



**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
FEBRUARY 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, February 19, 1998.

A G E N D A

Closed Session - City Council Work Session Room - Main Level

2:45 p.m. Litigation
 Property acquisition

Work Session - City Council Chambers - Lower Level

4:15 p.m. Council questions and comments
4:45 p.m. Customer Service Award
5:00 p.m. Senior PGA Tournament
5:15 p.m. China Bridge extension/Swede Alley master plan
5:45 p.m. Review of regular meeting

Regular Meeting - City Council Chambers - Lower Level

6:00 p.m.

I ROLL CALL

II PUBLIC INPUT

Paid parking program

III COMMUNICATIONS FROM COUNCIL AND STAFF

Swearing-in of Police Officer - Luis Maestes

IV WORK SESSION NOTES AND MINUTES OF MEETING OF JANUARY 15, 1998

V CONSENT AGENDA

Amendment to Historical Society Sublease, 528 Main Street

VI PUBLIC HEARINGS

1. Amendments to Title 12, Sign Code, of the Municipal Code of Park City
2. Continuation of hearing on amendments to Chapter 9 and 13 of the Land Management Code to strengthen and clarify existing lighting standards

VII OLD BUSINESS

Amendments to Chapter 9 and 13 of the Land Management Code to strengthen and clarify existing lighting standards

VIII ADJOURNMENT

Posted: 2/17/98



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

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

Toby Ross, City Manager; Jerry Gibbs, Public Works Director; Rick Lewis, Community Development Director; and Meg Ryan, Planner

1. Council questions and comments. Chuck Klingenstein expressed his interest in an Olympic debriefing from those who visited Nagano. The Mayor believed this will occur sometime in March. Roger Harlan reported that the Friends of the Library contributed \$12,000 to the Library which is the largest single annual gift received and is greatly appreciated. He complimented staff for an excellent *City Scene* issue which had a variety of interesting articles on municipal issues. Mr. Harlan commended the performances at the Eccles Performing Arts Center which are affordable and emphasized this is a positive aspect of the community. He added that he looks forward to discussing Mr. Sincock's memorandum on year-round parking. Shauna Kerr referred to a February 6 article about Park City in *USA Today*. Ms. Kerr stated that she attended the Egyptian Theater's opening and the Board was gracious in thanking the City for its assistance in saving the stage. The theater is beautiful and she suggested sending a letter congratulating them. She recognized the Building Department's efforts on this project. Ms. Kerr stressed that she has received comments from merchants and citizens that are pleased with paid parking and would be willing to participate in a public campaign supporting it. The Brewpub and Ciseros have reported that their businesses are up and support the parking. She emphasized that in some segments of the community, paid parking is positive. Mr. Sincock noted that he and Mr. Klingenstein have distributed a questionnaire polling Council about paid parking remarks. Ms. Kerr added that she is uncertain if the public wants to hear from Council again, and other people in the community may be more effective. Mr. Klingenstein believed both would be effective, and emphasized that many who complain don't realize that Council worked on this for a year and a half and can't suggest options or solutions. Ms. Kerr agreed that many residents in the community don't have all of the information.

Hugh Daniels also felt that the *City Scene* was well done and thanked Ms. Kerr for her article about paid parking. He encouraged the City Council to also submit articles. In addition to holding a general public debriefing, Mr. Daniels encouraged Council to schedule a work session. He stated that it was an excellent trip, and added that the gold medal for obnoxious advertising should go to Visa, although Coke was a close second. He discussed the difficulties of using credit cards in a cash-only society. He added that there are parking meters in Nagano much like Park City. Mr. Daniels noted that he appreciated the quarterly financial report and the next quarter will be important. In response to a question about radio frequencies, the City Manager reported that the City

is still working with the County. Hugh Daniels presented Council members Sincock, Klingenstein, and Harlan with personalized chop sticks from Nagano. Mr. Daniels recognized Ms. Kerr's connection with Japan as an accomplished Summa wrestler and presented her with scarfs depicting Summa wrestlers in various positions. Needless to say, Ms. Kerr was overwhelmed.

2. Customer service award. Shauna Kerr announced that there was a nomination from Anita Sheldon for the customer service award for the last quarter. Ms. Kerr read the letter which indicated that quietly over the past few years, Pat Pirraglio and Mary Ford as officers of the local chapter of the Fraternal Order of Police have sponsored *Sub for Santa* for children in the County who would not otherwise have a nice Christmas. Last year, they started a new program, *Shop with a Cop* and during the year, raised enough money to take 40 children to K-Mart where each child was able to spend \$125 for presents for themselves and their families. The nomination letter continued that Pat and Mary enlisted peace officers the from the Summit and Wasatch Counties Sheriff Offices, the Highway Patrol, Heber City and Kamas Police Departments, State Parks, as well as officers from the Park City Police Department. Ms. Sheldon described the festivities and the donations by private businesses which were all coordinated by Pat and Mary; these efforts were done over and above the regular work day and epitomizes the words, "*customer service*". Ms. Kerr presented the award to Officers Pirraglio and Ford.

3. Senior PGA Tournament. Ms. Kerr stated that she received a call from Bryan Naugle of the Park Meadows Country Club about Franklin Quest pulling its sponsorship from the senior tournament. US West is interested but would like support from the City before it goes forward. Ms. Kerr believed that this is one of Park City's best events and Chuck Klingenstein agreed. Mayor Olch referred to a draft letter of support for his signature and endorsed sending it to US West. He added that coordinating the logistics for the tournament is also good training for the Olympics. The Council concurred to send the letter.

4. China Bridge extension/Swede Alley master plan. Jerry Gibbs explained that a year ago parking priorities were set, and it was decided to look at the feasibility of adding a fifth level to the China Bridge Parking Structure. This would require hiring a consultant through an RFP process and when looking at the scope of services it seemed more prudent to divide the contract between the consulting work and conceptual designs. If Council decided on a particular design, there would be subsequent authorization. As part of the conceptual design, it seemed to make sense to look at other alternatives, like adding to the north side of China Bridge. The Public Works Director clarified that the fifth level creates some problems because of height restrictions in the area, and the Historic District Commission and Planning Commission would have to be a part of the process. Mr. Gibbs described the interview design team. International Parking Designs was selected who specialize only in parking structures and have a reputation for being on time, within budget, and providing good designs involving the community. The Frederic R. Harris team pointed out that all of this could be built, but it doesn't answer the question about how much parking there should be or other aspects with regard to the parking. He added that if Council decided on the fifth level

conceptual design, the rest of the process can move ahead. Staff is also looking at the intermodal transit centers which Frederic R. Harris is now designing, but there will be a parking component as a part of that project. These questions will be answered in the next year or so.

Mr. Gibbs understood that Council expressed an interest in a Swede Alley Master Plan, but after the retreat, changed its mind. Rick Lewis explained that the Frederic R. Harris study will address design issues and alternatives for Swede Alley and for China Bridge. The HDC is eager to move ahead on a master plan or a policy plan for amending the Land Management Code and the Historic District Guidelines in order to achieve some of its goals. Mr. Lewis pointed out the varieties of the scope of the master plan, and a detailed document is something staff was not anticipating as a part of its work load.

Chuck Klingenstein recognized the level of work load, of which some projects appear to be in conflict with each other. Mr. Lewis felt that they don't have to be in conflict; it depends on the approach, but in any event the elements from the Frederic R. Harris study and a China Bridge study would be used. Mr. Klingenstein pointed out many projects, including the conceptual fifth level of the China Bridge, transit center, Swede Alley/downtown master plan, and HDC guidelines or policies and wondered how they all could fit together. Roger Harlan noted that Main Street is yet another component. Paul Sincock felt that circumstances have made the fifth level of the China Bridge less important in a year and a half. Paid parking has freed up space in Old Town, and another Sandridge lot is being added this spring. He discussed the ideas from the Design Charette, and prior to the public process, suggested a design contest with awards among staff in the Planning Department. The City Manager explained that there will be a parallel process with HDC and Myles' project which will not be simultaneous but overlapping. There may be potential to get ideas like that, and there may be designers in the community who would like to participate in the HDC process. Mr. Ross understood that the Swede Alley master plan was not a high Council priority because of work load and other priorities. Mr. Ross asked if Council wanted to rethink this and proceed with a master plan for Swede Alley. Staff feels that a master plan may not be necessary, but would integrate elements. The City Manager believed that the HDC could provide policy direction which could be used by the transit center designers and for the parking garage. Paul Sincock discussed the options of a master plan which could include retail, pedestrian, and commercial features or strictly address a parking garage, which is the ultimate decision. The City Manager felt that out of the process contemplated, that Council will receive clear indications and there will be an outcome. He believed Council wasn't prepared to direct and RFP and staff needs some direction at this time. Ms. Kerr agreed and noted that at the retreat, the Council decided that the LMC amendments and other things were high priorities as opposed to a master plan. If those other two processes are going to occur in any event, she believed they should take their natural course and evaluate them. Hugh Daniels pointed out that there is an interest on the HDC which is helpful to Council, and he is not ready for a full scale master plan. Toby Ross asked that as a parallel process, would Council want alternatives generated for Swede Alley. The HDC would benefit from that work, but by the same token, if the HDC completed its work, any future designer would benefit from the product of its

work. He added that neither staff or the HDC will be able to assess the feasibility of a China Bridge extension without a consultant. Rick Lewis stated that the HDC could make modifications on guidelines but also on actual LMC changes which is a current project.

Hugh Daniels felt it appropriate to wait on a design contract. Roger Harlan and Shauna Kerr agreed. Mr. Gibbs discussed conceptual design elements. Mr. Gibbs added that Frederic R. Harris will be presenting a number of design concepts for a transit center, pedestrian areas, commercial and office space areas; there will be a number of options, including a parking element which could be included in a parking program. These should be prepared by six months. Mr. Harlan pointed out that two consultants may be duplicative; and Mr. Gibbs explained that each would be dealing with different issues. Mr. Gibbs added that if 2002 is a deadline, certain decisions have to be made that would provide that the project be completed by 2001. Mr. Sincock didn't view that as an issue as the number of cars coming into the downtown core will be limited during the Olympics. The Public Works Director explained having a construction project underway and the area torn up during that time frame is the real issue. In response to a question from Chuck Klingenstein, Mr. Gibbs responded that construction of a parking structure may require two summer seasons, depending on the structure. Just the fifth floor with a connection to other levels may take a year, and potentially a second summer season. Chuck Klingenstein emphasized that if this is delayed, design and construction time restraints become a concern. The Mayor asked if this could be fast tracked. Mr. Gibbs felt that there could be a build-and-design project, but it is important to have the HDC and Planning Commission issues dealt with. He added that there is enough of a cushion that we're not up against the wall yet. With regard to the intermodal center, Mr. Lewis explained that there is a Community Development task force, including HDC members that will get members up to speed and accommodate the process.

The City Manager understood Council direction to be to hold off on the design effort for the fifth level and work through the HDC regarding Main Street and Swede Alley while working on the transit center. Chuck Klingenstein expressed that he would hate to get well into the process, only to find out that we're heading a different direction.

3. Review of regular meeting.

Lighting standards. Meg Ryan reported that she met with the building inspectors today and there are last minute considerations. In Section 9.5(g) of the draft, the paragraph "No reflective materials may be used unless thoroughly shielded to prevent reflection into adjoining or nearby properties" was suggested to be stricken because of enforcement concerns. Under area lighting, she asked that .08 (should have been .8) be changed to 1.0 so it is consistent with the Uniform Building Code and Electrical Code. The Building Department asked that the section on landscape lighting be stricken. Currently, there is no requirement for residential lighting plans and landscape plans. Landscape plans are only currently required for commercial and large multi-family. Ms. Ryan relayed that the Building Department is concerned about the enforcement of residential

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lighting, but if the Council is committed to residential enforcement would recommend that the landscape lighting section be removed. Roger Harlan commented that removing residential, takes the heart out of the ordinance. Ms. Ryan felt that commercial projects and parking lot lighting have a larger impact and the original motivation was commercial; residential is a part of this, but it is a big staff commitment.

See regular minutes.

Prepared by Janet M. Scott



**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
FEBRUARY 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, February 19, 1998. Members in attendance were Brad Olch, Hugh Daniels, Roger Harlan, Shauna Kerr, Chuck Klingenstein, and Paul Sincock. Staff present were Toby Ross, City Manager; Lloyd Evans, Chief of Police; Alison Kuhlow, Planner; Meg Ryan, Planner; Mark Harrington, Assistant City Attorney; and Jodi Hoffman, City Attorney.

II PUBLIC INPUT

The Mayor invited public input on City business not scheduled on the agenda.

Paid parking program:

Carey Corkin, Hudson, Massachusetts resident, relayed that he has been visiting Park City for about a week and really likes the paid parking system. He explained that he lives in a town with a small downtown area with limited parking and all of the merchants take up the parking spaces. The meters were taken out of Hudson in an effort for retail to compete with the malls. Mr. Corkin assumed that Park City's parking system is helping in turning over the spaces for tourists, but understood that paid parking is controversial. He noted that he will bring this up when he gets back to Hudson.

Marianne Cone, Park City resident and merchant, stated that she has enjoyed not having delivery trucks double-parked. She stated that in Aspen, the commercial area is primarily in one place, so paid parking affected everyone evenly. In Park City, one segment of the commercial community was identified, causing a depression. There are a lot of problems and many businesses have been sold or are leaving and this is an issue that Council has to address. This week was little better; there was 73% occupancy, but only about one-third of the street was occupied at 4 p.m. She felt the program is "over-kill" and there may have been an interim solution. She asked Council to put garbage bags over the meters for two months, before the ski season ends, to see if some of the merchants can make enough money to stay in business.

Lucy Seznowski, Hey Charlie manager, agreed with Ms. Cone's comments, and stated that the merchants are "dying". Last year was not a good year for them, and they are beating last year

by a very small percentage. Two years ago when there was no snow until mid-January, they are down about 40%. Ms. Seznowski stated that she has not seen a local customer in the store in almost two weeks. The locals are now on a time limit and are not going to places other than their destination. Paid parking is not working when people have to walk a half a block, hop over three and four foot snow banks, or avoid water running down the curb. She continued that Swede Alley is empty; on Main Street at 5 p.m., 50% of the spaces were open. Locals now go to the post office, and leave and she reiterated they are on a time clock, and don't spend the time on Main Street. She tried to assist a local with a parking meter who was so frustrated, he left, and this is the attitude of the residents who shop on Main Street. Ms. Seznowski relayed that she has lost three employees because of parking. Main Street merchants are already paying employees more than other areas; employees are not going to pay for the parking, and they can't afford to pay more when sales are down. Council has to listen to the merchants that paid parking is not working; merchants are not happy to see empty parking spaces. The City hit them with moving Sundance off of Main Street, the meters, and maybe moving the Arts Festival. She stated that Council members need to think about who elected them and who they are working for. "You don't tell us what to do, we're the electorate, we tell you what to do".

Jane Shaftner, owner of LaNiche, stated that her store is down about 50% this month after a really good year. Something is wrong. Main Street is not getting tourists for some reason this year, but not also getting the locals is a disastrous situation. One of her employees works at a store in Silver Lake, which is very busy. She felt that they are not getting the Deer Valley customer now, and wasn't sure if there is a lack of shuttle service. This was probably the worst Presidents Weekend they have ever had. It's not working. She doesn't know if Park City has priced itself out of the ski market. It's difficult to come off of a good year, and plan for employees, budget, and inventory accordingly. She has a great deal of stock now, and there are no bodies on the street shopping. There were shoppers in the cars filling the parking spaces originally, and they have lost those people for whatever reason. Ms. Shaftner pointed out that people pulling up to her store would not know that it is paid parking because there is no signage and the meters are so far apart. If Council is going to continue paid parking, it has to improve signage, and information. Experimenting during the height of the ski season where merchants make most of their money, is a disadvantage to all of them. She added that there are more stores on Main Street for sale than she has seen in the twelve years she has been here. If paid parking is going to stay, everyone needs to get together to try and make it work for the rest of the merchants. There needs to be good marketing of Park City.

Steve Hooker, Historic Main Street Association, informed Council that he has received a number of surveys back from Main Street merchants. This was a four year review of sales. He stated that he is not sure how to interpret 1998 and whether it is a combination of the four or five issues or if it is weighted toward parking. The first store is 5% down for the month of January, which is reasonable. The second store is 7% down; the third store is 12% down. The fourth store is 25% down, the next 28% down, another 43% down; 75% down; and 50% down. This is a sampling of the first 12 reports he has received, which is "not a pretty picture". These people have

been on Main Street an average of eight years. Mr. Hooker didn't believe this is a cycle; the parking has affected everyone, and the shopping and transportation habits of the locals and the tourists. He assumed that the City's revenues are down, and maintenance and labor costs are up on the parking meters. He is concerned about the 3,000 tickets given out to customers and tourists and what they are thinking about Park City. Mr. Hooker noted that he has received pros and cons and is fairly neutral. People can find parking, but also hate paying for parking. He understood that Council is committed to this, and merchants have mixed emotions. Business in general is negative and it is not due to just snow conditions. Mr. Hooker was concerned about comments regarding 12 month paid parking, which was not part of the proposal when this was adopted. The Main Street area will look like a ghost town during the shoulder season. It is important to develop business and commerce and to make this work, and he wasn't sure this was working for everyone right now. He pointed out that it is serious to see these merchants show up tonight and to hear about these negative numbers, and asked that Council consider every possibility and if it doesn't work, admit it doesn't work.

Bambi Knight, Historic District resident and Family Jewels employee, pointed out the difficulty in people parking on Main Street and getting back to the car within two hours. Most people leave instead of enjoying lunch and shopping, and large segments of the street are losing a lot of business. The Family Jewels has taken a poll of patrons, including locals and guests, and people have indicated that it is not user-friendly to them. They are not getting enough information. Most merchants bought tokens for their customers, but customers may park further up the street, and it is not convenient to feed the meter. Ms. Knight doesn't understand why Old Town is zoned (for parking), and as a resident, why she can't have more than five guests at her house at a time, without preplanning well in advance. She asked if Old Town is zoned, will the rest of the town be zoned for parking? Ms. Knight hoped the Council understands where the merchants are coming from.

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

III COMMUNICATIONS FROM COUNCIL AND STAFF

Swearing-in of Police Officer - Luis Maestes - Chief Lloyd Evans introduced Luis Maestes and the Mayor swore him in office as a police officer.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF JANUARY 15, 1998

Hearing no corrections or omission, the Mayor requested a motion to approve. Chuck Klingenstein, "I move approval". Hugh Daniels seconded. Motion carried unanimously.

V CONSENT AGENDA

Amendment to Historical Society Sublease, 528 Main Street - See staff report. Shauna Kerr, "I move approval of the amendment to the sublease with the Historical Society" Chuck Klingenstein seconded. Motion unanimously carried.

VI PUBLIC HEARINGS

1. Amendments to Title 12, Sign Code, of the Municipal Code of Park City - Planner Alison Kuhlow reviewed the changes made from Council's last work session. The first is the total sign area requirements, which has been reduced per building facade from 45 square feet to 36 square feet. Regarding the regulation of flags, text has been added, and temporary signs have been addressed. In response to a question from the Mayor, Ms. Kuhlow indicated that there is a time limit of 45 days for temporary signs. She continued that Council supported temporary signs, but not banners, and suggested that corrugated plastic, which is reasonably priced, be allowed. Ms. Kuhlow stated that she has met with various community members, and the Chamber/Bureau focus groups, and requested Council direction on the issues of the committee. Staff will be incorporating many of the recommendations in the revisions for the March 5 draft, and would like input from Council after the public hearing. Issues include:

1. Placing as many categories of signage as possible in the exempt from permitting category.
2. Modifications to total sign area allotments.
3. Allow signage to be placed in the building setback.
4. Grandfather existing private plazas and allow the Community Development Director to use discretion in granting variances from ordinance requirements to solve problems and deal with special circumstances.
5. Modify proposed rules requiring non-conforming signs to conform or be removed.
6. Ease proposed regulations on directory signs.
7. Modify rules to make free-standing signs more visible to traffic for building or project identification.
8. Reclassification of certain luminous tube signs and window signs.
9. If finish grade in front of a building is above natural grade, signage should be allowed to be placed higher on the building face.

Ms. Kuhlow added that another concern raised, which is not addressed in her staff report, is temporary construction signs and the need for marketing real estate ventures. The Mayor invited public comment.

Kim McGuire, developer, understood that the current provisions for temporary construction signs is to accommodate the delivery of laborers, supplies, and equipment. Once a permanent sign is installed, the temporary construction sign must be removed. There is also language about using the temporary sign for initial marketing, and this is really the main marketing tool for the project. Mr. McGuire pointed out that the Code doesn't provide for any type of phased project. He explained that he builds in phases and has had a temporary construction sign up for three years, and has recently been cited and told to take down the sign, which is really his marketing sign. This sign allowed them to sell what amounts to \$10 to \$15 million worth of real estate. He asked how he is going to market his last phase; the Sign Code needs to address this and he wasn't sure if it is Council's choice not to allow project marketing, which would be unreasonable. It is in everyone's best interest to have projects successful, and it is ridiculous to take a temporary sign down at the moment there is something to actually market. He emphasized that temporary construction signs for projects are decidedly different than for sale signs on residences. Ms. Kerr asked why that is different, because it would serve as a real estate sign. Mr. McGuire noted that there is more at stake. Ms. Kerr understood there is more at stake, but again asked why it is different, as it tells the potential purchaser the same message. Mr. McGuire noted that people driving through project areas want some information regarding units and pricing, and informed Ms. Kerr that temporary project signs provide the name of the project, unit configuration, pricing, and a contact. Ms. Kerr recognized that it is more of a marketing sign than a construction sign. Mr. McGuire added that the practice has been and continues to be to use the 4' x 8' temporary signs to generate interest so the units can be sold, and a good portion of the town's business is development. Paul Sincock asked what time frame is reasonable, once a developer has obtained a certificate of occupancy. Mr. McGuire responded that it is not related to the date of the certificate of occupancy, but rather a ski season marketing period from December to April. The Mayor pointed out several illegal temporary construction signs in Deer Valley, and asked if people are taking advantage of the Code. Ms. Kerr asked how long they should be there. Kim McGuire explained that the Code anticipates construction location signs, the practice has been to use this sign for marketing, and there has been no enforcement until recently about removing them. He suggested leveling the playing field for marketing and to address marketing in the Code. He reiterated that a reasonable time is a full ski season; receiving a certificate of occupancy in June is not helpful. Phasing also needs to be addressed.

Bill Coleman, Chamber/Bureau Sign Ordinance Review Committee member, agreed that phasing is a major issue and pointed out that the sign has been reduced to 4' x 6'. He suggested a percentage of occupancy, similar to the City's snow removal policy, to determine the duration of a temporary construction sign. New projects need to be marketed, the permanent signs don't do that, and it is in the local economy's best interest to make the project successful. Ms. Kerr pointed out

that single family subdivisions don't have construction signs. Mr. Coleman believed the same issues are in place and there is a subdivision sign that is allowable. However, the individual lots are not allowed to have a lot sign for delivery of supplies, which is needed. He is not as bothered about marketing for single family projects, as he is for multi-family.

Mr. Coleman referred to the committee's memorandum, which is included as an attachment to the minutes. The committee identified specific examples where problems occurred and Ms. Kuhlow has been very helpful and has chosen to incorporate a good part of their recommendations in the March 5 document. In general, the business community doesn't want clutter and unsightliness and our goals are basically the same. The Code points out that businesses are allowed to clearly identify themselves and the goods and services that are offered in a clear and distinctive manner. Keeping this in mind, the committee felt that the Sign Code was designed for Main Street, but as the town has grown, the Code has not evolved. Mr. Coleman stated that there are many properties in the GC zone fronting on major highways that could benefit from better readable signage.

With regard to Item 1, exempt signs need to comply in general and there should be a streamline method to accomplish that. He believes that sign review is not worth the Planning Commission's time and the staff is capable as long as there are guidelines. Mr. Coleman felt that limiting a sign from 45 square feet to 36 square feet, regardless of the size of the building, the zone, or the speed of the traffic is not necessarily a penalty on Main Street. However, it definitely is a penalty on larger buildings in other zones and there needs to be a formula that makes more sense. The committee recommended to deal with one square foot of sign for every front foot of business when it relates to Main Street, but have a maximum of 36 square feet, not have the 5% discretionary provision, and definitely not send it to the Planning Commission. He suggested that the permanent window signage not become a part of that calculation. Merchants feel that the tasteful window signage that the City is already requiring, doesn't add to the clutter, and again, this should be an administrative function. He felt allowing to place a sign in the building setback has merit. Bringing the sign into the setback area, allows the sign to be smaller and functional, especially monument and subdivision signs. It is recommended that they be at least nine feet from the curb and that signs be legible because they are directional.

Mr. Coleman continued that grandfathering existing plazas makes a lot of sense and Items 4 and 5 are related. The problem with the non-conforming portion of the Code, is that when a business is modified or expanded, the sign needs to be replaced. On the non-conforming side of things, the White Pine Touring sign would have to be replaced if the building burns down. This is an additional hardship to the merchant and this is a good sign, even though it is non-conforming. He urged Council to grandfather existing private plazas. There is no variance procedure in doing so, and the retro-active applications on the private plazas are over-burdensome. He added that directory signs can serve a major function in traffic flow. A free-standing directory sign can not exceed 15 feet according to this new regulation, and it is recommended that the free-standing

directory be the same size as the wall mounted sign and again the staff should be allowed to deal with these. Directory signs within projects are so small, especially in a non-pedestrian area that they are useless and it counts against existing signage. Mr Coleman added that with regard to modifying the rules to make free-standing signs more visible to traffic for building or project identification, the committee is recommending that the ten foot limitation where there are other signs, be removed and that the total building identification not be counted toward the sign area. This usually comes up in a conditional use process anyway. He added that the committee is recommending that this be measured from a finished grade as opposed to natural grade. This would increase visibility of the sign. Item 8, luminous tubes and window signs, largely affects the Main Street businesses and the committee is suggesting an exemption from permitting and allowing the staff to deal with them. Again, the sign area for the name, logo, and business description should be exempt from the definition of the total sign area and for any interior signs set back at least three feet from the window, including luminous tubes. Trying to regulate every single possibility makes a mess for the City to police. The rationale is for signs to be tasteful and recognizable. Window signage including luminous tube signage, should be dealt with in a way that is consistent with that overall philosophy.

Bill Coleman stated that these are the committee's comments which are based on a tremendous amount of work. He emphasized that there is a need for individual businesses to identify themselves as there is an incredible investment made by merchants. He reiterated his support of administrative approvals.

Dennis Hanlon, resident, stated that when he reviewed the Sign Code he found a few things that are contradictory to "real life". He referred to Chapter 7, Prohibited Signs, where a-frame signs are prohibited. This would prohibit open house signs in the real estate community. Paul Sincock also noted that it would prohibit children playing in the street signs. In Chapter 10, Temporary Signs, there is a provision that real estate signs be limited to the name of the agent or agency. He emphasized that it is common practice to also put phone numbers on the sign. Mr. Hanlon hoped that the Sign Code would be enforced and that real estate companies aren't in violation. With regard to design, Mr. Hanlon relayed that many companies are selling plastic slip-overs that look just like wood, and he would like to see this material allowed.

Elisa Miller, resident and Sign Pro employee, pointed out the abundance of illegal posters on the construction sidewalk by Chimayo's Restaurant during the Film Festival. She has never seen such a mess, and her fear is that if there is no precedence in terms of the Master Festival sign plan, there is going to be a problem when the Olympics are held. She described the commercialism and all of the posters at the Atlanta Olympic Games. There should be something in place to get people used to the Sign Code. She understood that there were three kiosks for Film Festival posters, but the Sundance people let its patrons hang posters anywhere. Ms. Miller suggested that Sundance post a \$10,000 deposit which will guarantee compliance of the regulations. Any fines or clean-up costs would be deducted from the deposit. Paul Sincock commented that this is the first time he has heard about this problem, and it was his experience at the venues that there

was much less signage, and the event was more controlled this year than ever in the past. Ms. Miller added that she saw signs on Old Town buildings. She hoped Council would think about her suggestion, and relayed that Ms. Kuhlow worked with her on other issues as well.

Steve Hooker, Historic Main Street Association and committee members, stated that serving on the committee was a good exercise as they broke everything down much like Ms. Kuhlow. The committee tried to put a "buffer" in the Code to protect existing businesses and some of the existing signage, both conforming and non-conforming. He doesn't believe that signage should be required to be changed because there is a new ordinance, however, the grandfathering clause will assist in some of the negotiation. Mr. Hooker believed that the committee's comments are very fair and make a lot of sense. He believed this is a good compromise for the City and the merchants, and the Association would support it.

The Mayor announced that the hearing will be continued on March 5. Ms. Kuhlow encouraged Council to contact her with regard to the issues brought up earlier. Hugh Daniels asked if she thought Council would be hearing something different on March 5; Ms. Kuhlow indicated that she didn't think so because the Chamber, Main Street merchants, and other associations in Park City have been contacted. His concern is giving direction before he hears all public input. Ms. Kerr stated that she wants to think about this for a while and reserve her comments. Hugh Daniels also pointed out the committee's formula, and Ms. Kuhlow noted that she is working through that recommendation. Mr. Daniels asked that examples of the proposed formula be presented at the next meeting. Mr. Kuhlow added that real estate signs don't need permits, and will make those clarifications at this point. Chuck Klingenstein could support administrative decisions, finalized by the Community Development Director. If there are problems with that process, the application could go to the Planning Department. Ms. Kuhlow responded that she could make a list of what those approvals would include for the March 5 meeting. Ms. Kerr felt there should be some conformity with sign heights so that enforcement is easier. Mr. Sincock requested a staff recommendation on the suggestion that temporary signs be removed once a certain percentage of occupancy is met on a project.

With no further comments, the Mayor closed the public hearing.

2. Continuation of hearing on amendments to Chapter 9 and 13 of the Land Management Code to strengthen and clarify existing lighting standards - See staff report and work session notes. Planner Meg Ryan stated that this is the fourth time that a public hearing has been held before the City Council. Lighting standards was a 1996 priority item of Council, and staff has been working on this ordinance for over two years. Currently, in Chapter 9, there are lighting guidelines. The purpose of this ordinance was to clarify, in the sense that it outlines what is prohibited and what is allowed. It also clarifies between commercial and residential. She continued that in earlier recommendations, there were just commercial lighting standards. Council asked that residential standards be included. The Ordinance provides regulation for any exterior lighting on commercial

projects whether it be on the soffit, facade, use of fixtures, parking lot, or pathway. The City Council asked that staff look at residential standards for exterior lighting so that lights are shielded from adjacent properties and to mitigate excessive glare. The staff is recommending that if Council chooses to take action that it consider the code enforcement impacts of residential lighting provisions.

Roger Harlan recalled that the thrust of residential regulation was for new construction. Ms. Ryan responded that as currently written, it is. Contrary to Planning Commission and City Council direction, staff is recommending not venturing down the path of residential enforcement. However, in drafting the Ordinance, staff has responded by providing options and has proposed regulations to look at new construction of residential buildings. This would occur at the single family design review where height, setbacks, and compatible materials are examined

Ms. Kerr reported that she has spoken with Ms. Ryan about her concerns with residential. One of the things discussed by Council members at their retreat in January was that they were not going to increase the work load of staff, and this was going to be the year of valuing employees. She understands that every light bulb contributes to light pollution, but the greatest impacts are commercial. The Council may be setting the staff up for failure if residential is included at this point. This may be time intensive for staff and the Building Department doesn't support this. Further, asking for a landscape lighting plan at the time for a permit may be unreasonable. Ms. Kerr urged Council to abandon the residential lighting at this point to see how the Ordinance works with regard to commercial. Paul Sincock suggested dropping the landscape lighting section and apply this ordinance only to new construction as part of the inspection process. Ms. Kerr believed this would still take staff's time, and pointed out that people can change out a fixture. She understood that subsequent to approval, violations would be reported on a complaint basis, but in comparison to other issues, this may be insignificant. Paul Sincock asked about swimming pools. Ms. Kerr felt that maybe exterior lighting for sports courts should be regulated as they are the exception in the neighborhood.

Chuck Klingenstein agreed that residential is an additional work load, but it is foolish to think that this issue will be revisited. The town is rapidly in-filling and this may be the only opportunity to begin a start to get the residential standards in place. He felt it is important to make a decision now on whether or not to do it. Ms. Kerr stated that she is not sure that this will take us back to the days when we saw the stars, but agreed there are lots that will subsequently generate lights. Roger Harlan felt that there can be a differentiation between enforcing non-conforming lighting or review of lighting for new construction. He agreed with Mr. Klingenstein that there has to be a start, and is reluctant to let go of the new residential construction aspect. He supported the regulation of lighting for residential sport courts. The Mayor invited the public to comment.

David Barry, resident, stated that he has written the City Council on this issue. He believed that the residential standards are fairly reasonable and understood that the non-conformance

issue is difficult. There are about 5,800 completed homes and another 1,200 lots yet to be developed. If Council does not provide some sort of mechanism in dealing retroactively with existing homes, the balance of the 1,200 lots that Council could deal with through a permit process, would not be enough to really address the issue meaningfully. It would also be unfair because it require new construction to comply and not require the existing housing stock to comply. He suggested that with regard to residential enforcement for existing residential, that violations are dealt with when a complaint is filed or if a violation is observed by an enforcement officer. There should be some sort of provision which allows the property owner to amortize the cost of replacing fixtures, like a year or two years to bring them into compliance. There was discussion about the Park Meadows street lights meeting lighting criteria. Ms. Ryan explained that high pressure sodium and compact florescent are proposed sources for all exterior lighting, which are more economical and more energy efficient than incandescent which is the standard. Mr. Barry emphasized that high pressure sodium may be more expensive but is more energy efficient and lasts much longer. One of its features is that it is filterable, so if someone is an astronomer or photographer, a filter can be used on a lens to filter that particular spectrum of light out so that it will not be seen through a telescope or camera at night. Mr. Barry stated that on Kaluha Kona, Hawaii, all of the fixtures, including residential, are high pressure sodium. To his knowledge, this area is the most conscience of exterior lighting on buildings and private property than anywhere he has ever been. He felt that they understand the value they offer to tourists, and are committed to protect the interests of the observatory on the island.

In response to question from Mr. Sincock, Mr. Barry clarified that in his opinion, on existing homes, the requirement to conform would only be based on when a violation is reported or observed by staff. This is much like the process for weed abatement. The mechanism for compliance to that non-conforming structure, would be a period of twelve to eighteen months, whatever is fair, to meet the requirements of the ordinance.

Bill Coleman commented that with regard to landscaping, there probably needs to be some limitation on the number of lights in a plan. The Code currently prohibits up-lighting on commercial buildings. Some of these buildings, especially in the Historic District, are beautiful and have details that should be highlighted. He felt that the high pressure sodium is a good recommendation. Tourists like the seasonal lighting on the trees, although it can be overdone. He suggested that it be allowed until the end of the ski season, rather than March 31. Meg Ryan advised that highlighting historic features and fixtures are allowed under the Code.

With no further comments or questions, the public hearing was closed.

VII OLD BUSINESS

Amendments to Chapter 9 and 13 of the Land Management Code to strengthen and clarify existing lighting standards - Hugh Daniels stated that he believes the residential section needs

to remain, but can be persuaded to leave the landscaping portion out at this time. He felt that you have to start somewhere and this is a mid-range plan and for the 20% of the potential building. Staff has been through this a long time, as has the Planning Commission, and he will support it. Chuck Klingenstein echoed Mr. Daniels comments, and thanked Mr. Barry for his input. He explained that Council looked at being more aggressive and realized that it would be incredibly staff intensive, and the idea was to get our foot in the door. He will support the Ordinance. In response to a question from Paul Sincock, Mr. Ross explained that there would be a regulation for non-conforming lights, and there would be a additional provision that once you have received notice from the City, you would have a certain specified time to comply. However, this still doesn't address the issue of work load. Roger Harlan suggested that home owners associations be encouraged to assist the City by redrafting CC&Rs in their subdivisions. Paul Sincock believed this Ordinance to be in the best interest of the City, and if it is not implemented now, it will never be accomplished. He agrees with removing the landscape provision with the proviso that it can be revisited if it does become a problem. Meg Ryan explained that there will be an opportunity in the upcoming Code revisions as staff will be recommending a landscape ordinance. Ms. Kerr stated that she still does not support the residential component at this point, and regulating lighting in its entirety is a substantial step for the City.

Paul Sincock, "I move that we approve the amendments to the lighting standards in Chapter 9.5 (g) and (i) in Chapter 13.2(c) of the Land Management Code with the following changes. On Page 96, Item 9., change from .08 to 1.0, in Paragraph 13.2(c) dealing with landscape lighting standards, and add the change to the seasonal lighting, and deleting the sentence on Page 30 (regarding reflective materials)." Chuck Klingenstein seconded, and thanked Ms. Ryan and staff as it is a step in the right direction. Shauna Kerr stated that even though she is gong to vote against the motion, because of her feelings on enforcing residential standards, she does support the concept. Motion carried.

Hugh Daniels	Aye
Roger Harlan	Aye
Shauna Kerr	Nay
Chuck Klingenstein	Aye
Paul Sincock	Aye

VIII ADJOURNMENT

With no further business, the regular meeting of the City Council was adjourned.

* * * * *

MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 2:45 p.m. Members in attendance were Mayor Brad Olch, Hugh Daniels, Roger Harlan, Shauna Kerr, Chuck Klingenstein, and Paul Sincock. Staff present were Toby Ross, City Manager; Mark Harrington, Assistant City Attorney; and Jodi Hoffman, City Attorney. Chuck Klingenstein, "I move to close the meeting to discuss litigation and property acquisition". Roger Harlan seconded. Motion unanimously carried.

The meeting opened at approximately 4:15 p.m.

* * * * *

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: February 19, 1998
DEPARTMENT: Public Works
AUTHOR: Jerry W. Gibbs
TITLE: China Bridge
TYPE OF ITEM: Work Session

SUMMARY RECOMMENDATIONS: Provide staff direction with respect to designing additional parking in Swede Alley.

DESCRIPTION:

A. Topic: Swede Alley Parking

B. Background: Wilbur Smith and Associates completed a transportation and parking study in June 1996. That study recommended near, medium and long-term strategies to address the parking issue in the Main Street core. This phased program included Sandridge Parking, pay parking and the fifth level of China Bridge as steps to take *before* constructing a 400 space parking structure. One of the priorities from the 1997 Council Retreat was to proceed with the planning for a fifth level to the China Bridge Parking Structure upon completion of the Sundridge parking. Council recently authorized the completion of phase 2 Sandridge at their January 15 meeting and the Planning Commission is currently reviewing plans.

Staff determined that an architectural/engineering design firm would be needed to explore alternatives, evaluate the existing structure, meet with commissions and boards and develop preliminary and final drawings. Staff developed a Request for Proposals (RFP) that requested design teams to look at the alternatives of 1) adding a fifth level and 2) adding on to the north of the existing structure. Architectural compatibility, compatibility to Historic District scale, pedestrian, and vehicular movements were to be key elements of any design.

The RFP was advertised locally and sent to parking design professionals in the western United States. Six consulting teams prepared submittals. An evaluation team was assembled composed of Rick Lewis, Linda Cook, Mark Harrington, Russel Wong and me. Russel Wong of the Main Street Merchants had agreed to participate but had a conflict at the last minute. He selected Peter Tomai as his replacement. Based on the written proposals staff selected a short list for interviews including International Parking Design (IPD), Frederic R. Harris (FRH), and Watry Design.

Interviews were held on January 14, 1998. Prior to their interview, Watry Design withdrew from consideration because they had too much work to undertake our project. The remaining two firms made one hour presentations with questions and answers at the end.

IPD is a full service architectural firm that specializes in parking designs in the western United States. They have 28 years of experience including 170 parking structures and consulted on an additional 2,500 projects. Their emphasis is a parking structure should be a "people place." This includes security for the user, their vehicle, signs, and scale within the community. Their consulting team included a mechanical and electrical firm from the Salt Lake area. The IPD proposal met the elements of the RFP.

FRH briefly presented their alternatives requested in the RFP. They suggested a Swede Alley master plan should be completed prior to making a decision to add parking either on top or adjacent to the existing China Bridge Structure. Their design team included Park City Design Consultants (David Belz), Bsumek Mu and Assoc. (Original China Bridge Designer), Wilbur Smith, and Claflin and Assoc.. They had a better understanding of the traffic and parking issues due to their local connections.

After a lengthy discussion by the evaluation team, a consensus was developed to recommend IPD for the design of an addition or a new facility. The team felt that IPD would work best with the Planning Department and Commissions to develop a design that would be cost-effective, functional, and would fit into its environment. IPD has a reputation for on-time and within budget performance. Both design teams had similar rate structures.

FRH is currently working on the city's transit plan and is just beginning the conceptual design for a transit center north of the Marsac building. Construction could begin as early as the spring of 1999 and completed by fall of 2000. The transit project could displace as many as 100 surface spaces. Those space could be replaced within the transit center project.

Additional discussion has indicated an interest in creating more pedestrian space on Main Street. These alternatives could use existing parking spaces to accommodate more pedestrian space. A pedestrian program could eliminate as many as 90 spaces of Main Street parking. Discussions with interest groups regarding these ideas are scheduled to commence in April.

The Community Development Department is in the process of developing a work program for a Master Plan for Swede Alley (SAMP). The Historic District Commission at their meeting of February 9, 1998 suggested a Master Plan process that would emphasize LMC and Historic District Design Guideline modifications to meet agreed upon policies. This process is estimated to take from 9 months to a year. The work program could be expanded to include land use, parking, traffic circulation, pedestrian movements, solid waste handling, deliveries, utilities, lighting, signs and people places by lengthening study time frame and/or getting outside assistance. Neither staff nor HDC would have the capability of assessing options for China Bridge without consultant assistance.

C. Analysis: The City Council can approach the development of additional parking from many

directions. Each issue has varying consequences with respect to time, Main Street Merchant acceptability, cost, staff time and public inconvenience.

A list of potential issues or questions are:

1. Should the design and construction of additional parking be placed on hold until a SAMP can be completed?
2. Should the parking effort consolidate future parking development in one structure or should structure development be phased in two or more projects?
3. How much parking should be developed prior to the 2002 Games?
4. Should conceptual and preliminary drawings be completed for a parking alternatives prior to the completion of a SAMP?
5. How will HDC and Planning issues affect the time line?
6. What effects will a delay to design and build additional parking (both short and long term) on the viability of the Main Street commercial Core?
7. Would better information regarding feasibility of and design options for China Bridge assist the Council, Planning Commission and HDC in determining the desired future appearance of Swede Alley?
8. How will Main Street business owners react to a delay in planning for additional parking?

he fifth level to China Bridge is estimated to cost \$1,000,000 for construction and design fees. The cost is high due to the vehicular connection to either Swede Alley or Marsac. The same spaces could be built more economically as part of a larger structure or plan.

The planning time necessary to develop a design that meets the expectations of the Planning and Historic Districts, public meetings and staff meetings is anticipated to take 6 to 8 months. The physical design and bid process would take 4 to 5 months.

A master plan process will answer many of the same questions that will need to be determined as part of a design project. It will also provide an opportunity to look at the whole area and set reasonable guidelines that would apply to all structures and uses. An independent approval process for a single project increase the potential conflict between the project and the ultimate desired outcome.

The City Council could engage in a discussion with HDC, Main Street Merchants and planning staff to determine desired outcomes from the process. A reasonable time line needs to be identified.

D. Department Review: The issues have been discussed with Community Development, Public Works and the City Manager. The City Manager was concerned that attempting to resolve Swede Avenue design issues before exploring the feasibility of a China Bridge project would delay potential parking solutions and increase staff workload in the near term. Attempting to resolve parking issues between the Planning Commission, HDC, Main Street Merchants, general public and staff without the benefit of a consultant such the firm selected to study the China Bridge would be very demanding of staff resources and would probably require a reassessment of

Council priorities.

Community Development expressed concerns that many of the same issues and questions will need to be resolved in the master plan process or a design review. A design process that followed closely to the master plan discussion is workable. The reverse would create potential conflicts.

The concern from Public Works is if additional parking will be build in the near-term, a project that incorporates all the parking will provide a better cost per space ratio. If a near-term project is to be built, planning decisions need to be made this year to allow design and construction to be completed by late summer 2001.

ALTERNATIVES:

- A. **Discuss issues and give direction to staff.** If the Council wishes to continue with the design process for China Bridge, the award of a design contract would return to the Council at a regular meeting.
- B. **Postpone issuing a contract to IPD until a master plan for Swede Alley is completed.** Staff would notify the proposing consultants that no contract would be awarded at this time and proceed to develop a program to complete the master plan.
- C. **Set up joint meeting with Planning, HDC & Main Street Merchants to clarify issues and time lines.**
- D. **Continue the discussion with direction**

RECOMMENDATION: Provide staff direction with respect to designing additional parking in Swede Alley. If the Council wishes to continue with the design process for China Bridge, the award of a design contract would return to the Council at a regular meeting.



DATE: 2/19/98
DEPARTMENT: Legal
AUTHOR: Mark Harrington, Deputy City Attorney
TITLE: Lease Extension- Historic Society
TYPE OF ITEM: Administrative- Consent Agenda

SUMMARY RECOMMENDATIONS: Authorize the Mayor to execute an amendment to the sub-lease with the Historic Society for space at 528 Main to extend the term to five years.

DESCRIPTION:

A. Topic: The sub-lease of a portion of the Old City Hall building to the Historic Society.

B. Background: In 1992, the City sub-leased the downstairs of the Old City Hall building to the Historic Society for a five year term expiring in 1997. (The building is leased to the City from the MBA.) The leased premises consist of the basement, first floor and one office area on the upper floor. The sub-lease gave the Historic Society an option of first refusal for an additional two-year term. This summer, the Legal Department received notice that the Historic Society wished to renew. The Council granted the two-year renewal in August, 1997. The Historic Society has since expressed an interest in extending the term through the Olympics.

C. Analysis: The amendment extends the term to August 31, 2002. The Sub-Lease contains another right of first refusal for a term to be agreed upon by both parties at the expiration of the lease. All other terms remain the same.

D. Department Review: The Legal Department reviewed this matter.

ALTERNATIVES:

A. Approve the Request: Authorize the Mayor to execute the amendment attached as Exhibit A, granting a five year term to the Historic Society at 528 Main.

B. Change the Rental Terms: The Council may decide to alter the terms of the proposed lease, in which case it should incorporate such changes into the motion to approve the lease or remove the Lease from the consent agenda and direct staff to prepare the changes for the next meeting.

C. Continue the Item: If the Council wants more information, it should request such additional data and continue the item.

D. Do Nothing: The current lease would expire August 31, 1999.

SIGNIFICANT IMPACTS: The leased premises consist of the basement, first floor and one office area on the upper floor (in the same area as Gordon Strachan's office).

RECOMMENDATION: Authorize the Mayor to execute an amendment to the lease with the Historic Society for space at 528 Main extending the term to five years.

**AMENDED
SUBLEASE AGREEMENT
PARK CITY MUNICIPAL CORPORATION AND
THE PARK CITY HISTORICAL SOCIETY**

WHEREAS, a sublease agreement was renewed by and between PARK CITY MUNICIPAL CORPORATION ("CITY") and the PARK CITY HISTORICAL SOCIETY, ("Historical Society") for rental of the space at 528 Main for a two year period ending August 31, 1999, which was specified in the prior sublease agreement;

WHEREAS, ensuring the occupation of 528 Main by the Historical Society thru the Olympic Games in 2002 shall solidify the presence and viability of the Historical Society's operations on historic Main Street; and

ALTHOUGH it is not the intent of the City Council to bind future councils, the Historical Society and the Park City Museum have been supported throughout the years by the City, and the City's patronage will be endorsed by entering into a five year lease for the Old City Hall Building space which the Historical Society and Museum has historically occupied.

NOW THEREFORE, THE PARTIES AGREE TO AMEND THE SUBLEASE AGREEMENT DATED SEPTEMBER 1, 1997, AS FOLLOWS:

2. Term. The term of the lease is for FIVE (5) years beginning September 1, 1997, and continuing until August 31, 2002, unless sooner terminated under the provisions of this Agreement, or by the joint agreement of the parties. In the event City determines that the leased space is surplus to its needs, the Historical Society shall have the right of first refusal to renew this Lease for additional term agreed upon at that time before City offers the space to any other party.

DATED THIS ____ day of February, 1998.

HISTORICAL SOCIETY

by: _____
(print name) _____

CORPORATE ACKNOWLEDGMENT

STATE OF UTAH)
 : ss.
COUNTY OF SUMMIT)

On this ____ day of _____, 199_, personally appeared before me _____, who being duly sworn, did say that he/she is the _____ of the Historical Society, and acknowledged to me that the preceding Agreement was signed on behalf of said corporation, by their authority and he/she acknowledged that the corporation did execute the same for its stated purpose.

NOTARY PUBLIC

PARK CITY MUNICIPAL CORPORATION

by: _____
Bradley A. Olch
Mayor

Attest:

Jan Scott, City Recorder

Approved as to form:

Mark D. Harrington, Deputy City Attorney

CITY COUNCIL STAFF REPORT

DATE: February 19, 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 conduct a Public Hearing on the proposed amendments to Title 12, Signs, of the Municipal Code. A second Public Hearing is scheduled for the March 5, 1998 City Council Meeting.

A. Topic:

Proposed amendments to Chapter 12 of the Municipal Sign Code.

B. Background:

The Planning Department last brought the revisions in front of the City Council for discussion on January 22, 1998. The topics discussed included flags, sign area and temporary signs for business change. The comments from that Work Session are included within the Analysis section of this report.

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 the Main Street Merchants and the business community were all contacted by staff. In April of 1996, the City Council held a work session on the proposed amendments. Direction on several items were given to staff. In May of 1996, the ordinance was tabled until high priority scale projects were completed. Please see Exhibit A for minutes of these past meetings.

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.

Staff has also met with interested community members. The most recent meeting was with the focus group appointed by the Chamber of Commerce. That meeting was held on February 9, 1998.

Due to the request from community members, the Planning Department has scheduled an additional public hearing at the March 5, 1998 City Council Meeting.

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 complements the building architecture; and,
 - 3) To give the business community very clear direction on what is permitted.
 - 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 July 31, 1997, December 11, 1997, and January 22, 1998, City Council Meetings, Staff re-evaluated certain elements in the proposed code and clarified definitions. The draft before you reflects these changes.

Outlined below is a summary of the major changes made to the ordinance since this was last brought before the Council.

(1) Section 12-4-1 Total Sign Area Requirements

The City Council recommended that Staff change the sign area per building facade to state that the sign area may not exceed 5% of the building face to which the sign applies, or 36 square feet per building face regardless of the number of businesses occupying the building, whichever is smaller. The statement previously read 45 square feet. If additional sign area is necessary, the applicant may still request the Planning Commission to grant additional sign area up to a maximum of 5% of the building face.

(2) Section 12-9-2(F) Flags

As per direction received from the City Council Work Session held on January 22, 1998, Staff has revised the regulations regarding flags. The number of free-standing flag poles per site has been set at three. A provision is included allowing additional free-standing flag poles per 100 feet of street frontage. Staff limited the number of building mounted flags to no more than eight (8) per site. The maximum size of a flag was limited to twenty-four square feet. A provision was also added limiting the number of flags per flag pole to one. Language restricting the color of flags poles was removed, but a recommendation of dark colored flags poles was added. Flag area is not included into the total sign area per building facade, unless it contains the name or logo of the establishment.

Due to the recent use of flag poles to camouflage telecommunication equipment, Staff has included a provision within the flag regulations to address the use. The provision states that flag poles used in conjunction with telecommunication facilities may be constructed to the maximum height of the zone instead of the height of the nearest building or twenty-five (25) feet. Since the poles would be taller than the flag poles restricted in height, a larger flag size approved by the Community Development Director, would be more appropriate for the taller poles keeping in proportion the size of the flag and the pole height.

(3) Temporary Signs for Business Change

Staff researched possible methods for allowing temporary signs for a business identifying a business name change or new tenant. These signs would be temporary and would only be used in cases where the applicant has not received approval of their permanent signs. The total sign area for the building could not exceed the sign area allowed per building face which would include the calculation of the temporary signs. Two options for the displaying of the name or tenant change would be window sign area or a wall sign. Please refer to Section 12-10-2(A) of Exhibit C for the entire language regarding this new type of sign.

D. Items of Discussion

Staff requests the City Council discuss the options stated with regards to temporary signs for business name or tenant changes and encourages Council to discuss any items which they feel have not been addressed.

E. Department Review:

The Community Development Department has reviewed the proposed amendments. The Legal Department

M:cdd/aek/97/cc/sign.rev

is reviewing the final draft and will present any concerns at the March 5, 1998 Meeting.

F. 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. Staff will address their comments, along with the comments received at the February 19, 1998 public hearing, in the March 5, 1998 staff report.

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 conduct a public hearing, review the proposed changes and give Staff input on the issues discussed above. Staff will incorporate proposed changes from the comments received at the February 19, 1998 meeting and will present them to the City Council at the meeting on March 5, 1998.

Exhibits

- Exhibit A - Minutes from the December 11, 1997 Meeting
- Exhibit B - Minutes from the January 22, 1998 Meeting
- Exhibit C - Proposed Sign Code
- Exhibit D - Memo on Size Signs in Town
- Exhibit E - Public Comment Letters

Roger Harlan reported on a meeting with a designer of skateboard parks on Tuesday, Parks and Recreation Board members, and the Youth Advisory Board. The designer provided helpful information and the meeting was productive. Mr. Harlan noted that there was discussion at a Library Board meeting about security of the building on the weekends. He suggested a security plan for all City buildings that may be implemented in conjunction with contracting with a cleaning service.

Hugh Daniels noticed an RFP in the newspaper for designing a fifth level on China Bridge. He recalled discussing this option, but questioned if this is premature. The City Manager explained that this was part of a program the Council approved before the paid parking concept. This is an attempt to obtain costs and the project was expanded as the result of discussions during the charette, relating to an adjacent parking area and design integration with the existing parking structure. This will come back to the Council in January for review and if Council decides to proceed, construction is not anticipated until 1999. Jerry Gibbs added that this will be about a six month process. In response to a question from Hugh Daniels about the Snowcreek parcel, Mr. Ross stated that he believes that the ownership has changed and that staff will be talking with Council about this next week. Mr. Daniels reported that he attended the Olympic Venues Cities meeting with Mr. Harlan and the Mayor with Ogden, Salt Lake, Huntsville, Provo, and West Valley representatives. Ken Bullock and John Fowler were there and this was a first meeting of the group. Various cities expressed concerns, which will be presented to SLOC who will meet with the Venue Cities Group, probably in March to answer those questions and to provide more information. He continued that Salt Lake is sending several Council members to Nagano.

Paul Sincok noted that the community meeting held in Park Meadows last night was well attended and he appreciated the public feedback on a variety of issues. He discussed the traffic light malfunctioning on Bonanza and Kearns Blvd. and UDOT should be aware of the power fluctuations that occur here. The City Manager indicated that he discussed this with Eric DeHaan and UDOT has an obligation for the light and UP&L has an obligation to deliver power in that location, which is being worked on. The Mayor suggested that the default be red as opposed to red and yellow which is very dangerous. Paul Sincok relayed a complaint from a resident in lower Deer Valley about construction traffic from Deer Crest and wants to make sure that this project conforms with its agreement with the City.

2. **Sign Code amendments.** Planner Alison Kuhlowl explained that this presentation covers the changes made since the July 31 meeting. The purpose of the Sign Code is to set forth specific parameters which will enhance the appearance of the community, to encourage aesthetically pleasing signs which compliment the building's architecture, to give the business community direction on what is permitted, and to improve the health, safety, and welfare of the citizens by minimizing visual clutter and clearly identifying traffic and directional signs. She reviewed the recent changes.

Exhibit A
December 11, 1997 Minutes

The first is the definition of a sign area: staff is proposing calculation by the measurement of the smallest geometric shape or combination thereof, which would enclose the sign area. Though illustration of graphics, Ms. Kuhlow explained examples of calculating signage. Paul Sincoc felt that the language could be more simply stated. Hugh Daniels noted that there are signs that are strange shapes that do not lend themselves easily to computing the area, and this is the easiest methodology. Ms. Kuhlow addressed total sign area requirements and stated that a reduction in the total sign area on a building face would benefit the community, but it has been decided to maintain the current regulations and to modify them grammatically so that they are better understood. Currently, the Code provides that the sign area per building face may not exceed 5% of the building face to which the sign applies. The sign area can not exceed 45 square feet per building face or 36 square feet per building face if used in conjunction with a free standing sign, whichever is smaller. She continued that if an applicant feels he needs more square footage, the application would have to go to the Planning Commission, and in no event could the sign area exceed 5% of the building face. Conditions to acquire extra square footage over the 45, include multi-tenant buildings, buildings with master sign plans, or street frontage situations. Hugh Daniels believes that 45 square feet is too large and didn't believe there are too many situations requiring a large sign and there is also the 5% option. Ms. Kuhlow added that there could be criteria to qualify applications. Mr. Daniels continued that if the Sign Code is going to be revised he would suggest something less than 45 square feet and also a minimum area for signage, like 12 square feet so it is readable. There was discussion about square footages of various signs in town, and Ms. Kuhlow explained that there are not many non-conforming signs and most meet the 5% rule.

In response to a comment from Roger Harlan about the omission of a time frame, Ms. Kuhlow clarified that there was a ten day turnaround on applications in the Code, but review may take up to two to three weeks. Roger Harlan believed it to be important to indicate some reasonable time frame. The Mayor encouraged Council to get back to staff on concerns or additional comments. Alison Kuhlow stated that she will probably reschedule this some time in January and will be working with the business community and the Chamber/Bureau in the meantime. Mr. Daniels pointed out that the regulation of flags is something that probably should be addressed. Ms. Kuhlow clarified that there are no provisions in the Code on flags, and size and number have just been negotiated with applicants.

3. Review of regular meeting.

Parking Code amendments. In response to a question from Shauna Kerr, Brian Anderson indicated that meters are now are being programmed and people can make reservations for purchase. There is a \$27 deposit, which is refundable when the meter is returned.

Mr. Anderson explained that in conjunction with the paid parking program, staff has reviewed the current Parking Code and recommends revisions before the program is implemented. The major changes will formalize the paid parking section to initiate the required zones and

provide information on collections of property taxes, assessments, business licenses, and quarterly comparisons. This information will be very helpful in budgeting efforts.

Chuck Klingenstein discussed a complaint he received from a resident in Old Town about the lack of enforcement during late hours, and that the Police Department informed her that it is not doing the enforcement. Mr. Ross explained that Council changed the hours from 8 a.m. to 8 p.m. as opposed to 6 p.m. and the signs reflect this provision. The Police Department will not be enforcing time violations, but fire hydrant, double parking, handicap parking violations, etc. Chuck Klingenstein believed Council concurred with the request from the Historical Society for a longer-term lease. He discussed the minimal use of the shuttle from the Sandridge lot and doesn't think it makes sense to keep it running unless it is promoted in a program. Mr. Ross stated that staff plans to market this after the Film Festival and will evaluate the service. Mr. Klingenstein appreciated the letter from Mr. Pollard and hoped an alliance with the Rocky Mountain Elk Foundation could be developed for reseedling and habitat preservation efforts. Mr. Harlan agreed that Mr. Pollard's ideas are excellent. Mr. Klingenstein discussed proposed state legislation to reduce second home owners' property taxes and the City needs to be vigilant at the legislature.

2. Sign Code amendments - flags. Alison Kuhlow stated that she met with Hugh Daniels and Roger Harlan about the amendments along with the Chamber. She identified eight associations within Park City and has mailed them a copy of the current draft also enclosing a two page hand-out briefly describing some of the major changes. She is beginning to get comments back and has scheduled a public hearing on February 19. She explained that on free-standing, projecting, and hanging back-to-back signs, only one side is counted unless it diverges more than 30° and this has been clarified in the new draft.

Planner Kuhlow added that currently, the City doesn't regulate flags or number of flagpoles. She outlined three options including no regulation on the number of flags, the second option is regulating the number of free standing poles on-site and it is recommended to have three per site which is typical. The third option is to regulate the number of free-standing poles and building mounted flags. She showed slides of The Yarrow, the Radisson and Adolph's where there are flags.

Paul Sincock stated that he likes flags and the only regulation should be that they have to be uniquely different flags; celebrating diversity adds a lot to the community. There could be a maximum of ten flags and he didn't have a problem with three free-standing flag poles. Ms. Kerr felt that there shouldn't be both on site. Hugh Daniels felt it is appropriate to limit the number to three free-standing flags but disagreed with mandating the color of the pole. He likes multiple flags on buildings and agreed they should be different. Mr. Daniels suggested that corporate flags or for-profit logo flags are not allowed. He agreed that flag poles and flags on a building begin to look cluttered unless there is enough space like at The Yarrow, but doesn't believe that flags are a problem in town. In response to a question from Ms. Kerr, it was explained that flags will be limited

to 24 square feet or 4' x 6'. Ms. Kerr felt that the limitation of three free-standing flags is appropriate. She added that Adolph's is bit cluttered but has heard positive comments on the flags on that building and at The Yarrow. She could support a maximum of eight to ten flags, and favors regulating the color of the pole as it would look better and because it costs more, may encourage a more reasonable number of poles. Mr. Harlan believed that because of the cost of flags, that very few merchants will go this direction. He supported the painted flag poles although there may be a maintenance problem. Paul Sincock recalled that Park City Mountain Resort having a circle of flag poles which was festive in the plaza and didn't want to preclude this possibility. Hugh Daniels suggested that this be provided as part of the master festival license or special events. Ms. Kuhlow explained that flag poles are permanent and a master festival license would only cover a temporary event. Paul Sincock believed this could be a conditional use permit for special circumstances and Council concurred that there should be some flexibility. Chuck Klingenstein agreed with the number of flags, and the height of the poles. He supported some type of anodized metal, however, he didn't feel it fair to ask the private sector for compliance when the City wasn't willing to treat the UDOT crossing arms when it had the option. Ms. Kuhlow added that Council discussed reducing the 25 foot setback for subdivision signs, but the City Engineer believes the current 25 foot setback allows for clear view at intersections and protects the public utilities within the right-of-way. Hugh Daniels suggested that the new lighting ordinance be cross-referenced to in this section of the Code. He added that total sign area requirements was suggested at 20 square feet, which he objected to and staff reverted to 45 square feet which he believes is too much signage. This is too large especially in light of the Planning Commission's and staff's ability to add signage based on the building size. Mr. Daniels suggested 36 square feet versus 45 square feet and there was consensus among Council members. Chuck Klingenstein requested that staff identify examples of 36 square foot signs in a memo. Mr. Daniels believed that the height limit on a free standing sign should be eight feet as opposed to seven, to better accommodate snow accumulation. Staff explained that the original number is ten feet and the County has a six foot height limit. Ms. Kerr felt it appropriate that merchants shovel the snow around their signs and Mr. Daniels explained his concern is to make it easy for guests and customers to find businesses in the winter. Ms. Kerr reiterated that it is the business' responsibility. Chuck Klingenstein and Paul Sincock supported the staff recommendation of seven feet. There was discussion about free standing signs measured from final grade. In response to a question from Roger Harlan, Ms. Kuhlow explained that when there is a change in business, temporary signs are usually hung for a month to a month and a half before a permanent sign is installed. Banners are not allowed. Mr. Harlan stated that he could support temporary banners when there is a change in business, if regulated properly, as a window sign may not be adequate. Ms. Kerr emphasized that she didn't want to get involved with banners again and would prefer not to revisit this option.

3. Thaynes Canyon bus service. Hope Bleecker explained that this item is a proposed deviation in the Prospector and Thaynes Canyon bus route. The public meeting notice in Council's packet material was incorrect. Staff is willing to try the experiment; the only parameters staff would recommend is that ridership is tracked and service should achieve at least 13 to 14 riders per day.

TITLE 12 - SIGN CODE

CHAPTER 1 - PURPOSE AND SCOPE

12-2-1. 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.

12-2-2. 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 *allowedable* by this Title shall be plenary and sign types not specifically *allowedable* 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.

(I) **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.~~

(P) ~~**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 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 Sign 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 7. 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 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. When evaluating the applications requesting additional sign area, the Planning Commission should take into consideration multiple tenant buildings, street frontage and the Master Sign Planned approved or proposed for the building, 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 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 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, 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	75
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 HR-1, HR-2, HRL, SF, RM, R-1, RDM, and RD.

Strings of lights *that* outline buildings, building architectural features and surrounding trees, shall be allowed from the 1st of November through the 1st of March 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 than 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 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 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) **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.
- (B) **Animated Signs.** A rotating or revolving sign, or signs where all or a portion of the signs moves in some manner.
- (C) **Bench Signs.** Any outdoor bench or furniture with ~~commercial~~ any signage.
- (D) **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.~~
- (E) **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.

- (F) **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.~~

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

- ~~(I) **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.~~

- (J) **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

- (K) **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.

- (L) **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, vinylled 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.~~

- (N) **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) **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.

- (C) **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.~~
- (D) **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.
- (E) **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.*
- (F) **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.
- (G) **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.
- (H) **Solicitation Signs.** One "no solicitors" sign, not to exceed one square foot, is allowed per major entrance to any building or apartment complex.
- (I) **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.
- (J) **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.~~
- (K) **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.
- (L) **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.

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 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 *not exceed twenty (20) square feet* ~~adhere to all other size requirements as set forth in this Code.~~ Free-standing Directory Signs may have a maximum of ~~thirty-six~~ *fifteen (15)* 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) 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.** Regulations stated in this Chapter regarding Flags shall apply to all Flags in the City except for those at single family residences and those not visible from a public right-of-way or street.

(1) Size. The maximum size of any one flag shall be 24 square feet. *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. However, Flag poles, which are also a telecommunication facility may exceed twenty-five (25) feet up to the maximum 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 right-of-way 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 all poles shall be black, brown, dark green or bronze. *The flag poles shall utilize noise reduction methods. Flags shall be kept in good repair, so as to have no tears, marks or dirt..* ~~may contain internal halcyards.~~

(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.~~

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(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 continuous 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 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. *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 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 a 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~~ are 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 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. The maximum time limit for a Business Name or Tenant Change Sign to be displayed is 45 days.

(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.

(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 ~~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:

~~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, are allowed one project 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 sign exceed ~~thirty-two (32)~~ twenty four (24) square feet in area.

Commercial projects containing four thousand (4,000) square feet or more of commercial floor area, are allowed one construction 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 exceed twenty four (24) square feet in area.

- (2) Height Limit. Construction Signs may not exceed ~~ten (10)~~ eight (8) 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 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 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 Signs, subject to the setback requirements, be placed within the public right-of-way.

(5) Zoning Restrictions. ~~Temporary construction~~ Construction 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 Signs may not be installed 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 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 signs ~~age~~ 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 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 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 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 Signs is prohibited.

(D) Real Estate Signs 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.

(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.

(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) 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.

- (F) **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.

(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;~~
 - (c) ~~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.

Memo

February 4, 1998

To: City Council Members
From: Ray Milliner (Planning Staff)
Re: Miscellaneous Sign Sizes

As a result of your request, I have produced a short list of buildings in town that have various sizes of signs, ranging from very small, to rather large. Note that on some I have included the sum of all signs on the facade, and on others simply one sign. The list is divided into three parts; 1. Old Town: 2. Prospector: 3: Park Avenue from Deer Valley Drive to the end of town.

For your reference, the new code currently states: "The sign area, per building facade, may not exceed 5% of the building face to which the sign applies, or 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, whichever is smaller. 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."

1. Old Town

Z-Place 427 Main = Received a CUP for the use of 5% (153 square feet) of the total square footage of the facade.

Game Keepers Grill 508 Main = Blade sign on main facade is 16 square feet, including the tree thing on top 12 square feet without.

Swede Alley side of The Flying Trunk 408 Main = The large sign in the back is 24 square feet.

Summit Watch 710 - 890 Main = Each individual elevation has a combined square footage of 36 square feet, for example Shlotzkie's.

2. Prospector

Bellmark Building 1912 Sidewinder = Received a CUP for 5% (205 square feet) of building facade.

Park City Office Supply 1881 Prospector Ave. = Small window vinyl 8 square feet. Total building sign area is 45 square feet.

Prospector Square Athletic Club 2080 Gold dust Lane = Monument sign 40 square feet.

Exhibit D
Sign Sizes in Town

3. Park Avenue

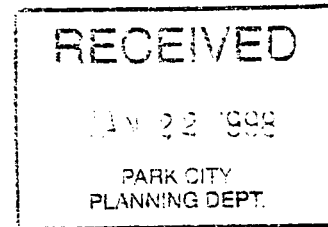
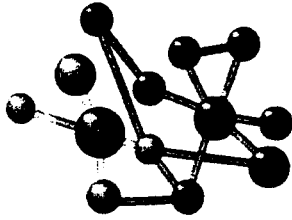
Snow Creek Crossing Subdivision = Dan's Foods has a CUP for use of 5% of facade, while the other buildings have a square foot limit of 20 square feet per tenant sign.

1240 Park Ave. = 30 square feet for directory sign on north elevation.

Payless, Blockbuster 750 Iron Horse = CUP for use of 5% of facade (49 square feet for Payless and 30 square feet for Blockbuster).

Espresso Brothers 1800 Park Ave. = 5 square feet of sign on umbrellas at the kiosk outside of Albertson's.

These signs should give you an idea of the sizes of signs and how they fit into the fabric of the different districts in town. Naturally, if you see some signs around town that are not listed here, feel free to look at them as well.



Date: January 21, 98
To: Planning Department
From: Adolph's Restaurant
Re: Flags

I started Adolph's Restaurant on the Golf Course back in 1977 and at that time had 3 Flagpoles outside, next to the Main Entrance. Inside of the Restaurant I probably had 12 to 14 Flags from all the Ski nations in the world hanging up on the ceiling. I don't have to tell you how many thousands of people made great comments in regards to having flags outside or inside over the past 20 some years.

At my new location 1500 Kearns Blvd. since Nov. 15th we are hoping to successfully continue Adolph's long tradition of fine food, service and atmosphere. I can't tell you how many people have made great comments about my new location and the new Adolph's. Just about everyone had some nice comments about the flags we have over the Entrance and the 3 Flagpoles. As it adds color, atmosphere and a long tradition with Adolph's it has become a part of my business. As most every Ski-Town in the world has and flies the different nations flags and as we are getting close to entertain the world here in 2002, I would hope very much to keep the flags in place and help to give Park City a little more world class.

I would like to thank you for your consideration and hope to keep Adolph's Restaurant open for some time to come.

All the best to all of You and a delayed Happy New Year!

Adolph Imboden

Exhibit E
Public Comment Letters



PAGE 2
ADOLPH IMBODEN

February 10, 1998

To: The Board of Directors - Park City Chamber / Bureau
From: Sign Ordinance Review Committee -
Bob Wells
Susan Packard
Bill Coleman
Steve Hooker

Per your direction, the Committee has reviewed the Park City Sign Ordinance and the changes proposed to it that are pending before the City Council.

The Committee agrees with the goals of the ordinance update, i.e., to make the ordinance more user friendly, to set forth explicit parameters by which businesses may clearly define themselves, to encourage aesthetically pleasing signage and to minimize visual clutter. As a part of our review process, the Committee met with Alison Kuhlow of the Community Development Department who is in charge of rewriting and processing the ordinance. The meeting with Alison was very helpful to us and we feel that Alison appreciates most of the recommendations we are making and agrees with many of them. We appreciate Alison's meeting with us and providing us with staff opinions as to needed changes.

Attached is an outline of the ordinance which the Committee used for review and to make our recommendations. It is certainly not all inclusive be it does highlight the areas of concern to the Park City business community. Our recommendations are in bold face type in the outline. Many are technical and have already been agreed to by Alison in terms of her preparation of a new draft which will be generated following the public hearing to be held by the Council on the ordinance on February 19. A final public hearing is presently scheduled for March 5. Beyond the technical points that we have raised, the bigger picture recommendations of the Committee are as follows:

1. **Placing as many categories of signage as possible in the exempt from permitting category**, i.e., exempt signs still need to comply with the ordinance and you are subject to penalty if you don't comply but you do not have to go get a sign permit (you may be

required to get a building permit if your sign is structural or has mechanical or electrical components). Rationale for recommendation: Time saving, fee saving, staff saving, all to reduce the cost of doing business.

2. **Modifications to total sign area allotments.** The ordinance proposes to limit signage to a total of 36 sf for a building facade, irregardless of size of building or number of businesses in the building. The Committee feels that the 36 sf limitation is not a penalty on a 25' wide Main Street building but is a penalty on larger buildings. Under the present ordinance and the proposed structure, an applicant can go to the Planning Commission for an increase in total sign area from the 36 sf up to 5% of the building facade. This process is discretionary with the Planning Commission. The Committee feels that effective signage differs based on location and whether the business is pedestrian oriented or vehicle oriented. We also feel that except in variance circumstances sign permitting should be an administrative function at the staff level of government and should not require the applicant to go through the Planning Commission process. To this end we propose a base total sign area formula that allows 1 sf of signage of per lineal foot of building facade but not less than 36 sf per building facade nor more than 5% of the area of the building facade. In this connection we also propose that window signage not be counted in determining total sign area limitations. Rationale for recommendation: There should be a relationship between the amount of signage allowed and the size of the building and the number of businesses in the building. Permanent window signage does not add to clutter.

3. **Allow signage to be placed in the building setback area.** Without a hardship variance the ordinance does not allow signage in setbacks. Typically buildings are built to the setback lines so signage is restricted to the building face. The Committee feels that allowing signage in the setback (but not the street right-of-way) a minimum of 9' from back of curb or pavement edge will allow for smaller signs and better building identification.

4. **Grandfather existing private plazas and allow the Community Development Director to use discretion in granting variances from ordinance requirements to solve problems and deal with special circumstances.** The proposed ordinance requires private plazas in a Master Planned Development to adhere to a master sign plan that complies in all respects to the ordinance. The ordinance is precise in its regulation and presently has no variance procedure except

for hardship in setbacks. Rationale for recommendation: The Committee feels that retroactive application in private plazas is overly burdensome, its effect has not been inventoried and audit would require too much of a dedication of staff time. Allowing the Community Development Director the flexibility of variance granting recognizes that an ordinance such as this cannot possibly deal with all situations.

5. **Modify proposed rules requiring non-conforming signs to conform or be removed.** Signs that become non-conforming under the new rules would have to come into compliance or be removed under defined circumstances, one of which is expansion or modification of the business and another of which is a change of tenancy. Our recommendation is that (a) expansion or modification of the business is too general to define and police and should not require replacement of a costly sign - business expansion is what most of us are here for, and (b) a change of tenancy such as a sale of a business and its continued operation under the same name should not require conforming. If the name changed or a significant portion of the sign had to be changed for the new tenancy, the sign would have to conform. Rationale for recommendation: Proposed changes are too penalizing to business and too difficult to define or enforce.

6. **Ease proposed regs on directory signs.** The total sign area allowed for directories is limited to 20 sf. A free standing directory cannot exceed 15 sf. We recommend allowing a free standing directory to be the same size as a wall mounted (20 sf) and that height be 7' instead of 6' as proposed. This would conform the size limitations for directories and other free standing signs. If a project contains multiple buildings it should not be limited to the same directory area as a single building project. Also allow the Community Development Director variance flexibility in the directory signage process to deal with special circumstances, e.g., this type of flexibility is presently being addressed at Summit Watch. Rationale for recommendation: Simplicity and flexibility.

7. **Modify rules to make free-standing signs more visible to traffic for building or project identification.** If there is other signage on a building or project (e.g., Dan's), a free standing project ID sign is proposed to be limited to 10 sf. Height limit is 7' from natural grade. We recommend that the 10 sf limitation where there is other signage be removed and that free standing project or building ID signage not count toward total sign area. We also recommend measuring height from finish grade which would allow signage to be placed on berm areas. Rationale for recommendation: Increase visibility of project ID signage.

8. **Reclassification of certain luminous tube signs and window signs.** Luminous tubes are proposed to be counted as signage and as part of the total sign area allotment if within 10' of a window, visible from street and more than 2' in size. Permanent window signs are limited to 1 sf each with maximum coverage of 30% of window. Window signs include any signs within 3' of window visible from street and more than 2' in size. The Committee proposes an exemption from permitting and from the definition of total sign area for the name, logo and business description and for any interior sign set back at least 3' from the window, including luminous tubes. We also recommend allowing applied or etched business name ID signs on upper level windows of buildings. We agree with the limitation on coverage to 30% of the window. Rationale for recommendation: Business identification in the form of vinyl applied letters or etching on windows is non-descript and tasteful and almost never recognized except for the pedestrian. Counting interior signs that are more than 3' back from a window is over regulation.

9. **If finish grade in front of a building is above natural grade, signage should be allowed to be placed higher on the building face.** Signage is required to be confined to the surface below the second level finished floor of a building. Where the grade in front of a building is raised such as by berming for aesthetic reasons, wall signage should be allowed to be higher on the face of the building. Rationale for recommendation: Better visibility of signage from vehicles.

We request that you as a Board adopt and support the Committee's recommendation and that if possible you further register your support by attendance and a public record statement at the public hearings before the City Council on the ordinance on February 19 and March 5.

...

SIGN ORDINANCE REVIEW OUTLINE

FEB., 1998

Review Committee - Bob Wells, Susan Packard, Bill Coleman, Steve Hooker

Legend: Standard print is an outline of proposed ordinance provisions. Bold face type represents comments and suggested changes.

1. Permits - All signs require a permit unless exempt under Chapter 8 (See 2).
2. Exempt Signs -
 - a. Address #s not to exceed 12" high
 - b. One non-illuminated hours of operation sign per entry not to exceed 1sf
 - c. Non-illuminated interior signs set back 3' from window
 - d. Illuminated interior signs set back 10'
 - e. Residential nameplates (one per residence) not to exceed 1sf
 - f. Signs not oriented to public streets in private pedestrian walkways except if in a master planned development. **Suggest grandfather existing master planned developments, i.e., existing MPDs not become non-conforming.**
 - g. Signs inside open air private recreational facilities not oriented to public streets. **Need to eliminate "private" so that exemption would apply to public facilities as well, e.g., Park City Golf Course, Racquet Club.**
 - h. Public necessity signs (e.g. no parking, bus stop, street name) erected by or with ok of City
 - i. No solicitors sign limited to 1sf and one per major entrance to bldg or apt complex
 - j. Special event fliers on inside of windows of businesses, limited (along with any other window signage) to 30% of window area, 1 week prior to event & 48 hours after. **Suggest not counting as a part of total sign area for the building.**
 - k. Special sale signs on inside of windows limited (along with any other window signage) to 30% of window area, 2 weeks at a time 5 times a year. **Suggest removal of time frame limitations and also not counting as a part of total sign area for the building.**
 - l. No trespassing signs on doors, windows or other property entrances, fences or property lines, limited to 1sf in area, non-illuminated
 - m. Non-illuminated vacancy signs up to 2 sf in size for bldgs in HR-1, HCB, HRC, GC and RC zones permitted for nightly rentals. **Suggest adding allowability in MPDs and CUPs that include nightly rentals except for single family dwellings.**

Suggest expansion of exempt sign list to include:

- a. Temporary signs covered by a master festival license
- b. Complying campaign signs
- c. Complying real estate for sale signs
- d. Complying real estate open house signs (need to add this definition to ordinance)
- e. Complying vehicle signs
- f. Complying Entrance / Exit signs
- g. Any interior signs (including luminous tubes) set back at least 5 feet from window
- h. Umbrellas

- i. **Complying special purpose signs**
 - j. **Complying yard signs**
 - k. **Private plaza directories oriented to pedestrians and not public streets**
3. **Prohibited Signs** - any sign not listed in ordinance as permitted, including:
 - a. Off-premise signs (defined the same as Billboards)
 - b. A frame signs (2 sign faces attached or mounted back to back to form a triangular vertical cross section through the faces). **Suggest that the prohibition except real estate open house signs used in a complying manner to be defined and use in private plazas.**
 - c. Animated signs
 - d. Any signs on benches or outdoor furniture
 - e. Electronic message (copy changing) signs except for governmental public safety, municipal directional and informational
 - f. Flashing signs or lights
 - g. Home occupation signs
 - h. Inflatables
 - i. Any portable sign not specifically allowed
 - j. Roof signs
 - k. Wind signs
 - l. Roof or antenna signs on autos except for student driver signs. (Non-illuminated signs painted, vinyled or magnetically attached to vehicle sides or windows are allowed if vehicle is in use or bonafidely parked, but would require a permit since not listed under exempt). **Suggest adding taxis (and pizza?) to exception and classify complying vehicle signs as exempt from permitting.**
4. **Measurement of Individual Sign Area** - The entire area within any type of perimeter or border that may enclose the outer limits of any writing, representation, etc. exclusive of the supporting framework; computed by measurement of the smallest square, circle, rectangle, triangle or combination thereof that will encompass the extreme limits. 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 placed.
5. **Total Sign Area** - The total of all signs, typically related to the building facade to which the sign applies. Limit is lesser of 36 sf per building face or 5% of area of facade (this was reduced from 45 sf at direction of City Council in January). To get over the 36 sf limitation requires going to the Planning Commission, irrespective of the size of the building facade or how many businesses there are. Free standing signs can only identify the name of the building, project or primary business (no advertising matter) and are distinguished from directory signs. **The proposed rules make no distinction for building size or setbacks, i.e., all buildings are treated equally in application of the base sign regulations. A 36 sf limitation is not onerous for a typical 25' wide building face on Main Street but the same 36 sf base limitation is proposed to apply if the building is 50' wide, 100' wide or 200' wide. Suggest an approach that varies the sign area limits based on the combination of the size of the building facade and/or the setback. Maybe something as simple as 1 sf of sign area per lineal foot of building facade [not less than 36 sf] limited to 5% of building facade area, particularly if ID window signage is exempted as suggested below. This is what happens in practice to some extent but it takes an appeal to PC or a consideration as part of an MPD application to get there. Note that there is a proposed addition under Individual Letter Height that allows the CD Director to**

grant exceptions to allow letters to increase from 12" to up to 30" in height if the building is located along the Frontage Protection Zone. Note also that such an increase would probably cause the total sign area to exceed the 36 sf rule which would require the applicant to go to the PC anyway.

Suggest an exemption from permitting and from inclusion in total sign area for window signage [permanent and temporary] that does not exceed 30% of window area.

6. Setbacks - Permanent signs can not be placed in the setback area for the particular zone. The CD Director may decrease the setback due to steep terrain, heavy vegetation, etc. This requirement is most restrictive when applied to buildings including MPDs in other than the H zones, i.e., where there are 20' to 30' setbacks. **Suggest allowing signage in setbacks with minimum of 9' from back of curb but in no case within ROW.**

7. Master Sign Plans - Required for buildings or clusters of buildings having more than one tenant or use.

- a. Reference to clusters of buildings is ambiguous. When a building is constructed next to another building is it part of the cluster? Is it required to conform to the master sign plan for the building already there? (Discussed with Alison Kuhlrow and intent is to apply on an individual MPD basis. She will clarify.)
- b. What is rationale for requiring "compatible" lettering, lettering style, and identical backgrounds? Many businesses have their own established lettering and lettering style as a part of their identifiable name. (Discussed with Alison Kuhlrow and current thinking is not to require this. She will clarify.)
- c. All regulations of the proposed ordinance are proposed to apply to Master Sign Plans. Private Plazas are proposed to be exempt from permitting but private plazas within an MPD are proposed to be required to have a Master Sign Plan. What is purpose of distinction and what is the purpose of regulation of private plazas where signage is directed at the pedestrian? Discussion with Alison Kuhlrow indicates that it was not intended to distinguish. It was suggested that existing MPDs be grandfathered [See 2.f above].
- d. Applications re Master Sign Plans should not be limited to the building owner, although consent of building owner may be desirable.
- e. Allow variances from ordinance at discretion of Community Development Director for Master Sign Plans to achieve flexibility and deal with special circumstances.

8. Nonconforming Signs

- a. Proposed to conform or be removed if the business is modified or expanded. Modification or expansion are too general terms. Suggest elimination of this provision.
- b. A nonconforming sign cannot be conveyed to a new tenant. Suggest that a nonconforming sign can be conveyed but if the name or a significant portion of the sign has to be altered for the new operator it would be required to conform.
- c. The definitions of an Off Premises Sign (prohibited) and a Billboard are the

same. A separate set of rules apply to the removal of a Billboard because there is state law protection of billboards. In discussion with Alison Kuhlrow there is one "billboard" in town, on Park Avenue. The Deer Valley Resort sign at Marsac and Deer Valley Drive and the Park City Resort sign at Empire and Silver King Drive were discussed. These are on property owned by the two resorts but are they off premises? Per Alison these were not intended to be made illegal. Resolution to be determined.

9. Awning and Canopy Signs.

- a. Maximum of 20% of any one face of an awning may be used for sign area. This is too limiting when one looks at the typical awning shape or design. Suggest elimination of this requirement and simply put awning signage under same rules and maximum cap as other building signage. (Discussion with Alison Kuhlrow indicates that the face of an awning is intended to include the sloped portion of the front of the awning, not just the lower fascia. Will be clarified).
- b. Awning Signs are limited to commercial zone districts. Expand to include commercial establishments in CUPs and MPDs in any district.

10. Changeable Copy Signs.

- a. Limited to commercial zone districts. Expand to include commercial establishments in CUPs and MPDs in any district.

11. Directory Signs. Limited to 20 sf if wall mounted or 15 sf if free standing. Height limit of 6'. Oriented towards pedestrians, entrance or parking. Combined area of all directory signs in a "project" cannot exceed 20 sf.

- a. What is rationale of requiring a free standing to be smaller than a wall mount. Suggest same limitation. Compare height and area regulations to those for Free Standing Signs (suggest conforming for simplicity - 20 sf size and 7' height).
- b. What is a project? Presumably in a multi-building complex or an MPD all buildings would be a project? Suggest elimination of the "project" limitation or allow ____ sf per building in a multi building project.
- c. There is a need for flexibility in the directory sign area. There are many situations where visibility of a directory from the street is necessary, not just for pedestrian viewing. Perhaps the conditional use process could be used for problem solving in this area.

12. Display Boxes. A freestanding or wall sign enclosed in glass. Distinguished from display windows.

- a. Limited to commercial zoning districts. Expand to include commercial establishments in CUPs or MPDs in any district.

13. Entrance/Exit Signs.

- a. Not included in total sign area limits. Permitted in all commercial and multi-family residential districts. Expand to include commercial establishments in CUPs or MPDs in any district.

b. Suggest adding to list of signs not requiring permits.

14. **Flags.** Proposed regs requested to be modified by City Council to allow 3 free-standing flag poles per site and 8 building mounted per site (language not yet drafted). Flagpole height limited to lesser of 25' or building height in zone.

- a. **Discussion with Alison Kuhlow indicates that there is a feeling to allow flagpoles to go to building height of zone versus the flat 25' limitation. We support this. In this connection, 24 sf flags seem to fit a 25' pole height but higher pole height needs larger flags. Suggest a pole height limitation that coincides with zone building height instead of 25' everywhere with a flag size of 1sf per 1' of height.**
- b. **Need flag exception to 36" maximum extension from pole under Hanging and Projecting Signs.**

15. **Free-standing signs.**

- a. **For the purpose of ID of a building, project or primary business (no advertising matter).**
- b. **Limited to 10 sf in size unless there are no other signs on the building in which event can be 20 sf. Maximum height 7'. Suggest allowing 20 sf for free standing sign irrespective of other signage, i.e. don't count in determining total sign area.**
- c. **Allowed in GC and RC zones, and in frontage protection and HCB zones as a conditional use. Expand to include commercial establishments in CUPS and MPDs in any district.**

Suggest that height be measured from finish grade or modified finish grade so that signs could be on berms and be visible from the street. Allow within setback areas but not ROWs, no closer than 10' from back of curb or pavement edge.

16. **Hanging and Projecting Signs.**

- a. **Proposed reduction in size per sign from 18 sf to 12 sf.**
- b. **Permitted in all commercial zone districts. Expand to include commercial establishments in CUPs and MPDs in any district.**
- c. **Content limited to tenant name or nature of goods or services. Should be tenant name, logo and nature of goods and services instead of or.**

17. **Luminous Tube Signs.**

- a. **Must be within a building.**
- b. **If within 10' of a window, visible from street, and more than 2 sf in size, considered as signage. Suggest classification as exempt from permitting or not a sign if setback at least 3' from window.**
- c. **Only allowed in HCB, HRC, and GC zones. Allow in RC zone and commercial establishments in CUPs and MPDs in any district.**

18. **Menu Sign.**

- a. **Limited to one per building. Suggest limit to one per separate restaurant instead of one per building.**

- b. Allowed in all commercial zoning districts. **Expand to include restaurants in CUPs and MPDs in any district.**
19. Subdivision Signs. New Category.
- a. Maximum 10 sf in size. Height limit 7'. One sign per subdivision. Can't be in setback. If parallel to road must be 25' back from curb or pavement edge. Can contain only the name of the subdivision. No illumination. **Most subdivisions don't have common area so if not located in setback there would be no complying location. Feel that subdivision ID is important as a directional feature. Suggest allow in setback but not in ROW and no closer than 10' to back of curb or pavement edge. Allow subdivision logo in addition to name. Allow illumination complying with lighting standards. Maximum 20 sf.**
20. Umbrella Signs. New Category.
- a. 5" letter size limitation; may only contain name of establishment; counts toward total sign area.
 - b. Permitted in all commercial zone districts. **Expand to include commercial establishments in CUPs or MPDs in any district.**
- Committee feels that umbrellas are a nice feature for outdoor dining, etc. and is not offended by another advertiser (e.g. Cinzano) supplying to a business if that product is sold by the business. Suggest non-regulation as before or as a minimum classification as exempt from permitting.**
21. Wall Signs.
- a. No size limit other than total sign area per building facade.
 - b. In a multi-tenant building the primary focus shall be for building identification. **Clarify that secondary focus Wall signs for businesses in a multi-tenant building that identify the business, i.e. same content as hanging or projecting signs, are not prohibited by the "primary focus" language.**
22. Window Signs. (Window signs exclude merchandise displays by definition).
- a. Permanent window signs limited to 1 sf each with maximum coverage of 30% of window. Includes any signs within 3' of front window visible from street and more than 2 sf in size. **Interior inclusion is confusing and circular with 1 sf limitation. Suggest an exemption from permitting and from inclusion in total sign area for window signs that contains the name and description of the business and logo that does not exceed 30% of window area. Suggest exemption for any interior sign set back at least 3' from window.**
 - b. Limited to main floor of building except for second stories in Historic District. **Allow etched or vinyl applied letter business name ID signs on windows on upper levels of buildings where the business is only on an upper level.**
23. Campaign Signs. One 3 sf sign per parcel except can go up to 3 per parcel 60 days before an election. **Seems like a lot of clutter compared to**

restrictions in remainder of ordinance. Should be exempt from permitting (see Section 2 above). Committee recommends limiting to bumper stickers but probably a constitutional issue.

24. Construction Signs.
 - a. Reduce to maximum size of 24 sf (3 sf of sign area per unit for residential and 2 sf of sign area per 1000 sf for commercial), 8' height from present 36 sf, 10' height. **Suggest 1 standard maximum size to simplify process, 24 sf ok.**
25. Real Estate Signs.
 - a. **Should be exempt from permitting (see Section 2 above).**
 - b. **Add provision re open house signs (exception to A frame prohibition), when they can be used and where they can be.**
26. Special Purpose Signs. Signs promoting events sponsored by non-profit organizations.
 - a. 3 sf size limit, 6' height, maximum of 3 per parcel of property. **Suggest 20 sf size limit (same as free standing sign) and limit of 1 per property instead of up to 3 smaller signs.**
27. Yard Signs. **Should be exempt from permitting.**
28. Banners on City Light Standards. Limited to non-commercial, non-profit sponsors with primary purpose of cultural, educational, or entertainment enrichment of community. **Is sponsor limitation too confining? Non-commercial or non-profit? Perhaps extend to major events or functions sponsored by in town businesses?**
29. Master Festival Sign Plan. **Open. Process still being written.**
30. Illumination. Modified to be consistent with new lighting standards.
31. Location on Building. Signage confined to the surface below the finished floor level of the second floor or 20' above adjacent natural grade, whichever lower. **Suggest that if finish grade in front of building is above natural grade, signage could be higher on building face.**

CITY COUNCIL
STAFF REPORT

DATE: February 19, 1998
DEPARTMENT: Planning Department
AUTHOR: Megan B. Ryan
TITLE: Amendment to Lighting Standards in Chapter 9.5.
(g) and (i) and Chapter 13.2 (c) of the Land
Management Code
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: Consider adopting the proposed amendments to the standards for commercial, residential and parking lot lighting in Park City.

DESCRIPTION:**A. Topic.**

The following are proposed amendments to Chapter 9 and Chapter 13 of the Land Management Code in regards to lighting standards. The objective of these amendments is to provide for uniform, low glare, controlled, energy efficient light sources in our mountain community. These amendments will meet one of the City Council's 1996 top priorities.

B. Background.**Process to date:**

The proposed changes were discussed at the City Council work session meeting of July 31st. A public hearing was held on this ordinance on August 21, 1997, September 3, 1997 and January 15, 1998.

The proposed amendments were discussed with at the Planning Commission level on the following dates:

1. Work Session - meeting of April 23.
2. A public hearing was held on May 14, 1997. No public testimony was given.
3. A second public hearing was held on June 25, 1997. No public testimony was given.

The Planning Commission voted on June 25, 1997 to forward a positive recommendation to the City Council on this item. The Commissioners also asked that the City Council consider including residential standards as well.

C. Analysis.

The proposed amendment will set a new standard for all commercial buildings and will set standards for bringing non complying fixtures into compliance. Standards for new residential structures will also be implemented. Existing commercial buildings will have to come into complete compliance with the new ordinance as improvements or additions are made. New residential structures will have the new standards attached to every building permit.

Existing parking lot lighting will have to comply upon application for any exterior building permit. Poles will be allowed to remain but new fixtures will have to be purchased. This impact will be the most costly and may cause the greatest protest amongst property owners. There are approximately seven parking lots in town, of which three are probably not in compliance, Holiday Village, Park Meadows and Park City Plaza. Several of the newer ones are in compliance and the resorts have also been working with staff as they anticipate new developments.

After approval of the ordinance the staff will conduct an education and outreach program for all local businesses, property management associations and homeowner associations. Internal training has also begun.

D. Department Review

The Community Development Department, Legal Department and Public Works Department have reviewed these proposed changes.

PUBLIC INPUT

Three public hearings have been held at the City Council and two hearings at the Planning Commission. No input was given at either of the Planning Commission meetings. The proposed amendments were noticed for the City Council hearing on August 6, 1997 and on September 3, 1997. At the public hearing on August 21, 1997 input was taken from Kevin Damen . Damen requested that the Council consider adopting residential lighting and "sport court" lighting standards. A letter was also received from David Barry requesting that the Council consider lighting standards for hillside residences. Mr. Barry continues to be in contact with the staff on this matter. No further input has been received at the time of this report.

SIGNIFICANT IMPACTS:

The proposed amendments will hopefully clarify the existing confusion in the current application of the lighting standards and:

- The enforcement time will be increased through these changes. The review time for the building permit review process should not be increased.
- The planning staff will need to review all electrical permits in the future.
- Commercial property owners will incur additional expense by having to retrofit any unshielded light sources or fixtures that do not accommodate high pressure sodium bulbs.

- New projects will not incur any additional costs as these fixtures are readily available
Projects will actually recoup costs by using energy efficient, low maintenance light sources that cost less to maintain and run.
- The city will need to bring current fixtures into compliance and budget accordingly.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

Without taking the recommended action as the buildout of the city occurs the ability of visitors and residents to see the night sky will diminish. With the recommended action we may be able to preserve at least one element of the mountain community in which we live.

ALTERNATIVES

- A. Leave the amendments as currently drafted.
- B. Adopt the proposed changes.
- C. Rethink the ordinance entirely.

RECOMMENDATION:

Conduct a final public hearing and consider adoption of the final ordinance.

EXHIBITS

Exhibit A – Proposed Code - Chapter 9.1 and 9.5, (g) and (i) and Chapter 13.2 (c)

EXHIBIT A

Ordinance No. 98-

AN ORDINANCE AMENDING CHAPTERS 9 AND 13 OF THE LAND MANAGEMENT CODE OF PARK CITY REGARDING THE REGULATION OF LIGHTING STANDARDS FOR COMMERCIAL, RECREATIONAL AND RESIDENTIAL USES IN ALL ZONING DISTRICTS.

WHEREAS, advancements in the field of energy have resulted in products that consume less energy while concurrently maintaining safe standards of illumination; and

WHEREAS, many of our citizens rely on the recreational based facilities in our community that are based on the natural environment; and

WHEREAS, the citizens of Park City have the desire to protect these natural resources, energy and the beauty of the night sky; and

WHEREAS, these regulations are not sacrificing the safety of our citizens but instead minimizing light trespass, glare and light pollution; and

WHEREAS, the City recognizes the need to put in place laws and regulations that effectively balances the aesthetic and safety effects of buildings and urbanization on our natural landscapes; and

WHEREAS, legal notice was duly published and public hearings were held before the Planning Commission on May 14, 1997, and June 25, 1997 and before the City Council on August 21, 1997, September 17, 1997 and on January 15, 1998;

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

SECTION I AMENDMENT. Section 9.1 of the Land Management Code is hereby amended to read as follows:

9.1. POLICY AND PURPOSE. As a community dependent upon the tourism industry, the atmosphere and aesthetic features of the community take on an economic value for the residents and property owners of Park City. It is in the best interests of the general welfare of the community to protect the aesthetic values of the community through the elimination of those architectural styles, and those building materials which, by their nature, are foreign to this area, and this climate, and therefore tend to detract from the appearance of the community. Park City's older neighborhoods are a National Register Historic District, which is a point of considerable importance to the tourism industry. New development, while distinct from the Historic District, should not detract from it. Park City is densely developed due to the shortage of level, buildable land. The effects of one development are felt on the

community as a whole. It is the policy of the City to foster good design within the constraints imposed by climate, land ownership patterns, and a unified architectural theme.

It is also the intent of this section to encourage lighting practices and systems which will minimize light pollution, glare, and light trespass; conserve energy and resources while maintaining night time safety, utility, and security; and curtail the degradation of the night time visual environment. It is recognized that the topography, atmospheric conditions and resort nature of Park City are unique and valuable to the community. The enjoyment of a starry night is an experience the community desires to preserve. The City of Park City, through the provisions herein contained, promotes the reduction of light pollution that interferes with enjoyment of the night sky.

SECTION II AMENDMENT. Section 9.5 of the Land Management Code is hereby amended to read as follows:

- (g) Skylights / Solar Panels and other translucent roof accessories. ~~Skylights and Solar panels must be designed to fit flush with the roof surface, or up to a maximum of two feet above the roof's surface.~~ Any skylight or other translucent roof material which allows the transmission of light from the interior of the building to the exterior shall be designed as follows:
- I) the feature is limited to no more than 25% of the roof area;
 - ii) any light emitted from the feature shall be shielded from other properties;
 - iii) the design shall facilitate the use of natural light in to the building and shall prevent light from emanating from the building;
 - iv) the feature may not be the highest point of the structure; and
 - v) the feature shall be designed to fit as flush as possible with the roof. In no case shall the feature exceed two feet above the roof plan.

in Solar panels shall be designed so as to be incorporated to the roof plan or architectural feature to the best extent possible. In no case shall the panels project more than 6" above the roof plane.

No reflective materials may be used unless thoroughly shielded to prevent reflection into adjoining or nearby properties.

- (I) Lighting. ~~With the exception of Americans with Disabilities Act lighting requirements and street lighting,~~ the following design standards shall apply when

~~exterior lighting is proposed and/or required:~~

- ~~1. Shielding. Exterior lighting shall be shielded and directed downward so that the light source (the actual bulb) is not visible from beyond the property line on which the structure is located. Exterior lighting shall not project above the horizontal plane of the building.~~
- ~~2. Color. Warm lighting colors are required. The blue-white colors of fluorescent and mercury vapor lamps are prohibited. Lamps emitting a color temperature in excess of 5,000 degrees Kelvin are prohibited.~~
- ~~3. Parking Area Lighting. In parking lots, a minimum foot candle of 1.0 at the perimeter and between light sources, and a maximum of 5.0 foot candles under light fixtures are required. The height of light fixtures shall be in proportion to the building mass and no more than 14 feet high. When all businesses are closed, only a minimum of security lighting shall be maintained. Shielded spot lights may be used when highlighting trees, art work or other special landscape features. Lighting fixtures affixed to structures for the purposes of lighting parking areas shall be prohibited.~~
- ~~4. Advertising. The operation of search lights or similar sources for advertising, display or any other commercial purpose is prohibited.~~

1. Purpose. The functional objectives in providing exterior area lighting are to illuminate areas necessary for safe, comfortable and energy efficient use. The number of fixtures shall be limited to provide for safe entry and egress and for sign or business identification.

Illumination of new building features for architectural enhancement is prohibited. Historic structures may be illuminated under the terms prescribed in this code.

With the exception of Americans with Disabilities Act lighting requirements the minimum lighting standards generally applied and recommended by the Illuminating Engineering Society of North America are observed by this code.

2. Conformance with applicable codes. All outdoor electrically powered illuminating devices shall be installed in conformance with the provisions of this Code, the Building Code, the Electrical Code, and the Sign Code under the appropriate permit and inspection. When discrepancies in these codes

exist, the most restrictive shall apply.

3. Definitions. As used in this Code, unless the context clearly indicates, certain word and phrases used in this chapter shall mean the following:

3.1. "Average Foot-candle(afc)" means the level of light measured at an average point of illumination between the brightest and darkest areas. The measurement can be made at the ground surface or at four to five feet above the walkway surface.

3.2. "Cutoff-type Luminaire" means a luminaire with elements such as shields, reflectors, or refractor panels that direct and cut off the light at a cutoff angle that is less than ninety (90) degrees.

3.3. "Filtered" means any outdoor light fixture which has a refractive light source. Quartz or clear glass does not meet this requirement.

3.4. "Foot candle" means a unit for measuring the amount of illumination on a surface. The measurement is candlepower divided by distance.

3.5. "Fully Shielded" means outdoor light fixtures shielded or constructed so that no light rays are emitted by the installed fixtures at angles above the horizontal plane as certified by a photometric test report. This means that the shield is not flush or parallel with the light source or bulb.

3.6. "Horizontal Foot-candle(hfc)" means a unit of illumination produced on a horizontal surface, all points of which are one(1) foot from a uniform point source of one(1) foot candle.

3.7. "Illuminance" means the amount of light falling on a surface.

3.8. "Installed" means the attachment, or assembly fixed in place, whether or not connected to a power source, of any outdoor light fixture.

3.9. "Light Source" means a single artificial point source of luminescence that emits measurable radiant energy in or near the visible spectrum.

3.10. "Lumen" means a measurement of light output or the amount of light coming out of the luminaire from the source.

3.11. "Luminaire" means a complete lighting unit consisting of a light source and all necessary

mechanical, electrical, and decorative parts.

3.12. "Outdoor Light Fixture" means electrically powered illuminated devices, outdoor lighting or reflective surfaces, lamps and similar devices, permanently installed or portable, used for illumination or advertisement. Such devices shall include but are not limited to exterior lights for:

- I. all new residential projects;
- ii. hotel, commercial and light industrial structures;
- iii. recreational areas and facilities;
- iv. parking lot lighting;
- v. landscape lighting for commercial, hotel, multi-family over four units and light industrial developments;
- vi. billboards and other signs (advertising or others)
- vii. outdoor product display area lighting;
- viii. building overhangs and open canopies (including gas stations);
- ix. underground parking garage entryways; and
- x. public and private pedestrian thoroughfares.

3.13. "Partially Shielded" means luminaries that are constructed so that no more than ten percent of the light rays are emitted by the installed fixtures at angles above the horizontal plane as certified by a photometric test report. This means that the shield is not flush or parallel with the light source or bulb.

3.14. "Refractive light source," means a light source that controls the vertical and horizontal foot candles and eliminates glare.

3.15. "Uniformity Ratio" means the ratio between the average and minimum light distribution or illuminance across a given area.

3.16. "Vertical Foot-candle" means a unit of illumination produced on a vertical surface, all points of which are one (1) foot from a uniform point source of one(1) foot candle.

4. Approved Materials and Methods of Construction or Installation/Operation. The provisions of this code are not intended to prevent the use of any design, material or method of installation or operation not specifically prescribed by this Code, provided any such alternate has been approved. The Chief Building Official may approve any such proposed

alternate providing that he/she finds that:

- I. the alternative provides approximate equivalence to the applicable specific requirement of this Code;
- ii. The alternative is otherwise satisfactory and complies with the intent of this Code;
- iii. or the alternate has been designed or approved by a registered professional engineer and the content and function promotes the intent of this Code.

5. Submissions of Plans and Evidence of Compliance with Code.

5.1. Submission Contents. The applicant for any permit required by any provisions of the laws of this jurisdiction in connection with proposed work involving outdoor lighting fixtures shall submit (as part of the application for permit) evidence that the proposed lighting fixtures and light source will comply with this Code. The submission shall contain the following: (Additional information may be required elsewhere in the laws of this jurisdiction upon application for the required permit)

- I. plans indicating the location on the premises, and the type of illumination devices, fixtures, lamps, supports, reflectors, installation and electrical details;
- ii. description of illuminating devices, fixtures, lamps, supports, reflectors, and other devices and the description may include, but is not limited to, catalog cuts by manufacturers, and drawings, (including section where required);
- iii. photometric data, such as that furnished by manufacturers or similar showing the angle of the cut off or light emission. A point by point light plan may also be required to determine the adequacy of lighting over the entire site.

5.2. Lamp or Fixture Substitution. On commercial structures if any outdoor light fixture or the type of light source therein is proposed to be changed after the permit has been issued, a change request must be submitted to the Community Development Department for approval. Adequate information to assure compliance with this Code must be provided and the request must be received prior to substitution.

6. Shielding. All non-exempt outdoor lighting fixtures shall have shielding as required by Table 7 of this Code.

6.1 Historic District Shielding and Fixture Exemption. Fixtures in the HR1, HR-2, HTO, HCB, and HRC Zoning Districts that replicate a historic fixture shall be permitted to be installed without partial shields with the approval of the Community Development Director. All fixtures shall be filtered and refractors that direct the light downward shall be installed if the bulb is exposed. Historic Fixtures that are fifty years or older and contribute to the architectural and cultural character of the Historic District are exempted from these requirements.

7. Wattage/Fixture and Light Source Requirements. Wattage, fixture and light source requirements as outlined below apply to all zones throughout the City.

Table 7. Permitted Light Sources, Shielding and Maximum Watt Requirements.

Light Source	Fully Shielded	Partially Shielded	Watt (Maximum Per fixture)
High Pressure Sodium ¹		X	50
Low Pressure Sodium		X	55
Metal Halide ²	X		1000
Low Voltage/Halogen ³		X	50
Compact Fluorescent		X	75
Other Sources	As approved by the Community Development Director		

Note: "X" indicates the required standard.

1/This is the standard light source for Park City and Summit County unless otherwise noted in a specific section. Fully shielded fixtures are preferred but not required with this light source. Other sources are only permitted as noted. Wattages outlined are the maximum and can be decreased under the building permit review process depending on the number and location of the fixture on each project. In no case shall the levels be reduced to levels below the Illuminating Engineering Society (IES) minimum standards.

2/Metal. Halide sources shall be permitted only for recreational sport field or ski area uses and installed only in 100% fully

enclosed luminaries. Metal Halide lights shall also be filtered.

3/Low voltage/Halogen sources are permitted in landscaping lighting only.

8. Gas Station Canopies. Gas station canopies may not exceed an average horizontal illuminance level of fifteen (10) foot-candles across the site and the maximum point levels should not exceed twenty (20) foot-candles within the area directly underneath the canopy.

9. Area Lighting - Building Canopy and Soffit, Wall Mounted. Area, stand alone or wall mounted fixtures shall not be mounted above eighteen feet (18) as measured from the top of the fixture to the adjacent grade or horizontal plane being lit by the fixture. The horizontal illuminance level along the sidewalk or building facade shall not exceed .08 foot-candles with a uniformity ratio of 4:1.

10. Construction sites. All commercial construction sites shall submit a lighting plan under the Construction Mitigation plan prior to building permit issuance. Criteria for review shall include duration, number, location, height, light source and hours of operation.

11. Landscape Lighting. The primary function of landscape lighting is to provide illumination for pathways, steps, and entrances to buildings.

11.1. Pathway lighting. Two types of lights can be selected: Three-foot bollards with louvers and ten-foot, pole mounted, down-directed luminaries. Bollard lights may be low voltage. The intent of pathway lights is to provide pools of light to help direct pedestrians along the path, not to fully illuminate the path. Steps and path intersections should be illuminated for safety. A maximum foot-candle permitted on the ground is 1 horizontal foot-candle or less.

11.2. Highlighting, backlighting. Only low voltage systems are permitted. Lights must be partially shielded and light must not be directed off the property. A maximum foot candle permitted at 10' is 0.6 horizontal foot candles. Up-lighting is prohibited.

11.3. Moonlighting. Low voltage systems may be placed in trees or on buildings to give the effect of moonlight. Lights must be down-directed and

partially shielded. A maximum foot candle permitted at 10' is 0.25 horizontal foot candles. Up-lighting is prohibited.

12. Recreational Lighting. Because of their unique requirements for nighttime visibility and their limited hours of operation, baseball diamonds, playing fields, tennis courts and ski area runs may use the light source permitted under Table 6 of this Section of the Code with the following conditions and exceptions:

12.1. The height of outdoor recreational posts shall not exceed seventy (70) feet above natural grade. The average horizontal foot-candle shall not exceed 3.6 across the area boundary with a uniformity ratio of 4:1. Ski area lighting may require higher illumination levels in some instances. Those levels shall be reviewed and approved by the Planning Commission under the Conditional Use Process outlined in this Code.

12.2. All fixtures used for event lighting shall be fully shielded as defined in Section 3 of this Code, or be designed or provided with sharp, cutoff capability, so as to minimize up-light, spill light and glare.

12.3. Recreational lighting shall be turned off within 30 minutes of the completion of the last game, practice or event. In no case shall recreational lighting occur after 11:00 p.m.

13. Residential Lighting.

- i. All exterior lights on porches, garage doors or entryways shall be shielded to prevent glare onto adjacent property or public right of ways and light trespass in to the night sky. Lights shall be direct at walkways or entries and shall not be directed in to the night sky.
- ii. Lights shall be directed at walkways or entries and shall not be directed in to the night sky. High-pressure sodium fixtures are the recommended light source, compact fluorescent are also permitted.
- ii. Bare bulb light fixtures such as flood or spotlights are not permitted.
- iii. Landscape lighting shall be low voltage (50 watts or less), and down directed. Uplighting is prohibited without shielding.
- iv. Lighting exterior building features for architectural interest is prohibited.
- v. Security lighting shall be fully shielded and

shall be set on a timer or motion detector. Infrared sensor spotlights are the recommended light type for security.

- vi. Private sport court facilities shall use fully shielded fixtures and shall not use the lights past 11 p.m.

14. Seasonal Display of Lights

- 14.1. Seasonal restrictions apply to the HCB, GC, LI and HRC zones. The HR-1, HR-2, E, HRL, SF, RM, R-1, RDM, and RD zones are exempt from this requirement. Winter seasonal displays are permitted from the first of November to the 31st of March. Displays should be turned off at midnight. Any color or lights may be used; however the lights shall not be used to create advertising messages or signs (e.g. spelling out the name of a business is prohibited).

15. Outdoor Display Lots. Any light source permitted by this Code may be used for lighting of outdoor display lots such as, but not limited to, automobile sales or rental, recreational vehicle sales, building material sales, and seasonal goods, provided all the following conditions are met:

- 15.1. All fixtures shall be Fully Shielded as defined in Section 9.5(I) (3.13) of this chapter.
- 15.2. The maximum horizontal illuminance across the site shall not exceed an average foot candle of 2.4 across the site with a uniformity ratio of 4:1.
- 15.3. Display lighting shall be turned off within 30 minutes of closing of the business. Any lighting used after 11 p.m. shall be used as security lighting. Security lighting shall be required to be motion sensitive not permanently illuminated. Infrared sensor security lights are the only type of security light permitted.

16. Prohibitions. The following light fixtures and light sources are prohibited: Mercury Vapor Lamps, Laser Light sources, Unshielded Floodlights or Spotlights, Metal Halide (except for recreational uses - see Section 9.5(I) (7) and Searchlights.

17. Other Exemptions.

- 17.1. Nonconformance. All other outdoor light fixtures lawfully installed prior to and operable on the effective date of the ordinance codified in

this chapter are exempt from all requirements of this Code. On commercial projects, all such fixtures shall be brought into compliance with this code upon any application for any exterior building permit. On residential structures, only new exterior fixtures on remodels or new additions must comply with this ordinance.

17.2. Fossil Fuel Light. All outdoor light fixtures producing light directly by the combustion of natural gas or other fossil fuels are exempt from the requirements of this Code.

18. Temporary Exemption.

18.1. Requests. Any person may submit a written request to the Community Development Director for a temporary exemption request. A temporary exemption request shall contain the following information:

- i. Specific exemption or exemption request;
- ii. Type and use of outdoor light fixture involved;
- iii. Duration of time for requested exemption;
- iv. Total wattage;
- v. Proposed location on site;
- vi. Description of event or reason for need of exemption;
- vii. Other data as deemed necessary to adequately review and make a determination on the request.

18.2. Approval; Duration. The Community Development Department shall have ten business days from the date of a complete submission of the temporary request to act, in writing, on the request. The Community Development Department shall approve the request if it finds that the exemption is necessary for public safety, security or other public necessity and the exemption does not materially subvert the purpose of this Chapter.

If approved, the exemption shall be valid for not more than thirty days from the date of approval. The approval shall be renewable by the Community Development Director upon consideration of all the circumstances and provided a finding of public safety/necessity is made, and no intent to circumvent the intent of this chapter is present. Each such renewed exemption shall be valid for not more than thirty days.

18.3. Denial/Appeal. If the request for a temporary exemption is denied, the person making the request, in writing, may appeal the decision to the Planning

Commission within ten (10) days of the denial as provided for in Chapter 3 of this Code.

SECTION III. AMENDMENT. Section 13.2(c) of Chapter 13, Off-Street Parking, is hereby amended to read as follows:

13.2(c) Parking Lot and Street Lighting. ~~Lots shall be illuminated with standards arranged so as to reflect light away from any adjoining residential buildings.~~ Amber colored low-pressure or high pressure sodium light sources are the only light sources permitted for these uses. Lighting fixtures affixed to structures for the purposes of lighting parking areas shall be prohibited. Light levels should be designed with minimum trespass off-site by using a cut-off luminaire that is fully shielded with no light distributed above the horizontal plane of the luminaire.

1. Maximum Light Distribution. For uniformity in lighting and prevention of shadows, an average horizontal illuminance level of 1.5 foot candles with a 4:1 uniformity ratio over the site is the maximum allowed.
2. Pole Height/Wattage/Design. Height. Luminaire mounting height shall be in the range of 12', 14', 16', 18' or 20' as determined by the Community Development Department and the Planning Commission. The determination shall be based on:
 - i) review of the site plan,
 - ii) the nature of the surrounding land uses,
 - iii) the size of the parking lot,
 - iv) building mass,
 - v) location of the site with respect to other lighting sources,
 - vi) and impacts on the adjacent properties.

In general, poles higher than 16' would only be considered appropriate for large parking lots exceeding 200 stalls that are not in close proximity to residential areas. Topography or other site features may also warrant the use of taller poles. The maximum height shall only be permitted at the review and approval of the Community Development Department with specific findings.

Wattage/Design Standard:

The luminaire for 12', 14' and 16' poles shall not exceed 70 watts per pole. The lamp for 18' and 20' poles shall not exceed 150 watts per pole.

Wood fixtures and fixtures mounted on wooden poles are encouraged. They should be naturally stained or

painted in earth tones. If metal poles are used they should be black, dark brown or earth tone. Landscape planting at the base of poles is required. The base of the pole shall also be treated with paint, stain, wood or another form of decorative cover. Exposed concrete bases are prohibited.

3. Underground Parking Garage Entryways. Light sources within the first thirty feet of an open garage entryway shall be amber colored high-pressure sodium light sources with partially shielded fixtures.

4. Submission requirements. The submission shall contain the following, all or part of which may be part or in addition to the information required elsewhere in the laws of this jurisdiction, upon application for the required permit:

- I. plans indicating the location on the premises, and the type of illumination devices, fixtures, lamps, supports, reflectors, installation and electrical details;
- ii. description of illuminating devices, fixtures, lamps, supports, reflectors, and other devices and the description may include, but is not limited to, catalog cuts by manufacturers, and drawings, (including section where required);
- iii. photometric data, such as that furnished by manufacturers or similar showing the angle of the cut off or light emission. A point by point light plan may be required to determine the adequacy of the lighting over the site.

5. Nonconformance. All other outdoor light fixtures lawfully installed prior to and operable on the effective date of the ordinance codified in this chapter are exempt from all requirements of this Code. All such fixtures shall be brought into compliance with this code upon any application for any exterior building permit.

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

PASSED AND ADOPTED this 19th day of February 1998.

Park City Municipal Corporation

Bradley A. Olch, Mayor

Attestation by:

Jan Scott, City Recorder

Approved as to Form:

Mark Harrington, Deputy City Attorney

