

**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
NOVEMBER 3, 2005**

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building City Council Chambers, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, November 3, 2005.

Closed Session – Executive Conference Room

3:00 p.m. Property and litigation

Work Session – City Council Chambers

4:30 p.m. Council questions and comments

4:40 p.m. Fire District update – Chief Kelly Gee

5:00 p.m. State tax legislation

5:30 p.m. Sign Code

5:50 p.m. Break

Regular Meeting – City Council Chambers

6:00 p.m.

I ROLL CALL

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

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

IV CONSENT AGENDA PUBLIC HEARING

Ordinance approving the first amended Shooting Star at the Village at Empire Pass Condominium record of survey plat, Park City, Utah

V CONSENT AGENDA

Ordinance approving the first amended Shooting Star at the Village at Empire Pass Condominium record of survey plat, Park City, Utah

VI NEW BUSINESS

Ordinance amending the Municipal Code, Title 12, Sign Code

- Continuation of public hearing
- Action

VII ADJOURNMENT

A majority of City Council members may meet socially after the meeting. If so, the location will be announced by the Mayor. City business will not be conducted.

Posted: 10/31/05

See www.parkcity.org

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the City Recorder at 435-615-5007 at least 24 hours prior to the meeting.

Note: This future meeting schedule is TENTATIVE and subject to change.
PARK CITY COUNCIL TENTATIVE MEETING SCHEDULE

November 2005

- 8 *Municipal Election Day*
- 10 Ordinance – 2451 Iron Mountain Drive plat amendment – Kirsten
Event parking and China Bridge expansion – Brian
For-hire vehicles – work session
MFL – Holidays on Main Red Raffle Program – HMBA – Max
MFL – The First NoMeI – NOMA - Max
Ordinance approving maintenance agreement and accepting the public improvements at April Mountain Subdivision
Ordinance – Iron Mountain Drive plat amendment – Kirsten
Ordinance – 631-633 and 639 Park Avenue record of survey – Kirsten
Ordinance – 1058 Lowell Avenue plat amendment – David
Ordinance – 21 Eagle View Court plat amendment - David
- 15 Official Election Canvass (*Tentative*)
- 17 Joint board work session – Empire Pass development agreement; historic preservation; IHC task force recommendation – (2 hours)
Ordinance- approving a plat amendment for The Public Works Building, located at 1630 Short Line Road – Pat
Amendment to Interlocal Transit Agreement – consent agenda
Bond resolution - Community Impact Board water bonds
Ordinance – 1825 Three Kings Drive Silver Star Condo Buildings G-M record of survey - Kirsten
- 24 **No meeting** - Thanksgiving

December 2005

- 1 Affordable housing plan – work session (1 hour)
Ice Arena fees and programs – work and action (45 min)
Quinns Junction transit service – work session (30 min)
Ordinance – 570 Deer Valley Drive, The Lofts record of survey condominium plat - Ray
- 8
- 15 Resolution adopting housing plan – public hearing and action
- 22
- 29 **No meeting**

January 2006

- 5 **No meeting**
- 12
- 17-18 *Council Visioning Workshop*
- 19 **No meeting**
- 26

Pending Items:

KPCW lease

General Plan update

Regional bus service SLC

Conveyance of easement from Iron Mountain & Associates

One year review of Ordinance No. 05-49, outdoor display of merchandise – August 2006

One year review of land use associated with purchase of Aerie Drive/Deer Valley Drive property – August 2006

City Council Staff Report



Author: Tom Bakaly & Gary Hill
Subject: TAX LEGISLATION
Date: November 3, 2005
Type of Item: Discussion

Budget, Debt, and Grants

Discussion of current legislative proposals on tax reform and how they could impact Park City and other units of local government.

Topic:
Tax Legislation

Background:

Over the past two years, Utah legislators have proposed initiatives to change the State's tax structure. These proposals have ranged from changing how sales tax is distributed to the elimination of RDAs. In response to this, the Utah League of Cities and Towns created a "Tax Team" made of representatives of 19 communities from across the state to come up with a League-wide tax position. Park City has actively participated in this process, which resulted in the adoption of the League's tax policy on September 16th of this year.

During last year's legislative General Session, Representative Wayne Harper proposed "streamlining" sales tax in the state by creating a single sales tax rate to be applied in every jurisdiction in the state. During the same session, Senator Greg Bell proposed changing the sales tax distribution formula from 50% point of sale/50% population to 100% population, and Senator Curtis Bramble created a bill that put a moratorium on RDAs for one year.

While no bills (outside of RDA bill) actually passed, the legislature did approve the creation of a task force to study the State's tax structure. The Tax Reform Task Force has met almost bimonthly since May, and has considered proposals in four subcommittees:

- Income Tax
- Property Tax
- Sales Tax
- RDA and Other Taxes

The last meeting of the Tax Reform Task Force was held on October 12th. The full set of recommendations/options from the subcommittees is attached to this report (see Attachment 1 – ***Working Group Recommendations and Task Force Action***). The

Task Force is now presenting these recommendations to the residents of Utah at public hearings around the state.

Of particular concern is a recommendation to eliminate the local option sales tax altogether. In this proposal, the 1% local option tax that all cities currently impose would become a state sales tax used to fund education. Cities and towns would increase their property tax to replace the lost revenue, and school districts would reduce their property tax rates to offset new money from the state. Although the 1% Resort Tax would remain in place, this proposal would have a dramatic negative impact on Park City's tourist economy. This entire proposal is outlined in Attachment B – ***Improving Utah's State and Local Tax System: Aligning Revenue Sources with Services.***

On November 3rd, Staff will update City Council on this and other related proposals and review the City's efforts to work with the League of Cities and Towns and our legislative representatives.

Attachments:

A: Legislative handout: ***Working Group Recommendations and Task Force Action***

B: Legislative handout: ***Improving Utah's State and Local Tax System: Aligning Revenue Sources with Services.***

C: Park City's Tax Reform Lobbying Work Plan (draft)

Utah Legislature
Tax Reform Task Force
Working Group Recommendations and Task Force Action
as of October 12, 2005

Working Group	Working Group Recommendation	Task Force Action	Bill Drafted?	Revenue Effect (of Task Force Action)
RDA and Other Taxes	Amend insurance premium tax to lower the tax rate on certain types of insurance policies.	On Sept 7, draft legislation approved by Tax Reform Task Force. On Sept 21, draft legislation approved by the Revenue and Taxation Interim Committee.	Yes	Under review by Legislative Fiscal Analyst (LFA)
RDA and Other Taxes	No working group recommendation. Proposal introduced to eliminate 1% local option sales and use tax "hold harmless" provision.	On Oct 12, Tax Reform Task Force voted to send hold harmless elimination proposal to Revenue and Taxation Interim Committee and public hearings.	No	No net revenue effect, shift of some local funds
Income	Change individual income tax base to federal Adjusted Gross Income with no deductions, 4% rate (preliminary starting point).	On Oct 12, the Tax Reform Task Force voted to send 4 proposals to the Revenue and Taxation Interim Committee and public hearings: (1) Gov. Huntsman's proposal (2) Gov. Huntsman's proposal revised to eliminate the personal exemption limit and allow a credit for mortgage interest (3) Rep. Dougall's proposal to adopt a flat income tax and provide a sales tax credit for those below certain income levels (4) Rep. Urquhart's proposal to reduce income tax by \$40M by expanding existing brackets	No	Would depend upon proposal adopted
Income	Refer to the Constitutional Revision Commission (CRC), with a favorable recommendation, a proposed constitutional amendment that eliminates the earmarking of income taxes for education.	On Sept 1, CRC voted to not support this proposal. On Oct 5, Tax Reform Task Force voted to table.	Yes	None

Working Group	Working Group Recommendation	Task Force Action	Bill Drafted?	Revenue Effect (of Task Force Action)
Income	Recommend that the Tax Reform Task Force have a full and open discussion of options to change the state individual income tax.	Under consideration by Tax Reform Task Force.	N/A	None
Income	Repeal the state gross receipts tax and gross receipt tax increases imposed during the 1995 General Session. Require that the savings from the tax reduction to be passed along to ratepayers.	On Oct 5, Tax Reform Task Force voted to send draft legislation to Revenue and Taxation Interim Committee and public hearings.	Yes	LFA estimates \$3.4 million decrease to the Uniform School Fund
Income	Change the state corporate franchise & income taxes to allow a taxpayer to elect to use a single sales factor apportionment methodology.	On Oct 5, Tax Reform Task Force voted to send draft legislation to Revenue and Taxation Interim Committee and public hearings.	Yes	LFA estimates \$32.6 million decrease to the Uniform School Fund
Property	Refer to the CRC, without recommendation, a proposed constitutional amendment allowing legislature to exempt certain personal property from the property tax.	CRC voted at its Sept 1 meeting to not support this proposal. On Sept 15, Tax Reform Task Force voted to present the draft bill in public hearings. On Oct 5, Tax Reform Task Force voted to send draft legislation to Revenue and Taxation Interim Committee and public hearings.	Yes	No impact from constitutional change. Revenue impact would depend on subsequent legislative action, if constitutional change approved by voters
Property	Recommend two legislative options "Advertising Property Tax Increases" and "Requirement of Property Tax Increase Advertisement" that modify the newspaper advertisement required to be issued by taxing entities proposing to increase their certified rate.	On Oct 5, Tax Reform Task Force voted to send "Advertising Property Tax Increases" to Revenue and Taxation Interim Committee and public hearings.	Yes	LFA estimates no fiscal impact

Working Group	Working Group Recommendation	Task Force Action	Bill Drafted?	Revenue Effect (of Task Force Action)
Property	Recommend to the full task force draft legislation titled "Property Tax - Certified Tax Rate Adjustment."	Under consideration by Tax Reform Task Force	Yes	LFA estimates amount of increased local revenues will vary based on CPI, but would be in the range of \$13 million annually.
Property	Recommend to the full task force draft legislation titled "Voted Leeway Amendments."	On Oct 12, Tax Reform Task Force voted to send 2 proposals to the Revenue and Taxation Interim Committee and public hearings: (1) "Voted Leeway Amendments" draft legislation, as adopted by working group (2) New draft legislation to provide that if a school district desires to be exempt from the newspaper advertisement requirement for its voted leeway property tax levy, that the levy must be subject to a sunset date.	Yes	"Voted Leeway Amendments" under review by LFA. Effects would depend on action taken by school districts.
Property	Limit the property tax primary residential exemption to 45% of the first \$100,000 of fair market value.	On Sept 15, Tax Reform Task Force voted to table.	Yes	None
Property	No working group recommendation. Proposal introduced to increase property tax circuit breaker amounts and expand eligibility, with a commensurate change in the renters credit and an adjustment to link age of eligibility with Social Security retirement age	On Oct 12, Tax Reform Task Force voted to send proposal to Revenue and Taxation Interim Committee and public hearings.	No	OLRGC estimates approximately \$6M for the property tax circuit breaker portion only (renter's credit would be additional)
Sales	Increase sales and use tax base to include certain personal consumption services	On Oct 12, Tax Reform Task Force voted to table.	No	Approximately \$150 million state General Fund increase & \$50 million local fund increase**

Working Group	Working Group Recommendation	Task Force Action	Bill Drafted?	Revenue Effect (of Task Force Action)
Sales	Provide a \$75 per person refundable income tax credit to compensate for sales and use taxes on food for those below certain income thresholds	On Oct 12, Tax Reform Task Force voted to send proposal to Revenue and Taxation Interim Committee and public hearings.	No	Approximately \$50 million to \$60 million Uniform School Fund decrease, assuming full participation
Sales	Exempt from sales and use taxes all business inputs used in the production process in specified primary industries	On Oct 12, Tax Reform Task Force voted to send to Revenue and Taxation Interim Committee and public hearings the proposal exempting inputs in specified industries, with the preferred option being for inputs with a one year life or greater, but all useful life period estimates presented.	No	Approximately \$160 million state General Fund decrease and \$55 million local fund decrease**
Sales	Exempt from the sales and use tax telecommunications capital equipment	On Oct 12, Tax Reform Task Force voted to send to Revenue and Taxation Interim Committee and public hearings (along with broader business inputs proposal).	No	Approximately \$7 million to \$13 million state General Fund decrease and \$2 million to \$5 million local fund decrease**
Sales	Review existing sales and use tax exemptions	Under consideration by Tax Reform Task Force	No	Would depend on decision taken by the task force
Sales	Establish a uniform sales and use tax rate statewide (various options)	On Oct 12, Tax Reform Task Force voted to send proposal to Revenue and Taxation Interim Committee and public hearings (joint proposal with property and sales tax shift).	No	Various funding shifts. The proposal is intended to be revenue neutral at the state level.
Sales	Tax cable and satellite similarly	On Oct 12, Tax Reform Task Force voted to send to Revenue and Taxation Interim Committee and public hearings a proposal to equalize taxation of cable and satellite industries by providing a tax credit against the state excise tax for the cable industry.	No	LFA to review after bill drafted
Sales	Tax all personal property the same, regardless of attachment to real property	Under consideration by Tax Reform Task Force	No	Would depend on decision taken by the task force

Working Group	Working Group Recommendation	Task Force Action	Bill Drafted?	Revenue Effect (of Task Force Action)
Sales	For the existing manufacturing sales and use tax exemption, more clearly define the difference between a repair part and a part that extends the useful life of equipment	On Oct 5, Tax Reform Task Force voted to draft legislation exempting both replacement and repair and to send to Revenue and Taxation Interim Committee and public hearings.	No	LFA to review after bill drafted
Sales	More clearly define isolated and occasional sales and use tax exemption	On Sept 9, Tax Review Commission passed draft legislation. On Oct 5, Tax Reform Task Force voted to send draft legislation to Revenue and Taxation Interim Committee and public hearings.	Yes	Under review by LFA
Sales	More clearly define which state and local telecommunication taxes and fees should be imposed on the provider and which should be imposed on the consumer	On Oct 12, Tax Reform Task Force voted to have the Tax Commission handle this issue through rulemaking.	No	None
Sales	More clearly define the difference between custom (non-taxable) and "canned" (taxable) software	Under consideration by Tax Reform Task Force	No	Would depend on decision taken by the task force
Sales	(1) Modify "locally grown" agricultural products statutory language to allow an exemption for a farmer's sale of a farmer's produce and repeal "locally grown" requirement or (2) repeal exemption entirely	On Oct 5, Tax Reform Task Force voted to draft legislation exempting agricultural products sold by the producer, the producer's family or the producer's statutory employee and to send to Revenue and Taxation Interim Committee and public hearings.	No	LFA to review after bill drafted
Sales	Tax all assisted car washes, laundry facilities, and amusement devices and exempt all unassisted car washes, laundry facilities, and amusement devices	On Oct 12, Tax Reform Task Force voted to send proposal to Revenue and Taxation Interim Committee and public hearings.	No	LFA to review after bill drafted
Sales	Treat similar transportation types similarly	Waiting for Tax Review Commission recommendation and under consideration by Tax Reform Task Force	Yes	Would depend on decision taken by the task force

Working Group	Working Group Recommendation	Task Force Action	Bill Drafted?	Revenue Effect (of Task Force Action)
Sales	Examine newspaper exemption as part of general review of sales and use tax exemptions	On Oct 12, Tax Reform Task Force voted to send a proposal to tax newspapers to the Revenue and Taxation Interim Committee for comment and to present the proposal for comment at public hearings.	No	Would depend on decision taken by the task force
Sales	Refer proposal to provide a sales and use tax exemption for dental prostheses to Tax Review Commission for recommendation	Waiting for Tax Review Commission recommendation	No	Would depend on decision taken by the task force
Sales	Retain sales and use tax exemption for fuel and, if additional revenues for transportation are necessary, increase the fuel tax	Waiting for Task Force review and action	No	Would depend on decision taken by the task force
Sales	Shift city and county sales and use taxes to school districts and school district property taxes to cities and counties	On Oct 12, Tax Reform Task Force voted to send three proposals to Revenue and Taxation Interim Committee and public hearings for consideration: (1) Shift of sales/use and property taxes (joint proposal with single statewide sales and use tax rate) (2) 75% population / 25% point of sale distribution of 1% local option sales and use tax (3) 50% population / 25% point of sale / 25% wage distribution of 1% local option sales and use tax	No	Various funding shifts. The proposal is intended to be revenue neutral at the state level.

* The Utah State Tax Commission estimates that this is the 2005-06 revenue neutral rate

** Preliminary state revenue estimate from Utah State Tax Commission. Local funds are estimated at 1/3 of state estimate.

Improving Utah's State and Local Tax System: Aligning Revenue Sources With Services

October 12, 2005 Draft

Background

This proposal accomplishes four important goals to more closely align the types of services provided by different government entities with the revenue sources used to fund those services.

Municipalities. First, it establishes the property tax as a primary source of revenue for municipalities, which provide services to property. If a parcel of ground is not improved, there are few, if any, services for a municipality to provide. Police, fire, roads, water, etc., are services provided to benefit *improved* property. This is why historically the property tax has been a logical and natural choice to fund municipal services and why Utah's state and local tax system should emphasize the property tax as a benefit tax. Services provided to property should primarily be financed by taxes on that property.

Schools. Second, while property taxes should primarily be used to fund municipal services, financing public education in Utah has historically been a state responsibility. The state's minimum school program provides a fair and equitable funding system for all school children, no matter where in Utah they may live. This proposal maintains and strengthens this historical state commitment to public education by adding the sales and use tax as an important component of public education funding.

Counties. Third, the proposal recognizes the unique role of counties in providing important public services that are usually over a wide geographical area. For the most part, counties do not provide services directly related to property. Rather, they provide services such as jail operation, property tax system administration, flood control, public health, and social services. Counties are also an important provider of many state government services. Because counties act as agents of the state, it is appropriate for them to rely on the sales and use tax as one source of revenue.

Transportation. Finally, this proposal recognizes the tax contribution of motor vehicles to the state sales tax and allocates a portion of state sales taxes to fund transit and transportation.

Proposal

This proposal is revenue neutral at the state level.

Sales and Use Tax

Adopt a uniform statewide sales and use tax rate of 6.35 percent consisting of the following:

- ▶ 5.85 percent state rate *;
- ▶ 0.25 percent county rate; and
- ▶ 0.25 percent transportation (local roads and/or transit) rate.

The two Resort Community Sales and Use Taxes established under Part 4, Chapter 12, Title 59 (and possibly other sales and use taxes) would continue to be levied but would be considered as “non-agreement” taxes under the Streamlined Sales and Use Tax Agreement. (The transition to replacement revenue sources for the various local option sales and use taxes is described below.)

In order to achieve a uniform statewide sales and use tax rate, if a county does not impose the county option sales and use tax, or if a county or municipality does not impose the transportation sales and use tax, a replacement tax will be imposed by the state and the revenue used for state purposes with a commensurate reduction in property taxes.

The portion of the additional public transit tax in counties of the first class that is now deposited into the Public Transportation System Tax Highway Fund created under Section 72-2-121 would be assumed by the state.

Public Education Financing

- ▶ Revenue from a one percent state sales and use tax would be allocated to the Uniform School Fund to be distributed to school districts under the minimum school program.

Property Tax

- ▶ Establish the property tax as a primary source of revenue for municipalities.
- ▶ Eliminate the minimum basic property tax levy imposed by a school district under the

minimum school program.

- ▶ Beginning with the first year of implementation, a certified property tax rate:
 - ▶ imposed by a school district must be adjusted to compensate for the additional revenue that the school district receives from the Uniform School Fund;
 - ▶ imposed by a municipality that imposes the transportation tax for the first time must be adjusted to compensate for the additional revenue that the municipality receives from the transportation sales and use tax;
 - ▶ imposed by a county that imposes the county option sales and use tax or the transportation sales and use tax for the first time, must be adjusted to compensate for the additional revenue that the county will receive from the county sales and use tax and the transportation sales and use tax;
 - ▶ during the first year of implementation only, may be increased (with the notice and advertisement requirements waived) by a municipality or county to replace the revenue that the entity received during a prior base period from the one percent local option sales and use tax; and
 - ▶ during the first year of implementation only, and except as provided above, may be increased only with voter approval.

Transition

This proposal will take effect on July 1, 2006. The transition to replacement revenue sources and new administrative structures (where applicable) is as follows:

Sales and Use Tax To Be Eliminated or Modified	Replacement Revenue Source	New Program/ Administrative Entity	FY 2005 Revenue From the Sales and Use Tax
Local Sales and Use Tax	Property tax capacity formerly used by school districts.	None	\$356,496,094
County Option Botanical, Cultural, Recreational, and Zoological Organizations or Facilities	General Fund *	Grants to non-profit organizations, municipalities, and counties for zoological, cultural, and recreational programs. Department of Community and Culture	\$19,632,622 Salt Lake, Uintah, Summit, Cache and Weber counties impose this tax.
City or Town Option Funding for Botanical, Cultural, Recreational, and Zoological Organizations or Facilities	General Fund *	Grants to non-profit organizations, municipalities, and counties for zoological, cultural, and recreational programs. Department of Community and Culture	\$24,427 (one quarter only of FY 2005) Tooele City imposes this tax. If approved by the voters, Orem City may impose this tax beginning April 1, 2006.

Sales and Use Tax To Be Eliminated or Modified	Replacement Revenue Source	New Program/ Administrative Entity	FY 2005 Revenue From the Sales and Use Tax
Public Transit Option (Additional Rate)	General Fund	Grants to public transit districts. Department of Transportation	\$50,000,000 (Est.) This tax is imposed by county and municipal governments in Salt Lake, Davis, and Weber counties.
Rural county health care facility	General Fund * (or as a non-SST tax)	Grants to counties to operate hospitals and other health care facilities. Department of Health	\$4,619,572
Rural municipality health care facility	General Fund * (or as a non-SST tax)	Grants to municipalities to operate hospitals and other health care facilities. Department of Health	\$328,301 Beaver City imposes this tax.
Resort communities (basic rate)	No change	“non-SST” tax	\$9,478,694
Resort communities (additional rate)	No change	“non-SST” tax	(included above)
Municipal Option Highway or Public Transit	No change	Modify to allow a county to also impose this tax only in unincorporated areas.	\$8,263,443
County Option Highways, Fixed Guideways, or Public Transit	None	None	Not imposed

Sales and Use Tax To Be Eliminated or Modified	Replacement Revenue Source	New Program/ Administrative Entity	FY 2005 Revenue From the Sales and Use Tax
Town Option	No change.	“Non-SST” tax.	\$25,000 (Est.) This tax is imposed by the Town of Snowville

There are no changes to the following sales and use taxes:

Public Transit Option (Section 59-12-501)

County Option Sales and Use Tax (Title 59, Chapter 12, Part 11). This tax is now not imposed by Emery, Kane, and Millard Counties. To achieve a uniform statewide sales and use tax rate, this tax would either: (a) be imposed by these counties; or (b) be replaced with a state sales and use tax and used for state purposes. Under both options there would be a commensurate reduction in property tax revenues to be revenue neutral.

* The state rate will be reduced over the next 10 years as the authorization periods for the following currently authorized County Option Botanical, Cultural, Recreational, and Zoological Organizations or Facilities, City or Town Option Funding for Botanical, Cultural, Recreational, and Zoological Organizations or Facilities, Rural county health care facility, and Rural municipality health care facility sales and use taxes expire:

Sales and Use Tax	Imposed by	Authorization Expires
Rural municipality health care facility.	Beaver City	January 1, 2015
Rural county health care facility	Garfield County	April 1, 2010
Rural county health care facility	Kane County	April 1, 2013

Sales and Use Tax	Imposed by	Authorization Expires
Rural county health care facility	Uintah County	April 1, 2010
County ZAP	Cache County	April 1, 2013
County ZAP	Salt Lake County	December 31, 2014
County ZAP	Summit County	July 1, 2011
County ZAP	Uintah County	October 1, 2006
Municipal ZAP	Tooele City	April 1, 2015

Exhibit C - Tax Reform Lobbying Work Plan (10-31-05)

Park City's plan for working with the Legislature should focus on building consensus with the League of Cities and Towns, peer communities and their legislators. Additional efforts should focus on educating other organizations (counties, school districts, etc.) about detrimental legislative changes.

1- Update Bev Evans, Dave Ure, and Ross Romero on the League's position and the proposals made by the Tax Reform Task Force.

- Meet with each of them within the month to bring them up to speed on all of proposals on the table and Park City's position.
- Meet at least monthly between now and the legislative session to keep them updated.
- Meet at least every two weeks during the session.

2 – Continue to actively participate with the League to push the ULCT Tax Position that was adopted on September 16th, 2005.

- Attend all Legislative Policy Committee meetings to maximize our vote
- Staff to continue to work with Tax Team and other task forces
- Elected officials to participate on boards and committees (nominations committee, Board of Directors, etc)

3 – Work with other groups and communities (and their legislators) that have similar interests and issues:

- Inform counties and school districts of the impacts of potential legislation
- Work with city officials to uniformly support the League's position
- Provide talking points that all can use to inform legislators
- Meet with the cities and their legislators as necessary

4 – Work with UTA and other transit agencies to support changes to the Transit Tax

- UTA: Katherine Pett, Mike Allegra
- Logan Transit
- St. George: Suzanne Allen, Gary Esplin, Sean Guzman

5- Ensure that the City retains the Resort Communities and the Transit taxes in at least their current forms (i.e. same rate and 100% point of sale distribution). Work for expanded taxing authority if possible.

- Get on the road and educate legislators in their home areas
- Form a coalition with transit and resort communities and their legislators
- Work with other legislators supportive of transit and local tourism
 - o Tourism Task Force members
 - o Senator Valentine
 - o Dave and Bev

6- Take advantage of other lobbying resources and their connections

- Chamber Bureau
- Community members
- Etc...

City Council Staff Report



Author: Brooks T. Robinson
Subject: Village at Empire Pass,
Amendment to Shooting Star Lodge
Condominium Record of Survey

Date: November 3, 2005
Type of Item: Administrative

**PLANNING
DEPARTMENT**

Summary Recommendations:

Staff recommends the City Council hold a public hearing for an amendment to the Shooting Star Lodge at the Village at Empire Pass condominium record of survey plat. Staff has prepared findings of fact, conclusions of law and conditions of approval for the City Council's consideration.

Topic:

Applicant	East West Partners
Location	Pod A, Village at Empire Pass
Zoning	Residential Development (RD) as part of the Flagstaff Master Planned Development (MPD)
Adjacent Land Uses	Deer Valley Resort, other development parcels of the Village at Empire Pass Pod A.

Background:

On June 24, 1999, Council adopted Ordinance 99-30 and Resolution 20-99 approving the annexation and development agreement for the 1,655 acre Flagstaff Mountain area. Resolution 20-99 granted the equivalent of a "large-scale" master planned development (MPD) and set forth the types and locations of land use; maximum densities; timing of development; development approval process; as well as development conditions and amenities for each parcel.

On July 28, 2004, the Planning Commission approved a Master Planned Development for the Village at Empire Pass, aka Pod A. As part of the Commission review of the MPD, Building Two (Shooting Star) was examined carefully for height, layout and architectural character, as it was the furthest along in terms of design and provided detailed insight into the architectural nature of the overall development. A height exception was granted for Building Two.

On August 25, 2004, the Planning Commission approved a Conditional Use Permit for the Shooting Star Lodge for 21 units plus an ADA unit utilizing 36,481 square feet and 18.3 Unit Equivalents.

On September 30, 2004, the City Council approved a Final Subdivision Plat for the Village at Empire Pass, Phase I. The Shooting Star Lodge is located on lot 8. The City Council approved the Shooting Star Lodge condominium record of survey on November 4, 2004.

The proposal is to enclose an exterior deck on the first level and convert the 221 square feet into a support commercial office. The deck is currently platted as common space. The applicant, East-West Partners, still owns 100% of the building. The new space will be platted as a private commercial unit.

The Planning Commission reviewed this application at its regular meeting of October 26, 2005, and forwards a positive recommendation.

Analysis:

Resort Support Commercial uses are allowed up to a total of 75,000 square feet in the Flagstaff Development Agreement (section 2.2.1.5). General Office is required to have 3 parking spaces per thousand square feet of area. The parking requirement for this space is one parking stall. The 21 residential units require 42 parking spaces per the LMC. The Development Agreement reduced the parking requirement by 25%, thereby requiring 32 spaces. The applicant has 33 spaces including a parking space allocated to the common ADA unit. The platted common ADA unit cannot be separately rented (to use it an owner or guest must be occupying another unit) and is appurtenant to all the other units. In effect, the ADA unit is like another room within a unit and the 32 parking spaces for the 21 residential units is sufficient. The 33rd parking space may be considered for the commercial unit.

Department Review

This project has gone through an interdepartmental review. No further issues were brought up at that time.

Notice

The property was posted and notice was mailed to property owners within 300 feet. Legal notice was also put in the Park Record. No public input has been received by the time of this report.

Alternatives

1. The City Council may approve the Shooting Star Lodge amended record of survey condominium plat as conditioned or amended; or
2. The City Council may deny the Shooting Star Lodge amended record of survey condominium plat and direct staff to make Findings for this decision; or
3. The City Council may continue the discussion on the Shooting Star Lodge amended record of survey condominium plat.

Significant Impacts

There are no significant fiscal or environmental impacts from this application.

Recommendation

Staff recommends the City Council hold a public hearing for an amendment to the Shooting Star Lodge at the Village at Empire Pass condominium record of survey plat. Staff has prepared findings of fact, conclusions of law and conditions of approval for the City Council's consideration as found in the attached ordinance.

Ordinance No. 05-

AN ORDINANCE APPROVING THE FIRST AMENDED SHOOTING STAR AT THE VILLAGE AT EMPIRE PASS CONDOMINIUM RECORD OF SURVEY PLAT, PARK CITY, UTAH.

WHEREAS, the owners of the property known as the Shooting Star Lodge have petitioned the City Council for approval of the first amended Shooting Star Lodge condominium record of survey; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on October 26, 2005, to receive input on the first amended Shooting Star Lodge condominium record of survey;

WHEREAS, the Planning Commission, on October 26, 2005, forwarded a positive recommendation to the City Council; and,

WHEREAS, on November 3, 2005 the City Council approved the first amended Shooting Star Lodge condominium record of survey; and

WHEREAS, it is in the best interest of Park City, Utah to approve the first amended Shooting Star Lodge condominium record of survey.

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

SECTION 1. APPROVAL. The first amended Shooting Star Lodge condominium record of survey as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The Shooting Star Lodge is located in the RD-MPD zoning district.
2. The City Council approved the Development Agreement for Flagstaff Mountain Development Agreement/Annexation Resolution No. 99-30 on June 24, 1999. The Development Agreement is the equivalent of a Large-Scale Master Plan. The Development Agreement sets forth maximum project densities, location of densities, and developer-offered amenities.
3. On July 28, 2004, the Planning Commission approved a Master Planned Development for the Village at Empire Pass, aka Pod A.

4. On August 25, 2004, the Planning Commission approved a Conditional Use Permit for the Shooting Star Lodge for 21 units plus an ADA unit utilizing 36,481 square feet and 18.3 Unit Equivalents.
5. On September 30, 2004, the City Council approved a Final Subdivision Plat for the Village at Empire Pass, Phase I. The Shooting Star Lodge is located on lot 8.
6. The City Council approved the Shooting Star Lodge condominium record of survey on November 4, 2004.
7. The proposal is consistent with the approved Master Planned Development for the Village at Empire Pass and the Flagstaff Mountain Development Agreement.
8. A first level exterior deck will be enclosed and 221 square feet of Support Commercial space is created.
9. One parking space is required. The platted common ADA unit cannot be separately rented (to use it an owner or guest must be occupying another unit) and is appurtenant to all the other units. In effect, the ADA unit is like another room within a unit and the 32 parking spaces for the 21 residential units is sufficient. The 33rd parking space may be considered for the commercial unit.
10. The Planning Commission reviewed this application at its regular meeting of October 26, 2005, and forwards a positive recommendation.

Conclusions of Law:

1. There is good cause for this amended Record of Survey.
2. The amended Record of Survey is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
3. Neither the public nor any person will be materially injured by the amended Record of Survey.
4. Approval of the amended Record of Survey, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the amended Record of Survey for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the amended Record of Survey at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void.
3. An amended Condominium Declaration for the Commercial Unit must be recorded with the amended record of survey.
4. All conditions of approval of the Village at Empire Pass Master Planned Development, Village Phase I plat and the Shooting Star Conditional Use Permit shall continue to apply.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 3rd day of November, 2005.

CITY COUNCIL

Staff Report



Subject: SIGN CODE REVISIONS
Date: November 3, 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 consider adopting the attached 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. Prior to taking that action, the Commission requested that staff, representatives from the Historic Main Street Business Alliance and Commissioner Jack Thomas meet to discuss various proposed changes to the document. Two meetings were held wherein the Code was discussed and recommended changes were then passed along by the Planning Commission.

ANALYSIS

An ordinance containing a redline copy of the proposed changes to the Code is attached. Most of the changes are outlined Chapter by chapter below, however there are grammatical and administrative changes in the redline that are not specifically discussed. For instance, sections that addressed the Historic District Commission have been changed to Historic Preservation Board, and Community Development Director has been changed to Planning Director.

Chapter 1 Purpose

- Rearrange purpose statement to letter form rather than paragraph.

Chapter 2 Definitions

- Grammatical/clarification changes
- Creation of Construction signs definition
- Elimination of Subdivision Sign definition

Chapter 3 Permits

- Clarification/Grammatical changes
- Modification of lighting requirements to be consistent with LMC
- Reduce minimum review time from 30 days to 15

Chapter 4 Sign Standards

- Grammatical/clarification changes
- Elimination of building identification sign above max allowable height provision
- Elimination of plywood as a prohibited sign material
- Increased language requiring creative lettering on signs
- Simplify color requirements

Chapter 5 Unsafe and Unlawful Signs

No changes

Chapter 6 Alteration of Non-Conforming Signs

No changes

Chapter 7 Prohibited Signs

- Grammatical/clarification changes
- Allowance for historic animated signs
- Elimination of off premise temporary open house signs for real estate sales

Chapter 8 Non Regulated Signs

- Grammatical/clarification changes
- Elimination of time of display requirements for Special Events Flyers.
- Elimination of time of display requirements for Special Sale Signs.
- Eliminate the prohibition of roof or antenna mounted signs on vehicles.

Discussion Item

On December 16, 2005 the City Council adopted an “experimental sign plan modification” to the City Sign Ordinance that would allow for limited use of portable signs (“A-frame” signs not affixed to a building or to the ground) on private property throughout the 2004/2005 winter season. The approved language enabled business owners in a limited area of Main Street to place temporary portable signs in front of their businesses during hours of operation. The Council intended that the signs be allowed on a temporary basis with a review at the end of the season to determine whether or not the language should become a permanent section of the Sign Code. The Planning Commission reviewed this language the impacts of the experiment and recommended that the Council consider adopting it on a permanent basis.

The experimental sign plan was generally received as positive by the Main Street merchants, who stated that having the signs was a benefit for their businesses. Staff observed that there were usually 5 or 6 signs per day utilized by the merchants, of those, two were visible from Main Street. The HMBA recommended that the language be further expanded to be included in the GC, HCB, HRC, LI, RCO, RD, RDM, RM and RC zones and included draft language for review by the Council (see Exhibit C). Staff recommends that the Council consider adopting the following language.

Language:

12-12- 2. 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:

(A) **SIZE.** No individual portable sign may exceed ten square feet (10 sq. ft.) in size.

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

(C) **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.

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

(E) **DESIGN.** Portable signs shall be 24" x 36" A-Frame style with 2 1/8 inch wooden text panels, 4" legs, and 2 1/8" hardboard support panels. Fluorescent colors and reflective surfaces are prohibited on portable signs. 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.** Temporary Portable Signs shall be allowed from November 15, until April 15.

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

Chapter 9 Permitted Signs

- Grammatical/clarification changes
- Elimination of Directional sign requirements.
- Elimination of Subdivision sign requirements.
- Elimination of Way-Finding signs.
- Increase in the allowed square footage of an Electronic Display Terminal from 2 square feet to 3 square feet, (the approximate size of a computer display terminal).
- Minimum of 6 feet of separation between hanging signs on a building.
- Allow corporate logos on umbrella signs

FREESTANDING SIGNS

Proposed language:

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

(1) **Size** Freestanding signs shall be limited to a maximum of twenty square feet (20 sq. ft.) in area, ~~unless there are other approved signs on the building, in which case this maximum shall be reduced to ten square feet (10 sq. ft.).~~

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

(3) **Number of Signs.** Businesses, 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. Freestanding signs in residential subdivisions are prohibited.

(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, and that signs parallel to the road 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 ~~Community Development~~ Planning Director may decrease this setback if it is determined that a particular road alignment or traffic conditions would facilitate adequate visibility of the sign for street or pedestrian traffic.

(5) **Zoning Restrictions.** Free-standing signs ~~may be~~ are allowed in the commercial districts GC, RM, RDM, RC, HRC, HCB and RD. Free-standing signs located in the Frontage Protection Zone ~~or the HCB District~~ 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. However, internally illuminated pan-channel letters are not permitted on free-standing signs. Any exterior lighting proposed for the signs shall be included in the sign application.

It is intended that this language shall replace that for Directional, Way-finding and Subdivision signs.

Luminous Tube Signs

The Commission directed staff to investigate the possibility of limiting the number of luminous tube signs allowed under the Code. Staff recommends the following language.

LUMINOUS TUBE SIGNS (NEON). Luminous tubes (LT) used to draw attention to a business or building in any manner, ~~including, but not limited to, neon text, or logos~~ are considered 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.
- (3) **NUMBER OF SIGNS.** ~~Not applicable.~~ One LT sign is allowed for every twenty five (25) feet of building façade width. One (1) LT sign of less than two (2) square feet in size is allowed per building façade without a permit.
- (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 ten feet (10') of the front window are visible from the street ~~and exceeds two square feet (2 sq. ft.) in area~~, 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 ten feet (10') back from the window are considered interior lighting and are not regulated.
- (5) **ZONING RESTRICTIONS.** LT signs are permitted ~~may be used only~~ in the HCB, HRC, LI, RC and GC districts. LT signs are prohibited in all other zoning districts.
- (6) **DESIGN.** The following historic-colors are permitted in the Historic District in primary shades only: red, yellow, white, blue, green. All others are prohibited. Other colors are permitted in the GC districts, but are subject to the design standards of this title. LT signs may not flash, move, alternate, or show animation. The outlining of a building's architectural features is prohibited. ~~It~~

~~certain cases, open/closed or directional signs for a drive-through, may be permitted to facilitate traffic circulation and control traffic congestion.~~

~~(7) **ILLUMINATION.** LT signs within themselves are illuminated. No other additional illumination is permitted.~~

Chapter 10, Temporary Signs

Changes in this chapter include:

- Streamlining of Construction and Construction Mitigation sign language. Eliminate requirement that price is not allowed.
- Elimination of setback and design requirements for Neighborhood Information signs and Yard signs (difficult to enforce, as the signs do not receive a permit, and rarely are built to a standard established in the Code).
- Elimination of design requirements for campaign signs.
- Elimination of off-premise open house sign for real estate signs

Discussion Item

At the August 10, 2005 meeting, the Planning Commission recommended that the following language be eliminated from the Code:

~~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.~~

The Commission clarified that the reason for this recommendation was the proliferation of open house signs around town, and instances where the language was violated, primarily through the use of more than one sign, and leaving them out overnight. In addition to further restricting the Sign Code, the Commission directed staff to meet with representatives of the Real Estate community to inform them of the problem and work to create a solution (minutes attached). Staff met with representatives of the Board of Realtors on September 13, and again on October 19, 2005 who expressed concern about the proposed language. At these meetings, staff and the Board discussed various alternatives to the proposed language and possible ways to mitigate the issues expressed by the Planning Commission. Possible alternatives include:

- Have a semi-annual meeting between staff and the Board of Realtors to discuss any Code related issues, problems or changes
- Increase the minimum design standards for these signs
- Increased self regulation by the Board of Realtors
- Prohibit any balloons, flags, flyers on signs (already prohibited in current Code)

Additionally, the Board prepared alternative language for review by the Council that they would like to see incorporated into the Sign Code that would limit the number of signs allowed to a "reasonable number"(see exhibit B).

Based on the expressed importance of Open House signs, and the commitment of the Board of Realtors to work with staff to ensure that the signs are placed and removed appropriately, staff recommends that the City Council maintain the current language as it is, at one off-premise open house sign per open house. Staff further recommends enhancing enforcement in this area. This allows two signs, one on the property per section 12-10-2(G) and one off-site.

Chapter 11 Banners

At the August 10, 2005 meeting the Commission discussed the possibility of reintroducing the information banner that previously flew over Park Avenue near the 14th Street intersection. The Commission was generally in favor of reintroducing the banner, but not necessarily in the same location. They further instructed staff to research alternative locations and present them to the Council. Because staff has been instructed by the Council to research possible modifications to the Master Festival Section of the Code, research and analysis regarding the possibility of returning these banners will be included in those changes. No action is requested at this time on the banners.

Chapter 12 Master Festivals

No changes proposed

Chapter 13 Historic Sign Review

- Grammatical/clarification changes

Chapter 14 Outdoor Vehicle Displays

No changes

Historic Main Street Business Alliance

Through out the process of revising the Code, staff has worked closely with members of the Historic Main Street Business Alliance to find ways to enhance sign effectiveness for City businesses without deviating from the original intent of the Code. A number of the issues discussed have been incorporated into the proposed changes; however there are a few areas where staff and the HMBA have not agreed. These changes are outlined in detail in the attached letter Exhibit C, and summarized below.

CHAPTER 4 – SIGN STANDARDS

- 4-7 (B) – propose to modify the proposed change to read as follows: “Letters shall be raised, routed into the sign face or designed to give the sign variation and depth.”
- 4-9 (B) – HMBA is looking for a variety in the design, colors and materials used in signs not uniformity, like a shopping mall, therefore we propose under the heading LETTERS strike the last sentence and replace with the following: The plastic face or backing of the letters can not consist of more than two colors. Delete LIGHT SOURCE.

CHAPTER 7 – PROHIBITED SIGNS

- 7-1 (A) – Park City history shows that ANIMATED SIGNS where a part of the fabric of Park City. They added variety and vitality to the City scene; therefore we propose allowing animated signs in the commercial districts.
- 7-1 (G) – We request that balloons not be considered an Inflatable Sign and that they are allowed for promotional purposes.
- 7-1 (I) – We request that Portable signs be allowed and suggest using the language for TEMPORARY PORTABLE SIGNS with the following changes: (A) SIZE. No portable sign may exceed ten square feet (10 sq. ft.) of area on the exposed sign faces (two). (B) NUMBER OF SIGNS. One (1) sign is allowed per business. (C) ORIENTATION Portable signs are allowed only on private property, and must not impede pedestrian circulation or ADA and Fire access no Portable signs will be permitted on City owned property including City owned Right-of-Ways without the written permission of the City Engineer or Planning Director. (D) ZONING RESTRICTIONS. Portable signs are allowed only within the GC, HCB, HRC, LI, RCO, RD, RDM (?), RM (?) and RC zoning districts. (E) DESIGN. Portable signs shall not exceed 24" x 36" A-Frame style or straight standup (10 sq. ft.). Fluorescent colors and reflective surfaces are prohibited on portable signs. (G) ILLUMINATION. Illumination of portable signs is prohibited.
- 7-1 (N) – Delete – movement is not bad. Propose deleting and including “gasoline flags” in the (B) Banners.

CHAPTER 9 – PERMITTED SIGN REGULATIONS

- 9-1 (A) (2) – Propose the following: Awnings and canopy signs shall be located over the first floor only unless a commercial business is above ground floor level and must have a minimum clearance of eight feet (8') to the frame and seven feet (7') to the bottom of the valance.
- 9-1 (E) (1) With the advent of the flat monitor screens for example art galleries can now take advantage of showing paintings as a slide show. We propose to change (1) SIZE to the following: Electronic display terminals shall be limited to a maximum six square feet (6') if viewed through a window and placed within a window seal, or placed on the exterior of a building. Note: same size as a Display Box.
- 9-1 (F) (1) Propose to change to the following: Entrance/exit signs shall be limited to a maximum of three square feet (3 sq. ft.) of area on the exposed surface.
- 9-1 (H) (8) Propose deleting the following: “However, internally illuminated pan-channel letters are not permitted on free-standing signs.” This should be allowed because an internally illuminated sign is less intrusive than externally illuminated sign. M
- 9-1 (J) (2) Propose to change to the following: “LT signs shall be limited to the ground floor elevation unless a commercial business is above the ground floor elevation.”
- 9-1 (J) (3) Propose to change to: One LT sign is allowed for every ten (10) feet of building façade width. One (1) LT sign of less than two (2) square feet in size

is allowed per commercial business per building façade in a building without a permit.

- 9-1 (J) (4) Propose to change second and third sentence as follows: “If LT signs which are located within five feet (5’) of the front window are visible from the street, ...” “LT signs located five feet (5’) back from the window ...”
- 9-1 (J) (5) Zoning allowed: CG, HCB, HRC, LI, RC, and RCO.
- CHAPTER 10 – TEMPORARY SIGNS
- 10-2 (H) Add language to (H) allow signs for profit. – allow sign for event – Artist show

CHAPTER 11 – BANNERS ON CITY LIGHT STANDARDS

- 11-7 (D) To add the fun, variety and festivities back we should allow reflective color materials that give the appearance of changing color and it does not matter what type of finish is on the surface.

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 consider adopting the attached changes to the Sign Code.

EXHIBITS

- A – Ordinance Amending the Sign Code
- B – Letter from Board of Realtors
- C – Letter from HMBA

Ordinance No. 05-__

AN ORDINANCE ADOPTING COMPREHENSIVE AMENDMENTS TO TITLE 12, SIGN CODE, OF THE MUNICIPAL CODE OF PARK CITY.

WHEREAS, the City Council recognizes the significant need for temporary signs to ensure the success of hard to locate retail plaza locations, special and master festival events, real estate sales, and to facilitate unusual pedestrian and vehicular traffic patterns; and

WHEREAS, such commercial activities and special events are critical to the economic and cultural goals of the City as defined in the General Plan, the City Council's annual Vision Statement to be a World Class, Multi-Seasonal Destination Resort Community, and Principles 1, 3, 6 and 7; and

WHEREAS, the City has successfully and aggressively balanced the need for commercial signs and marks with the aesthetic beauty and charm of its historic districts and the mountain community generally, both of which are vital to the economic development and quality of life of the City; and

WHEREAS, the clarifications herein are necessary to ensure clear and fair application of the regulations herein and simplify enforcement; and

WHEREAS, the City Council is re-adopting special, more-permissive regulations for Temporary Signs, but the City Council hereby finds that such signs must still be regulated to prevent visual clutter, ensure efficient pedestrian and vehicle traffic movements, and promote the resort character of the community.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARK CITY, UTAH THAT:

Section I. Findings. The recitals above and the Analysis section of the Staff Report dated 11/03/05 are incorporated herein as findings in support of this ordinance.

Section II. Amendment. Title 12 Sign Code, of the Municipal Code of Park City is hereby amended as attached in Exhibit A.

Section III Effective Date. This Ordinance shall become effective upon publication.

PASSED AND ADOPTED this 3rdth day of November, 2005.

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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.

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

12-1-2 INTERPRETATION.

The Planning Commission shall have the authority and duty to interpret the provisions of this Title at the request of the ~~Community~~

~~Development~~ Planning Director or when a written appeal from of a Planning Department decision of the ~~Community Development Department~~ 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 ~~Community Development~~ 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 face shall be computed by measurement of is measured by the smallest square, circle, rectangle, triangle, or combination thereof that ~~will~~ encompasses the extreme limits of the writing, representation, emblem, or other display. ~~This shall include any~~ including materials or colors forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed. ~~The~~ Sign area calculation shall does not include structural supporting framework, bracing or

the wall to which the sign is attached. ~~when such wall meets zoning ordinance regulations and is clearly incidental to the display itself.~~

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

(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 ~~placed so as to 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 ~~that is of interest to the community as a whole rather than~~ the promotion of a product, political

candidate, religious leader or commercial goods or services.

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

(J) **ELECTRONIC DISPLAY TERMINAL**. An electronic ~~display~~ 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 ~~any~~ candidate(s) seeking public office ~~in a forthcoming election~~; or signs announcing political issues, ~~for or against~~.

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

(AA) **SIGN, CHANGEABLE COPY**. A manually operated sign that displays graphics ~~at content~~ 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: ~~To clarify and define such areas of regional importance and patronage, four (4) types of areas are intended to be included:~~

- (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 ~~identification~~ 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. ~~The~~
- ~~replication sign matches the materials and size of the original.~~
- (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**. ~~Internally illuminated signs include any~~ 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 ~~that is~~ 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, ~~which is~~ designed to provide information or notifications to local residents regarding neighborhood events, ~~meetings~~, 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~~ An on-premise 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. ~~existing on or adjacent to the premises.~~

(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 ~~advise solicitors that they are not welcome on the property.~~

(BBB) **SIGN, SPECIAL PURPOSE**. A Sign ~~of a temporary nature other than those established by a business; for the purpose of~~ advertising a special event pertaining to drives or events of a civic, philanthropic, educational, or religious organization.

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

~~(DDD) **SIGN, SUBDIVISION**. An identification sign located at the entrance to a residential subdivision.~~

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

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

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

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

(III) **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.

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

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

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

(MMM) **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.

(NNN) **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 B **C** misdemeanor.

12-3-2. PRE-APPLICATION CONFERENCE

Prior to the submittal of a Sign permit application, a pre-application conference with the ~~Community Development~~ **Planning** Department is encouraged to acquaint the

applicant for the applicant to become acquainted with **Sign Code** application procedures, design standards, and related City ordinances. ~~Staff may assist in the preparation of the application, and shall provide information to applicants on the regulations created by this Code.~~

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 ~~provide~~ **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 ~~by using~~ **with** ~~small~~ 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**. ~~For all multi-tenant, retail and mixed-use buildings that contain any combination of uses including residential, office, service, or retail uses, All~~ Master Sign Plans shall be designed so that signs are ~~confined to the building surface~~ **placed** below the finished floor elevation of the

second floor or ~~below~~ a maximum of twenty feet (20') above adjacent finished grade whichever is lower. Signs may be located on walls ~~the flat wall areas~~, within windows or on sign bands above windows. For buildings with approved or existing conflicts with this requirement ~~pre-existing sign bands or architectural features designed to compliment or house signs, the Community Development~~ 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 ~~Community Development~~ 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 ~~structure~~, and ~~or~~ drawings or photographs that show the scale of the sign in context with the ~~scale of the building. if the sign is to be mounted on the building.~~

Free Standing Signs ~~If the proposed sign is free standing, staff will require the applicant to submit a site-plan specifying~~ indicating the proposed sign location ~~on the parcel as~~

~~it relates with relation 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, ~~and proposed materials, types of material to be used.~~ All hardware needed to install the sign shall be ~~listed and will include~~ size, weight, manner of construction, and method of attachment, (including all hardware necessary for proper sign installation)., and color samples.

(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.

~~A detailed lighting plan, which clearly indicates the location on the premises, and the type of illumination devices, fixtures, lamps, supports, reflectors, installation and electrical details of the lighting. All lighting shall comply with the standards as specified in the Land Management Code Chapters 15-3 and 15-5. In addition to this requirement, An application for an electrical permit must be filed with the building department by a licensed electrician.~~

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

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

12-3-5 PERMIT FEES.

Sign permit applicants applications shall be reviewed according pay fees as adopted in the fee schedule established by resolution. ~~See Fee Schedule at the Planning Department.~~

12-3-6 REVIEW PROCEDURES.

Complete sign permit applications will be reviewed by the ~~Community Development~~ Planning and Building Departments within ~~thirty (30) calendar~~ 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. ~~before a permit can be issued.~~ Either department may return the application for modification or clarification.

The Building Department shall inspect, ~~as it deems necessary,~~ signs applications regulated by this Code to determine if ~~ascertain whether the signs~~ they have been adequately suitably installed and adequately maintained per the requirements of the International Sign Code ~~to minimize risks to the public.~~

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. ~~The Building Department shall examine the plans and specifications with respect to all wiring and connections to determine if they comply with the Electrical Code of the City,~~

~~and shall be approved if the plans and specifications comply with the Code or denied if non-compliance with the Uniform Building Code is found.~~

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.

~~If additional sign area is appropriate, the Community Development~~ Subject to the criteria below, the Planning Director may grant additional sign area, provided the ~~but in no case may the total area requested~~ does not exceed five percent (5%) of the building face to which the signs are attached. ~~To grant additional sign area on applications, the Community Development~~ The Planning Director must make findings based on the following criteria:

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

(B) **COMPATIBILITY.** Signs ~~should~~ must establish a visual continuity with adjacent building facades and ~~should~~ 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, ~~i.e., projecting, hanging, or freestanding sign,~~ is parallel or within thirty degrees (30°) of parallel, ~~only 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 ~~in writing that the Community Development Planning~~ Director grant an exception ~~to the one foot (1') letter height,~~ 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 ~~Community Development Planning~~ Director may grant a letter height exception for buildings farther ~~when such building is greater~~ 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 finished final grade, whichever is lower. For buildings with approved or existing conflicts with this requirement, the ~~Community Development 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 ~~building identification signs and~~ 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. ~~Signs designed to be viewed from a distance are not permitted.~~

(D) **COMPATIBILITY.** A sign, including its supporting structure and components, shall be designed as an integral design element of a building ~~architecture~~ 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 ~~for signs.~~ However in the General Commercial (GC) zone. ~~These signs~~ 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 ~~Community Development Department~~ 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 ~~that are proposed to be placed~~ over the Main Street sidewalk. Signs may extend over City property only after review and written approval by the City Engineer ~~and with the written approval of the Community Development Director~~ 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. ~~Plywood is prohibited except on temporary signs where painted plywood may be used.~~

(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. Flat letters are prohibited.

Ivory colored plastic ~~may~~ 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.

~~Bright, glossy, fluorescent colors are prohibited. and~~ Reflective surfaces ~~are prohibited. and~~ reflective colored materials that give the appearance of changing color are prohibited. ~~as well. Signs must be finished in subdued earth tone colors. Earth tones may be defined in this context: to include the full spectrum of soil, clay and metallic colors. Spectrums of off whites to deep browns, and light grays to black provide a wide range of acceptable colors. Brighter colors may be used provided they~~

~~are imbued with brown or black tones. For example: pink imbued with brown would tend toward mauve and would be acceptable. Bright reds imbued with brown or black tones give a deeper burgundy or maroon color and may also be acceptable. Colors should compliment the color scheme of the building. A matte or flat finish is required for all painted surfaces.~~

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 ~~should~~ **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, ~~i.e.~~ (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. ~~Community Development Department.~~ The plastic face or backing of the letters must be ivory colored.

Reversed pan-channel letters with an internal light source reflecting off of the building face may also be used for "halo" or "silhouette" lighting. Internally illuminated pan-channel letters are ~~not permitted~~ **prohibited** on freestanding signs.

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

WATTAGE. Wattage for internally illuminated signs shall be specified on the sign application. ~~must conform with the specifications established in Chapter 15-5 of the Land Management Code. In the case of multi-tenant buildings, the Planning Department will regulate the voltage and type of light as part of the Master Sign Plan application to ensure consistency.~~

ZONING RESTRICTIONS. Individual pan-channel letters and individual reversed pan-channel letters are prohibited in the Historic District. ~~Signs which incorporate "halo" or "silhouette" lighting behind one (1) sign face~~

~~with the letters cut out of metal or wood sign material are allowed in the Historic District provided they are consistent with the other regulations established in this section.~~

(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.

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, ~~content~~, 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 NON-CONFORMING BILLBOARDS.

Acquiring a billboard and associated property rights through gift, purchase,

agreement, exchange, or eminent domain ~~may~~ 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.

(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).~~ 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 ~~downward~~ 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 ~~smaller~~ 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 ~~may~~ **shall** be reviewed by the ~~Historic District Commission~~ **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. ~~directional~~ 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. ~~Such posters may be displayed for up to one (1) week prior to an event, and must be removed within forty eight (48) hours after the event.~~

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. ~~Special sale signs may be~~

~~displayed two (2) weeks at a time, five (5) times a year.~~

(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 ~~Community Development~~ Planning Department and a building permit are required. Luminous tube signs are prohibited.

(O) VEHICLE SIGNS. ~~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. ~~Roof or antenna mounted signs on automobiles are prohibited, except for student driver signs.~~

(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.

~~regardless of the size of the building facade to which the sign applies, not to exceed that which would be allowed otherwise.~~

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. 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. ~~Awnings and canopy signs are calculated as part of the total sign area for the building.~~ 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 ~~in Park City.~~ Awning and canopy sign colors are ~~generally~~ 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. ~~Corporate colors may be used only if they are finished in subdued earth tone colors.~~

(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) **CHANGEABLE COPY SIGNS.**

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, ~~unless there are other approved signs on the building, in which case this maximum shall be reduced to ten square feet (10 sq. ft.)~~

~~(2) **HEIGHT LIMIT.** Changeable copy signs shall be designed so that the sign area is confined to the building surface below the finished floor elevation of the second floor or twenty feet (20') above adjacent natural grade, whichever is lower.~~

(3) **NUMBER OF SIGNS.** The maximum number of changeable copy signs for a commercial or non-profit business is one (1).

(4) **SETBACK AND ORIENTATION.** Changeable copy signs shall 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 be ~~may be aligned either perpendicular or parallel to the road provided that signs perpendicular to the road are finished on both sides, and that~~ Signs parallel to the road 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 ~~Community Development~~ Planning Director may decrease the setback if it is determined that a particular unique road alignment or traffic condition would ~~facilitate adequate~~ 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, ~~down directed toward the letters.~~

~~(C) **DIRECTORY SIGNS.**~~

~~Directory signs shall be permitted to provide information for commercial and residential multi-tenant projects.~~

~~(1) **SIZE.** Wall mounted and freestanding directory signs shall adhere to all other size requirements as set forth in this Code.~~

~~Freestanding directory signs may have a maximum of twenty square feet (20 sq. ft.) of sign area to serve as a directory for the project. Each phase of an expandable condominium or other phased project shall be considered a part of the initial phase for sign purposes if the project is joined by a common conditional use permit, zoning approval or management structure such as a condominium homeowner's association.~~

~~(2) **HEIGHT LIMIT.** The height of the directory sign shall not exceed seven feet (7'), and shall be directed towards pedestrians.~~

~~(3) **NUMBER OF SIGNS.** The combined area of all directory signs on a project may not exceed twenty square feet (20 sq. ft.) in area.~~

~~(4) **SETBACK AND ORIENTATION.** Directory signs shall be located in the~~

~~common area of the project and oriented toward a central pedestrian path, entrance or common parking area. Freestanding directory signs must maintain the setback requirements for the zone in which they are located.~~

~~(5) **ZONING RESTRICTIONS.**~~

~~Directory signs are allowed in all zoning districts, provided they are identifying multi-tenant projects, either commercial or residential.~~

~~(6) **DESIGN.** Directory signs shall be simple in form and shall be compatible with the architectural elements and materials of the multi-tenant project.~~

~~(7) **ILLUMINATION.** Lighting of the directory sign is permitted. Lighting shall be down directed towards the text.~~

(D) DISPLAY BOXES.

Display boxes will be included in the total sign area for a building facade. Display boxes may contain an establishment's current menu, current entertainment information and merchandise and must be compatible with the architectural features of the building.

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

~~(2) **HEIGHT LIMIT.** The height of a display box shall be oriented towards pedestrian viewers.~~

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

(4) **SETBACK AND ORIENTATION.** Display boxes shall be oriented towards pedestrian viewers. Wall mounted display

boxes shall not extend from the building over public property.

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

(6) **DESIGN.** ~~The size and scale of display boxes shall be appropriate to the surroundings and shall be designed and fabricated so as to be compatible with the surrounding architecture. Freestanding display boxes shall be designed and constructed to withstand wind and may be located only on private property.~~ Display boxes must be constructed to coordinate with the building design **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 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 ~~in the zone that underlies the property in Title 15, the Land Management Code,~~ subject to the following criteria:

(1) **SIZE.** Electronic display terminals shall be limited to a maximum of **three square feet (3 sq. ft.)** ~~two square feet (2 sq. ft.)~~ in area if ~~intended to be 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 ~~uniform~~ **International Building Code**. ~~Terminals may be aligned perpendicular or horizontal to the road and must be finished on all visible sides.~~

(5) **~~LOCATION~~ ZONING RESTRICTIONS.** Electronic display terminals are allowed ~~only~~ 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.** ~~If the terminal is within the Historic District it must meet the Park City Historic District Guidelines, and may be subject to review by the Historic District Commission.~~

(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) **FLAGS.**

~~The regulations stated below regarding flags shall apply to all zones in the City except for single family zones.~~ 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 ~~the maximum height of the nearest~~

~~building, or~~ twenty-eight feet (28') measured from ~~natural or~~ final grade, ~~whichever yields the shorter pole.~~

(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 yards (100 yds.) may be allowed an additional three (3) flags per additional one hundred yards (100 yds.) 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. ~~The flagpoles shall utilize noise reduction methods.~~ 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.** Uplighting of all Flags except the Flag of the United States of America is prohibited. ~~Flags may be illuminated provided that the lighting complies with Section 12-4-10. Lighting proposed for the flags shall be included in the sign application.~~

(H) FREE-STANDING SIGN.

(1) **Size** Freestanding signs shall be limited to a maximum of twenty square feet (20 sq. ft.) in area, ~~unless there are other approved signs on the building, in which case this maximum shall be reduced to ten square feet (10 sq. ft.).~~

(2) **Height Limit.** Free-standing signs may not exceed a height of seven feet (7') measured from ~~existing~~ 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, ~~and that signs parallel to the road 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 ~~Community Development Planning~~ Director may decrease this setback if it is determined that a particular road alignment or traffic conditions would facilitate adequate visibility of the sign for street or pedestrian traffic.

(5) **Zoning Restrictions.** Free-standing signs ~~may be~~ 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 ~~or the HCB District~~ 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. However, internally illuminated pan-channel letters are not permitted on free-standing signs. Any exterior lighting proposed for the signs shall be included in the sign application.

(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. ~~unless reduced according to the projection and clearance provisions of Section 12-4-6.~~

(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 ~~which are proposed to be placed~~ 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 with the written approval of the Community Development Director and an executed encroachment agreement with the City has been recorded at the County Recorder's office.~~ acceptable to the City Attorney. ~~Hanging and projecting signs must have a minimum of six feet (6') of separation between each sign similar in nature.~~

(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. ~~and/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. ~~Any exterior lighting proposed for the signs shall be included in the sign application.~~

(J) **LUMINOUS TUBE SIGNS (NEON).** Luminous tubes (LT) used to draw attention ~~to a business or building in any manner, including, but not limited to, neon text, or logos~~ are considered 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.

(3) **NUMBER OF SIGNS.** ~~Not applicable.~~ One LT sign is allowed for every twenty five (25) feet of building façade width. One (1) LT sign of less than two (2) square feet in size is allowed per building or tenant space without a permit.

(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 ten feet (10') of the front window are visible from the street ~~and exceeds two square feet (2 sq. ft.) in area,~~ 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 ten feet (10') back from the window are considered interior lighting and are not regulated.

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

(6) **DESIGN.** ~~The following historic colors are permitted in the Historic District in primary shades only: red, yellow, white, blue, green. All others are prohibited. Other colors are permitted in the GC districts, but are subject to the design standards of this title.~~ LT signs may not flash, move, alternate, or show animation. The outlining of a building's architectural features is prohibited. ~~In certain cases, open/closed or directional signs for a drive through, may be permitted to facilitate traffic circulation and control traffic congestion.~~

(7) **ILLUMINATION.** ~~LT signs within themselves are illuminated. No other 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. ~~and shall be included in the calculation of the total building sign area unless enclosed within a display box which is included in the calculation of the building sign area.~~

(2) **HEIGHT LIMIT.** Height of a menu sign shall be ~~oriented towards pedestrian viewers with~~ a maximum height of six feet (6').

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

(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 boxes ~~located in the Historic District shall be reviewed within the context of the Historic District Design Guidelines. Menu boxes in other zones 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.

~~(L) **PROJECTING SIGNS.**~~

~~See hanging and projecting signs, Section 12-9-1(I).~~

~~(M)~~ **SUBDIVISION SIGNS.**

~~See Freestanding signs, Section 12-9-1(H)~~

~~(1) **SIZE.** Subdivision signs are limited to a maximum of twenty square feet (20 sq. ft.) per sign.~~

~~(2) **HEIGHT LIMIT.** Subdivision signs may not exceed a height of seven feet (7').~~

~~(3) **NUMBER OF SIGNS.** Subdivisions are limited to one (1) subdivision sign.~~

~~(4) **SETBACK AND ORIENTATION.** Subdivision signs shall not be placed in the setback area as defined for the zone in which the sign is located.~~

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

~~(5) **ZONING RESTRICTIONS.** Subdivision signs are permitted in all other zones except in the HR-1, HR-2, HRL, HRC, and RD districts. Subdivision signs are only permitted as part of subdivisions of fifty (50) lots or more or master planned developments.~~

~~(6) **DESIGN.** Subdivision signs shall be designed with natural materials, including rock and stone.~~

~~(7) **ILLUMINATION.** Illumination of subdivision signs is prohibited.~~

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

(1) **SIZE.** ~~Signs on umbrellas are limited to a height of no more than five inch (5") letters and graphics. 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.

~~(46) **DESIGN.** Materials should be high quality vinyl, nylon, canvas or other similar material in order to withstand the weather and climate changes. Umbrella colors are generally limited to a single field color with a single contrasting color for lettering and logos. However, if the umbrella is striped, two colors may be used. Corporate colors may be used, only if they are finished in subdued earthtone colors.~~

(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~~ the wall sign shall not exceed the maximum square footage allowed per building facade.

(2) **HEIGHT LIMIT.** ~~Sign plans shall be designed so that wall signs~~ **shall be** ~~are~~ confined to the building surface below the finished floor elevation of the second floor or

twenty feet (20') above adjacent finished grade whichever is lower.

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

(4) **SETBACK AND ORIENTATION.** Wall signs shall be designed placed so as to utilize 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.

~~(P) **WAY FINDING SIGNS.**~~

~~Way finding signs are conditional uses and must meet the following criteria.~~

~~(1) **SIZE.** Way finding signs shall be limited to a maximum of ten square feet (10 sq. ft.).~~

~~(2) **HEIGHT LIMIT.** Way finding signs shall be no higher than five feet (5') above existing grade at the top of the sign.~~

~~(3) **NUMBER OF SIGNS.** One (1) way finding sign is allowed for each 100,000 square foot of building space in the MPD.~~

~~(4) **SETBACK AND ORIENTATION.** Way finding signs shall be setback at least ten feet (10') from the platted property line, unless it is within the Frontage Protection Zone in which case it must meet the requirements of the Frontage Protection Zone.~~

~~(5) **ZONING RESTRICTIONS.** Way finding signs are permitted only in the RC, ROS, and RD Districts.~~

~~(6) **DESIGN.** Way finding signs shall be simple in form and compatible with the architectural details of the MPD project. Utilization of the project logo on the sign is permitted but shall not be the primary focus of the sign.~~

~~(7) **ILLUMINATION.** Illumination of way finding signs is prohibited.~~

(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 either using vinyl, etching or other similar attachment methods. The vinyl color should be compatible with the building face. Ivory or cream lettering is preferred.

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

~~(R) **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) **LANDSCAPING.** A landscaping plan may be required as part of the conditional use approval. The nature of the plan will be determined by the Planning Commission based upon the location of the sign.~~

~~(8) **ILLUMINATION.** Lighting of municipal identification signs is permitted provided the lighting is shielded and directed on the sign.~~

(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 those signs which~~ are installed on a property with the intent of displaying them continuously for more than twenty-four (24) hours. ~~They are not, but that are not~~ a part of a permanent land use on the property, and shall ~~are not intended to~~ be displayed for more than ~~six (6) months, one (1) year. Real estate signs, construction signs, special purpose signs, yard signs, and campaign signs are permitted subject to the following regulations on placement and location.~~

(A) BUSINESS NAME OR TENANT CHANGE SIGNS.

Due to a change in business name or tenant, 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.** ~~No portion of the campaign sign shall extend more than four feet (4') above~~ The maximum height of a

~~Campaign Sign, is 4 feet above natural grade or finished grade, whichever yields the lower sign. Mounting devices may extend above the sign by not more than six inches (6").~~

(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. ~~Campaign signs must be parallel to the street on which the building fronts, and placed in front of the front facade with the building as a backdrop. Signs may not be positioned in the side yard. Signs may be displayed through windows or other glass areas subject to the restrictions of Section 12-8-1(K) and 12-8-1(L). On vacant lots, where there is no structure, the Sign shall maintain the twenty foot (20') setback from the street.~~

(4) **ZONING RESTRICTIONS.**

Campaign signs are allowed in all zoning districts.

~~(5) **DESIGN.** Campaign signs shall be mounted on hardware of wood or painted metal, no part of which shall be greater than four inches by four inches (4" x 4") in cross section. Mounting hardware shall be painted or stained in earth tones. No message may be written on the mounting hardware, so that the entire message area of the sign is contained on the sign face itself.~~

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

(C) **CONSTRUCTION SIGNS.**

For each projects requiring a building permit in Park City, a construction mitigation plan is required. Pursuant to this plan, the Chief Building Inspector 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. ~~However,~~ 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. ~~The lettering shall not exceed four inches (4") in height.~~

(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. ~~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. 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 in vertical height from the ground at the point where the sign is located. Signs mounted on a construction barricade or fence may not extend above the height of the barricade or fence.

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, of the street on which the project fronts, which is the street providing access to the project. 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 ~~Community Development~~ Planning Director may grant an exception to the sign setback standards, but not the size or street orientation standards. ~~In no event may project marketing signs be placed within the public right of way.~~

(4) **INFORMATION.** Information on the project marketing sign may include a plat map and real estate information for the project. ~~A project marketing sign may not include sale prices.~~

(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.** ~~Upon project final approval by staff, Planning Commission, or City Council, the project marketing sign may be installed for a time period of six (6)~~

~~months. If a grading or building permit is not issued by the Building Department within six (6) months of the approval date, the project marketing sign shall be removed. If a grading or building permit is issued by the Building Department within six (6) months of the approval date, the project marketing sign is permitted until such time as the last temporary certificate of occupancy is issued for the project. If the sign was removed, it may be reinstalled upon the issuance of a grading permit and may remain until the last temporary certificate of occupancy is issued for the project.~~

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 ~~Community Development~~ 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.

~~Because of the unique need to identify construction projects clearly for material suppliers, deliveries, and construction workers, and to allow for initial marketing, it may be appropriate to combine the information contained on a construction sign and a project marketing sign and create a temporary construction/project marketing sign, provided it meets the following criteria:~~
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.** ~~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 on the property in conjunction with a project under development or construction. The sign will be separated into two sections: one (1) portion of the sign will be limited to the construction information and the other portion will be limited to the real estate information to allow for the initial marketing of the project during construction. The total Sign area of the construction/project marketing sign shall not exceed thirty-two square feet (32 sq. ft.) in area, and but 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.) in area. The construction information is limited to a total sign area of twelve square feet (12 sq. ft.).~~

(2) **HEIGHT LIMIT.** Construction/project marketing signs may not exceed seven feet (7') above finished grade. ~~in vertical height from the ground at the point where the sign is located.~~ Signs mounted on a construction barricade or fence may not extend above the height of the barricade 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. ~~of the street on which the project fronts, which is the street providing access to the project. 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 the disturbance.~~

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. ~~No portion of the sign may extend above the barricade or fence.~~

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

Where there are conditions such as heavy vegetation on the property, or extremely steep terrain that make the sign placement standards of this Title impractical because the sign is not visible from the street, the ~~Community Development~~ 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. ~~Upon project final approval by Staff, Planning Commission, or City Council, the construction/project marketing sign shall be installed for a time period of six (6) months. If a grading or building permit is not issued by the Building Department within six (6) months of the approval date, the construction/project marketing sign shall be removed. If a grading or building permit is issued by the Building Department within six (6) months beyond the date of the last temporary certificate of occupancy.~~

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. ~~For consideration as a construction/project marketing sign, the construction area of the sign shall not exceed twelve square feet (12 sq. ft.) in size. The lettering shall not exceed four inches (4") in height. 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. A construction sign may not contain sale prices.~~

(7) DESIGN. ~~Construction/project marketing signs shall be mounted on hardware of wood or painted metal, no part of which shall be greater than four inches by four inches (4" x 4") in cross section. Construction/project marketing signs, because of their larger size and the increased risk of disruption nearby, shall be~~

~~mounted on at least two (2) four inch by four inch (4" x 4") posts with back bracing, or such other means that shall comply with the Uniform Sign Code's standards for installation. Mounting hardware shall be painted or stained in earth tones. No message may be written on the mounting hardware, so that the entire message area of the sign is contained on the sign face itself.~~

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

(F) **NEIGHBORHOOD INFORMATION SIGNS.**

~~Neighborhood information signs are exempt from a permit as long as the sign is in compliance with the regulations as stated below:~~

(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. ~~Mounting devices may extend above the sign by not more than six inches (6").~~

(3) **NUMBER OF SIGNS.** Only one (1) neighborhood information 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.** Neighborhood information 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 must be parallel to the street on which the building fronts, and placed in front of the front facade with the building as a backdrop. Signs may not be positioned in the side yard. Signs may be displayed through windows or other glass areas subject to the restrictions of Section 12-8-1(K) and 12-8-1(L). On vacant lots, where there is no structure, the sign shall maintain the twenty foot (20') setback from the street.~~

(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 foot (20') setback from the street.~~

~~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.~~

(5) **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. 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.~~

~~(6-7) **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 may be erected on private property up to two (2) weeks in advance of the event being promoted. These signs shall be removed within three (3) days following the conclusion of the event.

(1) **SIZE.** Special purpose signs shall not exceed three 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 ~~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.** 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. ~~Special purpose signs must be parallel to the street on which the building fronts, and placed in front of the front facade with the building as a backdrop.~~ Signs may not be positioned in the side yard. Signs may be displayed through windows or other glass areas subject to the restrictions of Section 12-8-1(K) and 12-8-1(L). ~~On vacant lots, where there is no structure, the sign shall maintain the twenty foot (20') setback from the street.~~

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

~~(6) **DESIGN.** Special purpose signs shall be mounted on hardware of wood or painted metal, no part of which shall be greater than four inches by four inches (4" x 4") in cross section. Mounting hardware~~

~~shall be painted or stained in earth tones. No message may be written on the mounting hardware, so that the entire message area of the sign is contained on the sign face itself.~~

(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:

(A) **SIZE.** No individual portable sign may exceed ten square feet (10 sq. ft.) in size.

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

(C) **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.

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

(E) **DESIGN.** Portable signs shall be 24" x 36" A-Frame style with 2 1/8 inch wooden text panels, 4" legs, and 2 1/8" hardboard support panels. Fluorescent colors and reflective surfaces are prohibited on portable signs. 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.** Temporary Portable Signs shall be allowed from November 15, until April 15.

(G) **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, ~~and shall be removed at sundown if located within public rights of ways to avoid creating a hazard to the public using the streets and sidewalks.~~ Yard signs may not be displayed for more than forty-eight (48) hours continuously. Signs not removed after forty-eight (48) hours of display are deemed refuse. The owner or erector of the sign is subject to a fee per sign removal charge in an amount set forth by resolution if the sign is removed by the City as refuse. In addition, the owner or erector shall be guilty of a Class ~~B~~ 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. ~~Mounting devices may extend above the sign by not more than six inches (6").~~

(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, ~~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 foot (3') of the front of the structure. Yard signs must be parallel to the street on which the building fronts, and placed in front of the front facade with the building as a backdrop. Signs may not be positioned in the side yard. Signs may be displayed through windows or other glass areas subject to the restrictions of Section 12-8-1(K) and 12-8-1(L). On vacant lots, where there is no structure, the sign shall maintain the twenty foot (20') setback from the street.~~

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

~~(6) **DESIGN.** Yard signs shall be mounted on hardware of wood or painted metal, no part of which shall be greater than four inches by four inches (4" x 4") in cross section. Mounting hardware shall be painted or stained in earth tones. No message may be written on the mounting hardware, so that the entire message area of the sign is contained on the sign face itself.~~

(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 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.

Artwork should be approved at least two (2) months prior to the proposed hanging date.

(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

The design must be on both sides of the banners, unless otherwise approved by the Parks Department.

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 of ~~twenty dollars and twenty cents (\$20.20)~~. All application fees are due and payable upon submission of a completed application. ~~Applications shall be considered incomplete unless and until the application fee is paid in full.~~

(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 ~~Historic District Commission~~ for historic signs upon application for designation by the sign owner, and consent from the building owner.

12-13-2. HISTORIC SIGN REVIEW PROCEDURE.

~~Upon filing an application, the Historic District Commission~~ 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 ~~Historic District Commission~~ Planning Director shall be deemed to conform to this Chapter.

12-13-3. HISTORIC SIGN CRITERIA.

To designate a sign as historic, the ~~Historic District Commission~~ 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 District Commission~~ 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 ~~Community Development~~ 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 ~~Community Development~~ 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)

DRAFT

October 21, 2005

Park City Council
445 Marsac Avenue
Park City, Utah 84060

RE: Proposed Sign Code Revisions

Dear City Council:

The Park City Board of REALTORS[®] appreciated the opportunity to meet with Ray Milliner last Wednesday, October 19, 2005, to consider an appropriate revision to the real estate provisions of the City's Sign Code. The Board remains devoted to the highest standards of professionalism, and as members of the community we not only share the City's interest in preserving a safe and desirable atmosphere in Park City, but we are committed to facilitating that objective.

The Board represents some 850 REALTORS[®] in the Park City real estate market and a substantial number are residents of Park City. As you know, the real estate industry is vital to Park City's economy. This year's sales volume already has surpassed \$1.5 billion. Those dollars create employment opportunities and contribute to all aspects of the Park City economy. The City benefits not only from sales and property taxes, but also from the additional revenue generated in the community by buyers and sellers of homes.

A critical component of a REALTOR's[®] business is the ability to promote inventory. Whether representing buyers or sellers, our clients consistently rely on open houses and adequate direction to those open houses. While the Board recognizes the City's concerns about protecting the community's image against abuses of the Sign Code, open house signs are necessary to sustain a healthy real estate market. The City has raised concerns with past abuses of open house signage and the Board shares those concerns. At our meeting last Wednesday, Ray Milliner conveyed the City's concerns and requested that the Board submit a proposal of acceptable revisions to the real estate provisions of the Sign Code.

In response to those discussions, the Board is enclosing with this letter proposed revisions to the Sign Code. We feel these revisions fairly account for both the concerns of the Board and the interests of the community. Among our proposals we recommend the City retain the parallel orientation requirement as well as the provision prohibiting messages written on mounting hardware.

The Board views itself as a partner with the City to facilitate adherence to the Sign Code. The Board will form a committee to identify infringements of the real estate provisions and, after an appropriate effort to encourage compliance, to notify the City of those violations. The Board also supports Ray Milliner's suggestion to hold a semi-annual forum for the Park City Board of REALTORS® to meet with a member of the City Planning and Zoning Department staff for discussion and review of the Sign Code requirements.

The Board wishes to support the City in a sensible Sign Code that benefits both REALTORS® and the entire community. To achieve this goal we request a trial period of one year to determine the effectiveness of these proposed modifications to the real estate provisions of the Sign Code.

Thank you for your consideration of the Park City Board of REALTORS'® concerns and for reviewing our proposed revisions to the Sign Code. We look forward to the Council's hearing on November 3rd.

Very truly yours,

Park City Board of REALTORS®

Enclosure

Cc: Ray Milliner

BOARD OF REALTORS RECOMMENDATIONS

(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 foot (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.~~

(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.

HISTORIC MAIN STREET BUSINESS ALLIANCE

September 6, 2005

Park City Council and Mayor
Park City Municipal Corporation
PO Box 1480 Park City, UT 84060

Subject: Sign Code Revisions – September 8, 2005

Dear City Council and Mayor,

It has been more than a year that the Historic Main Street Business Alliance (HMBA) has been providing the Planning Commission and Staff with our comments to the proposed Sign Code Revisions.

First we commend Ray Milliner for the time, energy, patients and care he has devoted to the sign code revisions process.

As stated in the HMBA's November 30, 2004 letter, in general the HMBA Sign Committee feels that the Sign Code is too restrictive in regards to allowing businesses to effectively communicate to potential customers. We recognize there has to be a fine balance between signage not being too garish (excessively ornate or elaborate), but on the other hand, we are looking to infusing a more fun and festive atmosphere into the Historic District with signs that have a variety of styles, looks and colors that help drive a customer to a particular business. We believe for the exception of a few items to follow the Planning Commission has relaxed the Sign Code to allow more fun and festive atmosphere into the Historic District and throughout the ski resorts and other commercial districts.

Comments to Title 12

General comment: the proposed changes are meant to add clarity and simplify the code.

CHAPTER 1 – PURPOSE AND SCOPE

CHAPTER 2 – DEFINITIONS

CHAPTER 3 – PERMITS

- CHAPTER 4 – SIGN STANDARDS

- 4-7 (B) – propose to modify the proposed change to read as follows: "Letters shall be raised, routed into the sign face or designed to give the sign variation and depth." Note flat vinyl or painted letters can provide variation and depth. So delete last sentence.
- 4-9 (B) – HMBA is looking for a variety in the design, colors and materials used in signs not uniformity, like a shopping mall, therefore we propose under the heading LETTERS strike the last sentence and replace with the following: The plastic face or backing of the letters can not consist of more than two colors. Delete LIGHT SOURCE.

CHAPTER 5 – UNSAFE AND UNLAWFUL SIGNS

CHAPTER 6 – NON-CONFORMING SIGNS

CHAPTER 7 – PROHIBITED SIGNS

- 7-1 (A) – Park City history shows that ANIMATED SIGNS were a part of the fabric of Park City. They added variety and vitality to the City scene; therefore we propose allowing animated signs in the commercial districts.
- 7-1 (G) – We request that balloons not be considered an Inflatable Sign and that they are allowed for promotional purposes.
- 7-1 (I) – We request that Portable signs be allowed and suggest using the language for TEMPORARY PORTABLE SIGNS with the following changes: (A) SIZE. No portable sign may exceed ten square feet (10 sq. ft.) of area on the exposed sign faces (two). (B) NUMBER OF SIGNS. One (1) sign is allowed per business. (C) ORIENTATION. Portable signs are allowed only on private property, and must not impede pedestrian circulation or ADA and Fire access no Portable signs will be permitted on City owned property including City owned Right-of-Ways without the written permission of the City Engineer or Planning Director. (D) ZONING RESTRICTIONS. Portable signs are allowed only within the GC, HCB, HRC, LI, RCO, RD, RDM (?), RM (?) and RC zoning districts. (E) DESIGN. Portable signs shall not exceed 24” x 36” A-Frame style or straight standup (10 sq. ft.). Fluorescent colors and reflective surfaces are prohibited on portable signs. (G) ILLUMINATION. Illumination of portable signs is prohibited.
- 7-1 (N) – Delete – movement is not bad. Propose deleting and including “gasoline flags” in the (B) Banners.

CHAPTER 8 – NON-REGULATED SIGNS

CHAPTER 9 – PERMITTED SIGN REGULATIONS

- 9-1 (A) (2) – Propose the following: Awnings and canopy signs shall be located over the first floor only unless a commercial business is above ground floor level and must have a minimum clearance of eight feet (8’) to the frame and seven feet (7’) to the bottom of the valance.
- 9-1 (E) (1) With the advent of the flat monitor screens for example art galleries can now take advantage of showing paintings as a slide show. We propose to change (1) SIZE to the following: Electronic display terminals shall be limited to a maximum six square feet (6’) if viewed through a window and placed within a window seal, or placed on the exterior of a building. Note: same size as a Display Box.
- 9-1 (F) (1) Propose to change to the following: Entrance/exit signs shall be limited to a maximum of three square feet (3 sq. ft.) of area on the exposed surface.
- 9-1 (H) (8) Propose deleting the following: “However, internally illuminated pan-channel letters are not permitted on free-standing signs.” This should be allowed because an internally illuminated sign is less intrusive than externally illuminated sign. M
- 9-1 (J) (2) Propose to change to the following: “LT signs shall be limited to the ground floor elevation unless a commercial business is above the ground floor elevation.”
- 9-1 (J) (3) Propose to change to: One LT sign is allowed for every ten (10) feet of building façade width. One (1) LT sign of less than two (2) square feet in size is allowed per commercial business per building façade in a building without a permit.
- 9-1 (J) (4) Propose to change second and third sentence as follows: “If LT signs which are located within five feet (5’) of the front window are visible from the street, ...” “LT signs located five feet (5’) back from the window ...”
- 9-1 (J) (5) Zoning allowed: CG, HCB, HRC, LI, RC, and RCO.

CHAPTER 10 – TEMPORARY SIGNS

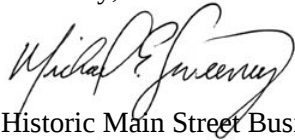
- 10-2 (H) Add language to (H) allow signs for profit. – allow sign for event – Artist show

CHAPTER 11 – BANNERS ON CITY LIGHT STANDARDS

- 11-7 (D) To add the fun, variety and festivities back we should allow reflective color materials that give the appearance of changing color and it does not matter what type of finish is on the surface.

Again, thank you for allowing the HMBA to work with the Staff' in this very important review process of the Sign Code.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael E. Sweeney". The signature is fluid and cursive, with a large, stylized initial "M".

Historic Main Street Business Alliance
Michael E. Sweeney, President