned in the side yard. Signs may be displayed through windows or other glass areas subject to the restrictions of Section 12-8-1(I) and 12-8-1(m). On vacant lots, where there is no structure, the sign shall maintain the twenty (20) foot setback from the street.

Real Estate Signs in conjunction with an open house shall be displayed only immediately prior to and during the open house and shall be removed at sundown.

(5) **Zoning Restrictions.** Real Estate Signs are allowed in all zoning districts.

(6) **Content.** Real Estate Signs shall be limited to the name of the agent and/or agency. Prices are prohibited on Real Estate Signs.

(7) **Design.** Real Estate Signs shall be mounted on hardware of wood or painted metal, no part of which shall be greater than four inches by four inches (4" x 4') in cross section. Mounting hardware shall be painted or stained in earthtones. No message may be written on the mounting hardware, so that the entire message area of the sign is contained on the sign face itself.

(8) **Illumination.** Illumination of Real Estate Signs is prohibited.

(E) **Project Marketing Signs.** Signs which allow for the initial marketing of projects under construction are regulated under the Construction/Project Marketing Signs. Please refer to the Section 12-10-2(C) regulations stated for Temporary Construction/Project Marketing Signs.

(F) **Special Purpose Signs.** Signs promoting events sponsored by civic, charitable, educational, or other non-profit organizations may be erected on private property up to two (2) weeks in advance of the event being promoted. These signs shall be removed within three (3) days following the conclusion of the event.

(1) **Size.** Special Purpose Signs shall not exceed three (3) square feet of area on the exposed sign face.

(2) **Height Limit.** No portion of the sign shall extend more than six (6) feet above natural grade or finished grade, whichever yields the lower sign. Mounting devices may extend above the sign by not more than six (6) inches.

(3) **Number of Signs.** A maximum of three (3) Special Purpose Signs is permitted on any one parcel of property and must comply with the size, color, and placement standards of this Code.

(4) **Setback and Orientation.** Temporary signs are permitted in any zone, provided that they are located a minimum of twenty (20) feet back from the edge of the curb, or edge of pavement where there is no curb, of the street on which the sign fronts. If this twenty (20) foot distance would be within a structure, the sign may be within three (3) feet of the front of the structure. Signs must be parallel to the street on which the building fronts, and placed in front of the front facade with the building as a backdrop. Signs may not be positioned in the side yard. Signs may be displayed through windows or other glass areas subject to the restrictions of Section 12-8-1(I) and 12-8-1(m). On vacant lots, where there is no structure, the sign shall maintain the twenty (20) foot setback from the street.

(5) **Zoning Restrictions.** Special Purpose Signs are allowed in all zoning districts.

(6) **Content.** Special Purpose Signs shall limit their content to the address and the name and date of the event.

(7) Design. *Special Purpose Signs shall be mounted on hardware of wood or painted metal, no part of which shall be greater than four inches by four inches (4" x 4") in cross section. Mounting hardware shall be painted or stained in earthtones. No message may be written on the mounting hardware, so that the entire message area of the sign is contained on the sign face itself.*

(8) Illumination. *Illumination of Special Purpose Signs is prohibited.*

- (G) **Yard Signs** Yard Signs shall be displayed only immediately prior to and during the yard sale or garage sale, and shall be removed at sundown if located within public rights-of-ways to avoid creating a hazard to the public using the streets and sidewalks. Yard Signs may not be displayed for more than forty-eight (48) hours continuously. Signs not removed after forty-eight (48) hours of display are deemed refuse. The owner or erector of the sign is subject to a fee per sign removal charge in an amount set forth by resolution if the sign is removed by the City as refuse. In addition, the owner or erector shall be guilty of a Class "B" misdemeanor of littering. *Yard Signs do not require a Sign Permit, as issued by the Planning Department, but shall comply with the following regulations.*

(1) Size. *Yard Signs shall not exceed three (3) square feet of area on the exposed sign face.*

(2) Height Limit. *No portion of the sign shall extend more than six (6) feet above natural grade or finished grade, whichever yields the lower sign. Mounting devices may extend above the sign by not more than six (6) inches.*

(3) Number of Signs. *Only one temporary sign is permitted on any one parcel of property and must comply with the size, color, and placement standards of this Code.*

(4) Setback and Orientation. *Temporary signs are permitted in any zone, provided that they are located a minimum of twenty (20) feet back from the edge of the curb, or edge of pavement where there is no curb, of the street on which the sign fronts. If this twenty (20) foot distance would be within a structure, the sign may be within three (3) feet of the front of the structure. Signs must be parallel to the street on which the building fronts, and placed in front of the front facade with the building as a backdrop. Signs may not be positioned in the side yard. Signs may be displayed through windows or other glass areas subject to the restrictions of Section 12-8-1(I) and 12-8-1(m). On vacant lots, where there is no structure, the sign shall maintain the twenty (20) foot setback from the street.*

(5) Zoning Restrictions. *Yard Signs are allowed in all zoning districts.*

(6) Content. *Yard Signs shall limit their content to the address and hours of the sale.*

(7) Design. *Yard Signs shall be mounted on hardware of wood or painted metal, no part of which shall be greater than four inches by four inches (4" x 4") in cross section. Mounting hardware shall be painted or stained in earthtones. No message may be written on the mounting hardware, so that the entire message area of the sign is contained on the sign face itself.*

(8) Illumination. *Illumination of Yard Signs is prohibited.*

CHAPTER 11 - BANNERS

~~12-11-1 BANNER OVER PUBLIC PROPERTY.~~

- ~~(A) Administration. The City Manager is authorized to administer the placement of banners over public property.~~
- ~~(B) Approval. Approval of all applications to display banners over public property shall be given by the City Manager only if all conditions in this section are met.~~
- ~~(C) Terms and Conditions. In order to receive approval to display a sign or banner over public property, the applicant shall meet the following terms and conditions:~~

~~(1) The banner or sign shall only inform the community of an upcoming community event. A banner may be approved by meeting at least two of the following criteria:~~

- ~~(a) the event is open to the public to view and/or participate;~~
- ~~(b) the event supports the resort nature of Park City;~~
- ~~ⓐ the event is governmental; or~~
- ~~(d) the event has an approved Master Festival License.~~

~~(2) The banner may only be displayed immediately prior to and during a community event which it advertises, and in no case shall the banner be displayed for less than five (5) days, more than ten (10) days, or more than two (2) weekends.~~

~~(3) Banners shall only be displayed at site(s) approved by the City Manager.~~

~~(4) Reservation of dates for a banner site may be made up to three (3) months prior to the date of display. Site(s) are generally reserved on a first-come, first-serve basis; however, preference may be given for recurring annual events, historically or traditionally tied to a specific date, holiday or season. Additionally, a request to advertise the reoccurrence of the same event or same type of event within any one calendar year (i.e., plays or class registrations) may be honored if no request for the banner site for an un-repeated scheduling is received.~~

~~(5) All banners over public property shall be hung by City personnel, and must meet the following specifications:~~

- ~~(a) Maximum banner size over public property (Park Avenue location) shall not exceed four (4) feet by thirty (30) feet and the minimum size shall not be less than three and one-half (3.5) feet by twenty-four (24) feet. Banners not over the Park Avenue location shall not exceed the above-mentioned maximum size, and must be approved by the Planning Director.~~
- ~~(b) Day-glo, or fluorescent colors shall not be allowed.~~
- ~~(c) Banners shall be constructed of durable canvas or similar type weather resistant fabric.~~

- ~~(d) Banners must be slit to reduce wind resistance.~~
- ~~(e) Banners must be reinforced with rope within a casing at the bottom and the top of both banner edges.~~
- ~~(f) Each corner of the banner must have a grommet and a lead of 1/4" rope from each corner, no less than four (4) feet long.~~
- ~~(g) Banners must have a minimum of seven (7) grommets (including the two corner grommets) across the top edge, which *that* allows the banner to be attached to a cable.~~
- ~~(h) An additional one hundred and fifty (150) feet of 1/4" rope is required to hang each banner, and shall be provided to the Public Works Department by the applicant or sponsor of the banner.~~
- ~~(6) The primary purpose of banners which extend over public property shall be to advertise and inform *the public* of upcoming community events. No more than twenty-five per cent (25%) of each side of the banner space shall be used for the name or logo of a commercial sponsor.~~
- ~~(7) Prices or fees charged for the event shall not be displayed.~~
- ~~(8) Banners shall be hung or displayed in a manner that does not interfere with or impede traffic or interfere with or obscure traffic signs or control devices.~~
- ~~(9) The owner of a banner shall agree to assume full liability and indemnify the City for any damage to persons or property arising from the display of the banner by the City.~~
- ~~(10) If the banner is not picked up from the Public Works Department by the applicant or sponsor within ten (10) days after it has been taken down, the banner shall become the property of the City and will be disposed of.~~
- ~~(11) Banners should be received by the Public Works Department one week prior to the date of scheduled display.~~
- ~~(12) The City is not responsible for any damage that may occur to the banner from any cause.~~
- ~~(D) Fee. A fee shall be payable to the City when the banner is dropped off at the Public Works Department before its reservation commences to cover manpower costs associated with installation and removal of the banner. Said fee shall be set by resolution.~~

12-11-1 BANNERS ON CITY LIGHT STANDARDS. The City Planning Department is authorized to administer the placement of banners on City light standards. Approval of all applications to display banners on City light standards, along Main Street and Empire Avenue, shall be given by the Planning Department only if all conditions in this section are met.

- (A) **Applications.** Applications shall be presented to the Planning Department in sufficient time to allow the determination of eligibility of the Sponsor, design review, fabrication of the banners and verification of the scheduling of their period of display. Sponsors will pay for the artwork, banner production, installation and dismantling of the banners.

Sponsors shall accept that the display period is contingent upon a workable arrangement within the overall schedule of other City banners as well as prior commitments to other outside Sponsors. Prior commitments may preclude the desired display period of an otherwise acceptable Sponsor's banner. Park City acknowledges that a Sponsor's interest and ability to participate may be contingent upon a minimum period which would warrant the expense of the fabrication of the banners. The display period will be based on a first-come basis.

- (B) **Size.** The Main Street banners shall be 29" X 72"; unless otherwise approved by the Parks staff. Banners along Empire Avenue shall be 24" x 36".
- (C) **Number of Banners.** The number of banners to be hung for winter and summer shall be 55 along Main Street and 30 along Empire Avenue. Five additional banners must be submitted for replacement.
- (D) **Content.** Banners displayed in the Park City Main Street or Empire Avenue area shall be either: (a) those sponsored by, designed for and commissioned by, fabricated for, and installed by the direction of the Planning Department and Parks staff, or (b) those sponsored by outside entities (Sponsors) that meet the terms and conditions set forth in this section.

(1) The eligible sponsor must be a non-commercial, non-profit entity whose primary purpose is the offering of cultural, educational, or entertainment enrichment to the community.

(2) The design of banners must be presented to the Planning Department, or a designated committee thereof, for review and approval. Artwork should be of sufficient size and show actual colors and banner material in sufficient detail to adequately represent the proposed final product. Artwork should be approved at least two months prior to hanging date. A written permit will be issued by the Planning and Parks staff. Fabrication and colors are to be within color guidelines of the Planning Department and Historic District. The design must be on both sides, or as otherwise approved by the Parks Department.

- (E) **Design of Banners.** Fabrication of the banners must meet the minimum standards adopted by the Park Staff, or a designated committee of Park City Municipal Corporation. Fabric must be of a durable material to withstand snow and heavy winds. One and one half inch (1 ½") brass grommets should be installed on both bottom corners.

Banners must be sewn for mounting on existing brackets. A three and one half to four inch (3 ½" to 4") by 29 inch wide sleeve, or 24" inch sleeve for Empire Avenue banners, at the top of the banner is required to hang the banners on brackets. A sample will be provided by the Parks Department. Sponsors are required to contact the Parks Department for review of their proposal for compliance with the actual specifications.

- (F) **Installation and Removal.** Banners should be received by the Parks Department one week prior to

the date of scheduled display. All banners on City light standards shall be hung by City personnel. The dates for the banners to be installed and dismantled will be arranged by the Sponsor and the Parks staff. If the banner is not picked up from the Parks Department by the applicant or sponsor within ten days after it has been taken down, the banner shall become the property of the City and will be disposed of.

The owner of a banner shall agree to assume full liability and indemnify the City for any damage to persons or property arising from the display of the banner by the City. The City is not responsible for any damage that may occur to the banner from any cause.

- (G) **Fee.** A fee shall be paid to the city when the application is presented to the Parks Department before the applicant's reservation commences to cover costs associated with the installation and removal of the banners. This fee shall be established by the Fee Resolution. Checks shall be made payable to the Park City Leisure Services department and submitted with the application.

CHAPTER 12 - MASTER FESTIVAL SIGN PLAN

Any person desiring permission to display temporary banners and signs related to an event on various dates at one location shall submit plans along with the application for a Master Festival License, which is issued by the City. Parameters and requirements are stated within the Master Festival License Application and shall be reviewed by the Planning Department prior to the issuance of a permit.

~~**12-12-1 REQUIREMENTS.** Any person desiring permission to display banners and signs related to the event on various dates at one location may submit an application for a Master Festival Sign Plan. The application shall be processed through the Planning Department and shall require the following:~~

- ~~(A) **Site Plan.** A site plan drawn to scale which specifies the location of the signs, or drawings or photographs which show the scale of the sign in context with the scale of the building if the sign is to be mounted on the building.~~
- ~~(B) **Scaled Installation and Design Drawing.** Colored rendering or scaled drawing including dimensions of all sign faces, descriptions of materials to be used, manner of construction and method of attachment, and color samples.~~
- ~~(C) **Lighting.** Any exterior lighting proposed for signs shall be included in the application.~~
- ~~(D) **Application Forms.** Submit a completed Planning Department Master Festival Sign Plan Application and Building Permit Application to the Community Development Department.~~
- ~~(E) **Fees.** Payment of the appropriate fees to the Park City Municipal Corporation.~~

~~**12-12-2 MASTER SPONSOR BANNERS.** Once a Master Festival Sign Plan has been approved, and during the term of such plan, each sponsor banner which is to be displayed pursuant to such plan must be authorized by a Planning Department Sign Permit. At the time of submission of such permit application, a scaled rendering of the proposed banner and its location must be submitted, together with such information as the Community Development Department deems necessary.~~

~~**12-12-3 KIOSKS.** The intended use of the kiosks is to hold posted materials, fliers, handouts, schedules, etc., that pertain to activities that occur during the festival. The use of the kiosks is to allow an area to post materials related to the festival, instead of posting the materials on buildings, which is prohibited by City Code. Structural details for the kiosks are to be submitted with the Master Festival Sign Plan.~~

CHAPTER 13 - APPEALS

12-12-1 APPEALS. Any applicant who believes a denial ~~was~~ is not justified, has the right to appeal to the Planning Commission or, if the property is in a Historic District, to the Historic District Commission, and to appear at the next regularly scheduled meeting for which proper notice can be given and agenda time is available. Intention to take an appeal to the Commission shall be filed with the Community Development Director in writing within ~~three (3)~~ ten (10) business days following the denial of the permit by the Planning Department.

Applicants may have any action of the Planning or Historic District Commissions reviewed by the City Council by petitioning in writing ~~for a hearing before that body~~ within ten (10) *business* days following Planning Commission or Historic District Commission action on the Sign Permit. Actions of the Commission are subject to appeal and review according to the procedures set forth in the Land Management Code, Chapter 1.

CHAPTER 13 - VIOLATION OF TITLE

12-13-1 PENALTY. Violation of this Title is a Class "C" misdemeanor.

SECTION 3. FINDINGS OF FACT.

1. A uniform sign code has been adopted by the City Council of Park City, Utah to promote the health, safety and welfare of the residents of Park City; and
2. It is in the best interest of the community to develop standards so that there is consistent criteria for review of sign applications and the community has clear notice of the Sign Code standards; and
3. The City Council finds that the proposed changes to the Sign Code are necessary to prevent visual clutter, to aid tourists in easily identifying business locations, to facilitate traffic regulation, to preserve the historic and resort nature of Park City, to safeguard and enhance property values, and to supplement existing zoning regulations; and
4. The Planning Staff has considered standards in other resort communities and input from the Planning Commission and business community in recommending these changes to the Sign Code;

SECTION 4. CONCLUSIONS OF LAW. The City Council hereby concludes that the proposed amendment is consistent with the Park City Land Management Code, General Plan, and State and Federal requirements.

SECTION 5. EFFECTIVE DATE. This Ordinance shall take effect upon publication.
PASSED AND ADOPTED this 26th day of March, 1998.

PARK CITY MUNICIPAL CORPORATION

Bradley A. Olch, Mayor

ATTEST:

Jan Scott, City Recorder

APPROVED AS TO FORM:

Mark Harrington, Deputy City Attorney