PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UTAH
DECEMBER 1, 2005

Present: **Mayor Dana Williams; Council members, Kay Calvert, Marianne Cone Candace Erickson; Jim Hier; and Joe Kernan**

Phyllis Robinson, Consultant; Stacey Noonan, Ice Arena Manager; Kent Cashel, Assistant Public Works Director; Eric Nesset, Transit Manager

1. **Council questions and comments.** Candace Erickson reported that the Historical Society selected its designer for the museum. Marianne Cone noted that the NoMel festival seemed to be a good first year event. Jim Hier reviewed topics covered at the inter-agency meeting, including the affordable housing plan, scheduled today for discussion in work session. The IHC task force reviewed the traffic analysis, more specifically cost-sharing on traffic impacts which is recommended to be conditioned as part of the MPD when details can be agreed upon. Joe Kernan thanked staff for working on a snow removal and storage plan to better accommodate pedestrian walkways for the Prospector commercial area. Kay Calvert also commented on the progress of the museum expansion. Dana Williams read a letter from Officer Chris Oles acknowledging fellow employee Jeff Lloyd's efforts in saving a young woman's life. Tom Bakaly added that Mr. Lloyd is being recognized by the City. Mayor Williams proudly reported that the City passed all water quality standards and he met with the Jazz Festival folks this week about the 2006 Festival. He was contacted this week about a number of ski resort employees, many from South America, who arrived in Park City without a place to live.

2. **Affordable housing plan.** Phyllis Robinson referred to the Executive Summary in the meeting packet which outlines the housing needs assessment and analysis for the next five years. Next week, Council will be reviewing the assisted living study, which will be incorporated in the housing needs assessment and consideration of a revised housing resolution is contemplated on December 15, 2005. Park City's population is about 8,000 and it is estimated to grow another 20% in the next five years, topping out at 9,750 by the year 2010. Incomes have not kept pace with the increase in housing prices and she explained that the prices in ownership housing increased 170%, while income increased about 67% over the past ten years. Renters are *stretching* to make rent payments with little money left over. She relayed that statistics show that people wanting home ownership are choosing to leave Park City and although there is a lot more income in town, it seems to be resulting in a bifurcated economy, inhibiting diversity. She continued to explain that the City has done a good job of creating affordable rental stock, but it may be time to focus on moderate income housing. There was discussion about the dramatic increase in the price of real estate over the past five years. Because affordable housing is often equity-restricted, Candace Erickson felt that most buyers would seek a normal return on their investments. Ms. Robinson felt there

may be other alternatives like sharing equity appreciation with the jurisdiction and agreed that there should be a wide range of programs. In response to a question from Joe Kernan, Ms. Robinson explained that the 3% rate of appreciation represents the general CPI rate of adjustment and fluctuations are affected by the current market. Jim Hier commented that with the equity-sharing approach, more affordable housing would need to be created for buyers re-entering the market. She explained that the resources would be used in the form of a second mortgage to buy down the next unit which is basically working within the private real estate market.

Phyllis Robinson expressed that there are no surprises with regard to wages and housing prices, and the report is being framed with elements of economic growth rather than general measures of affordability. The assumption is that we need a work force in order to have a healthy economy and about 38% of our work force is in hospitality. Through illustration of graphs, she reviewed several statistics with regard to wages and local industries. Ms. Erickson asked about the information on how many people are employed, and she explained that there is data from the IHC annexation study, the Bureau of Labor Statistics, Bureau of Economic Analysis and the Census Bureau. Candace Erickson pointed out that many residents work a number of jobs and Ms. Robinson clarified that the base assumptions are 1.2 jobs per individual or 1.5 per jobs per household. Her information reflects jobs not people. She discussed price trends and the median for-sale price for a single family house is $400,000 and about $240,000 for a condominium. Findings show that most people are interested in single family housing, which may not be feasible for first-time purchasers.

Ms. Robinson commented that the City has done a good job in promoting and facilitating rental housing and well as preserving rental housing. There are 344 units of deed restricted rental housing which is a good ratio for the size of Park City. Compared to ownership, there are 51 units, of which 22 are under construction. One measure of evaluating current housing needs is to examine the level of cost burden, which is defined as paying more than 30% of income for housing. Based on housing surveys there are approximately 484 existing households with incomes of $35,000 to $50,000. She encouraged attention to the 150 households who are paying more than 50% for housing. Some of the higher income households could be moved into home ownership, freeing up some units. Thirty-five percent of all jobs in Park City are held by locals, and she suggested maintaining this status. There are housing obligations through development agreements, and she estimated that there is a remaining housing need of about 200 units. There was discussion of Teton County's ambitious goal of housing 70% of its workers.

Kay Calvert commented on the positive impacts of regional transportation and Ms. Robinson agreed and added that the expansion of transit has opened the housing market. Marianne Cone asked about the poverty level, and Ms. Robinson relayed that a small percentage of our population is considered to be living under the poverty level here, which varies season to season. The job market generally drops by 15% between seasons, where in the past, there were dramatic fluctuations.

Ms. Robinson discussed bringing back a revised housing resolution to Council. Traditionally, data has been tied to area median income which is $83,400 in Summit County, which means that half make more and half make less and she believes that a more relevant benchmark should be used, i.e. the Department of Work Force Services. Additionally, the in-lieu fee has not been adjusted since 1999 and is established at $60,000, which is intended to reflect the cost of building an 800 square foot unit. She suggested using median housing costs. Jim Hier stated that median information is based on the project mix and is not representing an average price of units coming on board. A better statistic would be an annual comparison of a same unit sale than the Board of Realtors' numbers. He questioned the 800 square foot unit size as a practical size for households or shared living arrangements and again suggested using market information to assign a value. Joe Kernan discussed targeting a $35,000 to $50,000 income range, but emphasized the importance of diversity and Ms. Robinson explained a strategy of calculating the average core sector, so that the overall average sales price is affordable at an income of $40,000. This may insure a mix of income and renters and owners. Kay Calvert again commented on the accomplishments of the Teton County Housing Authority. The size of the units of the Mountainlands Community Housing Trust's project was discussed. Marianne Cone asked about the feasibility of using non-traditional construction methods, like pre-fabricated buildings. Ms. Robinson felt that pre-fabs may be problematic with bearing snow loads and Mayor Williams pointed out that they can be attractive. She encouraged that the City utilize green building practices, serving as a model for other developers.

Mayor Williams expressed concerns about the accuracy of the growth projections, but acknowledged that the state's numbers are also high. He is comfortable with the strategies and recommendations outlined in the staff report but emphasized that there is a responsibility for the major employers in town. For instance, The Canyons is selling 20 affordable housing units without replacing them. It is not the obligation of the government to take care of everyone's housing needs and this dialog needs to include others. In response to a question form Mr. Hier, it was clarified that the 109 units are housing obligations associated with Silver Star, Flagstaff, Deer Crest and Union Square. It is anticipated that the Deer Crest housing plan will be amended which will be much more effective.

Ms. Robinson pointed out that the LMC was amended and the definition of an MPD and the housing resolution is tied to large-scale MPDs, which technically no longer exists. This meant that the City was only capturing projects of 50 units plus. Jim Hier brought up the 150 unit obligation in Empire Pass and Brooks Robinson explained that 25%

must be built on the mountain and the off-mountain housing is still up for discussion. Mr. Hier emphasized the lack of property available within the City limits. As a practical matter, there should be a larger area identified for housing and Ms. Robinson suggested using the transit boundaries. Mayor Williams warned against forming policies that go beyond our borders which may cause some consternation. Jim Hier felt that if construction complies with all applicable codes of the governing jurisdiction, there shouldn't be a problem and defining an area will help identify needed transit service. He suggested using in-lieu fees to assist in buying down prices, since development in Park City is unlikely. Kay Calvert pointed out the supply of *tired* inventory in town; there may be opportunities for redevelopment. Jim Hier stated he views the City as a facilitator rather than a builder of affordable housing, especially in instances of property acquisitions. Mayor Williams agreed and added that subsidies may be more beneficial than building projects. In response to a question from Joe Kernan, Ms. Robinson reported that the fund for in-lieu fees totals $179,000 from April Mountain. He supported expanding the housing boundaries.

3. Ice Arena fees and programs. Stacey Noon referred her recommendation, based on research, and designed to establish a solid skating community *out of the gate.* The fee structure is relatively conservative with only a 53% cost recovery. Other revenue sources include advertising sales, party rentals, skate sharpening, programs, leagues, retail sales and concessions. She emphasized that the most important thing is to recruit skaters to fill programs and leagues and to sell available ice. More patrons contribute to a stronger the business and she suggested extending resident fees outside of Park City's tax base to Summit and Wasatch Counties. This open approach for new uses also creates good will. Also included in the staff report is a draft schedule which illustrates how much time one sheet of ice provides in one week. Ms. Noonan stated that in order to met revenue projections, there needs to be an average of 30 skaters per public session, six players for drop-in hockey, and sell about 25 hours of rental ice per month. She believes the proposed fee structure will meet revenue projections while promoting accessibility, affordability and good will.

At this point in time, Ms. Noonan explained the need to promote the facility by publishing fees on a website for the rink and urged Council to approve the schedule tonight. Jim Hier disclosed that he met with Ms. Noon who reviewed her budget and schedule of rink use and feels that a lot of thought has gone into her recommendation. His biggest issue was sharing the rink with Wasatch County at the same rate since it is a publicly financed facility. However, this approach is more consistent with operating like a business, which he supports. He requested that fee information be shared with the Snyderville Basin Special Recreation District. Stacey Noonan responded that the inter-local agreement addresses review of policies, not necessarily fees, but will present the fees at an upcoming meeting before they are advertised. Candace Erickson complimented Ms. Noonan on bringing a variety of stakeholder groups together to review fees and added that she also brings a huge amount of experience to the table and supports her recommendation. Stacey Noonan explained that speed skating, curling, and clubs are not established yet so there is a lot of available public skate time this year. Mr. Kernan expressed his support of offering the same fees to Wasatch residents.

4. **Quinns Junction transit service.** Eric Nesset explained that transportation services to the City's new Sports and Recreation Complex which is currently under construction needs to be considered. The ice sheet building is scheduled to open in February 2006. During summer 2006, one artificial turf multipurpose field will be open for use with the remaining turf fields scheduled to open in fall 2006. Hours of operation for the facility will be 8 a.m. to 11 p.m. in the winter and 8 a.m. to 9 p.m. in the summer and off-season.

Mr. Nesset pointed out that he National Ability Center is also located at Quinn's Junction and other commercial and institutional developments are planned for the area. In order to develop and establish transit plans for Quinn's Junction, LSC Transportation Consultants, Inc. was asked to estimate the cost of various transit service alternatives using a cost model with estimated service hours, route miles and current operating costs. Alternatives include:

- 1-A. A new fixed schedule bus route to Quinn's Junction operating during the same hours as other city bus routes. Estimated annual cost approximately $282,000.

- 1-B. The same route and frequency as Alternative 1-A with a schedule limited to peak periods of demand for the recreation facility: Estimated annual cost approximately $120,000.

- 2. Extend Bonanza Express to Quinn's Junction year-round using a paired short and long route. Estimated annual cost approximately $220,000 (net increase over existing winter Bonanza Express service).

- 3. A bi-directional loop route connecting the Old Town Transit Center, Kimball Junction, Silver Creek Commerce Center, Quinn's Junction and Prospector. The estimated annual cost of approximately $296,000.

- 4. A new Old Town -- Quinn's Junction -- Silver Creek Commerce Center route, with a small extension of the existing Silver Summit / Highland Estates route to provide a connection. Estimated annual cost approximately $278,000.

- 5. The provision of a General Public Dial-a-Ride service along the SR 248/Kearns Blvd. between Old Town Transit Center and Quinn's Junction, operating from 8 a.m. to 11 p.m. during winter and 8 a.m. to 9:00 p.m. in summer and off-season. Estimated annual operating cost approximately $35,000.

He explained that the ridership for each service alternative and the estimated cost per passenger.

Alternative 1-A	$21.57
Alternative 1-B	$14.44
Alternative 2	$4.20
Alternative 3	$18.01
Alternative 4	$12.53
Alternative 5	$7.60
PCT – System-Wide (Benchmark)	$1.88

Given the uncertainty of the transportation demands at Quinns Junction, the Council supported staff's recommendation to implement a General Public Dial-a-Ride transit service upon the opening of the Quinn's Junction Sports Recreation Complex. Council member Hier felt it reasonable for the County t share costs.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
DECEMBER 1, 2005

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, December 1, 2005. Members in attendance were Dana Williams, Kay Calvert, Marianne Cone, Candace Erickson, Jim Hier, and Joe Kernan. Staff present was Tom Bakaly, City Manager; Mark Harrington, City Attorney; Bret Howser, Analyst; Ray Milliner, Planner; and Patrick Putt, Planning Director.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Mayor Williams read the Resolution proclaiming December 2 as Smoke-Free Day in Park City.

III PUBLIC INPUT (any matter of City business not scheduled on agenda)

HMBA update – Mike Sweeney reported on the activities planned for the Holidays on Main event and remarked that the Town Lift will be begin operating this Saturday for the season, which is three weeks earlier than in previous years.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF NOVEMBER 10, 2005

Katy Calvert, "I move approval of the work session notes and minutes of the meeting of November 10, 2005". Marianne Cone seconded. Motion unanimously carried.

V CONSENT AGENDA PUBLIC HEARING

1. Ordinance approving a plat amendment for The Public Works Building, located at 1630 Short Line Road, Park City, Utah **(motion to continue to December 8, 2005)** – Kay Calvert, "I move approval to continue the Ordinance approving a plat amendment for the Public Works Building to December 8, 2005". Candace Erickson seconded. Motion unanimously carried.

2. Real Estate Purchase Contract with Frontier Bank for the sale of a municipally-owned 0.46 acre parcel located on Short Line Drive, Park City, Utah **(motion to continue to December 8, 2005)** – The Mayor requested a motion continue. Jim Hier, "I so move". Kay Calvert seconded. Motion unanimously carried.

3. Community Development Block Grant application – Bret Howser explained that the grant money must be spent on projects benefiting primarily low and moderate-income persons. It was noted that Mountainlands Association of Governments has $1.5

million total available to fund various projects in Wasatch, Utah, and Summit Counties. He also relayed that the City received CDBG funding two years ago for the Affordable Housing Study. Mr. Howser referred to his staff report, recommending that CDBG funding be used to acquire a van for the Boys & Girls Club. The Mayor opened the public hearing and hearing no comments from the audience, closed the hearing. The City Council unanimously concurred with staff's recommendation to assist the Boys & Girls Club.

4. Ordinance approving an expandable condominium plat for The Lofts, located at 570 Deer Valley Drive, Park City, Utah – Ray Milliner explained that this is an eight-unit development. The Planning Commission approved a CUP in September and staff is recommending approval of the condominium plat. The Mayor asked if public input was rendered on this project and Mr. Milliner stated that three hearings have been held associated with various applications, and public input was minimal. The Mayor opened the hearing and with no public input, closed the hearing.

5. Resolution amending Fee Resolution No. 11-05 by adding a new Section 9, Park City Ice Arena, renumbering subsequent sections, and replacing and repealing Resolution No. 11-05 in its entirety – The Mayor opened the public hearing and hearing no comments, closed the hearing.

VI CONSENT AGENDA

Jim Hier, "I move approval of Consent Agenda Items 1, 2 and 3". Kay Calvert seconded. Motion unanimously carried.

1. Ordinance approving an expandable condominium plat for The Lofts, located at 570 Deer Valley Drive, Park City, Utah – See staff report and public hearing.

2. Resolution amending Fee Resolution No. 11-05 by adding a new Section 9, Park City Ice Arena, renumbering subsequent sections, and replacing and repealing Resolution No. 11-05 in its entirety – See staff report and public hearing.

3. Resolution proclaiming December 2, 2005 as Smoke-Free Day in Park City, Utah – Staff recommends approval.

VII OLD BUSINESS

Ordinance amending the Municipal Code, Title 12, Sign Code – Planner Ray Milliner referred to the previous meeting held on this issue where staff was directed to make modifications and return to Council will a clearer draft and as requested, there is information on the required setbacks for signs in all zones. He suggested reviewing temporary real estate signs first because of the level of interest in the audience and explained that the Planning Commission recommended that open house signs be prohibited and eliminated in the Code. Based on discussions with the real estate community, staff revised the recommendation to allow one for-sale sign and one open house sign on-premise, and three open house signs off-premise. Signs are allowed to be placed in the right-of-way, but not on streets or sidewalks. Mr. Milliner encouraged discussion of amendments tonight, and taking formal action on the ordinance at another date. In response to a question from the Mayor, Mr. Milliner explained that streamers and banners, etc. are prohibited from open house signs.

Kay Calvert personally feels that the number of open house signs should not be regulated, but understood that her colleagues prefer to set a number. She felt that four is a more reasonable number, or a total of five signs including the for-sale sign. Marianne Cone supported staff's recommendation and it was explained that the Sign Code will not go back to the Planning Commission unless specifically remanded by the City Council. Candace Erickson suggested installing signs only at intersections when there is a change in direction; she described way-finding scenario, concluding that a total of six signs is appropriate. Jim Hier supported Ms. Erickson's proposal and Ms. Erickson clarified that the signs can not be lined up, but placed where there is a change in direction. The Mayor invited the public to comment on real estate signs.

Nancy Ernie, President of the Park City Board of Realtors (BOR), stated that she appreciates Council's comments but there is a problem for open houses in Round Valley, where eight to ten open house signs would be required to adequately direct people. Mayor Williams interjected that as a practical matter; no one has been cited although a reasonable number should be established in the Code. She urged the City Council to consider ten signs. After examining a map distributed by Ms. Ernie, Candace Erickson commented that she calculates a maximum of five signs to reach Round Valley. Ms. Ernie emphasized the importance that the number of real estate signs is compliant.

Frank Lee, new realtor and resident, expressed the difficulty in finding places in Park City and real estate signs are essential. He calculated that seven to nine signs are needed to direct individuals to The Cove, Eagle Pointe, or Ridgeview and newcomers may need even more signs.

Dave Weismann, general counsel for BOR, emphasized that he is speaking as a new member in the community and relayed that many buyers prefer to look for homes independently and without a realtor. He encouraged Council to provide an adequate number of open house signs for the public's benefit.

Seton Prince, Director of BOR, agreed with the draft which reflects that flags and banners are prohibited and the membership is concerned about the look of the town. As written, the on-premise sign must be perpendicular to the street. It has been the practice of the BOR to place signs parallel to the street, which he urged Council to support. The placement of open house signs at directional points is reasonable. He felt realtors can live with five or six signs, but this is the minimum they can accept and still serve the community.

Kaz Burns, Cornerstone Mountain Realty, stated that because the industry is dependent on cooperative relationships with each other, realtors self-regulate. She felt that they are conscious of maintaining a good reputation in the community and no one wants to overstep their bounds.

With no further comments on real estate signs, Mayor Williams closed the public hearing on this topic. He agreed that on-site signs should be placed parallel to the street and Planner Milliner agreed to make the modification. There was discussion about the appropriate number of signs among Council members. Tom Bakaly suggested adding language, "*directional or change of direction*". Candace Erickson recommended "*a minimum number of signs reasonably necessary with a maximum of five to be used at intersections to direct potential buyers to an open property*". Council member Calvert questioned whether a maximum number needs to be set if there is directional language. She felt six is not adequate. Ms. Cone agreed with staff's recommendation (one on-site and three off-site) and emphasized that Park City is not a big city. Council members Kernan, Hier and Erickson favored one and five while Ms. Calvert preferred one on-site and nine off-premise signs.

Planner Ray Milliner explained that Council directed an amendment to the Code, allowing free-standing portable signs year-round. There is a request to remove some design requirements, specifically only permitting a-frames, and staff is open to Council's input. Marianne Cone discussed the stability of a-frame signs and Joe Kernan supported allowing other designs, unless a problem arises. The Mayor opened the public hearing on the remainder of the Sign Code issues.

Mike Sweeney, business owner, referred to the limitation of the color ivory for internally illuminated signs and indicated that members of the HMBA prefer to have more than one choice. Ray Milliner explained that a few years ago, the Planning Commission was reluctant to allow these signs at all, and the compromise was to create conformity. Staff does not recommend any change. Mike Sweeney pointed out that a master sign plan is required for commercial areas and different colors may be an enhancement. Candace Erickson noted that this would apply to any internally illuminated sign not just signs within a master plan where there is control to create the overall look. It was the unanimous feeling of Council to maintain the Code as written.

DeVaughn Standfield, gallery operator, explained the importance of promoting special traveling art exhibits. He suggested allowing a six square foot banner outdoors because of the design limitations for indoor banners. He stated that he will be exhibiting a Rembrandt collection which is well worth promoting. Mike Sweeney read the definition of a banner in the Code and reiterated the request. Mr. Milliner explained that most banners are associated with special events. Joe Kernan felt it would be difficult to limit outdoor banners to art galleries and not offering it to all businesses. There was discussion about additional signs for sidewalk sales and special outdoor sales. Marianne Cone didn't support an amendment. Candace Erickson indicated that she would like to think about this further because banners are effective in attracting patrons. Mayor Williams concurred with Joe Kernan's comments. Ray Milliner explained that the main reason that banners are prohibited is because they often look worn and tattered but perhaps there is an option. Joe Kernan asked if the City could selectively allow banners for an art exhibit, for example, but not for hot dogs. Mark Harrington explained that temporary tenants can only switch out the main outdoor premise sign, and if there is an interest in reconsidering banners, he recommended that this item go back to Planning Commission. Mr. Harrington emphasized that the City was sued over a banner issue and the best way to contain them is limiting them to special events and indoor display. Kay Calvert pointed out the difference between an *event* and an *exhibit* and she felt traveling art exhibits may be overlooked without some advertising. Mr. Standfield stated that he would like to host more quality art shows in Park City, but many curators are offended and reluctant because there seems to be little accommodation in promoting the show. Mark Harrington stated that if there is support, the definition of special event may be tweaked to include art exhibits that are open to the public. Jim Hier was supportive of this approach. Marianne Cone interjected that if the banner is required to be inside the window, vertical lettering is legible. It was agreed to further explore allowing outdoor banners for exhibits.

Mike Sweeney continued to request that balloons, two feet in diameter or less, be allowed to attract patrons. He distributed pictures taken on the 4^{th} of July where balloons were displayed at storefronts in town. Candace Erickson expressed that balloons are okay for special events, but not every day. Joe Kernan stated that he is not supportive, and there was discussion that balloons may be allowed as part of a MFL.

Mr. Sweeney requested that awnings (with lettering) be permitted for businesses above the ground floor. As the Code is currently written, the Planning Director has the discretion to grant an exception, however, merchants on the second floor should have the same rights as street level businesses. Ray Milliner explained that the reason the Planning Commission limited signs to 20 feet was to preserve the pedestrian feel of the street. The compromise was to grant an exception based on criteria, i.e., location, orientation and compatibility. Staff recommends that the language remain as is; Mike Sweeney countered that since that time, the economy has changed and second floor businesses are being developed. Joe Kernan stated that he is comfortable with the exception clause with criteria. It was pointed out that there is an opportunity for the applicant to appeal the decision of the Planning Director to the Planning Commission. Candace Erickson expressed concerns about the potential clutter of advertising on awnings. Ray Milliner explained that awnings without lettering are allowed on any level. Jim Hier stated that he is comfortable with the Code as written which was the consensus of other Council members, except Kay Calvert, who expressed no opinion.

Mr. Sweeney argued that internally illuminated signs should be allowed for free-standing signs, because in his opinion, it is less intrusive than directing a spotlight on a free-standing sign. He suggested allowing both options. Planner Milliner explained that internally illuminated free-standing signs are allowed, i.e., Centura Commons.

Mike Sweeney stated that the height limit for luminous tube (neon) signs should be reconsidered so that businesses on the second floor have the same rights. Again, the Planning Director has the discretion to make an exception if criteria is met. He discussed the Town Lift Plaza area, where his commercial area on the plaza is considered to be the second floor from Park Avenue. He feels he should have the same rights as first floor owners by hanging an *open* neon sign in the window. Marianne Cone supported the Code as written because there is an opportunity for the applicant to seek an exception from the Planning Director; situations vary wildly. She again expressed concerns about the visual impacts of neon in adjacent residential neighborhoods. There was discussion of the appearance of Main Street if neon was allowed on second floors. Council members did not support an amendment.

Mr. Sweeney relayed that the old Code provided for calculation of total square footage for a business, rather than number or types of signs. Luminous tube signs up to six square feet were permitted under the prior provisions. Candace Erickson stated that she feels neon is garish and unattractive. There was discussion about existing neon on Main Street. Mike Sweeney emphasized that he has an advantage of having his non-conforming signs grand-fathered; however, everyone should be on the same playing field. The City Attorney clarified that non-conforming signs are grandfathered with the business, not the property. Non-conforming signs can not be replaced with other non-conforming signs. Council did not support amending the ordinance.

He requested that the neon sign setback be decreased from ten feet to five feet and Ray Milliner explained that the Planning Commission felt that neon is very visible and placing them ten feet from the window is less intrusive. The Council unanimously supported ten feet.

Mr. Sweeney pointed out that for-profit groups should be allowed to acquire special purpose signs if sponsoring a charitable event like non-profits. Patrick Putt interjected that advertising the event is not the same as marketing the sponsoring business and he would not consider the banner as advertising for the for-profit. It was concluded that Mr. Sweeney's intent can be accomplished now and Mr. Putt suggested adding language *and for-profit if sponsoring a charitable event.* Jim Hier asked where the special purpose signs would be displayed and why this language needs to be included. Mark Harrington agreed that the language could be construed. Mr. Hier asked Mr. Sweeney for an example of a charitable event he couldn't market, and he again read the current language limiting special purpose signs to education, civic and non-profit groups. As a matter of clarification, Mr. Hier suggested changing "*sponsored by*" to "*Signs promoting events for the benefit of charitable, educational or other non-profit organizations may be erected*" which was supported by everyone.

Mike Sweeney acknowledged that fluorescent colors aren't appropriate but felt reflective finishes should be allowed to create a more festive look. Currently only matte or flat finishes are allowed. Ray Milliner explained that there are about 90 banners on Main Street and if they were designed with reflective finishes, it could be visually overwhelming. Pat Putt explained that the concern was that shiny materials may include poor quality choices. Mr. Sweeney then requested that regular finishes be allowed as well as flat finishes.

Joe Kernan referred to the issue of setbacks and asked members if three feet is too close for the electronic display terminals. He also observed that setting back election signs 20 feet back from the edge of the curb is often unachievable. Signs should be allowed to be installed closer to the curb. Jim Hier agreed and staff suggested reducing political signs to ten feet.

Ray Milliner stated that he will return with a redlined ordinance reflecting Council's direction for amendments. With no further comments from the audience, the public hearing was closed.

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 3 p.m. Members in attendance were Mayor Dana Williams, Kay Calvert, Marianne Cone, Candace Erickson, Jim Hier, and Joe Kernan. Staff present were Tom Bakaly, City Manager and Mark Harrington, City Attorney. Jim Hier, "I move to close the meeting to discuss litigation". Kay Calvert seconded. Motion carried unanimously.

The meeting opened at approximately 3:30 p.m.

The meeting for which these minutes were prepared was noticed by posting at least 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

City Council
Staff Report

PARK CITY 1881

Budget, Debt and Grants

Author: Phyllis McDonough Robinson
Subject: AFFORDABLE HOUSING NEEDS ASSESSMENT
Date: December 1, 2005
Type of Item: Informational

Summary Recommendations: This item is for information and policy direction.

Description:

Topic: Staff is presenting the Executive Summary of the Housing Needs Assessment

Background:
Workforce housing has been an issue in Park City since the early 1990s. In 1995, Park City adopted its first set of housing policies defining incentives for production and outlining a near term and long-term action plan. Since that time, the City has participated in the development and preservation of affordable housing. There are 395 units of deed restricted affordable housing in Park City.

In 2003, Park City identified the following housing goals:

- Provide a variety of housing options to meet the socio-economic needs of people who live and work here, including persons with special needs.
- Maintain a community that contains a broad diversity of owner-occupied and rental housing types.
- Preserve and develop high quality, accessible and affordable housing to serve the diversity of people who live and work here.
- Promote housing that is energy efficient, environmentally sensitive and that blends with the City's natural environment.

In 2005, Park City received a CDBG matching grant to prepare an affordable housing needs assessment. This housing assessment analyzed key economic and demographic trends in order to more fully better understand the nature of growth Park City. A literature search was conducted to identify best practices for conducting housing assessments and models of successful programs and strategies. Particular attention was paid to housing plans and programs of other resort towns in Colorado, California, New Mexico, Wyoming and British Columbia. Quantitative and qualitative data on demographic, economic and housing market conditions, and trends were collected and analyzed. In addition, two surveys were conducted. The Employer Housing Survey sought information on employment patterns and the impact of the local housing market on businesses. The Community Housing Survey sought personal information on the impact of the local housing market on local residents and employees. The Community Housing Survey is still active in an attempt to get a representative mix of respondents.

This report addresses the following key areas of concern:
- The relationship between economic development and the supply and price of housing, including rental housing, and
- The relative affordability of housing, with particular concern to the buying opportunities for households earning below the median income.
- The current housing need and the projected housing demand to meet anticipated employment and population growth.

The Executive Summary of the Housing Assessment is included as an attachment to this staff report. A full copy of the report will be available prior to the Council meeting.

Analysis

Current housing policy does not give direction to the type of housing needed, but more generally to the development of affordable housing. In August 2005, Council provided staff with policy direction based on the preliminary findings of the Housing Assessment. This direction included:
- Promote a range of affordable homeownership opportunities for households with incomes between 40 percent and 120 percent of AMI.
- Focus rental housing on the most critical cost burdened households.
- Enhance access to capital for a second mortgage pool.

This direction was incorporated into the housing needs assessment.

Key Findings

The high price of housing presents a distinct set of problems for Park City. Local employees suffer economic stress as housing prices outstrip wages and salary incomes. Employees must live in smaller residences or prolong the purchase of a home. In other instances employees move out of the area (or leave the economy all together), substituting an alternative location where housing is more affordable. In Park City, locational substitution (jobs filled by non-residents) is estimated to be approximately 65 percent.

- The estimated 2005 Park City population is 8,018. Park City's population growth average 6.5% between 1990 and 2000. The forecasted 2010 Park City population is 9,752. Notable within that growth is increase in the Hispanic community from approximately 1 percent in 1990 to nearly 20 percent in 2000. This number is likely to underestimate the actual number of Hispanic households in the City
- The Leisure and Hospitality sector dominates the regional economy both in terms of the number of jobs and total wages. More than twice as many jobs exist in this sector than the next most significant sector. In 2003, the average wage income earned in Summit County averaged $26,519. Wages earned in the Leisure and Hospitality sector averaged $19,485 – more than 25 percent below the average wage for Summit County jobs.

- Over the next five years, continued employment growth in Summit County is anticipated with Park City remaining the employment hub. Based upon data from the Governor's Office of Planning and Budget, employment in Summit County is expected to increase 15 percent. The Leisure and Hospitality Industry will remain the largest share of jobs in the area, increasing to nearly 7,600 jobs. Assuming a stable share of employment and relatively little growth in wages, this continued growth will have significant implications for housing in the next five years.
- Increases in wages are not keeping pace with housing costs. During the decade of the 1990s, household income rose by 67 percent. Rents increased 61% during this same period. Increases in housing sales prices outstripped any gains in income. Owner occupied housing costs increased 170 percent during this same time period.
- The projected workforce housing demand by 2010 is 323 additional units. The potential remaining shortfall for workforce housing without market intervention and/or additional public commitment by 2010 is 214 units.

- The pent up demand for deed restricted affordable housing is 194 units. Resources should be directed to assisting renter households between $35,000 - $50,000 transition to home ownership.
- There is existing pent-up demand for rental housing affordable to households earning less than $35,000. Priority should be given to reducing the cost burden of households paying 50 percent or more of their income for rent by promoting rental housing development targeted to households earning 40 percent of below of AMI.

SUMMARY OF WORK FORCE HOUSING DEMANDS 2005- 2010

Pent up Demand for Deed Restricted Affordable Housing	194 units
Pent up Demand for Affordable Rental Housing	153 units
2010 New Core Resort Worker Demand	323 Units (60% ownership; 40% rental)
Subtotal Existing and Projected Demand	670 Units
Less: Committed Housing Obligation	***109 Units***
Total Remaining Potential Demand	561 Units

Staff is requesting Council discussion in general on the comment on the findings of the housing assessment, with particular attention projections of the Housing Demand Analysis.

Next Steps

Revise current housing resolution

This assessment is the support study for the revisions to Housing Resolution 17-99. Staff is proposing to amend the current housing resolution to reflect the findings of this need assessment. The current housing resolution presents a range of income and unit configuration option. Staff will be presenting a streamlined housing resolution to

Council on 12/15 for public hearing and possible action that matches the production of workforce housing to the identified needs. Key revisions recommended include:

- Updating the in lieu of fee and the employee generation rates to reflect data that are more current. The last update of this information was 1999. Staff is requesting Council discussion on the setting the baseline for the in lieu of fees.
- Replacing the Area Median Income measure with the adoption of a Core Infrastructure Household Wage as the basis for housing calculations. (Attachment C)
- Priority given to the creation of deed restricted units available to the general workforce over seasonal units benefiting a specific employer.
- Adopting a goal that 60 percent of new units will be for homeownership and 40 percent will be rental units. The average income served by these units will approximate the Core Infrastructure Household Wage.

<u>Develop a three to five year housing work plan</u>
Following the approval of the Housing Needs Analysis and a revised Housing Resolution, staff will prepare a three-to-five year housing work plan. Staff anticipates presenting that work plan to Council in January 2006. This work plan will include specific direction on the use of city-owned property for affordable housing. Staff believes that it is premature to discuss specific projects or the City's level of involvement in those projects prior to finalizing the housing needs assessment.

<u>Senior/Assisted Living</u>
The feasibility analysis for Senior/Assisted Living in Park City will be presented to City Council on December 8. The findings of that study will be incorporated into the Housing Needs Assessment.

B. Department Review: This report was reviewed by Budget, Debt and Grants and the City Manager's office.

Recommendation: Provide staff with policy direction as requested.

Attachment A: Housing Needs Assessment Executive Summary
Attachment B: Housing Strategies Status Report
Attachment C: Core Infrastructure Wage

HOUSING PARK CITY'S WORK FORCE 2005 – 2010

EXECUTIVE SUMMARY
HOUSING ASSESSMENT AND DEMAND ANALYSIS

November 2005

SECTION I: INTRODUCTION

Almost every major resort community in the nation has real housing affordability problems. According to the Harvard Joint Center for Housing Studies, the obstacles for providing quality affordable work force housing may be more difficult than developing a great resort. The production and availability of housing is constrained in virtually every community both by government regulations and by non-governmental factors, such as the costs of construction. Most important is the end users ability to pay and the gap between housing costs and wages. Market factors present very serious constraints to the production and availability of housing that is affordable to very low, low and moderate-income households.

Workforce housing has been an issue in Park City since the early 1990s. In 1995 Park City adopted its first set of housing policies defining incentives for production and outlining a near term and long term action plan. Since that time, the City has participated in the development and preservation of affordable housing. There are 395 units of deed restricted affordable housing in Park City.

In 2003 Park City identified the following housing goals:

- Provide a variety of housing options to meet the socio-economic needs of people who live and work here, including persons with special needs.
- Maintain a community that contains a broad diversity of owner-occupied and rental housing types.
- Preserve and develop high quality, accessible and affordable housing to serve the diversity of people who live and work here.
- Promote housing that is energy efficient, environmentally sensitive and that blends with the City's natural environment.

Approach

In 2005 Park City received a CDBG matching grant to prepare an affordable housing needs assessment. Assessing Park City's workforce housing needs seems obvious – there are too few units that lower income households can afford. Developing responsive strategies and programs requires more than stating the obvious. An understanding of the factors contributing to the current housing needs is critical. This housing assessment analyzed key economic and demographic trends in order to more fully better understand the nature of growth Park City. A literature search was conducted to identify best practices for conducting housing assessments and models of successful programs and strategies. Particular attention was paid to housing plans and programs of other resort towns in Colorado, California, New Mexico, Wyoming and British Columbia. Quantitative and qualitative data on demographic, economic and housing market conditions, and trends were collected and analyzed. In addition, two surveys were conducted. The Employer Housing Survey sought information on employment patterns and the impact of the local housing market on businesses. The Community Housing Survey sought personal information on the impact of the local housing market on local residents and employees.

This report addresses the following key areas of concern:

- The relationship between economic development and the supply and price of housing, including rental housing, and
- The relative affordability of housing, with particular concern to the buying opportunities for households earning below the median income.
- The current housing need and the projected housing demand to meet anticipated employment and population growth.

Defining Housing Affordability

The ultimate goal of housing policy is to address the growing mismatch between income and housing costs. The issue around defining housing needs must focus, therefore, on the question of "affordable for what and to whom?" Traditionally, affordable housing is considered an issue affecting low-income individuals and families. In resort and destination communities, housing affordability is also of concern to moderate and middle-income earners. The growing trend throughout the nation is towards work force housing that offers a variety of housing types, tenure and price options to accommodate an economically diverse work force and community.

The U.S. Department of Housing and Urban Development (HUD) calls housing costs – rent plus basic utilities or mortgage, tax and insurance payments – affordable when they consume no more than 30 percent of a household's income.[1] By this measure, affordability is a relative concept that can be applied to people of all income levels. The implication is that low- and moderate-income households who pay more than 30 percent of their gross income for housing are more likely to have to defer or cutback on purchases of other important necessities such as medical care and clothing. This is the most basic and most frequently used measure of housing affordability.

Cost Burdened Households

[1] Specifically, the Department of Housing and Urban Development (HUD) defines rental housing as affordable when rent (including such basic utilities as heat, electricity and cooking fuel) consumes no more than 30% of a household's net, or adjusted, income. The definition of net income varies by program, but it generally means gross income less a small deduction per dependent with additional deductions for childcare costs, extraordinary medical expenses, etc... For homeownership, mortgage lenders typically target 28 – 33% of gross household income as the maximum carrying cost for the purchase (covering payment of principal, interest, taxes and insurance.)

If a household spends in excess of 30% of their income for housing costs, they are considered to be cost burdened. If housing consumes more than 35% of household income, the household is defined as "extremely cost burdened."

SECTION II: ECONOMIC PROFILE

Escalating housing prices reflect the strength of Park City's economy over the past decade and most notably the last five years. Employment and population growth exerted strong demand in a supply-constrained housing market. Based on this experience, housing costs are likely to continue to rise for the next several years, stabilizing only when the economy slows. The recent escalation of housing prices mirrors the increased economic growth in Park City and Summit County. Based on that experience, accelerating demand pressure resulting from continued job and population growth will push prices higher over the next several years, exacerbating the existing affordability challenges. This pressure will result in higher prices for single family home and condominiums, as well as higher rents.

- Park City dominates the economy of Summit County and provides most of the region's employment opportunities. In 2003 there were an estimated 16,418 jobs in Summit County. Based upon data collected by the 2000 Census approximately 78 percent of all jobs in Summit County are located in Park City.

- The Leisure and Hospitality sector dominates the regional economy both in terms of the number of jobs and total wages. More than twice as many jobs exist in this sector than the next most significant sector.
- Between 2001 and 2003[2] the Leisure and Hospitality sector grew from 35 percent to 38 percent of all jobs.

- The next largest sector by number of jobs is Trade, Transportation and Utilities at 17 percent of all jobs. Government is third at 13 percent.

- Total wages earned in Leisure and Hospitality in 2003 totaled $119,269,850 or more than 27 percent of all wages.

- In 2003, the average wage income earned in Summit County averaged $26,519. Wages earned in the Leisure and Hospitality sector averaged $19,485 – more than 25 percent below the average wage for Summit County jobs.

- On average, non-agricultural payroll employment in Summit County has increased eight percent a year between 1990 and 2003. The number of jobs in Summit County increased from 7,991 to 16,418.

- Summit County's employment levels experience seasonal fluctuations. Peak employment occurs during the winter months. Employment levels drop off approximately 15 percent in the spring and summer months. The fluctuation in seasonal employment has decreased in recent years as events, recreational and

[2] The most recent data available since the Bureau of Labor Statistics transitions from the Standard Industrial Code (SIC) to the NAICS. One result of this transition is the creation of a specific "Leisure and Hospitality" Sector classification. Previously this sector had been combined in the broader "Services" code.

cultural opportunities increase the tourism and second home base during the summer months.

- Over the next five years, continued employment growth in Summit County is anticipated with Park City remaining the employment hub. Based upon data from the Governor's Office of Planning and Budget, employment in Summit County is expected to increase 15 percent. The Leisure and Hospitality Industry will remain the largest share of jobs in the area, increasing to nearly 7,600 jobs. Assuming a stable share of employment and relatively little growth in wages, this continued growth will have significant implications for housing in the next five years.

- Of the 53 businesses that completed the Employer Housing Survey, 64 percent were Park City based business. Ninety-four percent were located in the Park City/Snyderville Basin. The majority of respondents were retail sales (22.6%) restaurant/food service (9.4%), lodging/housekeeping (9.4%). One ski area responded. Half of the businesses had 10 or fewer employees.

- Half of the businesses reported that the number of employees increased over the past two years. More than one-third expects their number of employees to increase over the next two years.

- The availability of affordable housing is a substantial issue especially in the recruitment and/or retention of Customer Service staff and Managerial/Professional staff. These two occupations reflect a wide spectrum of income.

- Employers cited the following reasons most frequently given by employees when they leave: Long Commutes (41%), Increase in Salary/Hourly Wage (39%), More Favorable Work Schedule/Conditions (28%). Housing problems were specifically identified by 15 percent of respondents. Long Commutes combined with Housing Problem total 56 percent of responses.

- Related to commuting, weather (53.3%, traffic (37.8%) and weather (37.8%) were the most frequently cited reasons for employee lateness. Lateness/absenteeism in general was rated as a moderate business impact.

- Only 16 percent of employers offer any form of housing assistance ranging from referrals to Mountainlands Community Housing Trust (13%) roommate services, housing/travel allowance, housing locator services and company bulletin board (4.4% each) and transportation to worksite, seasonal housing, temporary/transitional housing (2.2% each). One-third of respondents indicated an interest in learning more about employer-assisted housing benefits.

SECTION III: COMMUNITY PROFILE

- Summit County's 2005 estimated population is 33,910, a growth rate of 118 percent between 1990 and 2005. Most of the population growth has occurred in the Snyderville Basin and Park City. Park City's year-round has grown nearly 80 percent between 1990 and 2005.

- The estimated 2005 Park City population is 8,018. Park City's population growth average 6.5% between 1990 and 2000. The forecasted 2010 Park City population is 9,752. Notable within that growth is increase in the Hispanic community from approximately 1 percent in 1990 to nearly 20 percent in 2000. This number is likely to underestimate the actual number of Hispanic households in the City.

- Statewide, in-migration projections comprise 42 percent of total population growth. In Summit County, in-migration of working age households accounts for 81 percent of population growth. Other areas in the State with substantial in-migration as a component of population growth include neighboring Wasatch County (83%), and Washington County (89%).

- Park City is an older community compared to the rest of the state. Fifty-eight percent of Park City residents are between the ages of 25 – 59 compared with 42 percent statewide.

- The homeownership rate in Park City lags behind the state and the nation. Sixty-one percent of households in Park City were homeowners in 2000. This is slightly below the national homeownership rate in 2000 of 67.4 percent and nearly 12 percent lower than the statewide homeownership rate of 72.7 percent.

- The age distribution of renter households compared to the state shows a greater percentage of households as renters between the ages of 35 and 54. Fifty seven percent of Park City renters are in this age range compared to 46 percent state-wide.

- The median income for owner-occupied households is $94,196. The median income for renter households is $38,594.

- Increases in wages are not keeping pace with housing costs. During the decade of the 1990s, household income rose by 67 percent. Rents increased 61 percent during this same period. Increases in housing sales prices outstripped any gains in income. Owner occupied housing costs increased 170 percent during this same time period.

SECTION IV: DEMAND AND AFFORDABILITY ANALYSIS

- The availability of work force housing in not simply a supply side problem in that no enough housing has been built, but the availability of housing is affected by the demand for housing and the distribution of income. Assessment of underlying housing need is concerned with measuring how many households, have housing costs that exceed the 30 percent cost-burden benchmark.

- There are 344 units of deed restricted affordable rental housing in Park. Thirty-one percent (329 households) of cost-burdened households have incomes below $35,000.

- An estimated 550 renter households have incomes greater than $35,000 and could qualify for deed restricted home ownership opportunities in Park City. Their ability to do so is constrained by available inventory and lack of down payment. There are 51 units of deed restricted affordable home ownership opportunity available.

- There is a substantial disparity between sales prices of free market sales and household numbers and incomes in Park City. In 2004, 964 single family homes sold with an average sales price of $606,426. Approximately 30 percent of existing households have incomes sufficient to afford this purchase price. Of these approximately 825 households, only 52 households were residing in rental housing. The volume of sales exceeds the total number of households who could afford to purchase the unit.

- Between July 2004 and July 2005, 702 two- and three-bedroom condominiums were sold in Park City and the Snyderville Basin. The average sales price was $175,419. Of these units, 146 were located within the Park City limits. These units are affordable to households earning approximately $49,000. Approximately 36 percent of renter households could afford the monthly mortgage costs. The volume of sales equates to nearly two units sold for every renter household earning $49,000 or more.

- Over the next five years, the demand for housing in Park City will increase substantially. The increase in the Leisure and Hospitality Sector will continue to drive the demand for additional workforce housing in Park City.

CALCULATING WORK FORCE HOUSING DEMAND 2010

The projected workforce housing demand by 2010 is 323 additional units.

Table 6.1
CORE RESORT SECTORS PROJECTED GROWTH [3]

Park City Population Projection 2010	9,752
Less: Park City Population 2005	8018
Equals: Total New Residents	1,734
Locational Substitution	34%
Multiplied by Total New Residents	1,734
Equals: Total New Residents Employed Locally	590
Total New Residents Employed Locally	590
Multiplied by % of jobs in Core Sectors	82%
Equals: Total New Residents in Core Sectors	484
Divided By: Workers per Household	1.5
Equals: 2010 New Workforce Housing Demand	323 units

The calculated outstanding affordable housing obligation is 109 affordable unit equivalents.
Housing Resolution 17-99 requires developers of Master Planned Developments greater than 50 units and/or 5,000 square feet of commercial to contribute toward affordable housing. These units will offset a portion of the projected workforce housing demand. Table 6.2 below details the components of the calculated housing obligation.

[3] (Construction, TTU, Education and Health Services, Leisure and Hospitality, Other Services and Government)

Table 6.2
CALCULATED OUTSTANDING HOUSING OBLIGATION

PROJECT	UNIT EQUIVALENTS One UE = 800 sq. ft	NOTES
Flagstaff Annexation/UPCM	91 UE	25% of units to be constructed on-site. Unit requirements triggered by CO and density under construction. Projected delivery 2005 – 2010.
Deer Crest Master Plan)	18 UE	Pending. Projected delivery 2007.
Union Square MPD	3.45 UE	Required prior to building permits. Projected delivery in 2006.
Silver Star	17.95 UE	100% of units on site. Projected delivery in 2007
Total Obligation	109 UE	

The potential remaining shortfall for workforce housing without market intervention and/or additional public commitment by 2010 is 214 units.

Table 7.1
REMAINING WORKFORCE HOUSING DEMAND

2010 New Workforce Housing Demand	323 units
Less: Committed Housing Obligation	109 UE
Equals: Remaining Workforce Housing Demand	214 units

In addition to new workforce housing demands, there is existing pent-up demand among existing renter households.

Table 7.2
EXISTING PENT UP DEMAND FOR HOMEOWNERSHIP

Renter households with incomes >$35,000 (minimum income necessary to qualify for a deed restricted homeownership.)	550 renter households
Multiplied By: % of renters interested in homeownership	88 percent
Equals: Potential pent up home ownership demand	484 existing households
Percentage of households with incomes between households with incomes between $35,000 - $50,000	40 percent
Percentage of households with incomes between $50,000 - $75,000	40 percent

The pent up demand for deed restricted homeownership housing among households with incomes between $35,000 and $50,000 is 194 units. An equal homeownership demand exists among renter households with incomes of $50,000 - $75,000.

Table 7.3
RENTER HOUSEHOLDS IN NEED OF MORE AFFORDABLE HOUSING

Total Renter Households	1,060
% of Cost Burdened Renter Household	39 percent
Number of renter households paying 30 – 34% of income for rent	104
Number of renter households paying 35 – 39% of income for rent	75
Number of renter households paying 40 – 49% of income for rent	86
Number of renter households paying 50 percent or more of income for rent	153

There is existing pent-up demand for rental housing affordable to households earning less than $35,000. Priority should be given to reducing the cost burden of households paying 50 percent or more of their income for rent.

Table 7.3
SUMMARY OF WORK FORCE HOUSING DEMANDS 2005- 2010

Pent up Demand for Owner-Occupied Housing	194 units
Pent up Demand for Affordable Rental Housing	153 units
2010 New Core Resort Worker Demand	323 Units
Subtotal Existing and Projected Demand	670 Units
Less: Committed Housing Obligation	***109 Units***
Total Remaining Demand	561 Units

SECTION V: RECOMMENDATIONS

Develop a Three to Five Year Housing Work Program and Provide Annual Reports.
The Housing Needs Assessment sets forth a five year housing goal based upon projected employment and population growth. A work plan that details tools, strategies and implementation time frames should be prepared. A review of progress in meeting the housing goal, as well as necessary revisions, should be prepared annually.

Initiate City Leadership in Affordable Housing Development.
Promote and sponsor redevelopment and infill projects on city-owned land. Consider dedication/long term lease of land to enhance affordability. Prioritize mixed income residential subdivisions within the City's annexation boundaries. Identify opportunities for public-private partnerships to fulfill outstanding housing obligation. Promote alternative ownership models including co-housing, cooperatives and/or limited equity cooperatives.

Update Housing Resolution Annually.
Streamline the existing housing resolution by establishing five year goals with specific housing targets. Update the resolution for consistency with the current Master Planned Development definitions, revise employee generation rates and in lieu of fees schedule. The resolution should be reviewed and updated annually.

Develop a Regional Housing Approach with Summit County.
Park City/Snyderville Basin functions as one housing market. People may live in one part and work in another. Affordable housing is difficult to address locally in a regional housing market. The efforts of one city to provide housing for lower income residents may seem futile if neighboring communities do not make similar efforts. The shortage of housing affects a wide variety of residents in Summit County. Addressing the housing needs from a regional, rather than a local perspective raises complex problems of planning and governance. However, the findings suggest that is its imperative to address the interconnected problems that underlie the housing challenges. While local projects and developments are certainly necessary, large, more integrated efforts are needed.

Enhance Access to Development and Lending Capital.
Identify and secure private resources for housing development and leveraging government programs including establishing a municipal line of credit for land acquisition and land banking. Prepare a feasibility study for a Regional Housing Trust Fund to leverage in lieu of fees and other funds.

Create a Land Banking Program.
Identify potential sites to acquire land for future affordable housing development within and beyond the city limits.

Promote Employer Assisted Housing.
Sponsor employer workshops/forums in partnership with the Utah Fannie Mae Partnership Office.

ATTACHMENT B: HOUSING STRATEGIES STATUS REPORT

STRATEGY	STATUS
Develop a Land Inventory and Supply Table including at-risk subsidized and non-subsidized rental units, vacant and redevelopable land.	In draft form and will be presented to Council in September 2005.
Create clear and realistic picture of the housing needs of local employees and residents and enhance understanding of the demand drivers.	To be presented to Council 12/1/2005
Evaluate the current housing inventory owned by Park City Municipal Corporation including Silver Meadows, 1465 Park Avenue and the Pechnik property and make disposition recommendations.	City Property Master Plan identified several parcels for housing development. Pechnik property has been cleared. Continue to maintain an inventory of Silver Meadows units for employee housing (4-6 units)
Evaluate the payment of in-lieu of fees including the financial and community impact of promoting in lieu of fees as part of the City's housing strategy.	In lieu of model, including employee generation and wage updates, is in draft form and will be presented to Council in December 2005
Develop a consistent definition for housing that addresses affordability, housing need and demand, and income targets.	In draft form and will be presented to Council in December 2005
Study the feasibility of creating a public-private housing trust fund or other loan fund that could finance ownership and rental projects.	Form of loan fund to be determined based upon housing needs assessment.
Continue and expand the City's second mortgage program and examine options to expand the program beyond City employees.	Identify financial mechanisms to fund a second mortgage pool.
Examine other funding options to leverage existing resources including equity investments by financial institutions and bonding authority.	Discussion underway with Fannie Mae regarding a municipal line of credit for housing.

Evaluate the role of the Housing Authority as a development entity or a more active participant in housing projects and programs including its bonding authority to leverage existing resources.	Medium function housing authority (services in finance and support to the development community) is recommended and will be discussed in January 2006.
Review the land management code to promote flexibility in reviewing affordable housing projects including, but not limited to, parking standards and open space requirements.	Review and update to be coordinated in FY 2006 with Planning Department.
Identify development options, funding options and opportunities for vacant, at-risk and redevelopable land.	Draft will be presented to Council in January 2006.
Assist Summit County with affordable housing in the context of regional collaboration and a comprehensive, regional affordable housing plan	Housing Analysis is underway

ATTACHMENT C

Affordable Housing Fee in Lieu (calender year 2005)

		Housing & Income Assumptions	Maximum Affordable Purchase Price	Housing Market Price	GAP (affordability shortfall)
Household Income & Affordable Shelter Cost					
Wage & Salary Income (annual)	($12.10 per hour - 260 workdays per year)	$25,162			
Other Earnings (tips, incentives)	(2.0% of wages)	$503			
Other Income (investments, non-cash benefits)	(2.0% of wages)	$503			
Workers per Household (# FTE)		1.5			
Total Household Income (annual)		$39,253			
Shelter Cost % of gross income		30%			
Maximum Monthly Housing Payment		$981			
Maximum Purchase Price					
Maximum Monthly Housing Payment		$981			
Property Insurance		($29)			
Mortgage Insurance		($73)			
Real Estate Tax		($86)			
Max. Mortgage Payment		$793			
Mortgage Amount		$130,859			
Down Payment		$6,887			
Purchase Price		$137,746			
Fee in Lieu ("affordability gap")			$137,746	$225,000	**$74,254**

Wage & Salary Reference (Job Service Report for Summit County for 2005)

	2005 Median Wage	Annual Earnings (2080 hours)	Job Description
Federal Minimum Wage	$5.15	$10,712	
Fast Food	$6.90	$14,352	Combined food preparation and serving workers, including fast food (35-3021)
Recreation Attendant	$7.10	$14,768	Amusement and recreation attendants (39-3091)
Restaurant & Bar	$7.30	$15,184	Waiters and Waitresses (35-3031)
Restaurant & Bar	$7.60	$15,808	Dishwasher (35-9021)
Cashier	$7.80	$16,224	Cashiers (41-2011)
Recreation Staff	$8.10	$16,848	Recreation workers (39-9032)
Housekeeping & Front Desk	$8.50	$17,680	Maids and Housekeeping Cleaners (37-2012)
Retail Clerk	$8.50	$17,680	Counter and rental clerks (41-2021)
Retail	$8.90	$18,512	Retail Salespersons (41-2031)
Taxi Driver	$8.90	$18,512	Taxi drivers and chauffeurs (53-3041)
Bank	$9.50	$19,760	Tellers (43-3071)
Landscaper	$9.50	$19,760	Landscaping and groundskeeping workers (37-3011)
Reservations	$9.90	$20,592	Hotel, Motel, and Resort Desk Clerks (43-4081)
Construction	$9.90	$20,592	Helpers--painters, paperhangers, plasterers, and stucco masons (47-3014)
Construction	$11.00	$22,880	Construction laborers (47-2061)
Chef	$11.00	$22,880	Chefs and head cooks (35-1011)
Emergency Medical	$11.10	$23,088	Emergency medical technicians and paramedics (29-2041)
Secretary	$11.40	$23,712	Secretaries, except legal, medical, and executive (43-6014)
Maintenance	$12.00	$24,960	Maintenance and Repair Workers, General (49-9042)
Housekeeping Supervisors	$12.50	$26,000	First-Line Super/Mgr of Housekeeping and Janitorial Workers (37-1011)
Office Clerk	$12.50	$26,000	File Clerks (43-4071)
Fire Fighter	$12.80	$26,624	Fire Figher (33-2011)
Police	$13.20	$27,456	Police, fire, and ambulance dispatchers (43-5031)
Construction	$13.40	$27,872	Roofers (47-2181)
Accounting Clerk	$13.60	$28,288	Bookkeeping, Accounting, and Auditing Clerks (43-3031)
Office Supervisor	$14.60	$30,368	First-Line Super/Mgr of Office and Admin Support Workers (43-1011)
Construction	$14.90	$30,992	Painters, Construction and Maintenance (47-2141)
Property Manager	$16.10	$33,488	Property, real estate, and community association managers (11-9141)
Construction	$16.50	$34,320	Tapers (47-2082)
Teacher	$0.00	$0	Kindergarten teachers, except special education
Construction	$17.50	$36,400	Electrician (47-2111)
Hotel Manager	$17.70	$36,816	Lodging managers (11-9081)
Police	$17.80	$37,024	Police and sheriff's patrol officers (33-3051)
Teacher	$0.00	$0	Elementary school teachers, except special education
Teacher	$0.00	$0	Secondary school teachers, except special and vocational education
Teacher	$0.00	$0	Middle school teachers, except special and vocational education
Average		$20,977	
Median		$20,592	
75% Percentile		$27,456	

City Council Staff Report

Author:	**Eric Nesset, Fleet & Transit Mgr.**
Subject:	**Transit Service for Quinn's Jct.**
Date:	**November 28, 2005**
Type of Item:	**Administrative - Informational**

PARK CITY 1884

Public Works

Summary Recommendations:

Affirm staff's recommendation to provide a General Public Dial-a-Ride bus service between Park City and the Quinn's Junction Sports and Recreation Complex and the National Ability Center beginning with the opening of the Recreation Complex.

Description:

Background:

A Sports and Recreation Complex is being developed by Park City Municipal Corporation on a 70-acre parcel adjacent and to the east of the National Ability Center (NAC) near Quinn's Junction. The Complex will include an Olympic-size ice sheet housed in a 46,000 square foot building with seating for 350 spectators (in addition to athletes and staff). Additionally, there will be four rectangular fields (for soccer, rugby and/or lacrosse), three softball fields, trailhead connections, an outdoor playground and restroom facilities. When the ice sheet is not in place the building will be utilized for other indoor sports and events. Phase I will include approximately 350 parking spaces. The ice sheet building is scheduled to open in February 2006. During summer 2006, one artificial turf multipurpose field will be open for use with the remaining turf fields scheduled to open in fall 2006. Hours of operation for the facility will be 8:00 AM to 11:00 PM in the winter and 8:00 AM to 9:00 PM in the summer and off-season.

The National Ability Center (NAC) is also located at Quinn's Junction and it provides services for people with disabilities. The facility is located adjacent and to the west of the recreation facility. The NAC includes a 17,000 square foot equestrian facility, an outdoor riding arena, barrier-free trail, universal challenge course, meeting/conference facilities, administrative offices, and a dormitory facility with 26 accessible, double occupancy rooms.

In addition to these two complexes, numerous other commercial and institutional developments are planned for the area. Future road upgrades will probably include frontage and interior roads and at least one signalized intersection to facilitate vehicular circulation north and south of SR248 and within new developments.

Analysis:

In order to develop and establish transit plans for Quinn's Junction, LSC Transportation Consultants, Inc. was asked to estimate the cost of various transit service alternatives using a cost model with estimated service hours, route miles and current operating costs. A brief description of the service alternatives that were analyzed and their associated costs are:

- **Alternative 1-A**: A new fixed schedule bus route to Quinn's Junction via Bonanza Drive and Kearns Boulevard, on 30-minute headways, including on-demand deviated route service to NAC, operating during the same hours as other city bus routes. Estimated annual cost approximately $282,000.

- **Alternative 1-B:** The same route and frequency as Alternative 1-A with a schedule limited to peak periods of demand for the recreation facility: Monday – Thursday 2:30 PM to 7:00 PM; Friday – Saturday 1:00 PM to 9:00 PM; Sunday 10:00 – 6:00 PM. (Hours of operation could vary, but these were used for the purpose of estimating cost.) Estimated annual cost approximately $120,000.

- **Alternative 2**: Extend Bonanza Express to Quinn's Junction year-round using a paired short and long route. This would provide 30-minute headway service between Old Town Transit Center to Prospector via Bonanza Drive and hourly service to Quinn's Jct., operating the same hours as other city bus routes. Estimated annual cost approximately $220,000 (net increase over existing winter Bonanza Express service).

- **Alternative 3**: A bi-directional loop route connecting the Old Town Transit Center, Kimball Junction, Silver Creek Commerce Center, Quinn's Junction, and Prospector. This would incorporate the existing Silver Summit / Highland Estates route, extending it around the US40 and SR 248 corridors. Estimated annual cost approximately $296,000.

- **Alternative 4**: A new Old Town -- Quinn's Junction -- Silver Creek Commerce Center route, with a small extension of the existing Silver Summit / Highland Estates route to provide a connection. Estimated annual cost approximately $278,000.

- **Alternative 5**: The provision of a General Public Dial-a-Ride service along the SR 248/Kearns Blvd. between Old Town Transit Center and Quinn's Junction, operating from 8:00 AM to 11:00 PM during winter and 8:00 AM to 9:00 PM in summer and off-season. The driver would be assigned other administrative or Para- Transit tasks when rides are not requested. Estimated annual operating cost approximately $35,000.

Next, ridership for each service alternative was estimated. Initially the only new developments at Quinn's Jct. are the recreation complex and the existing NAC facility.

Utilizing existing ridership data to the Snyderville Basin Field House, and peer group data, the estimated annual transit demand for the recreational complex is approximately 3,300 passenger trips. Annual transit demand for the National Ability Center is estimated to be 1,300 passenger trips. It is also estimated that Alternative 3 and 4, which include the Silver Creek Commerce Center and connections to the existing East Snyderville Basin bus route would add some passengers. Alternatives 1-4 operate on Bonanza Drive which will add passengers to these routes.

Cost per Passenger-Trip is often an excellent tool to use in summarizing the effectiveness and efficiency of transit service alternatives. The estimated costs listed below assume only the recreation complex and NAC at Quinn's Junction. When other developments occur, efficiencies of alternatives will change.

Transit Service Alternative	Estimated Cost Per Passenger Trip
Alternative 1-A	**$21.57**
Alternative 1-B	**$14.44**
Alternative 2**	**$4.20**
Alternative 3	**$18.01**
Alternative 4	**$12.53**
Alternative 5	**$7.60**
PCT – System-Wide (Benchmark)	**$1.88**

**Although the cost per passenger-trip of Alternative 2 appears substantially lower than the other alternatives and may eventually be the recommended alternative, staff is recommending Alternative 5, General Public Dial-a-Ride service, at this time for the following reasons:

- Staff thinks that the apparent cost per passenger-trip advantage of Alternative 2 is caused largely by in-town passengers who may already be riding on existing Prospector routes. Cost per passenger-trip for the Prospector Square route, which this alternative partially replicates, is likely to increase.

- There will be substantial periods of the typical transit span of service where Recreation Center activities alone are expected to generate little if any ridership.

- Given the uncertainty associated with future development in Quinn's Junction, there is a real benefit to those alternatives that can be modified without substantial modification of the remainder of the system. In particular, Alternative 3 would require changes (and additional costs) to the Silver Summit / Highland Estates Routes, and Alternative 2 would change existing Bonanza Express and Prospector Square services.

- The initial cost of a Dial-A-Ride service is substantially less than the other alternatives while providing service during all hours of operation for the recreation complex. Staff has also met with NAC staff, who thinks that such a service would meet their needs until additional development at Quinn's Junction warrants fix-route transit service. Much of this cost reduction results because a driver will be assigned other administrative or system maintenance tasks and Senior Mobility/ADA Para-Transit rides when not engaged providing rides for this service.

Given the uncertainty associated with actual ridership demand and longer-term development plans, the recommended initial transit service strategy (through the completion of additional development at Quinn's Jct.) appears to be Alternative 5: General Public Dial-A-Ride service. The provision of this service would ensure service is provided to the Recreation Center when needed (throughout a long service day), while minimizing the initial costs of the service. This service would also allow Park City Transit to gain a good understanding of specific user demand patterns (by season, day of week, time of day, and trip origin) that can be used to refine further improvements. While this alternative is the second-most cost-effective alternative behind Alternative 2 (as measured in operating cost per passenger-trip), it avoids the impacts on the existing consistent Prospector Express and Bonanza Express service that would accompany Alternative 2.

In the longer term, either Alternative 2 or Alternative 4 could be appropriate. From strictly an
efficiency / effectiveness perspective, Alternative 2 would be the preferred alternative. However, Alternative 4 serves additional areas (Silver Creek Commerce Center).

The recommended General Public Dial-a-Ride service would operate as follows:

- Service would operate within Park City limits between the Old Town Transit Center and Quinn's Junction via Park Ave and Kearns Blvd. /SR248.
- General public passengers, with ride reservations, would be picked up or dropped off along this general service corridor, including land uses along Kearns Blvd. / SR 248 (including the schools). General public passengers traveling to other portions of Park City (or the Snyderville Basin) would transfer to other transit routes (typically at the Old Town Transit Center).
- ADA-eligible passengers would be picked up or dropped off anywhere within city limits.
- Certain penalties would be established if a person demonstrates a pattern of not being at a pick-up point at a scheduled time, "no-shows".
- Service would be offered seven days a week from 8:00 A.M. to 11:00 P.M. in the winter months, and from 8:00 A.M. to 9:00 P.M. in the summer and off-seasons.
- Requests for service must be made by phone a minimum of 2 hours prior to the passenger's requested service time. Requests can also be made of the driver on the outbound trip for a return trip. Rides are provided on a "space and time available" basis.
- "Standing orders" of up to 30 days can be established for specific recurring trips (such as school children regularly traveling to the Recreation Center after the end

of the school day). If a pattern of recurring use occurs, specific fixed schedule times could also be established.

Staff will report to Council periodically regarding service performance, operating cost and recommendations for service changes based on ride patterns, number of passengers using the service or additional development that occurs at Quinn's Junction. Staff also recommends that Council authorize an expenditure of $5,000 in the first year of service to adequately promote and refine the new service.

Department Review:

The City Manager's Office, the City Attorney's Office, Budget\Debt and Grants, Economic Development/ Capital Projects, Recreation and Public Works have reviewed this Staff report.

Alternatives:

A. **Approve the Request:** Affirm staff's recommendation to implement a General Public Dial-a-Ride transit service upon the opening of the Quinn's Junction Sports Recreation Complex.
B. **Deny the Request and Approve an Alternative Service:** Any of the Alternative services could be implemented with adequate funding provided.
C. **Continue the Item:** Council may direct staff to examine other alternatives.
D. **Do Nothing:** Council may decide that transit service to Quinn's Junction is not warranted at this time.

Significant Impacts:

Any of the alternative services beyond the recommended Dial-a-Ride service will require identification of additional revenue sources.

Consequences of not taking the recommended action:

Implementing a new transit service requires lead-time to hire drivers, equipment and adequate marketing.

Recommendation:

Affirm staff's recommendation to provide a General Public Dial-a-Ride bus service between Park City and the Quinn's Junction Sports and Recreation Complex and the National Ability Center beginning with the opening of the Recreation Complex.

City Council
Staff Report

PARK CITY
1884

BUDGET, DEBT, AND GRANTS

Author: Bret Howser, Phyllis Robinson
Subject: CDBG PUBLIC HEARING
Date: November 23, 2005
Type of Item: Public Hearing

Summary Recommendations: Hold a public hearing soliciting public comment for the Community Development Block Grant (CDBG) Pre-Application. Select a project based on public comment and direct staff to apply for funding for that project.

Description:

Topic: CDBG Public Hearing

Background:
Last November, City Council directed staff to inform local not-for-profit organizations about the CDBG grant process in case any were interested in having the City sponsor an application on their behalf. Per Council direction, Staff advertised the mandatory CDBG "How to Apply Workshop" through notices published in the Park Record and Public Service Announcements on KPCW. Current recipients of Special Service Contracts were also sent notices of the meeting. City staff attended this meeting, as did a representative of the Boys and Girls Club and the People's Health Center. City Staff was approached by both not-for-profit entities, and after further research, the People's Health Center decided to wait to apply until their proposed project was further along. This left one potential project proposed for sponsorship by the City.

As part of the pre-application process the City is required to hold a public hearing soliciting comment regarding the CDBG application. Staff is recommending that the City hold the required public meeting on December 1, 2005.

The purpose of the public hearing is to:

1. Supply citizens with information about: a) the amount of CDBG funds available for allocation, b) the range of activities that may be undertaken with CDBG funds, c) the estimated amount of CDBG money proposed for activities that will meet the national objective of benefit to low/moderate income (LMI) individuals, and d) the proposed CDBG activities likely to result in displacement of LMI
2. Identify and discuss community development needs
3. Solicit citizens' views and suggestions regarding possible projects
4. Respond to suggestions and questions

After the public hearing, it is requested that Council determine which projects the City will sponsor and prioritize them. The pre-application will then be submitted based on direction received by Council.

MAG is not likely to fund more than one petition per entity per year. The last award Park City received was $25,500 for the Affordable Housing Plan during FY 2004. CDBG funds are distributed by MAG based on need, prior year funding, and other ranking criteria.

Analysis:
At this point, the Boys & Girls Club is the only community not-for-profit with an active request for CDBG fund. The CDBG request is to fund a a high-capacity transportation vehicle (van). Staff also met with the People's Health Center to discuss application options. The PHC notified Staff that they are not pursuing an application this round.

The project aims to satisfy Objective #1 (Benefit LMI Families). Similar projects have been funded by MAG in the past. To be considered for CDBG funding, projects must meet one of three Congressional Compliance Requirements: (1) Low to Moderate Income Benefit, (2) Aiding in the Prevention or Elimination of Slums or Blight, or (3) Urgent Health and Welfare Compliance. Historically, preference has been shown to projects meeting requirement #1.

This year the MAG region will likely have $1.5 million dollars in CDBG funds available for projects (the actual amount will not be known until February).

Following the public hearing, Council should give direction regarding which project, if any, the City will sponsor. Staff will update Council as to the status of the application in a Manager's Report in the following weeks.

Public questions or comments may be voiced during this public hearing or submitted to the City at 445 Marsac Ave., Park City, UT 84060. Concerned residents may also contact the Budget, Debt, and Grants Department at (435) 615-5181.

Department Review:
City Manager, Legal, Budget, Debt, and Grants

Alternatives:

E. **Approve the Request:** Following the public hearing, Council could recommend a project for the CDBG Application process based on the information gathered at that hearing.
F. **Deny the Request:** Council could choose to not recommend a project for the CDBG application process.
G. **Do Nothing:** Failure to specify a project or hold a public hearing will result in the City's ineligibility to apply for 2006 CDBG funding.

Significant Impacts: Park City is eligible to receive CDBG funds through MAG or sponsor another entity for funding. By holding a public hearing and identifying a project for the pre-application process the City or its sponsored entity will be eligible to apply for potential funding.

Consequences of not taking the recommended action: Park City has historically not received CDBG funds. Failure to hold the public hearing or identify a project for the pre-application process will prevent Park City or its sponsored entity from potentially receiving CDBG funding in the FY 2006 CDBG cycle.

Recommendation:

1. Hold a public hearing on December 1, 2005.
2. Identify a project based on the public comment received at public hearing for the FY 2006 CDBG funding and direct staff to apply on the City's behalf.

CITY COUNCIL
Staff Report

PLANNING DEPARTMENT

Planner:	**Ray Milliner**
Subject:	**570 DEER VALLEY DRIVE**
Date:	**December 1, 2005**
Type of Item:	**Administrative; Expandable Condominium Plat**

RECOMMENDATION: Review the proposed expandable condominium plat amendment, conduct a public hearing and approve the application according to the findings of fact, conclusions of law and conditions of approval found in the attached ordinance.

DESCRIPTION

Project Name:	The Lofts on Deer Valley Drive
Project Planner:	Ray Milliner
Applicant:	Scott Rogers
Representative:	John Zitting
Location:	570 Deer Valley Drive
Zone:	Residential Medium (RM)

BACKGROUND

The applicant is requesting that the Planning Commission review an expandable condominium plat that would accommodate an 8 unit development/condominium project at 570 Deer Valley Drive. The property is located in the Residential Medium (RM) zone. The applicant has submitted three applications; a subdivision plat, a CUP application for a multi-unit development in the RM zone and a Record of Survey Condominium Conversion application. The site is currently vacant. The CUP and Plat applications were reviewed and approved by the Planning Commission and City Council on September 28 2005 and October 13, 2005 respectively.

The purpose of this expandable condominium plat is to identify private, limited common and common areas within the project. Recordation of the plat will enable the owner to sell individual condominium units. This plat creates 8 separate residential units.

ANALYSIS

The applicant is proposing an 8 unit expandable condominium development on a 25,221 square foot lot. The property fronts both Deer Valley Drive to the north and Deer Valley Loop to the south. There are existing utility, sidewalk and street encroachments onto the property. As part of the recent subdivision application, the applicant dedicated 1,342 square feet of property on the south and 1,402 square feet of property on the north to the City as rights-of-way. These dedications are reflected on the current expandable condominium plat. An overhead power line crosses the site. The applicant is working with Utah Power to relocate the power line.

The plat is consistent with the 570 Deer Valley Drive CUP, in terms of size and location of the buildings, proposed uses, and required parking. This application meets the requisite subdivision requirements of Title 15-7 of the Park City Municipal Code. All conditions of approval of the 570 Deer Valley Drive approval continue to apply.

STAFF REVIEW COMMENTS

A staff review meeting was held on October 17, 2005. No additional unresolved issues were identified.

RECOMMENDATION

Review the proposed expandable condominium plat amendment, conduct a public hearing and forward a positive recommendation to the City Council according to the findings of fact, conclusions of law and conditions of approval found in the attached ordinance.

EXHIBITS

Exhibit A – Proposed Ordinance
Exhibit B – Proposed Plat

Ordinance No. 05-

AN ORDINANCE APPROVING AN EXPANDABLE CONDOMINIUM PLAT FOR THE LOFTS ON DEER VALLEY DRIVE, LOCATED AT 570 DEER VALLEY DRIVE PARK CITY, UTAH

WHEREAS, the owner of the property known as 570 Deer Valley Drive, has petitioned the City Council for approval of an expandable condominium plat; and

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

WHEREAS, on November 9, 2005 the Planning Commission held a public hearing to receive public input on the proposed Subdivision and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, the proposed condominium plat allows the property owner to sell each unit individually; and

WHEREAS, it is in the best interest of Park City Utah to approve the Subdivision.

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

SECTION 1. FINDINGS OF FACT. The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The property is zoned Residential Medium (RM) and is subject to the requirements of LMC Section 15-2.15.
2. The RM zone is a transitional zone between the historic district and the contemporary Deer Valley area.
3. The property is subject to the September 28, 2005 570 Deer Valley Drive Conditional Use Permit approval.
4. The expandable condominium plat is consistent with the 570 Deer Valley Drive Conditional Use Permit, in terms of size and location of the building, proposed uses, and required parking.
5. The Property is subject to the October 13, 2005 City Council approval of the Subdivision plat.
6. The expandable condominium plat is consistent with the subdivision plat in terms of the negotiated dedications of 1,342 square feet of property on the south and 1,402 square feet of property on the north to the City.
7. An existing overhead power line crosses the lot.
8. The applicant stipulates to all conditions of approval.

9. Notice of this public hearing was sent to all property owners within 300 feet of the project on October 26, 2005.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby adopts the following Conclusions of Law:

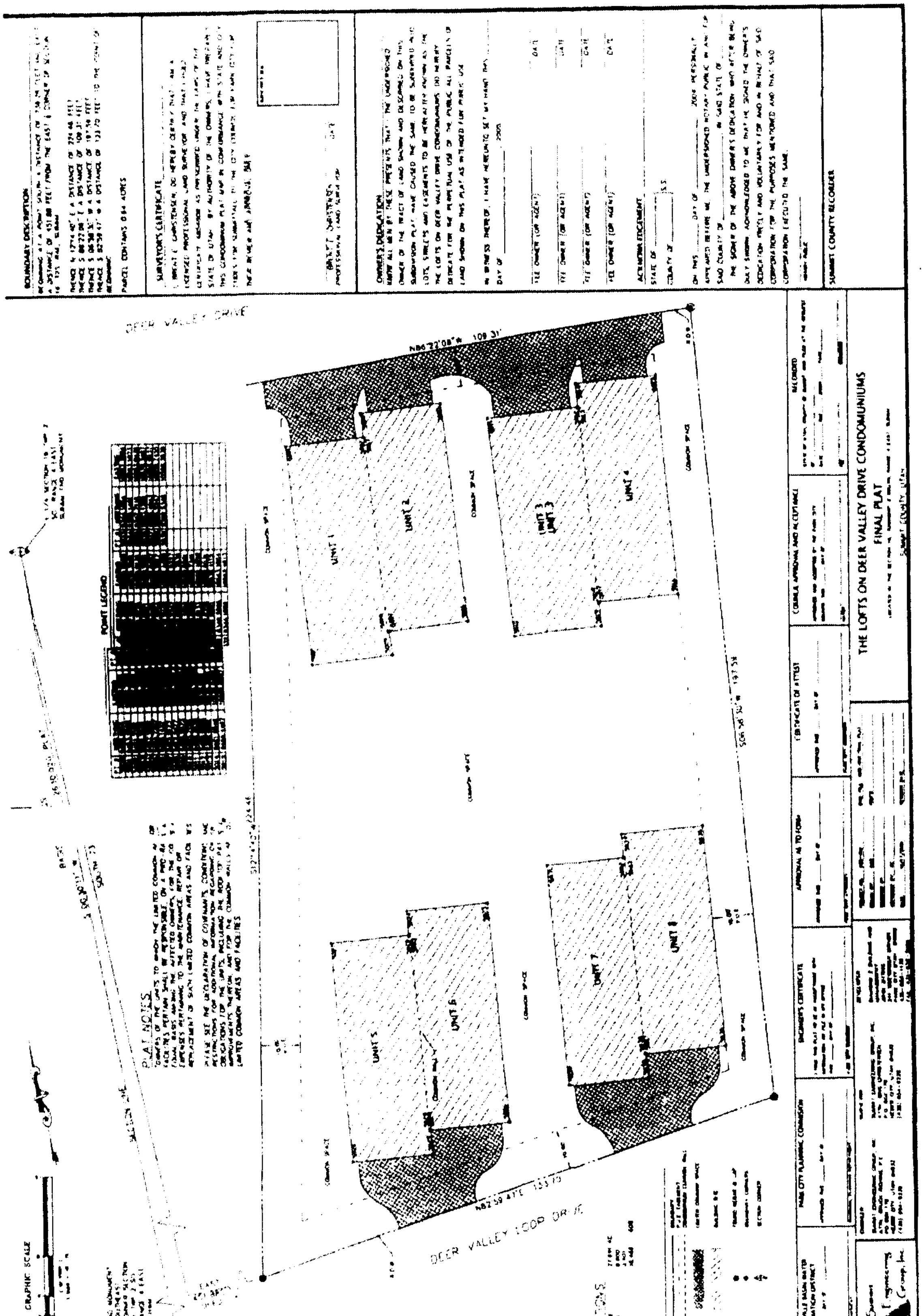
1. There is good cause for this plat.
2. The plat is consistent with the Park City Land Management Code and applicable State law.
3. Neither the public nor any person will be materially injured by the proposed plat.
4. As conditioned the plat is consistent with the Park City General Plan.

SECTION 3. CONDITIONS OF APPROVAL. The City Council hereby adopts the following Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. A utility, grading and drainage plan shall be submitted to the City Engineer for review and approval prior to the issue of a building permit.
3. A five foot public snow storage easement along Deer Valley Loop shall be recorded on the plat.
4. This approval will expire one year from the date of final approval if no building permit has been issued.
5. A note shall be added to the plat requiring 13-D fire sprinklers in each unit.
6. The overhead power line shall be properly relocated prior to plat recordation.

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

PASSED AND ADOPTED this 1st day of December 2005.



THE LOFTS ON DEER VALLEY DRIVE CONDOMINIUMS
FINAL PLAT
DEER VALLEY DRIVE
DEER VALLEY LOOP DRIVE
UNIT 1
UNIT 2
UNIT 3
UNIT 4
UNIT 5
UNIT 6
UNIT 7
UNIT 8
PLAT NOTES
POINT LEGEND
BOUNDARY DESCRIPTION
SURVEYOR'S CERTIFICATE
OWNER'S DEDICATION
ACKNOWLEDGEMENT
SUMMIT COUNTY RECORDER
GRAPHIC SCALE

City Council
Staff Report

PARK CITY
1884

Author:	**Stacey Noonan**
Subject:	**Quinn's Recreation Complex** **Ice Arena Fees and Programs**
Date:	**December 1, 2005**
Type of Item:	**Resolution for Fee Structure**

Summary Recommendation - Staff recommends approval of an addendum to the existing Fee Resolution to incorporate the initial fee structure for the Park City Ice Arena at Quinn's Junction.

Description:

Topic: Park City Ice Arena Fee Schedule & Draft Base Schedule

Background: The initial ice arena task force found that in order to keep fees reasonable, PCMC could expect a $100,000 a year subsidy. It was also found that this number would be somewhat higher the first couple of years until the skating base and programs are developed and the facility is fully functioning. Through an inter-local agreement (ILA) with SBSRD, Basin Recreation agreed to pay $50,000 a year towards operating and capital replacement costs (actually more in years 1 and 2).

Fees are set to offset operating costs. There are many different types of revenue sources along with fees that will affect the subsidy PCMC will incur at this facility. Admission fees and hourly ice costs are two of these revenue sources.

To help set the initial fee structure, staff did research comparing average fees for Utah, Colorado, and ski town arenas. Fee recommendations were presented to the Quinn's Management Team and the Friends of Ice Advisory Committee for feedback. Staff is recommending a fee structure for the new ice facility that promotes affordability while building a strong skating base (see addendum 1).

The arena will operate a partial four month season this first budget year. The fee structure will be fine tuned to reflect what we learn this shortened operating season and the 2007 budget will reflect needed changes.

The proposed rates take into consideration the research done, what staff feel is reasonable and what staff thinks the market will bear. The Racquet Club and Field House charge $5 to $5.50 for entrance fees; admission fees at the rink are comparable. Season passes and punch cards will be made available at reduced rates making skating affordable for frequent users.

Staff recommends two rates: one for residents of Summit and Wasatch Counties and a second, higher rate for those outside the two county areas. This should promote good will and draw skaters from a geographical area, within a 30-40 minute driving radius to the facility. Staff expects skaters from outside the Park City school district to be strong supporters of the facility and believes it is smart to make them feel part of the local skating community. Prior feasibility studies have identified this demographic as our primary users of the rink.

New skaters feed programs and strong programs are healthy for business. Learn to skate and learn to play hockey classes are critical to expose those interested to the sports provided at the new facility. Public sessions are extremely important to give people a chance to fine tune the skills they learn in class and also to give the community an opportunity to skate recreationally.

To get a feel for the amount of public hours and "Learn to..." programs, see attachment 2, the **draft** base schedule for the first four months of operation. There are several classes for Learn to Skate and Learn to Play Hockey throughout the week. Staff will help organize a speed skating and curling club if interest surfaces.

Department Input & Review: This report has input and comments from the following departments: Economic Development, Special Events, Recreation, Golf, Public Works, and from the City Manager. It was also reviewed by the Friends of Ice Advisory committee (see list of members in attachment 3.)

Alternatives:

H. Approve rates as stated
I. Suggest modifications to the proposed fees
J. Ask for more research

Significant Impacts / Consequences of not taking the recommended actions:
It is time to start advertising rate information to promote the new facility. If the resolution is not passed, marketing will be prolonged.

Staff Recommendation: Staff recommends approval of an addendum to the existing Fee Resolution to incorporate the initial fee structure for the Park City Ice Arena at Quinn's Junction.

Attachments:

1. 2005 Fee Comparison and Proposed Fee Schedule
2. Draft Base Schedule
3. Friends of Ice Advisory Committee Listing

Resolution No. -05

A RESOLUTION AMENDING FEE RESOLUTION NO. 11-05 BY ADDING A NEW SECTION 9, PARK CITY ICE ARENA, RENUMBERING SUBSEQUENT SECTIONS, AND REPLACING AND REPEALING RESOLUTION 11-05 IN ITS ENTIRETY

WHEREAS, it is necessary to establish appropriate rates to recover targeted costs for programs and services offered to the public; and

WHREAS, it is the intent of the attached fee schedule for the Park City Ice Arena, located at the Quinns Junction Sports Complex, to promote affordability while building a strong skating base; and

WHEREAS, associated fees are offered at the same rate to Park City, Summit County, and Wasatch County residents, reflecting the City Council's goal of supporting and promoting regional cooperation; and

WHEREAS, a public hearing was held before the Park City Council on December 1, 2005, to receive public comments on proposed fees and after consideration, the City Council deems it in the best interest to adopt the fees outlined in Exhibit A.

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

SECTION 1. FEE SCHEDULE AMENDMENTS. The Park City Fee Schedule is hereby adopted with the addition of Section 9, Ice Arena Fees, outlined in Exhibit A. Subsequent sections of the Fee Resolution are hereby renumbered and Resolution 11-05 is replaced and repealed in its entirety.

SECTION 2. EFFECTIVE DATE. This Resolution shall take effect upon adoption.

PASSED AND ADOPTED this 1ST day of December, 2005.

EXCERPT FROM EXHIBIT A
PARK CITY FEE SCHEDULE
(REVISED DECEMBER 1, 2005)

SECTION 9. ICE ARENA FEE SCHEDULE.

9.1. Establishing User Fees. Fees shall be set at a level which ensures program quality and meets the objectives of the City Council. Area rates apply to residents of Park City, Summit County and Wasatch County. Outside rates apply to requests outside Summit and Wasatch Counties.

Admission Fees	Local Area Rates	Outside Area Rates
Public skate – youth/senior	$4.50	$6.50
Public skate – adult	5.00	7.00
Skate rental	3.00	3.00
Drop-in hockey – youth	7.00	9.00
Drop-in hockey – adult	8.00	10.00
Hourly Ice		
Non-profit	$145	
Locals	160	$170
For-profit	200	
Season Passes	**4 Months**	**Full Year**
Adult	$65	175
Youth/senior	50	100
Family – 4 members*	99	250

*add $5 per additional member for 4 months and $15 per additional member for full year.

9.2. Recreation Program Fees The Park City Ice Arena offers a variety of organized programs and activities. Due to the fluctuations in the number of participants and frequent changes in circumstances, program fees are established on a program-by-program basis by dividing the number of projected participants by the estimated program costs. Fees are then published in the Recreation Services quarterly brochure. In most cases, fees will be kept commensurate with fees charged by others providing like service.

9.3. Fees for Non-Recreational Activities at the Ice Arena Facility The fees charged for non-recreational or special event use will be competitive with the marketplace providing the fees cover a minimum of: a) the costs involved in the production of the event; and b) recovery of lost revenue.

The Park City Ice Arena is principally for recreation. Non-recreation activities usually will be charged up to fifty percent (50%) more than the minimum. No fee waivers for non-recreational or special event use will be permitted. However, the City Council may authorize the City to pay all or a portion of the fee in accordance with the master festival ordinance provisions.

9.4. Fee Increases Recommendations for fee increases may be made on an annual basis. The City will pursue frequent small increases as opposed to infrequent large ones. Staff will be required to provide an annual review and analysis of the financial posture of the Ice Arena Fund along with justification for any recommended increase. When establishing fees, the City will consider rates charged by other public and private providers as well as the ability of the users to pay.

The City Manager will have the authority to annually increase fees up to $.50 or 10%, whichever is greater. Any requested increase over that amount will require Council action. Fee increases will take place only if they are necessary to achieve the City Council's objective and maintain program quality, and only with the authorization of the City Manager or the City Council.

9.5. Discounting Fees The Ice Arena Manager may discount fees when:

1. Offering special promotions designed to increase use.
2. Trying to fill non-prime time.
3. Introducing new programs or activities.
4. Playing conditions are below standard due to weather or facility disrepair.

9.6. Fee Waivers. The City intends that no resident under 18 years old or over age 65 be denied the use of any program, activity or facility for reasons of financial hardship. The Ice Arena Manager may, at his discretion, waive all or a portion of a fee, or may arrange offsetting volunteer work for anyone demonstrating an inability to pay for services.

1

Park City Ice Arena

2005 Fee Comparison and Proposed Fee Schedule

	UTAH	COLORADO	SKI TOWNS*	AVERAGE	PARK CITY PROPOSED	
					IN COUNTY**	OUT OF COUNTY
ADMISSION FEES						
Public Skate - Youth/SR	$2.75	$5.32	$5.29	$4.45	$4.50	$6.50
Public Skate - Adult	$3.39	$5.98	$6.57	$5.31	$5.00	$7.00
Skate Rental	$1.39	$2.40	$3.08	$2.29	$3.00	$3.00
Drop-in Hockey - Youth	$5.14	$8.58	$8.90	$7.54	$7.00	$9.00
Drop-in Hockey - Adult	$5.36	$8.41	$9.08	$7.62	$8.00	$10.00
Stick & puck - Youth	$4.50	$7.65	$8.42	$6.86	$6.00	$8.00
Stick & puck - Adult	$4.83	$7.81	$8.58	$7.07	$7.00	$9.00
Freestyle session	$4.46	$8.11	$8.20	$6.92	$6.50	$8.50
Kids 5 and under skate for free. Skate rentals $1.						
HOURLY ICE						
Non-profit / User Groups	$130	$167	$143	$147	$145	
Locals / Businesses	$131	$203	$164	$166	$160	$170
For Profit Groups	$134	$223	$205	$187	$200	
Hockey Camps	$143	$185	$166	$165	$175	
LEARN TO SKATE / PLAY HOCKEY						
Cost per session						
Youth	$6.12	$7.79	$8.63	$7.51	$8.00	$10
Adult	$6.67	$8.86	$9.88	$8.47	$9.00	$11
SEASON PASSES	Public sessions only, Skate rentals additional				4 Months	Full Year
Family (4 members)***					$99	$250
Adult					$65	$175
Youth / Senior	NOT SURVEYED				$50	$100
***$5/additional member - 4 mos., $15/additional member - full year						
PUNCH CARDS	10 Public Skating Sessions, Transferable					
Adult					$40	Not Available
Youth	NOT SURVEYED				$35	Not Available
ANNUAL ARENA SUBSIDY	$235,000	$146,000	$144,000	$177,000	$144,000	

*Aspen, Breckenridge, Eagle, Steamboat Springs, Jackson Hole, Sun Valley, Vail

** In County = residence in Summit or Wasatch Counties.

Note: CO ski towns numbers are used in both CO and ski town averages.

add to fee resolution

\surveys\2005 Fee Comparison.xls

Park City Ice Arena
BASE SCHEDULE - DRAFT

	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
6:00							
			6:30				
			ADULT				
7:00			DROP-IN				
			HOCKEY				
			(ALL LEVELS)				
8:00			8:00		8:00		
	ICE				WOMEN'S		
	MAINTENANCE				DROP-IN		
9:00		9:00		9:00	HOCKEY		
					9:30		
		PUBLIC SKATE		PUBLIC SKATE	9:30		
10:00					SMALL & TALL		
					10:15		
					10:30	10:45	10:30
11:00		11:00		11:00	COFFEE CLUB	FREESTYLE	ADULT & YOUTH
					(w/daycare)	SESSION	LEARN TO
					11:45	11:45	PLAY HOCKEY
NOON	NOON	NOON	NOON	NOON	NOON	NOON	NOON
		ADULT DROP-IN		ADULT DROP-IN			12:15
	PUBLIC SKATE	HOCKEY	PUBLIC SKATE	HOCKEY	PUBLIC SKATE	PUBLIC SKATE	HOCKEY SKILLS
1:00		Beginner Level		Non Beginner Level			& DRILLS
		Less than 2 yrs exp.		More than 2 yrs exp.	ALTS noon-12:30		
		1:30		1:30			1:45
2:00							2:00
3:00	3:00	3:00	3:00	3:00			
	3:15	3:15	3:15	3:15			PUBLIC SKATE
	HS HOCKEY	HS HOCKEY	HS HOCKEY	HS HOCKEY			
4:00	PRACTICE	PRACTICE	PRACTICE	PRACTICE		4:00	
	4:15	4:15	4:15	4:15		4:15	LTS 3:30-4
	4:30	4:30	4:30	4:30			drop-in lessons
	YOUTH		YOUTH		PUBLIC SKATE		youth and adult
5:00	LEARN TO PLAY		LEARN TO PLAY			STICK & PUCK	
	HOCKEY	PUBLIC SKATE	HOCKEY	PUBLIC SKATE		(ALL AGES)	
	5:30		5:30				
	5:45		5:45			5:45	6:00
6:00	GIRL'S				6:00	6:15	6:00
	LEARN TO PLAY		STICK & PUCK		6:15	FAMILY DROP-IN	
	HOCKEY		(ALL AGES)		YOUTH	HOCKEY	BROOMBALL
	6:45				LEARN TO PLAY		LEAGUE
7:00	7:00				HOCKEY		
	WOMEN'S TEAM		7:15		7:15	7:15	
	HOCKEY	7:30	7:30	7:30	7:30	7:30	
	PRACTICE	7:45		7:45			
8:00							
	8:15	ADULT HOCKEY	PUBLIC SKATE	SLED HOCKEY	PUBLIC SKATE	PUBLIC SKATE	
	8:30	LEAGUE					
	ADULT						
9:00	LEARN TO PLAY	(2 GAMES)	9:00	9:00	9:00	9:00	9:00
	HOCKEY		9:15		9:15		
			SR		ADULT		
	9:45		DROP-IN		DROP-IN		
10:00			HOCKEY		HOCKEY		
			(30+)		(ALL LEVELS)		
		10:30					
			10:45		10:45		

Friend of Ice Committee Member Listing

Bob Devaney
Darren Ehlers
Strike Fongeallza
Barry Graves
David Harris
Deb Modrovsky
Erika Roberts
Charlie Slusher
Roger Strand

Eric Miller – Basin Representative

RESOLUTION PROCLAIMING DECEMBER 2, 2005 AS SMOKE-FREE DAY IN PARK CITY, UTAH

WHEREAS, tobacco is the leading cause of preventable disease and death in Utah and nationwide; and

WHEREAS, second hand smoke kills more than 50,000 Americans each year; and

WHEREAS, tobacco smoke pollution causes cancer, heart disease, respiratory disease, and asthma attacks; and

WHEREAS, more than 25,000 Utah children are exposed to tobacco smoke in their homes each year; and

WHEREAS, ten states - California, Connecticut, Delaware, Maine, Massachusetts, Montana, New York, Rhode Island, Vermont and Washington - and hundreds of cities have passed smoke-free workplace legislation, including smoke-free restaurants and bars;

WHEREAS, Utahns deserve to socialize and work in safe environments;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council hereby proclaim December 2, 2005 as Smoke-Free Day in Park City Day, commending bars and clubs who have lead the way in going smoking-free and encouraging other establishments to voluntarily go smoke-free, for at least one day, on December 2, 2005.

PASSED AND ADOPTED this first day of December, 2005.

CITY COUNCIL
Staff Report

PARK CITY 1884

Subject: SIGN CODE REVISIONS
Date: December 1, 2005
Type of Item: Legislative

PLANNING DEPARTMENT

Summary: Staff requests that the City Council review the proposed changes to Title 12 of the Municipal Code, conduct a public hearing and adopt staff recommended changes to the Sign Code.

TOPIC
Amendments to Title 12 of the Municipal Code.

BACKGROUND
On August 10, 2005, the Planning Commission conducted a public hearing and forwarded a positive recommendation to the City Council for a number of changes to the Sign Code. The item was reviewed by the City Council on November 3, 2005 where a public hearing was held and the Council provided staff with further direction. At the meeting, the Council directed staff to meet with representatives from the Board of Realtors to discuss a possible compromise solution to the issue of off premise open house signs and to meet with representatives from the Historic Main Street Business Alliance to discuss the changes that they are proposing.

ANALYSIS
In order to facilitate further review of the Sign Code, the Council requested that staff create a working document outlining staff recommended changes without strikeout and redlines. This document was then redlined by the HMBA and Board of Realtors who provided rationale along with the changes. Staff in turn responded to the redlines, providing recommendations regarding the HMBA changes. This marked up sign document is attached as Exhibit A.

Council requested that staff provide a chart outlining the setbacks for each sign in the Code.

TYPE OF SIGN	ZONES ALLOWED	SETBACK
AWNING AND CANOPY SIGNS.	All Commercial Zones	No specific setback required. Must be no more than 36" from the face of a building, unless used as an entrance canopy
CHANGEABLE COPY SIGNS	All Commercial Zones	Must maintain minimum zone setback.
DISPLAY BOXES.	All Commercial Zones	These signs are wall mounted signs, and therefore will have the same setback as the building to which they are attached.
ELECTRONIC DISPLAY	HCB, HRC, GC, LI, RC,	Must be within an enclosed building

TERMINALS.	RCO and RD zones	and setback three feet from the window. Exterior terminals are a Conditional Use subject to review by the Planning Commission.
ENTRANCE/EXIT SIGNS.	All commercial zones and the RD zone	No setback requirement
FLAGS.	All zones	Must maintain minimum zone setback
FREE-STANDING SIGN.	GC, RM, RDM, RC, RCO LI HRC, HCB and RD	Minimum zone setback or 10 feet minimum in GC zone.
HANGING AND PROJECTING SIGNS.	All commercial zones	A maximum of 36 inches from building. No sign can project over property line except for signs on Main Street.
LUMINOUS TUBE SIGNS (NEON).	HCB, HRC, LI, RC, RCO and GC	Must be within building.
MENU SIGNS.	All commercial zones	Must be within a window or approved display box.
UMBRELLA SIGNS	All commercial zones	No setback required.
WALL SIGNS	All zones	Attached to building.
WINDOW SIGNS	All zones	Attached to window.
BUSINESS NAME OR TENANT CHANGE SIGNS	All zones	Must maintain minimum zone setback
CAMPAIGN SIGNS.	All zones	A minimum of 20 feet from edge of curb, or 3 feet from the front of a building.
CONSTRUCTION SIGNS/PROJECT MARKETING SIGNS	All zones	20 feet from curb, unless it is within construction limits of disturbance, then 10 feet from curb. No setback required in HCB zone.
NEIGHBORHOOD INFORMATION SIGNS.	All zones	No setback
REAL ESTATE SIGNS	All zones	10 feet from back of curb or 3 feet from the front of a building.
SPECIAL PURPOSE SIGNS	All zones	A minimum of 20 feet from edge of curb, or 3 feet from the front of a building.
TEMPORARY PORTABLE SIGNS.	HCB, HRC and RC	Must be located on private property.

At the November 3, 2005 meeting, the Council directed staff to modify the proposed language in two specific areas; Portable Signs, and Real Estate Signs. Staff has done so and is recommending the following language.

Portable Signs

The Portable Sign section of the Code allows businesses within the boundaries of a private plaza to place temporary signs on such private plaza. It is proposed that the Portable Sign Section be modified as outlined below. The proposal simplifies the design language and eliminates the seasonal limitation.

Proposed language

(l) <u>**TEMPORARY PORTABLE SIGNS.**</u>

Businesses owners located in a private plaza may display Temporary Portable Signs to advertise or identify their business. Such Temporary Portable Signs must be placed within the boundaries of the private plaza and are subject to the following criteria:

(1) **SIZE**. No Temporary Portable Sign may exceed twelve square feet (12 sq. ft.).

(2) **NUMBER OF SIGNS**. Only one (1) Temporary Portable Sign is allowed per business.

(3) **ORIENTATION**. Temporary Portable Signs are allowed only on private property, and must not impede pedestrian circulation or ADA and fire access. No Temporary Portable Signs will be permitted on City owned property, including City owned Right-of-Ways.

(4) **ZONING RESTRICTIONS**. Temporary Portable Signs are allowed only within the HCB, HRC, GC, LI, RD and RC zoning districts.

(5) **DESIGN**. Temporary Portable Signs must be A-Frame style. Fluorescent colors and reflective surfaces are prohibited on portable signs. Reflective colored materials that give the appearance of changing color are also prohibited.

(6) **ILLUMINATION**. Illumination of Temporary Portable Signs is prohibited.

Real Estate Signs

Significant discussion transpired at the November 3 meeting regarding the ability of Realtors to use off-premise temporary signs during open houses. Staff and the Planning Commission originally recommended that the existing language providing for one sign per open house be eliminated, thus prohibiting temporary off site signs. However, after reviewing the language and listening to public input, the Council determined that these signs are viewed as important to Realtors and the public. Staff was instructed to propose language to establish a maximum number of off-premise signs, enable appropriate advertising for the open houses and protect the public right-of-way.

Staff is recommending that the Council adopt language allowing Realtors a maximum of three (3) off-premise signs per open house. Staff finds that three (3) off-premise signs are sufficient to meet the needs of the agent and home buyer/seller and would allow staff to enforce the Sign Code. Limiting off premise signs to three (3) will insure that off-premise signs do not unduly clutter neighborhoods, street corners and intersections. Staff further recommends that signs be allowed within street right-of-ways, but not on either the paved street or a sidewalk. Typically City Right-of-Ways are 50' wide, with 25 feet of pavement and 10 feet of sidewalk, leaving approximately 15 feet for sign placement.

The Board of Realtors has submitted recommended language that is attached in Exhibit A, page 28.

Proposed Language

(G) **REAL ESTATE SIGNS**.

Real estate signs do not require a sign permit issued by the Planning Department, but must comply with the following requirement:

(1) **SIZE**. Real estate signs will not exceed three square feet (3 sq. ft.).

(2) **HEIGHT LIMIT**. No portion of the sign will extend more than six feet (6') above finished grade.

(3) **NUMBER OF SIGNS**. Except as outlined below, only one (1) real estate sign is permitted on any one (1) parcel of property.

a. **OPEN HOUSE EXCEPTION.**

i. **On Premise**. During the hours of an open house, one (1) additional sign that complies with the requirements of this Code will be permitted. Thus, for the duration of an open house, two (2) compliant signs may be displayed on the premises of parcel of property for sale. The additional sign must be removed at the conclusion of the open house and may not remain posted overnight. All Real Estate Signs must comply with the size, color, and placement standards of this Code.

ii. **Off Premise**. In addition to the one (1) additional sign outlined in Section 3(a)(i) above, three (3) additional signs that comply with the requirements of this code are permitted off-premise. These additional three (3) signs may be displayed 30 minute prior to the commencement of an open house and must be removed within 30 minutes after the conclusion of the open house. Off premise open house signs may be displayed within the City Right-of-Way, but in no case will off premise signs be placed on the paved street or on a sidewalk. Under no circumstances will off premise signs be displayed overnight.

(4) **SETBACK AND ORIENTATION**. Real Estate Signs are permitted in any Zoning District, provided that they are perpendicular to the street, and located a minimum of ten feet (10') back from the edge of the curb, or edge of pavement of the street on which the sign fronts. If this ten-foot (10') distance would be within a structure, the sign may be placed within three feet (3') of the front of the structure. Signs may not be displayed in the side yard of any structure. Signs may be displayed through windows or other glass areas subject to the restrictions of Section 12-8-1(K) and 12-8-1(L).

(5) **ZONING RESTRICTIONS**. Real Estate Signs are allowed in all zoning districts.

(6) **ILLUMINATION**. Illumination of Real Estate Signs is prohibited.

DEPARTMENT REVIEW
The Executive Department, Planning Department and Legal Department have reviewed the proposed amendments.

RECOMMENDATION
Staff requests that the City Council review the proposed changes to Title 12 of the Municipal Code, conduct a public hearing and adopt staff recommended changes to the Sign Code

EXHIBITS
A –Sign Code Working Document

PARK CITY MUNICIPAL CODE
TABLE OF CONTENTS
TITLE 12 - SIGN CODE

TITLE 12 - SIGN CODE

TITLE 12 - SIGN CODE

(Amended/Reorganized by Ord. 01-2)

CHAPTER 1 - PURPOSE AND SCOPE

12- 1- 1. PURPOSE AND SCOPE.

The purpose of the Sign Code is to:

(A) Reduce potential hazards to motorists and pedestrians
(B) Encourage signs which, by their good design, are integrated with and harmonious to the buildings and sites which they occupy
(C) Encourage sign legibility through the elimination of excessive and confusing sign displays
(D) Prevent confusion of business signs with traffic regulations
(E) Preserve and improve the appearance of the city as an historic, mountain and resort community in which to live and work
(F) Create an unique environment to attract visitors
(G) Allow each individual business to clearly identify itself and the goods and services which it offers in a clear and distinctive manner
(H) Safeguard and enhance property values
(I) Protect public and private investment in buildings and open space
(J) Supplement and be a part of the zoning regulations imposed by Park City
(K) Promote the public health, safety, and general welfare of the citizens of Park City.

12- 1- 2. INTERPRETATION.

The Planning Commission shall have the authority and duty to interpret the provisions of this Title at the request of the Planning Director or when a written appeal of a Planning Department decision is filed with the Planning Commission. 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 Planning Department and/or the Planning Commission may determine that a smaller sign is more appropriate based on the size and scale of the structure(s), pedestrian traffic, safety issues, orientation, and neighborhood compatibility. The types of signs allowed by this Title shall be plenary and sign types not specifically allowed 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) **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 (1) location or position to another.

(B) **AREA OF SIGN**. The area of a sign is measured by the smallest square, circle, rectangle, triangle, or combination thereof that encompasses the extreme limits of the writing, representation, emblem, or other display. Including materials or colors of the background used to differentiate the sign from the structure against which it is placed. Sign area does not include structural supporting framework, bracing or the wall to which the sign is attached.

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

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

(D) **BANNER**. A strip of cloth, plastic, paper or other material on which letters or logos are painted or written, hung up or carried on a crossbar, staff, string or between two (2) poles.

(E) **BILLBOARD**. A permanent outdoor advertising sign that advertises goods, products, or services not necessarily sold on the Premises on which said Sign is located.

(F) **BUILDING FACE OR WALL**. The window and wall area of a building façade on one (1) plane or elevation.

(G) **CANOPY**. A roofed structure constructed of fabric or other material that extends outward from a building, generally 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.

(H) **COMMUNITY OR CIVIC EVENT**. A public event not intended for the promotion of a product, political candidate, religious leader or commercial goods or services.

(I) **DISPLAY BOX.** A freestanding or wall sign faced with glass or another similar material designed for the express purpose of displaying menus, current entertainment or other like items.

(J) **ELECTRONIC DISPLAY TERMINAL**. An electronic terminal, screen, or monitor used to receive or provide information, advertise a good or service or promote an event.

(K) **FLAG**. A piece of cloth, plastic or similar material, usually rectangular or triangular, attached by one (1) edge to a staff, pole as a distinctive symbol of a country, government, organization or other entity or cause.

(L) **GRADE**. The ground surface elevation of a site or parcel of land.

(1) **GRADE, EXISTING**. The grade of a property prior to any proposed development or construction activity.

(2) **GRADE, NATURAL**. The grade of land prior to any development activity or any other man-made disturbance or grading. The Community Development Department shall estimate the natural grade, if not readily apparent, by reference elevations at points where the disturbed area appears to meet the undisturbed portions of the property. The estimated natural grade shall tie into the elevation and

slopes of adjoining properties without creating a need for new retaining walls, abrupt differences in the visual slope and elevation of the land, or redirecting the flow of run-off water.

(3) **GRADE, FINAL**. The finished or resulting grade where earth meets the building or sign after completion of the proposed development activity.

(M) **HANDBILL**. A paper, sticker, flyer, poster, pamphlet, or other type of medium distributed by hand for identification, advertisement, or promotion of the interest of any person, entity, product, event, or service.

(N) **HEIGHT OF SIGN**. The height of a sign is the vertical distance measured from natural grade 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.

(O) **MASTER SIGN 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.

(P) **NAME PLATE**. A Sign that identifies the name, occupation, and/or professions of the occupants of a premises.

(Q) **PREMISE**. Land and the buildings, owned or rented, upon it.

(R) **PRIVATE PLAZA**. Private property in excess of 1,000 square feet that generally serves as common area to adjoining commercial development and is free of structures, is hard surfaces and/or landscaped. Private plazas generally provide an area for pedestrian circulation, common amenities, and act as a gathering space for private or public purposes.

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

(T) **REPRODUCTION**. An object that has been designed and built to resemble a product or service.

(U) **SIGN**. Sign shall mean and include a display of an advertising message, usually written, including an announcement, declaration, demonstration, product reproduction, 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.

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

(W) **SIGN, AWNING**. Any sign painted on or attached to an awning or canopy.

(X) **SIGN, CABINET**. A frame covered by translucent material. The entire structure is one (1) unit and the copy is not intended to include the individual letters.

(Y) **SIGN, CAMPAIGN**. A temporary sign on or off-premises, announcing, promoting, or drawing attention to a candidate(s) seeking public office; or announcing political issues.

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

(AA) **SIGN, CHANGEABLE COPY**. A manually operated sign that displays graphics or a message that can be easily changed or altered.

(BB) **SIGN, CONSTRUCTION**. A temporary sign placed on a site identifying a new development.

(1) **Project Marketing Sign.** A sign identifying the financial institution of a development, and may include a plat map, and real estate information.
(2) **Construction Sign.** A sign identifying the contractor and or builder responsible for a project or development.
(3) **Construction/Project Marketing Sign.** A combination of a construction sign and project marketing sign.

(CC) **SIGN, DIRECTIONAL (GUIDE SIGN)**. Signs, which serve as directional guides to recognized areas of regional importance and patronage, including:

(a) Recreational and entertainment centers of recognized regional significance.

(b) Major sports stadiums, entertainment centers or convention centers having a seating capacity in excess of 1,000 persons.

(b) Historic landmarks, churches, schools, community centers, hospitals and parks.

(c) Public safety, municipal directional, parking and essential services.

(DD) **SIGN, DIRECTORY**. A sign, located on the premise to direct traffic, 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.

(EE) **SIGN, ELECTRONIC**. A window, wall, or other sign that changes messages through a marquee, reader board, electronic message center, or other replaceable copy area.

(FF) **SIGN, FREE-STANDING (MONUMENT)**. A sign that is supported by one (1) or more uprights or braces that are fastened to, or embedded in the ground or a foundation in the ground and not attached to any building or wall.

(GG) **SIGN, GHOST**. A sign on an exterior building wall, which has been weathered and faded to the extent that it has lost its original brightness of color and visibility.

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

(II) **SIGN, HISTORIC**. A sign that by its construction materials, age, prominent location, unique design, or craftsmanship, provides historic character, individuality, and a sense of place or orientation regarding clues to a building's history.

(JJ) **SIGN, HISTORIC REPLICATION**. A sign that is an exact replication, including materials and size, of a historic sign that was once in the same location.

(KK) **SIGN, HOURS OF OPERATION**. A sign that displays the hours during which the building's tenant serves the public, this includes "open" and "closed" signs.

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

(MM) **SIGN, INTERNALLY ILLUMINATED**. A sign face, which is lit or outlined by a light source located within the Sign.

(NN) **SIGN, LUMINOUS TUBE (NEON)**. A sign, that is outlined, or has characters, letters, figures, or designs, that are illuminated by gas filled luminous tubes, such as neon, argon or fluorescent.

(OO) **SIGN, MUNICIPAL IDENTIFICATION**. A sign designed specifically for the purpose of notifying motorists of Park City's municipal boundary and to welcome them to Park City.

(PP) **SIGN, NEIGHBORHOOD INFORMATION SIGN**. A sign located entirely on private property, designed to provide information or notifications to local residents regarding neighborhood events, or issues.

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

(RR) **SIGN, OFF-PREMISE**. A sign identifying a business, commodity, service, or industry, which is not conducted upon the premises on which the sign is placed.

(SS) **SIGN, ON-PREMISE**. A sign that identifies the name, occupation, and/or profession of the occupants of the premises.

(TT) **SIGN, POLE**. A freestanding sign that is supported by one (1) upright of not greater than twelve inches (12") in diameter and is not attached or braced by another structure.

(UU) **SIGN, PORTABLE**. A sign that can be moved from place to place, and is not permanently affixed to the ground or a building.

(VV) **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 inches (6") beyond any wall of the building or structure.

(WW) **SIGN, PROJECTION**. A sign that utilizes a beam of light to project a visual image or message onto a surface.

(XX) **SIGN, PUBLIC NECESSITY**. A sign that informs the public of danger or a hazard.

(YY) **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.

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

(AAA) **SIGN, SOLICITATION**. Sign used to communicate with solicitors.

(BBB) **SIGN, SPECIAL PURPOSE**. A Sign advertising a special event pertaining to drives or events of a civic, philanthropic, educational, or religious organization.

(CCC) **SIGN, SPECIAL SALE**. Temporary signs used to advertise a special sale.

(DDD) **SIGN, TEMPORARY**. A sign that is intended for use during a specified limited time.

(EEE) **SIGN, UMBRELLA**. A sign painted on or attached to an umbrella, including name brands and symbols.

(FFF) **SIGN, VEHICLE**. Any sign, logo or advertisement placed, painted, attached, or displayed on a vehicle.

(GGG) **SIGN, WALL**. A sign with messages or copy erected parallel to and attached to or painted on the outside wall of a building.

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

(III) **SIGN, YARD**. A temporary sign that announces a garage sale, open house or similar event.

(JJJ) **THEATER MARQUEE**. A permanent sign, with changeable copy, that is used to advertise theater events.

(KKK) **UMBRELLA**. A collapsible shade for protection against weather consisting of metal or fabric stretched over hinged ribs radiating from a central pole.

(LLL) **WALL MURAL**. A work of art, such as a painting applied directly to a wall, fence, pavement, or similar surface that is purely decorative in nature and content, and does not include advertising by picture or verbal message.

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

(Amended by Ord. No. 01-25; 02-50; 04-01)

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 sign permit from the City, unless the sign is exempt pursuant to Section 12-8-1. Any person who hangs, posts, or installs a sign 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.

12- 3- 2. PRE-APPLICATION CONFERENCE

Prior to the submittal of a Sign permit application, a pre-application conference with the Planning Department is encouraged to acquaint the applicant with Sign Code procedures, design standards, and related City ordinances.

12- 3- 3. MASTER SIGN PLANS.

Buildings or clusters of buildings within a project or premise, having more than one (1) tenant or use, shall submit a Master Sign Plan application for the entire structure or project prior to any sign permit approval by the Planning Department.

(A) **DESIGN**. The Master Sign Plan shall be designed to establish a common theme or design for the entire building, using similar construction methods, compatible colors, scale, and identical backgrounds. All regulations as stated in this Title shall apply.

(B) **MASTER SIGN PLANS FOR OFFICE BUILDINGS**. Master Sign Plans for office buildings must focus primarily on the identification of the building. Individual tenants may be identified with lettering on exterior windows, doors, or a building directory.

(C) **SIGN AREA**. Total sign area within the Master Sign Plan is subject to the size limitations of Chapter 12-4-1 of this Title. Sign area cannot be transferred to a single building or facade from other buildings in the project.

(D) **HEIGHT**. All Master Sign Plans shall be designed so that signs are placed below the finished floor elevation of the second floor or a maximum of twenty feet (20') above adjacent finished grade whichever is lower. Signs may be located on walls, within windows or on sign bands above windows. For buildings with approved or existing conflicts with this requirement the Planning Director may grant exceptions to the second floor level sign restriction.

(E) **LIGHTING**. 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 Chapters 15-3-3(A)(1) and 15-5(I) of the Land Management Code. Lighting fixtures shall be similar in style and should direct all light onto the sign surface. Spot lights and flood lights are prohibited.

12- 3- 4. APPLICATION REQUIREMENTS.

All sign applications shall be submitted to the Planning Department to be reviewed for compliance with the requirements set forth in this title. A complete sign application must include the following:

(A) **BUILDING ELEVATIONS/SITE PLAN**. Signs proposed to be mounted on a building require a building elevation drawn to scale that specifies the location of the sign, and drawings or photographs that show the scale of the sign in context with the building.

Free Standing Signs require a site-plan indicating the proposed sign location as it relates to property lines, adjacent streets and adjacent buildings.

(B) **SCALED DESIGN DRAWING**. A Colored rendering or scaled drawing including dimensions of all sign faces, descriptions of materials to be used, including color samples.

(C) **SCALED INSTALLATION DRAWING**. A scaled drawing that includes the sign description, proposed materials, size, weight, manner of construction, and method of attachment, (including all hardware necessary for proper sign installation).

(D) **LIGHTING**. A drawing indicating the location and fixture type of all exterior lighting for the proposed signs. The drawing shall specify wattage and bulb type to ensure compatibility with the lighting standards as stated in Chapters 15-3-3(A)(1) and 15-5(I) of the Land Management Code.

(E) **APPLICATION FORMS**. A completed sign permit application and building permit application. Both applications are available through the Planning Department.

(F) **FEES**. Payment of the appropriate fees to the Park City Municipal Corporation.

12- 3- 5. PERMIT FEES.

Sign permit applicants shall pay fees as adopted in the fee schedule established by resolution.

12- 3- 6. REVIEW PROCEDURES.

Complete sign permit applications will be reviewed by the Planning and Building Departments within 15 working days upon receipt of a complete application. The application will be approved, denied or returned to the applicant with requested modifications. Both the Planning and Building Departments must review and approve the application prior to the issue of a permit. Either department may return the application for modification or clarification.

The Building Department shall inspect signs regulated by this Code to determine if they have been suitably installed and maintained per the requirements of the International Sign Code.

If the sign uses electrical wiring and connections, a licensed electrician must submit an electrical permit application to the Building Department. This application is separate from the sign permit application, and shall be reviewed for compliance with the International Building Code.

CHAPTER 4 - SIGN STANDARDS

12- 4- 1. TOTAL SIGN AREA REQUIREMENTS.

The sign area, per building facade, may not exceed thirty-six square feet (36 sq. ft.). Historic signs are exempted from this requirement.

Subject to the criteria below, the Planning Director may grant additional sign area, provided the total area requested does not exceed five percent (5%) of the building face to which the signs are attached. ~~To~~ The Planning Director must make findings based on the following criteria:

(A) **LOCATION**. Signs must be designed to fit within and not detract from or obscure architectural elements of the building's façade;

(B) **COMPATIBILITY**. Signs must establish a visual continuity with adjacent building facades and be oriented to emphasize pedestrian or vehicle visibility;

(C) **MULTIPLE TENANT BUILDINGS**. The building must have more than one (1) tenant in more than one (1) space; and

(D) **STREET FRONTAGE**. The building must have more than fifty feet (50') of street frontage.

12- 4- 2. AREA OF INDIVIDUAL SIGNS.

The area of a sign shall include the entire area within any type of perimeter or border that may enclose the outer limits of any writing, representation, emblem, figure, or character, exclusive of the supporting framework.

When the sign face of a backed sign, is parallel or within thirty degrees (30°) of parallel, one (1) sign face is counted into the total sign area. If the sign faces are not parallel or within thirty degrees (30°) 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 foot (1'). The applicant may request that the Planning Director grant an exception provided the request is for an increase of no more than six inches (6") for a maximum height of eighteen inches (18"). ~~The~~ applicant must demonstrate that the requested exception would be compatible with the letter's font, the building's architecture, and the placement of the sign upon the building.

For buildings located along the Frontage Protection Zone, the Planning Director may grant a letter height exception for buildings farther than one hundred and fifty feet (150') from the right-of-way of which the building has vehicular access. The maximum letter height in this case shall be no greater than thirty inches (30").

12- 4- 4. LOCATION ON BUILDING.

The location of a sign on a structure or building has a major impact on the overall architecture of the building. To ensure that signs enhance this architecture, the following criteria must be met:

(A) **HEIGHT**. Signs shall be located below the finished floor of the second level of a building, or twenty feet (20') above final grade, whichever is lower. For buildings with approved or existing conflicts with this requirement, the Planning Director may grant an exception to the second floor level sign restriction.

Signs located above the finished floor elevation of the second floor shall be restricted to window signs.

(B) **LOCATION**. Architectural details of a building often provide an obvious location, size, or shape for a sign. Wherever possible, applicants should utilize these features in the placement of signs. Signs should compliment the visual continuity of adjacent building facades and relate directly to the entrance. Signs shall not obstruct views of nearby intersections and driveways.

(C) **ORIENTATION**. Signs must be oriented toward pedestrians or vehicles in the adjacent street right-of-way.

(D) **COMPATIBILITY**. A sign, including its supporting structure and components, shall be designed as an integral design element of a building and shall be architecturally compatible, including color, with the building to which it is attached. Signs must neither obscure architectural details of the building; nor cover doors, windows, or other integral elements of the facade.

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, except in the General Commercial (GC) zone. Signs in the GC zone may be set back ten feet (10') from the property line with the exception of those in the Frontage Protection Zone. The Planning Director may decrease the setback if it is determined that the public will benefit from a sign located otherwise, due to site specific conditions such as steep terrain, integration of signs on retaining walls, heavy vegetation, or existing structures on the site or adjoining properties.

12- 4- 6. PROJECTION AND CLEARANCE.

No portion of a sign may project more than 36 inches (36") from the face of a building or pole.

Awnings, projecting and hanging signs must maintain at least eight feet (8') of clearance from ground level.

Signs may not extend over the applicant's property line except those over the Main Street sidewalk. Signs may extend over City property only after review and written approval by the City Engineer and an encroachment agreement acceptable to the City Attorney is recorded.

12- 4- 7. SIGN MATERIALS.

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

(A) **FACE**. The face or background of a Sign may be constructed of exterior grade manufactured composite board or plywood if the face of the sign is painted and the edges of the sign are framed and sealed with silicone.

(B) **LETTERS**. Synthetic or manufactured materials may be used for Individual cutout or cast letters in particular applications where synthetic or manufactured nature of the material would not be obvious due to its location on the building and/or its finish. Letters shall be raised, routed into the sign face or designed to give the sign variety and depth.

Ivory colored plastic shall be used for internally illuminated letters.

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- 8. COLOR.

Fluorescent colors are prohibited. Reflective surfaces and reflective colored materials that give the appearance of changing color are prohibited.

12- 4- 9. 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**. Externally lit signs shall be illuminated only with steady, stationary, shielded light sources directed solely onto the sign without causing glare. Light bulbs or lighting tubes used for illuminating a sign shall be simple in form and should not clutter the building or structure. Light bulbs or lighting tubes should be shielded so as to not be physically visible from adjacent public right-of-ways or residential properties.

The intensity of sign lighting shall not exceed that necessary to illuminate and make legible a sign from the adjacent travel way or closest right-of-way; and the illumination of a sign shall not be obtrusive to the surrounding area as directed in Chapter 15-5 of the Land Management Code.

(1) **FIXTURES**. Lighting fixtures shall be simple in form and should not clutter the building. The fixtures must be directed only at the sign and comply with Chapter 15-5.

(2) **COMPONENT PAINTING**. All light fixtures, conduit, and shielding shall be painted to match either the building or the supporting

structure that serves as the background of the sign.

(B) **INTERNALLY ILLUMINATED SIGNS**. Internally illuminated signs include any sign face, which is lit or outlined by a light source located within the sign.

LETTERS Individual pan-channel letters with a plastic face or individual cutout letters (letters routed out of the face of an opaque cabinet sign), are permitted. Cutout letters shall consist of a single line with a maximum stroke width of one and one-half inch (1½). Variations in stroke width may be reviewed and approved by the Planning Director. The plastic face or backing of the letters can not consist of more than two colors [Reason color of letters should be determined by owner of building only having ivory color is too limiting. (Staff Response: The Planning Commission has consistently expressed a desire to make internally illuminated signs consistent throughout the City, thereby eliminating clutter.)

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 prohibited on freestanding signs.

[Reason color of light source should be determined by owner of building, only having on light source is to limiting]. (Staff Response: Planning Commission seeks consistency throughout City.)

WATTAGE. Wattage for internally illuminated signs shall be specified on the sign application.

ZONING RESTRICTIONS. Individual pan-channel letters and individual reversed pan-channel letters are prohibited in the Historic District.

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

(C) **PROHIBITED LIGHTING**. Lights that flash or move in any manner are prohibited.

(Amended by Ord. No. 02-50)

CHAPTER 5 - UNSAFE AND UNLAWFUL SIGNS

12- 5- 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, not maintained, 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 ten (10) 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 an imminent hazard to the public safety.

CHAPTER 6 - NON-CONFORMING SIGNS

12- 6- 1. CONFORMANCE CRITERIA FOR NON-CONFORMING SIGNS.

Deleted: must be ivory colored

Deleted: **LIGHT SOURCE**. The light source for internally illuminated signs must be white.

Deleted: must be ivory colored

All non-conforming signs (except billboards, see Section 12-6-4 below), that have been lawfully erected shall be deemed to be legal and lawful signs and may be maintained subject to the provisions of this Chapter.

(A) When a non-conforming sign becomes deteriorated or dilapidated to the extent of over fifty percent (50%) of the physical value it would have if it had been maintained in good repair, it must be removed within sixty- (60) days after receiving notice from the Chief Building Official. Non-conforming signs which are damaged, other than by vandalism, to the extent of over fifty percent (50%) of their physical value must be removed within sixty (60) days of receiving such damage or brought into compliance with the provisions of this Ordinance. Non-conforming signs that are damaged by vandalism to the extent of over fifty percent (50%) of their physical value must be restored within sixty- (60) days or be removed or brought into compliance with the provisions of this Ordinance.

(B) A non-conforming sign may not be relocated except when such relocation brings the sign into compliance with this Ordinance or does not increase the degree of the non-compliance of the sign. The City Engineer may approve the alteration of a non-conforming sign from its original location provided such alteration does not increase the degree of non-conformity. Once a non-conforming sign is removed from the premises or otherwise taken down or moved, without City Engineer approval, said sign may only be replaced with a sign that is in conformance with the terms of this Ordinance.

(C) The face of a non-conforming sign may be altered if the sign face is not thereby enlarged. The message of a non-conforming sign may be changed so long as this does not create any new non-conformity.

(D) Minor repairs and maintenance of non-conforming signs necessary to keep a non-conforming sign for a particular use in sound condition are permitted so long as the non-conformity is not in any means increased.

(Amended by Ord. No. 02-50)

12- 6- 2. ALTERATION OF NON-CONFORMING SIGNS.

Non-conforming signs may be maintained and repaired in accordance with Section 12-6 -3 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 that change the size, use, color, lighting, or appearance of a non-conforming sign are considered structural alterations and shall be brought into full compliance with the standards of this Code.

12- 6- 3. REPAIR OF DAMAGED NON-CONFORMING SIGNS.

No sign 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- 6- 4. ON-CONFORMING BILLBOARDS.

Acquiring a billboard and associated property rights through gift, purchase, agreement, exchange, or eminent domain will terminate the non-conforming status of said billboard.

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

(A) The applicant for a permit intentionally made a false or misleading statement in his application;

(B) The billboard is unsafe;

(C) The billboard is in unreasonable state of repair; or

(D) The billboard has been abandoned for at least twelve (12) months.

12- 6- 5. REMOVAL OF SIGNS BY THE BUILDING OFFICIAL AND COST ASSESSED 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 the Municipal Code of Park City Section 6- 1- 5, as amended.

CHAPTER 7 - PROHIBITED SIGNS

12- 7- 1. PROHIBITED SIGNS.

No person shall erect, alter, maintain, or relocate any sign as specified in this Chapter in any district.

(A) **ANIMATED SIGNS**. A rotating or revolving sign, or signs where all or a portion of the sign moves in some manner. Except for Historic Signs and Historic Replication Signs where the applicant is able to prove through documentation or other evidence that the original Historic Sign produced the same motion/movement and is proposed in the same location.

(B) **BANNERS**. Except as approved in conjunction with a Master Festival license issued pursuant to Title 4 of this Code or approved as a banner on a City light standard pursuant to Title 12-11 of this Code.

(C) **BENCH SIGNS**. An outdoor bench or piece of furniture with signs attached.

(D) **ELECTRONIC MESSAGE SIGNS**. A permanent freestanding roof, wall, or other sign that changes copy electronically using switches and electric lamps. Automatic changing signs, such as announcements, time, temperature and date signs are prohibited. Governmental public safety, municipal directional and information signs are exempt.

(E) **FLASHING SIGNS OR LIGHTS**. A sign that contains an intermittent or flashing light source, or a sign that 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.

(G) **INFLATABLE SIGNS OR DISPLAYS**. Any inflatable object used for signs or promotional purposes, except for balloons less than two feet in diameter [Reason balloons of this size are allowed in Display of Out Door Merchandise – see attached pictures]. (Staff Response: Balloons are extremely temporary, and quickly become eyesores when prematurely deflated.)

(H) **OFF-PREMISE SIGNS**. No person shall erect a sign identifying a business, commodity, service, or industry, which is not conducted upon the premises on which the sign is placed.

(I) **PORTABLE SIGNS**. Any sign that can be moved from place to place, is not permanently affixed to the ground or building, and is for the purpose of display only, is prohibited. Temporary open house signs for real estate are permitted but must comply with the regulations as stated in Section 12-10-(F). Temporary Portable Signs for advertising or identifying a business or other type of entity must comply with the regulations as stated in Section 12-10-(I) [Reason clarification of Sign Code same as need for clarification of temporary open house signs]. (Staff Response: OK). Government public safety, municipal directional and informational signs are exempt.

(J) **PROJECTION SIGNS**. A sign, which projects a visual image or message onto a surface, is prohibited. Temporary projection signs that are part of an approved master festival license may be allowed for the duration of the festival permit provided they are directed so the light source is shielded from any view but the intended mark of the sign.

(K) **REPRODUCTION**. The use of an inanimate object that has been constructed to look like a product or service for the purpose of advertisement or display is prohibited.

(L) **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.

(M) **SIGNS IN PUBLIC PLACES**. No person shall paint, mark, or write on, staple, tape, paste, post, or otherwise affix, any handbill, sticker, poster, or sign to any public building, structure, or other property, including but not limited to a work of art, sidewalk, crosswalk, curb, curbstone, parking meter, park-strip, street lamp post, hydrant, tree, shrub, tree stake or guard, electric light or power or telephone wire or pole, or wire appurtenance thereof, or any lighting system, public bridge, drinking fountain, life saving equipment, street sign, street furniture, trash can, or traffic sign.

Violators of this Title shall be held liable and subject to the penalties as stated in Section 12-16-1.

(N) **WIND SIGNS**. Any propeller, whirling, or similar device that is designed to flutter, rotate, or display other movement under the influence of the wind. This shall include "gasoline flags", or banners.

(O) **VIDEO SIGNS**. Animated visual messages that are projected on a screen.

(Amended by Ord. No. 02-50; 04-01)

CHAPTER 8 - NON-REGULATED SIGNS

12- 8- 1. SIGNS EXEMPT FROM PERMIT REQUIREMENT.

The following signs are exempt from the permit requirement as provided in Chapter 3 herein. They shall be regulated by the following size and placement standards and, except as otherwise provided herein, 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 inches (12"). When placed on commercial buildings, they may be taken into account in the review of the sign plan, and counted as sign area if part of the overall sign area for the building.

(B) **CAMPAIGN SIGNS**. Campaign signs are exempt from obtaining permits as long as the sign is in compliance with the regulations as stated in Section 12-10-2(B).

(C) **HISTORIC SIGNS AND PLAQUES**. Locations and size shall be reviewed by the Planning Department.

(D) **HOURS OF OPERATION SIGNS**. One (1) "hours of operation" sign is allowed per entrance. Each sign may not exceed one square foot (1 sq. ft.) in area. The sign may not be illuminated.

(E) **NAMEPLATES (RESIDENTIAL)**. One (1) nameplate sign for each single family residence that shall not exceed one square foot (1 sq. ft.) in area. If lighted, a building permit is required.

(F) **PRIVATE PLAZAS**. Signs may be installed in private plazas without obtaining individual sign permits provided that such signs conform to an approved Master Sign Plan, however building permits shall be required for installation and any necessary electrical service and lighting. Existing signs in private plazas approved prior to March 19, 1998, do not need to come into conformance with the Sign Code and Master Sign Plan requirements, but all new signs must be either individually approved or approved as an amendment to the Master Sign Plan. Signs oriented internally to the plaza and not to the public street or right-of-way shall not be subject to the limitations in Section 12-3-3(C).

(G) **PUBLIC NECESSITY SIGNS**. Public necessity signs such as safety/ instructional, for public facilities and parks, warnings, information kiosks at trail heads, bus stops, 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 is required in order to insure safe placement and prevent unsightly or distracting sign placement.

(H) **RECREATIONAL FACILITIES**. Signs located inside open air recreational facilities that are not oriented to public streets, e.g. signs in ski resorts, public property, skate board parks, and golf courses are not regulated.

(I) **REAL ESTATE SIGNS**. Real estate signs are exempt from obtaining permits as long as the sign is in compliance with the regulations as stated in Section 12-10-2(G).

(J) **SOLICITATION SIGNS**. One (1) solicitor's sign, not to exceed one square foot (1sq. ft.), is allowed per major entrance to any building or apartment complex.

(K) **SPECIAL EVENTS FLIERS**. Fliers or posters advertising special events may be displayed on the inside of windows of businesses, provided all window signs do not exceed thirty percent (30%) of window area and the owner of the business approves of the placement.

Posters or fliers may not be tacked up to the exterior of any building nor upon any sidewalk, crosswalk, curb, curbstone, street light post, hydrant, tree, shrub, parking meter, garbage can or dumpster, automobile, electric light, power or telephone wire pole, or wire appurtenance thereof, fire alarm or hydrant, street furniture, park benches or landscaping, any lighting system, public bridge, drinking fountain, statue, life saving equipment, street sign or traffic sign or on door steps.

(L) **SPECIAL SALE SIGNS**. Merchants may advertise special sales with temporary paper Signs on the inside of windows provided that all window signs do not cover more than thirty percent (30%) of the window area.

(M) **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 (1 sq. ft.) in area, and may not be illuminated.

(N) **VACANCY SIGNS**. Vacancy signs are allowed only for those buildings that are permitted and licensed for nightly rentals. Vacancy Signs may be a maximum of two square feet (2 sq. ft.). If illuminated, approval from the Planning Department and a building permit are required. Luminous tube signs are prohibited.

(O) **VEHICLE SIGNS**. Painted, vinyl or magnetic signs attached to the sides of vehicles or the vehicle's window are allowed, as long as the vehicle is in use or parked in a bona fide parking space.

(P) **YARD SIGNS**. Yard signs are exempt from obtaining permits as long as the sign is in compliance with the regulations as stated in Section 12-10-2(H) and (F).

(Amended by Ord. 00-60; 02-50; 04-01)

CHAPTER 9 - PERMITTED SIGN REGULATIONS

12- 9- 1. TYPES OF SIGNS ALLOWED.

In addition to the following regulations, all signs must be in compliance with all other provisions of this Title.

For the purposes of this Title, signs for commercial uses within an approved Master Planned Development (MPD), shall be permitted under sign criteria set forth in the Recreation Commercial (RC) Zoning District.

(A) **AWNING AND CANOPY SIGNS**.

(1) **SIZE**. A maximum of twenty percent (20%) of the canvas area on each face of an awning may be used for sign area. Awnings and canopy signs are calculated as part of the total sign area for the building.

(2) **HEIGHT LIMIT**. Awnings and canopy signs must have a minimum clearance of eight feet (8') to the frame and seven feet (7') to the bottom of the valance.

(3) **NUMBER OF SIGNS**. Not applicable.

(4) **SETBACK AND ORIENTATION**. Awnings and canopy signs 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. Awnings can be located above the first floor if a commercial business is above ground floor level [Reason clarification there are a number of awnings above the ground floor on Main Street]. (Staff response: Chapter 12-4-4 of this Code allows the Planning Director to grant exceptions to this rule if he finds that there is an approved or existing conflict to the rule) All other locations are prohibited. Freestanding awning signs are prohibited.

Awnings and canopy signs may project a maximum of thirty-six inches (36") from the face of the building except when used as entrance canopies, in which case awnings may extend to the setback lines. The design must blend with the architecture of the building and should not obscure details of the building. Awnings and canopy signs should serve as an accent to the building's design but should not be the dominant architectural feature. Awnings are counted as sign 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/canopy is attached.

(5) **ZONING RESTRICTIONS**. Awning and canopy signs are permitted in all commercial zoning districts.

(6) **DESIGN**. Awnings and canopy signs in the Historic District are encouraged to resemble the typical awning found during the mining era. Only fire resistant nylon, canvas or other similar material will be permitted. Material should be high quality, colorfast and sun fade resistant. Vinyl or plastic materials are not permitted. Awning and canopy sign colors are limited to a single field color with a single contrasting color for lettering and logos. However, if the awning / canopy 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.

(7) **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 fluorescent lighting is permitted.

(B) <u>**CHANGEABLE COPY SIGNS**</u>.

Changeable copy signs are permitted provided they comply with the following regulations.

(1) **SIZE**. Freestanding Changeable copy signs shall be limited to a maximum of twenty square feet (20 sq. ft.) in area,

(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 not be placed in the setback area as defined for the zone in which the sign is located. However, in the General Commercial (GC) Zone, free standing changeable copy signs must be set back ten feet (10') from the property line.

Freestanding Changeable copy signs must finished on both sides. Signs must maintain a setback of at least twenty-five feet (25') from the curb or edge of pavement. With the exception of those in the Frontage Protection Zone, the Planning Director may decrease the setback if it is determined that a unique road alignment or traffic condition would impair visibility of the sign for street or pedestrian traffic.

(5) **ZONING RESTRICTIONS**. Changeable copy signs are allowed in all commercial zoning districts.

(6) **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 an opaque case with a transparent face. The individual letter shall not exceed eight inches (8") in height.

(7) **ILLUMINATION**. Illumination of changeable copy signs shall be enclosed in the case.

(D) <u>**DISPLAY BOXES**</u>.

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 and must be compatible with the architectural features of the building.

(1) **SIZE**. The maximum size shall be six square feet (6 sq. ft.)

(2) **NUMBER OF SIGNS**. Not applicable.

(3) **SETBACK AND ORIENTATION**. Display boxes shall be oriented towards pedestrian viewers. Wall mounted display boxes shall not extend from the building over public property.

(4) **ZONING RESTRICTIONS**. Display boxes are allowed in all commercial zoning districts.

(5) **DESIGN**. Display boxes must be constructed to coordinate with the building design and must contain a clear face that would protect the menu/event display from the weather and must not extend over public property.

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

(E) **ELECTRONIC DISPLAY TERMINALS**.

Electronic display terminals are a prohibited unless within a completely enclosed building and setback at least three feet (3') from any window. Exterior electronic display terminals are a conditional use subject to the following criteria:

(1) **SIZE**. Electronic display terminals shall be limited to a maximum of three square feet (3 sq. ft.) in area if viewed through a window and placed within three feet (3') of a window, or placed on the exterior of a building.

(2) **HEIGHT LIMIT**. No electronic display terminal may exceed a height of four feet (4') measured from finished grade.

(3) **NUMBER OF TERMINALS**. No more than one (1) electronic display terminal may be permitted within the premises of a business.

(4) **SETBACK AND ORIENTATION**. Electronic display terminals shall not be allowed within the public right-of-way. They must be accessed by pedestrians only and obscured from vehicles. If located near an entrance or exit of a building, terminals must meet all ingress and egress requirements established by the International Building Code.

(5) **ZONING RESTRICTIONS**. Electronic display terminals are allowed in the HCB, HRC, GC, LI, RC, RCO, and RD Districts.

(6) **DESIGN**. Electronic display terminals must compliment the architecture of the structure to which it is associated, and finished on all visible sides.

(7) **ILLUMINATION**. Lighting of electronic display terminals is prohibited.

(F) **ENTRANCE/EXIT SIGNS**.

Entrance/exit signs are not included into the total sign area allowed for a structure. Entrance/exit signs are for the facilitation of traffic onto and off a site.

(1) **SIZE**. Entrance/exit signs shall be limited to a maximum of three square feet (3 sq. ft.) per side.

(2) **HEIGHT LIMIT**. Entrance/exit signs shall be no higher than five feet (5') above the ground at the top of the sign.

(3) **NUMBER OF SIGNS**. Two (2) 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) **DESIGN**. Entrance/exit signs shall be simple in form and shall be compatible with the architectural elements of the commercial or multi-family project.

(7) **ILLUMINATION**. Illumination of entrance/exit signs is permitted, provided that the lighting complies with Chapter 15-5.

(G) <u>FLAGS</u>.

Flags and flag poles are prohibited when they are the only man made structure on the premise where it is placed.

(1) **SIZE**. The maximum size of any one (1) flag shall be twenty-four square feet (24 sq. ft.) if visible from a public right-of-way.

(2) **HEIGHT LIMIT**. Flagpoles may not exceed twenty-eight feet (28') measured from final grade.

(3) **NUMBER OF FLAGS**. No more than three (3) freestanding flagpoles 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 one hundred (100) yards may be allowed an additional three (3) flags per additional one hundred (100) yards of street frontage. Flag poles are restricted to only flying one (1) 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.

Flag poles and flags approved by City Council as Olympic Legacy displays for permanent installation on City property, public rights-of-way and/or within Olympic venue areas at Park City Mountain Resort and Deer Valley Resort may exceed the allowed number of flags and flag poles permitted in this section.

(4) **SETBACK AND ORIENTATION**. Freestanding flagpoles shall not be placed in the setback area as designed for the zone in which the flags are located.

(5) **ZONING RESTRICTIONS**. Flags are allowed in all zoning districts.

(6) **TYPES OF FLAGS**. 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 calculating total sign area, but are subject to the restrictions of this section.
(7) **DESIGN**. It is recommended that the flagpoles be black, brown, dark green or bronze. Flags shall be kept in good repair. Design and lighting of the U.S. flag should

be consistent with the Federal Flag Code, 36 U.S.C. Section 173-8 as amended.

(8) **ILLUMINATION**. Up lighting of all Flags except the Flag of the United States of America is prohibited.

(H) **FREE-STANDING SIGN**.

(1) **SIZE**. Freestanding signs shall be limited to a maximum of twenty square feet (20 sq. ft.) in area.

(2) **Height Limit**. Free-standing signs may not exceed a height of seven feet (7') measured from Final grade.

(3) **Number of Signs**. Buildings, projects, parcels or Master Planned Developments less than 100,000 square feet of building space are limited to one (1) free-standing sign. If the property has more than one (1) entrance and frontage on more than one (1) street, one (1) additional sign may be permitted for directional purposes only. The combined square footage of all free-standing signs shall not exceed the maximum square footage allowed.

Master Planned developments of greater than 100,000 square feet of building space are allowed one additional free standing sign per additional 100,000 square feet of building area to a maximum of five freestanding signs within the development provided they are used specifically to identify the development, provide way finding within the development and to identify an amenity within the development. All other requirements of this Code shall apply.

(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 (GC) Zone, signs must be set back ten feet (10') 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.

(5) **Zoning Restrictions**. Free-standing signs are allowed in the commercial districts GC, RM, RDM, RC, RCO LI HRC, HCB and RD. Free-standing signs located in the Frontage Protection Zone require a Conditional Use Permit.

(6) **Design**. Free-standing signs with a solid or enclosed base are permitted. Signs must be compatible with the architecture of the building or use to which they are associated. 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 fifty percent (50%) of the sign's overall height, i.e., the height of the open area beneath a sign cannot exceed fifty percent (50%) of the sign's total height.

(8) **Illumination**. Lighting of free-standing signs is permitted, provided that the lighting complies with Section 12-4-9. [Reason this should be allowed because an internally illuminated sign is less intrusive that externally illuminated sign] (Staff Response: Internally illuminated pan channel letters on a free standing sign are a style of sign that do not fit within the established design guidelines for the City. The Planning Commission has consistently directed staff to avoid styles that do not compliment the City's resort/historic atmosphere.) Any exterior lighting proposed for the signs shall be included in the sign application.

Deleted: However, internally illuminated pan-channel letters are not permitted on free-standing signs.

(I) **HANGING AND PROJECTING SIGNS**.

(1) **SIZE**. No single hanging or projecting sign may exceed twelve square feet (12 sq. ft.) in area. 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 feet (8') of ground clearance.

(3) **NUMBER OF SIGNS**. There is no number of maximum hanging or projecting signs per building face. The total square footage of sign area shall not exceed the maximum square footage allowed per building face. Signs must have a minimum of six feet (6') of separation between each sign similar in nature.

(4) **SETBACK AND ORIENTATION**. Hanging and projecting signs may not project more than thirty-six inches (36") from the face of the building to which it is attached. They may not extend beyond the applicant's property, except those proposed over the Main Street sidewalks. Hanging and projecting signs may extend over City property only after review and written approval by the City Engineer and an executed encroachment agreement with the City has been recorded at the County Recorder's office.

(5) **ZONING RESTRICTIONS**. Hanging and projecting signs are permitted within all commercial zoning districts.

(6) **DESIGN**. Exposed surfaces of hanging signs may be constructed of metal, high-density foam board, or solid wood. The sign materials should be compatible with the face of the building and should be colorfast and resistant to corrosion.

(7) **ILLUMINATION**. Lighting of hanging and projecting signs is permitted, provided that the lighting complies with Section 12-4-9.

(J) **LUMINOUS TUBE SIGNS (NEON)**. Luminous tubes (LT) used to draw attention in any manner, are considered signs and shall be regulated according to the provisions of this Code as follows:

(1) **SIZE**. All LT signs are limited to six square feet (6 sq. ft.) or less.

(2) **HEIGHT LIMIT**. LT signs shall be limited to the ground floor elevation unless a commercial business is above the ground floor elevation [Reasons commercial business above the ground floor should have the same rights as a commercial on the ground floor. PC is trying to encourage addition commercial activity above the ground floor]. (Staff response: Chapter 12-4-4 of this Code allows the Planning Director to grant exceptions to this rule if he finds that there is an approved or existing conflict to the rule)

(3) **NUMBER OF SIGNS**. Not more than four (4) signs per building façade. [Reason the Sign Code already limits the number of LT signs by maximum size and size of LT sign is included in total sign area allowed per façade] (Staff response: The Planning Commission recommends 25 feet in order to limit the amount of visual clutter) One (1) LT sign of less than two (2) square feet in size is allowed per building or tenant space without a permit.

Deleted: One LT sign is allowed for every twenty five (25) feet of building façade width.

(4) **SETBACK AND ORIENTATION**. LT signs must be located within a building and displayed through a window rather than being attached to the exterior of the building. If LT signs which are located within five feet (5') of the front window are visible

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from the street, they are considered as sign area and must have a permit and will be included in the total sign area for the building. LT signs located five feet (5') back from the window are considered interior lighting and are not regulated. [Reason too restrictive – this could prohibit some business from having LT displays in their interior space] (Staff response: Visual clutter)

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(5) **ZONING RESTRICTIONS**. LT signs are permitted in the HCB, HRC, LI, RC, RCO and GC districts. LT signs are prohibited in all other zoning districts.

(6) **DESIGN**. LT signs may not flash, move, alternate, or show animation. The outlining of a building's architectural features is prohibited.

(7) **ILLUMINATION** No additional illumination is permitted.

(K) **MENU SIGNS**.

(1) **SIZE**. The maximum size shall be two square feet (2 sq. ft.), unless enclosed in a display box.

(2) **HEIGHT LIMIT**. Height of a menu sign shall be a maximum height of six feet (6').

(3) **NUMBER OF SIGNS**. One (1) menu display sign is permitted per restaurant.

(4) **SETBACK AND ORIENTATION**. Displays for menus may be located on the inside of a window for a restaurant or inside a wall mounted or freestanding display box.

(5) **ZONING RESTRICTIONS**. Menu signs are allowed in all commercial zoning districts.

(6) **DESIGN**. All wall mounted or freestanding menu will be reviewed within the context of the building architecture.

(7) **ILLUMINATION**. Lighting of the menu or event display is permitted within the display. Lighting shall be down directed towards the text.

(L) **MUNICIPAL IDENTIFICATION SIGNS**.

Municipal identification signs are a conditional use subject to review pursuant to Land Management Code Section 15-1-10, in addition to the following criteria:

(1) **SIZE**. Municipal identification signs shall be limited to a maximum of forty square feet (40 sq. ft.) in area.

(2) **HEIGHT LIMIT**. No municipal identification sign may exceed a height of eight feet (8') measured from finished grade.

(3) **NUMBER OF SIGNS**. No more than two (2) municipal identification signs are permitted in Park City.

(4) **SETBACK AND ORIENTATION**. Municipal identification signs shall be set back no less than fifteen feet (15') from the right-of-way line or edge of asphalt, whichever is greater. No municipal identification sign is permitted within twenty feet (20') of an ROS or POS designated zones.

(5) **LOCATION/ZONING**. No more than one (1) municipal identification sign shall be permitted along the entry corridor to Park City on Highway 224 and no more than one (1) municipal identification sign shall be permitted along the entry corridor on Highway 248. Any existing municipal

identification signs on the approved site must be removed if municipal identification signs are approved by the Planning Commission.

(6) **DESIGN**. Municipal identification signs must comply with the design guidelines as established in Chapter 4 of this Title. Municipal identification signs shall not be changeable copy signs.

(7) **ILLUMINATION**. Lighting of municipal identification signs is permitted provided the lighting complies with the City lighting ordinance.

(N) **UMBRELLA SIGNS**. Umbrella shall meet the following requirements:

(1) **SIZE.** Only the area of the umbrella containing the signs, as opposed to the entire area of the umbrella, shall be considered, for purposes of calculating total sign area.

(2) **HEIGHT LIMIT**. Not applicable.

(3) **NUMBER OF SIGNS**. Not applicable.

(4) **SETBACK AND ORIENTATION**. Not applicable.

(5) **ZONING RESTRICTIONS**. Umbrella signs are permitted in all commercial zoning districts.

(6) **DESIGN**. Materials should be high quality vinyl, nylon, canvas or other similar material in order to withstand the weather and climate changes.

(7) **ILLUMINATION**. Illumination of umbrella signs is prohibited.

(O) **WALL SIGNS**.

Wall signs may be placed upon a building provided that they meet the following conditions of approval.

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

(2) **HEIGHT LIMIT**. Wall signs shall be confined to the building surface below the finished floor elevation of the second floor or twenty feet (20') above finished grade whichever is lower.

(3) **NUMBER OF SIGNS**. There is no maximum number of wall signs specified per building face. The total sign area shall not exceed the maximum square footage allowed per building face.

(4) **SETBACK AND ORIENTATION**. Wall signs shall be designed to compliment existing architectural features of a building without obscuring them. Wall sign shall be oriented toward pedestrians or vehicles within close proximity.

(5) **ZONING RESTRICTIONS**. Wall signs are permitted in all zones.

(6) **DESIGN**. The sign materials shall be consistent with Chapter 4 of this Code, compatible with the building face, colorfast and resistant to erosion.

(7) **ILLUMINATION**. Lighting of wall signs is permitted, provided that the lighting complies with Section 12-4-9. All exterior lighting proposed for the signs shall be included in the sign application.

(Q) **WINDOW SIGNS**.

Window signs are permitted provided they meet the following criteria:

(1) **SIZE**. Permanent window signs shall occupy no more than thirty percent (30%) of the total transparent area of the window.

(2) **HEIGHT LIMIT**. Window signs are limited to the main floor level of the building. Window signs are permitted upon second story 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 below the elevation of the second floor level provided that the total square footage of sign area does not exceed thirty percent (30%) of the total transparent area of the window. Window signs include any signs within three feet (3') of the front window, visible from the street and exceed two square feet (2 sq. ft.) in area.

(5) **ZONING RESTRICTIONS**. Window signs are permitted in all zoning districts.

(6) **DESIGN**. The window sign must be permanently attached to the window face by using vinyl, etching or other similar attachment methods. The vinyl color should be compatible with the building face.

(7) **ILLUMINATION**. Illumination of window signs is prohibited.

(Amended by Ord. No. 01-25; 02-50)

CHAPTER 10 - TEMPORARY SIGNS

12-10- 1. POLICY.

It is the policy of the City as outlined in this section to restrict the use of temporary signs. Temporary signs 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 signs have 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 signs are permitted for those and similar purposes subject to the regulations of this Chapter.

12-10- 2. TYPES OF TEMPORARY SIGNS.

Temporary signs are installed on a property with the intent of displaying them continuously for more than twenty-four (24) hours. They are not, a part of a permanent land use, and shall not be displayed for more than six (6) months.

(A) **BUSINESS NAME OR TENANT CHANGE SIGNS**.

Due to a change in business name or tenant, including temporary occupancy of an existing business by a convention sales license holder, pursuant to Section 4-3-9 of this Code, a temporary sign is permitted as per the following regulations.

(1) **SIZE**. Business name or tenant change signs may occupy the same amount of area previously approved on a building or façade provided said area is consistent with this Title and the master sign plan for the property. In no case shall business name or tenant change signs 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 Title shall apply.

(3) **NUMBER OF SIGNS**. Persons seeking approval for business name or temporary change signs are allowed the same number of signs previously approved on a building façade or through the Master Sign Plan. Additional window sign area may be used, but may not exceed the total sign area allowed per building face.

(4) **SETBACK AND ORIENTATION**. Temporary business name or tenant change signs are permitted in any district, provided that they comply with all size and setback requirements for the permanent signs of similar nature.

(5) **ZONING RESTRICTIONS**. Temporary business identification signs are allowed in all zoning districts.

(6) **DESIGN**. Temporary business identification sign materials shall be consistent with the requirements of Chapter 4-7 of this Title. Sign mounting shall comply with the Uniform Sign Code's standards for installation.

(7) **ILLUMINATION**. Illumination of temporary business signs is prohibited.

(B) **CAMPAIGN SIGNS**.

Campaign signs do not require a sign permit, as issued by the Planning Department, but shall comply with the following regulations:

(1) **SIZE**. Campaign signs shall not exceed three square feet (3 sq. ft.) of area on the exposed Sign face.

(2) **HEIGHT LIMIT**. The maximum height of a Campaign Sign is 4 feet above finished grade.

(3) **SETBACK AND ORIENTATION**. Campaign signs are permitted in any zone, provided that they are located a minimum of twenty feet (20') 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-foot (20') distance would be within a structure, the sign may be within three feet (3') of the front of the structure. 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(K) and 12-8-1(L).

(4) **ZONING RESTRICTIONS**. Campaign signs are allowed in all zoning districts.

(6) **ILLUMINATION**. Illumination of campaign signs is prohibited.

(C) **CONSTRUCTION SIGNS**.

For projects requiring a building permit a construction mitigation plan is required. Pursuant to this plan, the Chief Building Official may require a Construction Sign. These signs are permitted provided they meet the following criteria.

(1) **SIZE**. The Construction sign shall not exceed twelve square feet (12 sq. ft.) in size.

(2) **HEIGHT**. Construction signs shall not exceed six feet (6') in height above finished grade.

(3) **LOCATION**. The Construction sign shall be posted in a location on the premises where it is readable from the street or driveway. In no case shall the Construction sign be placed in the public right-of-way. The exact location of the sign shall be identified in the approved Construction Mitigation Plan. Construction signs shall not be located in the side or rear yard setbacks.

(4) **INFORMATION**. Information on the construction sign shall include: the name, address, and phone number of the contractor; the name, address, and phone number of the person responsible for the project; and the name and phone number of the party to call in an emergency.

(5) **NUMBER OF SIGNS**. One (1) construction sign is permitted per project.

(6) **ZONING RESTRICTIONS**. Construction signs are permitted in all zoning districts.

(7) **DURATION**. Construction signs shall be removed from the premises upon issuance of a certificate of occupancy for the project from the Building Department.

(D) **PROJECT MARKETING SIGNS**.

To allow for initial marketing of projects containing four (4) dwelling units or more, and/or four thousand square feet (4000 sq. ft.) or more of commercial floor area a project marketing sign is allowed on the property during the construction phase of the building or project.

(1) **SIZE**. The total Sign area of the Project Marketing Sign shall not exceed twenty-four square feet (24 sq. ft.) in area.

(2) **HEIGHT**. Project marketing signs may not exceed seven feet (7') above finished grade. Signs mounted on a construction barricade or fence may not extend above the height of the barricade or fence.

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

(3) **LOCATION**. The project marketing sign on construction sites may not be closer than twenty feet (20') to the curb line, or edge of pavement if there is no curb. If that twenty-foot (20') setback places the sign within the construction limits of disturbance, the sign may be placed closer to the street, but no more than ten feet (10') outside of the construction limits of disturbance. Project Marketing signs shall not be located in the side or rear yard setbacks.

In the HCB District, Prospector Commercial Subdivision, and other areas that have been approved or zoned with no setback or side yard 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.

Where there are conditions such a 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 Planning Director may grant an exception to the sign setback standards, but not the size or street orientation standards.

(4) **INFORMATION**. Information on the project marketing sign may include a plat map and real estate information for the project.

(5) **NUMBER OF SIGNS**. One (1) project marketing sign is permitted per project.

(6) **ZONING RESTRICTIONS**. Project marketing signs are permitted in all zoning districts.

(7) **DURATION**. Project Marketing signs shall be removed from the premises upon issuance of the last temporary certificate of occupancy for the project from the Building Department.

The Planning Director or his/her designee may issue a six (6) month extension for the display of the project marketing sign after the last temporary certificate of occupancy has been issued upon the applicant's payment of a forfeitable deposit of $5,000. Such deposit shall be forfeited to the City if the project marketing sign remains six (6) months beyond the date of the last temporary certificate of occupancy.

(E) **CONSTRUCTION/PROJECT MARKETING SIGNS**.

Residential projects containing four (4) or more dwelling units, and/or commercial projects containing four thousand square feet (4,000 sq. ft.) or more of commercial floor area, are allowed one (1) construction/project marketing sign, provided it meets the following criteria.

(1) **SIZE**. The total Sign area of the construction/project marketing sign shall not exceed thirty-two square feet (32 sq. ft.) and shall be divided to allow sign area for construction and real estate information. The sign area identifying real estate information may not exceed twenty square feet (20 sq. ft.). The construction information is limited to twelve square feet (12 sq. ft.).

(2) **HEIGHT LIMIT**. Construction/project marketing signs may not exceed seven feet (7') above finished grade. Signs mounted on a construction barricade or fence may not extend above the height of the barricade of fence.

(3) **NUMBER OF SIGNS**. One (1) construction/project marketing sign is permitted per project. In no case will a construction/project marketing sign be allowed if a project marketing sign or construction sign already exists on the premises.

(4) **SETBACK AND ORIENTATION**. The construction/project marketing sign on construction sites may not be closer than twenty feet (20') to the curb line, or edge of pavement if there is no curb. Construction/Project Marketing signs shall not be located in the side or rear yard setbacks.

In the HCB district, Prospector Commercial Subdivision, and other areas that have been approved or zoned with no setback or side yard 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.

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

Where there are conditions such as heavy vegetation on the property, or extremely steep terrain that make the sign placement standards of this Title impractical because the sign is not visible from the street, the Planning Director may grant an exception to the sign setback standards, but not the size or street orientation standards. In no event may construction/project marketing signs, subject to the setback requirements, be placed within the public right-of-way.

(5) **ZONING RESTRICTIONS**. Construction/ project marketing signs are permitted in all zoning districts

Construction/Project Marketing signs shall be removed from the premises upon issuance of the last temporary certificate of occupancy for the project from the Building Department.

(6) **INFORMATION**. Information on the construction area of the sign shall include: the name, address, and phone number of the contractor; the name, address, and phone number of the person responsible for the project; and the name and phone number of the party to call in an emergency. The marketing section of the sign may include a plat map and real estate information.

(7) **DESIGN**. Construction/project marketing signs, shall comply with the Uniform Sign Code's standards for installation.

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

(F) **NEIGHBORHOOD INFORMATION SIGNS**.

(1) **SIZE**. Neighborhood information signs shall not exceed three square feet (3 sq. ft.) of area on the exposed sign face.

(2) **HEIGHT LIMIT**. No portion of the Sign shall extend more than six feet (6') above natural grade or finished grade, whichever yield the lower sign.

(3) **NUMBER OF SIGNS**. Only one (1) neighborhood information sign is permitted on any one (1) parcel of property.

(4) **SETBACK AND ORIENTATION**. Neighborhood information signs are permitted in any zone. Signs may be displayed through windows or other glass areas subject to the restrictions of Section 12-8-1(K) and 12-8-1(L).

(G) **REAL ESTATE SIGNS**.

Real estate signs do not require a sign permit, as issued by the Planning Department, but shall comply with the following restrictions:

(1) **SIZE**. Real estate signs shall not exceed three square feet (3 sq. ft.) of area on the exposed sign face.

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

(3) **NUMBER OF SIGNS**. Only one (1) real estate sign is permitted on any one (1) parcel of property and must comply with the size, color, and placement standards of this Code.

(4) **SETBACK AND ORIENTATION**. Real estate signs are permitted in any district, provided that they are located a minimum of ten feet (10') 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 ten-foot (10') distance would be within a structure, the sign may be placed within three feet (3') of the front of the structure. Signs must be parallel to the street on which the building fronts, and placed in the 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(K) and 12-8-1(L). ~~On vacant lots, where there is no structure, the sign shall maintain the twenty feet (20') setback from the street.~~

(5) **OPEN HOUSES.** Real estate signs are permitted in conjunction with an open house. The signs must be of high professional quality and appropriate to the area, and may be displayed off-premise, but not within the public right of way. The signs

shall have no attachments of any kind, including but not limited to balloons, inflatable signs, and wind signs (any propeller, whirling or similar device that flutters, rotates, or displays other movement powered by wind, including "gasoline flags," banners or streamers). The signs shall be displayed during the open house and not more than one-half hour before and one-half hour after the open house, after which the signs shall be promptly removed.

A minimum number of signs reasonably necessary may be used to direct potential buyers to an open property. No individual may place two directional signs at the same location. Directional signs not associated with an open house are prohibited.

One (1) real estate sign is permitted in conjunction with an open house. The sign may be displayed off-premise, but not within the public right-of-way, only immediately prior to and during the open house and shall be removed at sundown.

(Staff Response: See Staff report)

(6) **ZONING RESTRICTIONS**. Real estate signs are allowed in all zoning districts.

~~(6) **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 earth tones.~~

(7) **CONTENT.** 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.

(H) **SPECIAL PURPOSE SIGNS**.

Signs promoting events sponsored by civic, charitable, educational, or other non-profit organizations and for-profit if sponsoring a charitable event 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. [Reason there are many business that sponsor charitable events that are important to the community] (Staff response: Staff concerned that it will be difficult to differentiate between a charitable event or a for profit event disguised as a charitable event)

(1) **SIZE**. Special purpose signs shall not exceed three square feet (3 sq. ft.) of area on the exposed sign face.

(2) **HEIGHT LIMIT**. No portion of the special purpose sign shall extend more than six feet (6') above finished grade

(3) **NUMBER OF SIGNS**. A maximum of three (3) special purpose signs is permitted on any one (1) parcel of property and must comply with the size, color, and placement standards of this Code.

(4) **SETBACK AND ORIENTATION**. Special purpose signs are permitted in any zone, provided that they are located a minimum of twenty feet (20') 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-foot (20') distance would be within a structure, the sign may be within three feet (3') of the front of the structure. 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(K) and 12-8-1(L).

(5) **ZONING RESTRICTIONS**. Special purpose signs are allowed in all zoning districts.

(7) **ILLUMINATION**. Illumination of special purpose signs is prohibited.

(I) **TEMPORARY PORTABLE SIGNS.**

The use of temporary signs advertising or identifying a business or other type of entity is allowed within the boundaries of a private plaza and is subject to the following criteria:

(1) **SIZE**. No individual portable sign may exceed twelve square feet (12 sq. ft.) in size.

(2) **NUMBER OF SIGNS**. One (1) sign is allowed per business.

(3) **ORIENTATION**. Temporary portable signs are allowed only on private property, and must not impede pedestrian circulation or ADA and Fire access no signs will be permitted on City owned property including City owned Right-of-Ways.

(4) **ZONING RESTRICTIONS**. Temporary portable signs are allowed only within the HCB, HRC and RC zoning districts.

(5) **DESIGN**. Portable signs shall be A-Frame style or straight standup. Fluorescent colors and reflective surfaces are prohibited on portable signs. Reflective colored materials that give the appearance of changing color are also prohibited. [Reasons gives more creativity to design of sign and eliminations of the finish requirement is for consistency throughout the sign code] (Staff response: See staff analysis in staff report)

(6) **PERIOD OF DISPLAY**. Temporary Portable Signs shall be allowed from November 15, until April 15.

(7) **ILLUMINATION**. Illumination of temporary portable signs is prohibited.

(J) **YARD SIGNS**.

Yard signs shall be displayed only immediately prior to and during the yard sale or garage sale, 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 C misdemeanor of littering. Yard Signs do not require a sign permit as issued by the Planning Department, but shall comply with the following regulations.

(1) **SIZE**. Yard signs shall not exceed three square feet (3 sq. ft.) of area on the exposed sign face.

(2) **HEIGHT LIMIT**. No portion of the yard sign shall extend more than six feet (6') above natural grade or finished grade whichever yields the lower sign.

(3) **NUMBER OF SIGNS**. Only one (1) yard sign is permitted on any one (1) parcel of property and must comply with the size, color, and placement standards of this Code.

(4) **SETBACK AND ORIENTATION**. Yard signs are permitted in any zone, Signs may be displayed through windows or other glass areas subject to the restrictions of Section 12-8-1(K) and 12-8-1(L).

Deleted: 24" x 36"

Deleted: with 2 1/8 inch wooden text panels, 4" legs, and 2 1/8" hardboard support panels

Deleted: A matte or flat finish is required for all surfaces.

(5) **ZONING RESTRICTIONS**. Yard signs are allowed in all zoning districts.

(7) **ILLUMINATION**. Illumination of yard signs is prohibited.

(Amended by Ord. No. 02-50; 04-01)

CHAPTER 11 - BANNERS ON CITY LIGHT STANDARDS

(Chapter Created by Ord. No. 02-60)

12-11- 1. PURPOSE STATEMENT.

Park City makes available certain City light standards for the display of banners in order to promote the visual interest and economic vitality of Park City's historic resort-based community; to promote aesthetic enhancement through artistic expression; and to contribute to the festive nature of Park City's world class resort atmosphere.

12-11- 2. ADMINISTRATION.

Banners on City light standards shall be reviewed and administered by the Special Events Department, Planning Department, and Parks Department pursuant to the criteria set forth in this Chapter.

12-11- 3. ELIGIBILITY.

Persons eligible to apply for and display banners on City light standards shall be limited to Park City Municipal Corporation and duly licensed Master Festival license holders.

12-11- 4. DISPLAY LOCATIONS, BANNER ALLOTMENT.

City light standards eligible to display banners are those along Main Street, Kearns Boulevard, Park Avenue, and Empire Avenue. The number of banners to be hung shall be sixty-three (63) along Main Street, eighteen- (18) along Kearns Boulevard, thirty- (30) along Park Avenue, and thirty- (30) along Empire Avenue.

12-11- 5. APPLICATIONS.

Applications for banners on City light standards shall be submitted to the Special Events Department and shall be approved only if the interdepartmental review team finds compliance with all criteria set forth in this Chapter. Applications shall be submitted no later than ninety- (90) days prior to the first date of the proposed display period. Applications shall at a minimum contain the following information:

(A) Proof of eligibility per Section 12-11-3;

(B) Requested display locations and dates, not to exceed a period of three (3) weeks; and

(C) A colored rendering or scaled drawing of the proposed banner, including facade dimensions and descriptions of materials and colors to be used.

If more than one (1) application for banners on City light standards is received for the same time period, the Special Events Director will determine which applicant receives priority status. Priority shall be determined on a first-come, first-served basis, based on the date a completed application is received. Where Master Festival license holders submit competing applications, display periods shall be limited to the actual event dates.

12-11- 6. DESIGN.

Banners for display on City light standards must satisfy the following design criteria:

(A) **SIZE**. Unless otherwise approved by the Parks Department, banners shall be twenty-nine inches by seventy-two inches (29" x 72") along Main Street, twenty-four inches by thirty-six inches (24" x 36") along Empire Avenue, twenty-six inches by ninety-six inches (26" x 96") along Kearns Boulevard, and twenty-six inches by ninety-six inches (26" x 96") along Park Avenue.

(B) **FABRICATION**. Fabric must be of a durable material able to withstand the elements including snow and heavy winds, with one and one half inch (1/2") brass grommets installed on both bottom corners. Additionally, banners must be sewn for mounting on existing brackets. A three and one half to four inch by twenty-nine inch (3 2" to 4" x 29") wide sleeve for Main Street, Kearns Boulevard and Park Avenue, or twenty-four inch (24") sleeve for Empire Avenue banners, at the top of the banner is required to hang the banners on brackets. Samples are available through the Parks Department. Applicants are encouraged to contact the Parks Department prior to submitting an application in order to ensure compliance with actual specifications.

(C) **SPONSORS**. Duly licensed Master Festival license holders may include the name, logo, or imagery of a sponsor, as defined at Section 4-1-1.48 of the Municipal Code, on the banner, subject to the following criteria:

(1) The sponsor's name, logo, or imagery shall occupy no more than five percent (5%) of the total banner area and must be within the bottom ten percent (10%) of the banner area.

(2) The font and scale of the sponsor's name, logo, or imagery must be either white or black in color, secondary to the Master Festival's name, logo, and imagery, and must be smaller than the font and scale of the Master Festival's name, logo, and imagery.

(3) Multiple sponsors are allowed for a single Master Festival, but only one sponsor's name may be displayed on any banner.

(4) If a corporate sponsor, as defined in Section 4-1-1.13 of the Municipal Code, is part of the official Master Festival's name, and that corporate sponsor's name, logo, or imagery is featured on the banners, no additional sponsors shall be displayed on the banners.

(D) **ARTWORK**. Fluorescent colors are prohibited on banners. [Reason have more festive looking banners – too restrictive.] (Staff response: Visual clutter)

Deleted: and reflective surfaces

Deleted: Reflective colored materials that give the appearance of changir color are also prohibited. A matte o flat finish is required for all surfaces.

Artwork should be approved at least two (2) months prior to the proposed hanging date. The design must be on both sides of the banners, unless otherwise approved by the Parks Department.

(E) **TEXT**. Banner text shall be limited to the name of the permitted Master Festival, a festival sponsor and the dates of the event.

12-11- 7. PERIOD OF DISPLAY.

Banners may be displayed for no more than three (3) weeks at a time. Applicants 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 applicant's banner. Where Master Festival license holders submit competing applications, display periods shall be limited to the actual event dates.

12-11- 8. INSTALLATION AND REMOVAL.

Banners must be received by the Parks Department no later than one (1) week prior to the first date of scheduled display. City personnel shall install all banners on City light standards. The applicant and the Parks staff will arrange installation and removal dates. If the applicant does not retrieve the banners from the Parks Department within ten (10) days after removal, the banners shall become the property of the City and will be disposed of.

12-11- 9. LIABILITY.
The applicant shall agree to assume full liability and indemnify the City for any damage to persons or property arising from the display of the banners by the City. The City is not responsible for any damage that may occur to the banners from any cause.

12-11-10. FEES.

(A) **APPLICATION FEE**. Banner applications shall be assessed a temporary sign fee. All application fees are due and payable upon submission of a completed application.

(B) **INSTALLATION AND REMOVAL FEES**. Upon receipt of a completed application, the Parks Department will provide the applicant with an estimate of fees based services arising from the installation and removal of the on estimated costs for City banners, including but not limited to the use of City personnel and/or equipment. A final assessment of City costs will occur upon completion of the Special Event, and installation and removal fees will be adjudged to reflect actual cost.

Installation and removal fees must be paid in full within thirty (30) days of the final assessment of City costs for the Master Festival or Special Event.

(Amended by Ord. No. 02-60)

CHAPTER 12 - MASTER FESTIVAL AND SPECIAL EVENT SIGN PLAN

(Chapter created by Ord. No. 04-01)

12-12- 1. SIGN PLAN REQUIRED.

All Master Festival and Special Event licensees desiring permission to display temporary signs related to an approved Master Festival shall submit a Master Festival Sign Plan as part of the application for a Master Festival license. The Planning and Special Events and Facilities Departments shall review Master Festival Sign Plans for compliance with the standards below prior to permit issuance.

12-12- 2. MASTER FESTIVAL BANNERS.

The use of banners identifying an event and/or sponsor is allowed within the boundaries of the approved Master Festival venue, subject to the following criteria:

(A) **SIZE**. No individual Master Festival banner may exceed thirty-six square feet (36 sq. ft.) in size.

(B) **NUMBER OF SIGNS**. One (1) banner is allowed per venue. Additionally, one (1) banner is allowed on the external façade of any building or structure within a venue, including temporary structures. Staff may approve additional banners within a venue upon finding that the banners contribute to the overall festival atmosphere or theme of the event consistent with the purpose and scope of Section 12-1-1, the design is consistent with Section 12-3-3(A) as applied to the event, and that any commercial advertising message is secondary to such look and feel design elements for the event. There is no limit on banners within a fully enclosed structure.

(C) **SETBACK AND ORIENTATION**. Master Festival banners are allowed only on or within approved venues.

(D) **ZONING RESTRICTIONS**. Master Festival banners are allowed within all zoning districts.

(E) **DESIGN**. Fluorescent colors and reflective surfaces are prohibited on banners. Reflective colored materials that give the appearance of changing color are also prohibited. A matte or flat finish is required for all surfaces.

(F) **PERIOD OF DISPLAY**. Master Festival banners may be displayed only during the approved time of the Master Festival.

(G) **ILLUMINATION**. Illumination of temporary business signs is prohibited.

12-12- 3. SPECIAL EVENT BANNERS.

The use of banners is allowed within the boundaries of the approved Special Event venue, subject to the following criteria:

(A) **SIZE**. No individual Special Event banner may exceed thirty-six square feet (36 sq. ft.) in size.

(B) **NUMBER OF SIGNS**. One (1) banner is allowed per venue. Additionally, one (1) banner is allowed on the external façade of any building or structure within a venue, including temporary structures. Each banner shall be consistent with Section 12-3-3(A) as applied to the event, and any commercial advertising message must be secondary to such look and feel design elements for the event.

(C) **SETBACK AND ORIENTATION**. Special Event banners are allowed to be oriented only within approved venues.

(D) **ZONING RESTRICTIONS**. Special Event banners are allowed within all zoning districts.

(E) **DESIGN**. Fluorescent colors and reflective surfaces are prohibited on banners. Reflective colored materials that give the appearance of changing color are also prohibited. A matte or flat finish is required for all surfaces.

(F) **PERIOD OF DISPLAY**. Special Event banners may be displayed only during the approved time of the Special Event.

(G) **ILLUMINATION**. Illumination of temporary business signs is prohibited.

12-12- 4. MASTER FESTIVAL DIRECTIONAL SIGNS.

Municipal and/or event owned directional signs in the form of electronic message signs and portable signs are allowed for the purpose of identifying and/or directing vehicular or pedestrian traffic to parking areas, transportation centers and venues.

12-12- 5. MASTER FESTIVAL PROJECTION SIGNS.

Temporary projection signs that are part of an approved Master Festival license may be allowed for the duration of the Master Festival permit provided they are directed downward and the light source is shielded from any view but the intended mark of the sign.

12-12- 6. TEMPORARY SIGNS.

Staff may approve temporary signs within a Master Festival or Special Event venue upon finding that the signs contribute to the overall resort atmosphere or theme of the event consistent with the purpose and scope of Section 12-1-1, the design is consistent with Section 12-3-3(A) as applied to the event, and that any commercial advertising message is secondary to such look and feel design elements for the event. There is no limit on signs within a fully enclosed structure.

CHAPTER 13 - HISTORIC SIGNS

12-13- 1. HISTORIC SIGNS EXEMPT.

Other than safety and structural requirements, the provisions of the Sign Code may be exempted by the Planning Director for historic signs upon application for designation by the sign owner, and consent from the building owner.

12-13- 2. HISTORIC SIGN REVIEW PROCEDURE.

The Planning Director may determine that a Sign is historic based on the guidelines below. Notwithstanding safety, maintenance, or structural regulations, a sign so designated by the Planning Director shall be deemed to conform to this Chapter.

12-13- 3. HISTORIC SIGN CRITERIA.

To designate a sign as historic, the Planning Director must make findings based on the following criteria:

(A) The sign is at least fifty- (50) years old.

(B) The sign possesses unique physical design characteristics, such as configuration, color, texture, or other unique characteristics.

(C) The sign is of significance to the City and makes a contribution to the cultural, historic, aesthetic quality, or the City's streetscape.

(D) The sign is integrated into the architecture of the building or the site.

(E) The sign is exemplary technology, craftsmanship, or design of the period in which it was constructed; uses historic sign materials such as wood, metal, or paint directly applied to buildings, and means of illumination such as neon or incandescent fixtures; and is not significantly altered from its historic period. If the sign has been altered, it must be restorable to its historic function and appearance.

(F) The sign is structurally safe, or is capable of being made so without substantially altering its historical significance.

12-13- 4. REMOVAL OF HISTORIC SIGNS.

Once designated a historic sign, and defined as an important characteristic of Park City's history, the building owner must receive Historic Preservation Board approval to remove the sign.

CHAPTER 14 – OUTDOOR VEHICLE DISPLAYS

(Chapter created by Ord. No. 04-01)

12-14- 1. PURPOSE AND SCOPE.

The City Council of Park City, Utah hereby finds that there is a substantial and compelling need to allow limited outdoor display of vehicles due to the unique relationship between vehicle sponsors of Master Festivals and the City's ski resorts. Such a need must be balanced with the City's aesthetic concerns as stated in Section 12-1-1. Accordingly, the City shall only permit outdoor vehicle displays pursuant to the regulations stated herein. Such displays are not signs and shall not count towards sign square footage limitations, nor receive the benefit of sign exemptions.

12-14- 2. DISPLAY.

Sponsor vehicles may be displayed subject to the following criteria:

(1) The display is within a Master Festival venue or a ski base facility in the RC, RC-MPD or RD-MPD zones;

(2) The display is consistent with the purpose and scope of Section 12-1-1, the design is consistent with Section 12-3-3(A) as applied to the orientation of the display which shall be generally to the interior of the venue or ski base facility, and that any commercial advertising message is secondary to such look and feel design elements for the event;

(3) The display is only for the display of the vehicle; no additional solicitation or advertising is allowed as a consequence of the vehicle other than a sign identifying the sponsor not to exceed three square feet (3 sq. ft.). The vehicle may be wrapped in additional design elements, ski team or athlete images so long as the wrap contributes to the overall resort atmosphere or theme of the ski area or event consistent with the purpose and scope of Section 12-1-1, the design is consistent with Section 12-3-3(A) as applied to the area or event, and that any commercial advertising message is secondary to such look and feel design elements;

(4) The proposed vehicle display does not impede vehicular or pedestrian circulation;

(5) The proposed vehicle display does not impede emergency access or services.

CHAPTER 15 - APPEALS

12-15- 1. APPEALS.

Any applicant who believes a denial is not justified, has the right to appeal to the Planning 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 Planning Director in writing within ten (10) business days following the denial of the permit by the Planning Department.

Applicants may have any action of the Planning Commission reviewed by the City Council by petitioning in writing within ten (10) business days following Planning 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, Section 15-1.

(Amended by Ord. No. 04-01)

CHAPTER 16 - VIOLATION OF TITLE

12-16- 1. PENALTY.

Violation of this Title is a Class "C" misdemeanor.

12-16- 2. PENALTY FOR PLACEMENT OF HANDBILLS OR SIGNS ON PUBLIC PROPERTY.

The Police Department, Public Works Department, Parks and Recreation Department, or the Planning Department may remove handbills or signs found posted upon any Public Property contrary to the provisions of this section. The person responsible for any such illegal posting shall be liable for triple the cost incurred in the removal thereof and the City is authorized to effect the collection of said cost, in addition to any criminal fine collected under Section 12-15-1.

(Amended by Ord. No. 04-01)