

Ordinance No. 15-48

AN ORDINANCE OF PARK CITY, UTAH AMENDING TITLE 12 OF THE MUNICIPAL CODE OF PARK CITY

WHEREAS, the Sign Code was adopted by the City Council of Park City, Utah to promote the health, safety and welfare of the residents, visitors, and property owners of Park City; and

WHEREAS, Park City's interests in ensuring traffic safety and preventing visual blight are compelling governmental interests due to the history and terrain of Park City and its status as a mountain resort community; and

WHEREAS, the Sign Code implements the goals, objectives and policies of the Park City Land Management Code and General Plan to maintain the quality of life and experiences for its residents and visitors and to preserve the community's unique character and values; and

WHEREAS, the City reviews the Sign Code on a regular basis and identifies necessary amendments to address issues that have come up in the community, to address specific issues raised within the City government, to align the Code with the Council's goals, and to ensure compliance with State and Federal laws; and

WHEREAS, temporary signs are often poorly constructed, poorly maintained, and located in places that tend to adversely affect the safety and scenic beauty of Park City and otherwise decrease the quality of life for its residents; and

WHEREAS, in some limited instances the public interests that support restrictions on signs in Park City may be overridden by public and private interests in certain forms of commercial speech; and

WHEREAS, Park City has an interest in promoting the City's status as a popular resort town offering a variety of recreational and cultural opportunities and finds this status to be essential to the City's long term economic and financial well-being; and

WHEREAS, these proposed Sign Code amendments have been reviewed for consistency with recent developments in Federal law; and

WHEREAS, the long-term economic sustainability of Park City depends upon the continued aesthetic attractiveness of its historic areas; and

WHEREAS, it is in the best interest of the residents of Park City, Utah to amend the Sign Code to be consistent with the values and goals of the Park City General Plan and the Park City Council; to protect health and safety and maintain the quality of life for its residents and visitors; to preserve and protect the vitality, attractiveness, activity and success of the City; and to preserve the community's unique character; and

WHEREAS, the Planning Commission duly noticed and conducted a public hearing at the regularly scheduled meeting on November 11th, 2015, and forwarded a recommendation to City Council.

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

Section I. Amendment. Title 12 of the Municipal Code of Park City is hereby amended as redlined in Exhibit A.

Section II. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.


Section III. Conflict with Existing Ordinances, Resolutions, or Policies. To the extent that any ordinances, resolutions, or policies of Park City Municipal Corporation conflict with the provisions of this ordinance, this ordinance shall prevail.

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

PASSED AND ADOPTED BY THE PARK CITY COUNCIL this 3rd day of December, 2015.



PARK CITY MUNICIPAL CORPORATION




Mayor Jack Thomas

Attest:



Michelle Kellogg, City Recorder

Approved as to form:



Tricia S. Lake
Assistant City Attorney/Prosecutor

Exhibit

Exhibit A – Revised Sign Code (with redlines)

TITLE 12 - SIGN CODE

PARK CITY, UTAH

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 a 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 part of the zoning regulations imposed by Park City; and
- (K) Promote the public health, safety, and general welfare of the citizens of Park City.

12-1-2. INTERPRETATION.

The Planning Commission shall have the authority and duty to interpret the provisions of this Title at the request of the Planning Director or when a written appeal of a Planning Department decision is filed with the Planning Commission. In interpreting and applying the provisions of this Title, the sign requirements contained herein are declared to be the maximum allowable ~~for the purpose set forth~~. The Planning Department and/or the Planning Commission may determine that a smaller sign is more appropriate based on the size ~~and scale~~ of ~~the structures(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. Signs which are not specifically allowed as set forth in this Title are 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~~ A change or rearrangement in the structural parts or ~~its~~ design of a sign, whether by extending on a side, by increasing in area or height, or in moving from one location or position to another.

(B) ~~AREA OF SIGN~~. The area of a sign is measured ~~by as~~ the smallest square, circle, rectangle, triangle, or combination thereof that encompasses the extreme limits of the writing, representation, emblem, or other display. ~~Including including~~ materials or colors of the background used to differentiate the sign from the structure against which it is placed. Sign area does not include structural supporting framework, bracing, or wall to which the sign is attached. If individual letters are mounted directly on a wall or canopy, the sign area shall be the area in square feet of the smallest rectangle which encloses the sign, message, or logo.

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

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

(D) ~~BILLBOARD~~. A permanent outdoor advertising sign that ~~advertises goods, products, or services not necessarily sold on the premises on which said sign~~ is located ~~off-premises~~.

~~(E) BUILDING DIRECTORY. A sign that directs vehicle or pedestrian traffic, is visible from outside the building, and contains (a) the name of a building, complex, or center, and (b) the name~~

and address of two (2) or more businesses which are located in the building, complex, or center.

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

(G) **CANOPY.** A roofed structure constructed of fabric or other material that extends outward from a building, generally providing a protective shield for doors, windows, and other openings, supported by the building and supports extended to the ground directly under the canopy or cantilevered from the building.

(H) **COMMERCIAL SIGN.** A sign which advertises a product or service, or which refers to a business or individual that is commonly known to provide a product or service, with the intent of proposing, discouraging, facilitating, or otherwise affecting a commercial transaction. Includes, but is not limited to the following signs as defined or treated in this Title: for-sale signs, real-estate signs, commercial nameplates, building directories, hours-of-operation signs, business identification signs, special-sale signs, theater marquees, display boxes, name-change signs, temporary portable signs, construction identification signs, home-occupation signs, vacancy signs, entrance/exit signs, construction marketing signs, master-festival signs and special-event signs under Chapter 12, garage-sale signs, and outdoor vehicle displays under Chapter 14. Does not include: campaign signs, public-necessity signs, addressing numbers, residential nameplates, no-trespassing signs, no-soliciting signs, yard signs.

(I) **DEVELOPED RECREATION AREA.** An area within the RC or RD districts that is part of a Master Planned Development of at least 2,500 acres and in which the primary use is outdoor recreation with constructed facilities, and may include summer facilities and lodging.

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

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

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

(L) **FLAG.** A piece of cloth, plastic, or similar material, usually rectangular or triangular, attached by one (1) edge to a staff, or pole as a

~~distinctive symbol of a country, government, organization or other entity or cause.~~

(M) **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.~~

(1) **Grade, Natural.** The grade of land prior to any development activity or any other man-made disturbance or grading. The Planning 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.

(2) **Grade, Final.** The finished or resulting grade where earth meets the building or sign after completion of the proposed development activity.

(N) **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.~~

(1) **Handbill, Special-Events.** A handbill which advertises a special event which is commercial in nature, or which proposes or facilitates a commercial transaction.

(O) **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 bottom of the sign face. Only when the topography is altered to adjust the ground height to the level of the public right of way shall the sign height be measured from final grade.

(P) **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) **PREMISES.** Land and the buildings, owned or rented, upon it.

(R) **PRIVATE PLAZA.** Private property in excess of ~~1,000~~one-thousand square feet (1,000 sq. ft.) that generally serves as common area to adjoining commercial development, is free of structures, and is ~~hard surfaced and/paved~~ or landscaped. Private plazas generally provide an area for pedestrian circulation and 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. An object, device, or structure, or part thereof, situated outdoors or indoors which is used to advertise, identify, display, or attract attention to an object, person, institution, organization, business, product, service, event, idea, or location. Includes the sign structure, supports, lighting system, and any attachments, ornaments, or other features used to attract attention. Includes banners, billboards, building directories, display boxes, electronic display terminals, flags, reproductions, theater marquees. Also includes but is in no way limited to the following categories:~~

(1) **Sign, Abandoned.** Any sign applicable to a use which has been discontinued for a period of at least three (3) months.

(2) **Sign, Animated.** A rotating or revolving sign, or a sign in which all or a portion of the sign moves in some manner.

(3) **Sign, Awning.** Any sign painted on or attached to an awning ~~or canopy~~.

(4) **Sign, Bench.** A sign placed in any manner on an outdoor bench or other outdoor furniture.

(5) **Sign, Business Identification.** A sign which identifies only the name, logo, and/or address of a commercial use.

(6) **Sign, Cabinet.** A sign that consists of a frame covered by translucent material. The entire structure is one (1) unit, and the copy is not intended to include the individual letters. Does not include changeable-copy signs.

~~(4) **SIGN, CAMPAIGN.** A temporary sign on or off premises, announcing, promoting, or drawing attention to a candidate seeking public office; or announcing political issues.~~

(7) **Sign, Canopy.** Any sign painted or attached to a canopy.

(8) **Sign, Changeable-Copy.** A manually operated sign that displays graphics or a message that can be easily changed or altered.

(9) **Sign, Construction.** A temporary sign placed on a construction site ~~identifying a new development.~~

(a) **Project Construction Marketing Sign.** A construction sign identifying the financial institution of a development; may include a plat map and real-estate information for purposes of marketing units within the development.

(b) **Construction Identification Sign.** A sign identifying the ~~contractor and/or builder~~ contractors and builders responsible for a project or development.

(c) **Construction/Project Marketing Combined Construction Sign.** A combination of a construction identification sign and project construction marketing sign.

~~(8) **SIGN, DIRECTIONAL (GUIDE SIGN).** Signs which serve as directional guides to recognized areas of regional importance and patronage, including:~~

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

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

~~(c) **Historic landmarks, churches, schools, community centers, hospitals and parks.**~~

~~(d)—Public safety, municipal directional, parking and essential services.~~

~~(9)—SIGN, DIRECTORY. A sign located on the premise to direct traffic, that contains the name of a building, complex or center and name and address of two (2) or more businesses being part of the same sign structure or interior to the building which can be seen from the outdoors.~~

~~(10) Sign, Electronic Message. A window, wall, or other permanent sign that changes messages copy electronically using switches and electric lamps through a marquee, reader board, electronic message center, or other replaceable copy area.~~

~~(11) Sign, Entrance/Exit. A sign that facilitates vehicle traffic into and out of a site by designating the entrance or exit to the premises.~~

~~(12) Sign, Flashing. 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.~~

~~(13) Sign, Freestanding. A sign that is supported by one (1) or more uprights or braces which are fastened to or embedded in the ground or a foundation in the ground and not attached to any building or wall.~~

~~(14) Sign, Garage-Sale. A temporary sign that announces a garage sale, yard sale, or similar event.~~

~~(12) 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.~~

~~(15) Sign, Hanging. A sign attached underneath a canopy, awning, or colonnade.~~

~~(16) 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.~~

~~(17) Sign, Historic Replication. A sign which is an exact replication, including materials and size, of a historic sign which once existed in the same location.~~

~~(18) Sign, Home-Occupation. A sign that identifies a home occupation, as that term is defined in the Land Management Code.~~

~~(19) Sign, Hours-of-Operation. A sign that displays the hours during which the building's tenant-commercial occupant serves the public; this includes "open" and "closed" signs.~~

~~(17) SIGN, IDENTIFICATION. A sign which identifies only the name and/or logo and/or address of a commercial, industrial, or condominium complex the owner and tenants thereof.~~

~~(20) Sign, Inflatable. Any inflatable object used as a sign or for promotional purposes.~~

~~(21) Sign, Internally Illuminated. A sign with a face which that is lit or outlined by a light source located within the sign.~~

~~(22) Sign, Luminous-Tube (NEON). A sign that is outlined by, or which has characters, letters, figures, or designs that are illuminated by gas-filled luminous tubes, such as neon, argon, etc. or fluorescent.~~

~~(23) Sign, Municipal Identification. A sign designed specifically for the purpose of notifying motorists of Park City's municipal boundary and welcoming them to Park City.~~

~~(21) SIGN, NEIGHBORHOOD INFORMATION SIGN. A sign located entirely on private property, designed to provide information or notifications to local residents regarding neighborhood events or issues.~~

~~(24) Sign, Name-Change. A temporary sign that informs the public about a change in a business name or commercial building tenant. Includes temporary occupancy of an existing business by a convention-sales license-holder pursuant to Section 4-3-9 of this Code.~~

~~(25) Sign, Non-Conforming (Legal). Any advertising structure or sign which was lawfully erected and maintained prior to such time as it came within the purview of the Code and any amendments thereto, and which now fails to conform to all applicable regulations and restrictions of this Code.~~

~~(26) Sign, Off-Premises. A sign identifying a business, commodity, service, or industry, which is not conducted upon the premises on which the sign is placed. A sign which directs attention to a business, commodity, service, or attraction at a location other than the premises on which the sign is located.~~

(27) **Sign, On-Premises.** A sign that identifies the name, occupation, and/or professions of the occupants of the premises. A sign which directs attention to a business, commodity, service, or attraction on the premises on which the sign is located.

(28) **Sign, Pole.** A freestanding sign that is supported by one (1) upright of not greater than twelve inches (12") in diameter and is not attached or braced by any other structure.

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

(30) **Sign, Projecting.** A sign which is attached to a building or other structure, oriented perpendicular to the street, and extending in whole or in part more than six inches (6") beyond any wall of the building or structure.

(31) **Sign, Projection.** A sign that utilizes uses a beam of light to project a visual image or message onto a surface.

~~(29) **SIGN, PUBLIC NECESSITY.** A sign that informs the public of danger or a hazard.~~

(32) **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.

(33) **Sign, Roof.** A sign erected or painted upon or above the roof or parapet of a building, including ground signs that rest on or overlap a roof. Includes signs mounted on a mansard-style roof.

~~(32) **SIGN, SOLICITATION.** Sign used to communicate with solicitors.~~

~~(33) **SIGN, SPECIAL PURPOSE.** A sign advertising a special event pertaining to drives or events of a civic, philanthropic, educational, or religious organization.~~

(34) **Sign, Special-Sale.** A temporary sign used to advertise a special sale.

(35) **Sign, Temporary.** A sign which is intended for use during a specified limited time of six months or less.

(36) **Sign, Umbrella.** A sign painted on or attached to an umbrella, including name brands and symbols.

~~(37) **Sign, Vacancy.** A sign which advertises the current availability for occupation of a nightly rental.~~

(38) **Sign, Vehicle.** Any sign, logo, or advertisement placed, painted, attached, or displayed on a vehicle.

~~(39) **Sign, Video.** A sign that involves animated visual messages which are projected on a screen.~~

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

~~(41) **Sign, Wind.** Any propeller, whirling, or similar device that is designed to flutter, rotate, or display other movement under the influence of the wind. Includes "gasoline flags," and may include certain banners.~~

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

~~(43) **Sign, Yard.** A temporary non-commercial sign that announces a garage sale, open house or similar event.~~

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

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

~~(X) **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.~~

~~(W) **ZONE DISTRICT.** Refers to land use regulatory zones under the zoning ordinances of Park City. The applicable land-use district under the Land Management Code (Title 15).~~

CHAPTER 3 - PERMITS

12-3-1. PERMITS REQUIRED.

No person shall erect, install, 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~~ erects, installs, alters, or relocates a sign that requires a permit under this Code and who fails to obtain an approved permit before installing the sign shall be guilty of a Class C misdemeanor.

12-3-2. PRE-APPLICATION CONFERENCE.

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

12-3-3. MASTER SIGN PLANS.

Buildings or clusters of buildings within a project or premises having more than one (1) tenant or use shall submit a Master Sign Plan application for the entire structure or project prior to any sign permit approval by the Planning Department. In addition to all other applicable regulations in this Title, the following requirements apply to Master Sign Plans. Unless expressly stated otherwise, these regulations regarding Master Sign Plans are not intended to annul, abrogate, or otherwise remove any restrictions or regulations of this Title or any other title in the Park City Municipal Code.

(A) **DESIGN.** The Master Sign Plan shall be designed to establish a common theme or design for the entire building or project, using similar construction methods, compatible colors and 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~~ are for the purpose of on the identification of identifying the building. Individual tenants may be identified with lettering on exterior windows, doors, or a building directory.

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

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

exceptions to the ~~second floor level sign height~~ 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~~ Section 15-5-5(I) of the Land Management Code. Lighting fixtures shall be similar in style and should direct all light onto the sign surface. Spot lights and flood lights are prohibited.

12-3-4. APPLICATION REQUIREMENTS.

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

(A) **BUILDING ELEVATIONS/ OR SITE PLAN.** Signs proposed to be mounted on a building require a building elevation drawn to scale that specifies the location of the sign, and drawings or photographs which show the scale of the sign in context with the building. Freestanding signs require a site plan indicating the proposed sign location as it relates to property lines, adjacent streets, and adjacent buildings.

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

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

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

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

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

12-3-5. PERMIT FEES.

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

12-3-6. REVIEW PROCEDURES.

Complete sign permit applications will be reviewed by the Planning and Building Departments within **fifteen (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 issuing** a permit. Either department may return the application for modification or clarification.

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

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

CHAPTER 4 - SIGN STANDARDS

12-4-1. TOTAL SIGN AREA REQUIREMENTS.

The sign area, per building façade, may not exceed thirty-six square feet (36 sq. ft.). Historic signs are exempted from **these the sign-area** requirements.

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

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

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

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

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

12-4-2. AREA OF INDIVIDUAL SIGNS.

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

When the sign face of a backed sign is parallel or within thirty degrees (30°) of parallel, one (1) sign face is counted into the total sign area. If the sign faces are not parallel or within thirty degrees (30°) of parallel, each sign face is counted into the total sign area.

12-4-3. INDIVIDUAL LETTER HEIGHT.

Signs shall be limited to a maximum letter height of one foot (1'). The applicant may request that the Planning Director grant an exception, provided the request is for an increase of no more than six inches (6") for a maximum height of eighteen inches (18"). The applicant must demonstrate that the requested exception would be compatible with the letter's font, the building's architecture, and the placement of the sign upon the building.

For buildings located along the Frontage Protection Zone, the Planning Director may grant a letter height exception for buildings farther than one-hundred fifty feet (150') from the right-of-way **of by** which the building has vehicular access. The maximum letter height in **these such** cases 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 building** architecture, the following criteria must be met:

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

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

Within the RC (Recreation Commercial) and RD (Residential Development) zoning districts only, the Planning Director may grant an exception to the height limits set forth herein, as long as it is found that:

- (1) The height limitations of this Subsection (A) would result in the effective visibility of a sign being materially impaired by existing

topography, other buildings or signs, landscaping, or other visual impairment;

(2) The proposed location and design of the sign satisfies ~~the all other~~ requirements of ~~this section~~ Subsections 12-4-4 (B)-(D); and

(3) The proposed sign shall be for a building ~~or~~ site that is a hotel or resort commercial structure.

In the event that the Planning Director grants such an exception, the above provision restricting signs above the second-floor finished elevation to window signs only would not be applicable. The decision of the Planning Director to deny a requested exception to the height limitations, as provided herein, may be appealed to the Planning Commission within ten (10) business days following the issuance of a written decision by the Planning Director, in accordance with the provisions of Section 12-15-1.

(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 complement the visual continuity of adjacent building façades and relate directly to the entrance. Signs shall not obstruct views of nearby intersections and driveways.

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

(D) **COMPATIBILITY.** A sign, including its supporting structure and components, shall be designed as an integral design element of a building and shall be architecturally compatible, including color, with the building to which it is attached. Signs must not obscure architectural details of the building; nor cover doors, windows, or other integral elements of the façade.

12-4-5. SETBACK REQUIREMENTS.

Permanent signs shall not be placed in the setback area as defined for the zone ~~district~~ in which the sign is located, except in the General Commercial (GC) District and the Residential Development (RD) District. Signs in the GC zone may be set back ten feet (10') from the property line, ~~with the exception of those unless the property is also located~~ in the Frontage Protection Zone. The Planning Director and the City Engineer may decrease the setback if it is determined that the public will benefit from ~~a sign located~~ otherwise such an exception, 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 thirty-six inches (36") from the ~~face of a building or pole~~.

Awning, canopy, 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 allowed over the Main Street sidewalk. Signs may extend over City property only after review and written approval by the City Engineer and recording of an encroachment agreement acceptable to the City Attorney ~~is recorded~~.

12-4-7. SIGN MATERIALS.

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

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

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

Ivory-colored plastic shall be used for internally illuminated letters.

Other materials may be approved by the Planning Commission at its discretion, but are otherwise prohibited. The sign materials should be compatible with the face of the building and should be colorfast and resistant to corrosion.

12-4-8. COLOR.

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

12-4-9. ILLUMINATION.

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