

ORDINANCE 18-06

AN ORDINANCE AMENDING TITLE 10, CHAPTER 10-7, SECTION 10-7-9 OF THE MORGAN CITY CODE BY SUBSTITUTING THE PLANNING COMMISSION FOR THE HISTORIC DISTRICT REVIEW COMMITTEE FOR PURPOSES OF THE APPLICATION AND INTERPRETATION OF THE HISTORIC DISTRICT OVERLAY ZONE; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council adopted a historic district overlay zone, and in doing so created a historic district review committee; and,

WHEREAS, the applications to that committee have been infrequent and it has been determined that the planning commission, with the input from those resources utilized by the committee, would be able to provide the needed services and reviews concerning the application of the historic overlay zone; and,

WHEREAS, after conducting a public hearing, and upon receiving a recommendation from the planning commission, the City Council finds that substituting the planning commission for the historic district review committee will provide the needed reviews without an additional level of meetings; and,

WHEREAS, the City Council finds that the adoption of the proposed ordinance is in the best interest of the public and as the proposed ordinance reflects those findings, the Council desires to adopt this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE MORGAN CITY COUNCIL:

SECTION I: Repealer. If any provisions of the Morgan City Code heretofore adopted are inconsistent herewith they are hereby repealed.

SECTION II: Enactment. Title 10, Chapter 10-7, Section 10-7-9 of the Morgan City Code is hereby amended to read as follows:

10-7-9: HC HISTORIC COMMERCIAL OVERLAY ZONE:

A. **Historic District Objectives; Planning Commission ~~And Review Committee~~:**

1. **Objective And Characteristics Of Zone:** The HC historic commercial overlay zone is established as a district in which the primary use of the land is for retail/business purposes. The area covered by this zone is intended to be the historic central retail, service and professional area of the city. This area is near the I-84 interchange and the historic railroad depot. The primary road is used to access golfing, campgrounds, and the county fairgrounds. The area is intended to provide for a variety of community activities. The HC overlay zone is characterized by wide, clean, well lighted streets, ample pedestrianways and vehicular parking lots for the convenience and safety of the public. Attractive, inviting and well maintained shops, stores, offices, theater and cultural buildings are also characteristic of this zone.

Representative of the uses in this zone are specialty retail, lodging (including hotels), professional offices, theaters, restaurants and a wide variety of retail outlets. It is to include a mixed use that would permit residential uses as subordinate uses and generally located above the main floor. ~~In order to accomplish the objectives and purposes of this section and to promote the characteristics of this zone, a historic commercial architectural review committee may be established to review all proposed development projects prior to issuance of building permit. The committee~~planning commission is to use the following regulations of the HC historic commercial overlay zone.

2. The planning commission is authorized to apply and interpret the provisions of the historic overlay zone. ~~Historic District Review Committee: There is hereby created a historic review committee.~~

a. ~~Membership And Terms: Its members shall consist of two (2) members of the planning commission, two (2) members who are either a property owner within the district or a business owner therein, and one community member who demonstrates a knowledge and interest in the history of Morgan City, and the presiding mayor. These appointments shall be for staggered terms of three (3) years and shall be made by the mayor with approval by the council. The initial appointments shall be as follows: one member of the planning commission shall be appointed for a one year term, while the other member of the commission is appointed to a three (3) year term; one property/business owner will be appointed to serve a one year term, while the other is to serve a two (2) year term; the community member shall be appointed to an initial three (3) year term.~~The planning commission may receive assignments from the city council regarding the applicable provisions of this code, or other matters that may affect the application of this code to the district or the historic overlay zone.

b. ~~Powers: This committee is authorized to enforce and interpret the provisions of this code as it applies to the historic overlay zone. This committee may make recommendations to the planning commission and city council for additions and amendments to this code. This committee shall receive assignments from the planning commission and the city council regarding the applicable provisions of this code, or other matters that may affect the application of this code to the district or the historic overlay zone.~~

e. ~~Appeals: Any appeal from a decision of the committee~~ession shall be filed with the office of the mayor within fifteen (15) days and heard by the city council. The council's review shall be de novo.

d. ~~Meetings: This committee is to meet as needed. The date, time, and agenda of each meeting will be published as required by the open meetings act. The committee will meet at Morgan City Hall, unless advertised otherwise.~~

B. Use Regulations: The uses for this zone shall be as set forth in section [10-8-16](#), table 4-2 of this title, tempered with the objectives stated in subsection A1 of this section.

C. Area Frontage And Size Requirements: There shall be no minimum area frontage, nor size requirements for commercial buildings and structures constructed in accordance with the building code.

D. Location Requirements:

1. Side Setback Requirements: No side setback shall be required for buildings having fire resistive walls in compliance with the building code of Morgan City, Utah.

2. Front Setback Requirements: No front setback shall be required in this zone.

3. Rear Setback Requirements: No rear setback shall be required for buildings having fire resistant walls in compliance with the building code of Morgan City, Utah.

For nonfire resistant buildings, regulations as contained in said building code shall apply, except all buildings and structures, including, but not limited to, gasoline pumps, shall be set back at least twenty feet (20') from the street right of way line.

E. Height Requirements: The maximum height of any building shall be thirty-five feet (35'), except when approved by the planning commission and the city council.

F. Special Provisions:

1. All off street parking spaces shall be hard surfaced, meaning asphalt, concrete, cobblestone, pavers, or similar material.

2. All merchandise, equipment, and other materials (except for vehicles in running order) shall be stored within an enclosed building or within a sight obscuring enclosure.

3. No dust, odor, smoke, vibrations, or intermittent light, glare, or noise shall be emitted which is discernible beyond the premises.

G. **Parking Requirements:** In this overlay zone, the current location of structures and the parking configuration may not be conducive to prospective businesses. Therefore, the planning commission is authorized to reduce the required parking upon the finding of: 1) a hardship; 2) the existence of off site parking within five hundred feet (500') that is not considered required parking for other businesses, or is not utilized during the same business hours as the prospective use; or 3) the applicant can demonstrate that the proposed use will generate a parking need less than that required by this section.

H. **Architectural Review:** The structures and appurtenances within this zone are to maintain the historical appearance of the area. Any exterior remodel, reconstruction, new construction, or modification shall be submitted to the ~~historic district review committee~~ planning commission with color renderings of the proposed work. The ~~committee~~ commission shall review the renderings to ensure compliance with this requirement. The ~~committee~~ commission is authorized to require architectural consistency regarding design, materials, and colors of the exterior of the buildings within this zone.

I. **Covered Sidewalk:** As a part of developing within this zone, the absence of a front setback requirement creates the need of the construction of a sidewalk in conjunction with the structure. Said sidewalk may be covered, and if covered shall be done so in a manner consistent with existing construction, which is a covering that is an extension of the structure.

J. **Plantings:** Due to the absence of setbacks between buildings, uses within this zone will be permitted and encouraged to have decorative planters along the frontage. These may be in the form of window boxes, hanging baskets, or planters placed upon the sidewalk. Due to the narrow nature of these sidewalks, window boxes should not protrude into the sidewalk area more than one foot (1'). Hanging baskets must leave a clearance from the sidewalk of seven feet (7'). Planters should not exceed one foot (1') in width and should be placed adjacent to the building or support posts for the sidewalk canopies. During those times of the year that are not conducive to outdoor plant life, noncommercial decorative displays may be substituted therefor.

K. **Historic Overlay Zone; Design Guidelines:**

1. **Introduction:**

a. While most building space in the district is used for commercial purposes, some housing also occurs on upper levels. The district offers a unique living environment and additional housing is encouraged in the city's economic plan. Opportunities exist for housing in historic structures, as well as in new buildings. With forthcoming development on surrounding blocks, a potential market for additional office space also is emerging. This mix of uses can add interest to the street, improve its overall safety and expand its hours of operations.

Living in a historic, mixed use area is appealing to many, and can enhance the quality of life for all, but it is important to recognize that some constraints exist here in the types of building that will be compatible with the district and the manner in which this mix of uses interacts.

2. **Reserved.**

3. **General And Site Design Guidelines:**

a. The design principles below apply to all construction projects in the historic district and provide a foundation for the guidelines that follow. It is important to note that creativity in new design that also is compatible with the preservation goals of the community is especially encouraged. Property owners, developers, or other applicants desiring to do work within this district are encouraged to reference historic photographs and narratives available from the city and the historic society for determining materials, designs, and signage.

b. A basic principle of building in a historic district is that the new construction should be compatible with its older neighbors while also being distinguished as being new. This principle is formalized in standards for preservation published by the secretary of the interior. In addition to those standards, Morgan City requires compliance with the following provisions relating to new construction, rehabilitation, and maintenance of buildings within the historic district:

(1) The height of the proposed building and structures shall be visually compatible with adjacent buildings.

(2) The relationship of the width to the height of the front elevation shall be visually compatible to buildings, public ways, and places to which it is visually related.

(3) The relationship of the width to height of windows shall be visually compatible with buildings, public ways, and places to which the building is visually related.

(4) The relationship of solids to voids in the facade of a building shall be visually compatible with buildings, public ways, and places to which it visually relates.

(5) The relationship of a building or structure to open space between it and adjoining buildings or structures shall be visually compatible with the buildings, public ways, and places to which it is visually related.

(6) The relationship of entrances and other projections to sidewalks or other walkways shall be visually compatible with the building, public way, and places to which it is visually related.

(7) The relationship of the materials, texture, and color of the facades shall be visually compatible with the predominant materials used in the buildings and structures to which it is visually related.

(8) The roof shapes and function of a building shall be visually compatible with the building to which it is visually related.

(9) The use of elements such as building facades and appurtenances such as walls, fences and landscape masses shall function to ensure visual compatibility with the existing site design features, orientation and layout pattern of the buildings, public ways, and places to which such elements are visually related.

(10) The size and mass of buildings and structures in relation to open spaces, to windows, door openings, porches, and balconies shall be visually compatible with the buildings, public ways, and places to which it is visually related.

(11) A building shall be visually compatible with buildings, public ways, and places to which it is visually related in its directional character, whether this be vertical, horizontal, or nondirectional character.

The guidelines that follow expand on those principles of the preservation ordinance. The basic goal is to reinforce the continuity of the district without literally duplicating the historic styles or replicating early buildings.

4. Site Design:

a. Views: Protect views to the mountains and to historic landmarks.

b. District Grid: Respect the town grid in all new development and in rehabilitation efforts. Do not alter the existing rectangular layout of streets and alleys within the district.

c. Landscaping:

(1) Landscaping enhances the pedestrian experience and is therefore encouraged. While limited opportunities exist for landscaping, these should be explored whenever feasible. This is done by providing positive enhancements to open space in all projects where portions of the site are not developed.

(A) Include significant landscaping in all projects where open space occurs.

(B) Primary open space areas may be located in rear courtyards and alley areas. (See subsection K4c(3) of this section.)

(C) Limited portions of open space may abut the sidewalk. The majority of the street frontage should be building wall. (See subsection K4e(4) of this section.)

(2) Use plant materials that are adapted to the Morgan climate.

(A) While a variety of plant materials can be made to grow here, the use of exotic plants is discouraged. Plants should be selected for their tolerance to this climate regarding temperature, and low humidity. Low maintenance plant materials should be considered. The mature size of the plant should not overwhelm the landscaped space and detract from important architectural features.

(B) While irrigation is needed, it should be designed not to irrigate hard surfaces and waste water.

(C) Street trees and other plantings should be maintained.

(D) Plants also should be selected that will enhance security monitoring. For example, a "visual clear zone", from three (3) to eight feet (8') above the ground is recommended.

(3) The development of outdoor patios and courtyards in the rear is encouraged.

(A) Minimize exposure of patios and courtyards to the street. The sidewalk edge should be primarily defined with a building.

(B) Partial exposure of open space, such as plazas or pedestrian walk throughs to the street, is acceptable if it does not dominate the street frontage.

(C) The use of low scale lighting and transparent, ornamental fences are encouraged in these areas.

(4) Where open space exists at the front of a site, define the edge of the property with landscape elements.

(A) An appropriate example is a low, pedestrian friendly brick wall or hedge.

(B) A tall opaque fence or hedge is inappropriate.

d. Parking Lots:

(1) Minimize the visual impacts of surface parking.

(A) A priority in organizing the site is to locate parking to the rear of structures when feasible.

(B) Parking should be screened from adjacent properties when feasible, while also accommodating security designs. Low hedges or walls and ornamental fences should be considered.

(C) Landscape plans shall be submitted with parking plans.

e. Building Orientation:

(1) Orient buildings parallel to their lot lines, not at an angle. This should be similar to the historic building orientation of the street.

(2) Maintain the typical building spacing of facade bays found on the block.

(A) These are recommended to be fifteen feet (15') to forty-two feet (42') wide.

(B) This is to preserve the "rhythm" of building facades that contributes to the visual continuity of the street.

(C) A larger (wider) building should be divided in modules that reflect these traditional building widths.

(3) When the buildings are of a similar height, maintain the alignment of horizontal elements along the block, including building cornices.

(A) This alignment occurs most successfully when buildings are similar in height.

(B) Window sills, moldings and cornices are among those elements that may be seen to align.

(4) Maintain the alignment of building facades at the sidewalk edge.

(A) Align the building front at the property line.

(B) In general, a minimum of seventy five percent (75%) of the street frontage should be building wall.

(5) Where a portion of the facade must be set back, use architectural and landscape features to define property boundaries. This applies to rear alley setbacks as well as to front setbacks.

(6) Orient the primary facade of the building toward the street, not to an interior court.

(A) At corner sites, make the primary facade facing Commercial Street and design a lesser facade facing the cross street.

(B) When considering courtyards, minimize the amount of frontage of the courtyard on the street.

(C) Courtyards should not extend across the entire front of the property. Instead, maintain a building wall at the street property line.

(7) Clearly define the primary entrance to a building.

(A) The building entrance should appear similar in scale and character to those used historically.

(B) Locate the primary entrance facing the street.

(C) The primary building entrance should be in scale with those seen traditionally.

(D) Secondary entrances may face on to alleys, courtyards, or promenades. Buildings are also to be constructed or rehabilitated in such a way that a secondary entrance should be provided to the rear of the building, accessing the interior of the block.

f. Alleys: Alleys should provide secondary service access to buildings away from the street and can accommodate other uses. They should remain simple, yet inviting.

(1) Maintain the alley as an open space.

(A) The primary function is for secondary access.

(B) The use of decorative paving and low scale, shielded lighting is encouraged in these areas.

(2) Alleys also may be used as pedestrianways. This is to be a shared use, subordinate to the service access function.

(3) Providing a pedestrian connection through a property to connect the street with the alley is encouraged. A minimum of one pedestrian walkway per block is encouraged and should be as close to the center of the block as possible.

(4) Midblock pedestrian crosswalks should be clearly defined. Coordination of the alignment of a walkway with the crosswalk is preferred.

(5) A covered or protected rear alley entrance, clearly intended for public use, but subordinate in detail to the primary entrance, is permitted.

5. Building Design:

a. Architectural Character: The character of new and rehabilitative construction should be compatible with the existing historic character of the district. In terms of building history, the observer should be able to distinguish old from new.

(1) The literal duplication of historic styles is welcomed. Copying styles reflects the history of the district.

(2) Contemporary interpretations of traditional buildings are preferred.

(A) Doing so will enable one to "read" the history of the street.

(B) New interpretations of traditional building components, such as kick plates, transoms, and cornices are especially encouraged.

(C) These should be similar in scale and overall character to those seen historically, while being different in detail.

(D) In essence, facade elements should be a balance of new and old in their design.

b. Building Mass And Scale:

(1) Buildings should appear similar in width to those seen historically.

(A) Divide larger buildings into modules that are similar in width to historic structures found in the district.

(B) If a larger building is divided into multiple "bays", these should be expressed three-dimensionally throughout the entire building.

(2) A building should appear similar in height to those seen historically in the area.

(A) The height limit is established in this title.

(B) Large projections that occupy several lots should provide variety in building heights.

(C) The massing of a building on a corner lot may appear slightly larger than those in midblock.

(3) Floor to floor heights should appear similar to those seen traditionally. In particular, the first floor windows should appear similar in height to those seen traditionally.

c. Solid To Void Ratio:

(1) On facades that are visible from the public way, the solid to void ratio should be similar to that seen on comparable historic buildings.

(A) This ratio is the percentage of wall to window found on the facade.

(B) Distinguish upper floors from the ground floor by decreasing the solid to void ratio in the upper floor. First floors should be more transparent.

d. Building Form:

(1) Roofs:

(A) The primary roof form should appear to be flat.

(i) Roofs should be concealed by a parapet.

(ii) Decorative parapets are appropriate.

(iii) Exotic" roof forms, including mansards, are inappropriate.

(B) Minimize the visual impact of rooftop uses, as seen from the street, by setting activities back from the sidewalk below.

(i) Rooftop uses enliven the street and are encouraged.

(ii) At a minimum, they should be set back ten feet (10') from the building's front. This does not include handrails, but does include trees, umbrellas and tables.

(iii) Mechanical equipment shall not be visible from the street level or from any other building within the district, other than from other rooftops.

e. Building Materials: Brick walls in traditional earth tones, and in standard sizes dominate the district and contribute to a sense of visual continuity that should be preserved. Cut sandstone was the only rock used during the era.

(1) Primary materials should appear similar to those used historically.

(A) Brick was predominate. A distinguishing characteristic of historic materials was their durability; this should be of prime concern when selecting new materials as well.

(B) The characteristics of the material and its visual quality are especially important for materials used on the building front.

(C) Brick and sandstone, with a flat finish, are appropriate.

(D) Imitation wood products are appropriate, which may include other siding material, if they meet the criteria of being durable, of good quality, and reflective of the historic period. Such products include "hardie board" and other cementitious products. An applicant will be given an opportunity to demonstrate to the committee ession the quality and durable nature of the proposed product, and explain how the material will reflect the historic period.

(E) Cinder block, that is dyed and split, is acceptable for side and rear walls, but not acceptable as an exposed material along the Commercial Street frontage.

(2) Simple material finishes and muted color schemes are encouraged.

(A) Matte finishes are preferred. Polished stone, for example is inappropriate as a primary material.

(B) A conservative color scheme that is compatible with those found on historic buildings is encouraged.

(C) Wood should be painted, stained, or varnished.

(D) The use of new materials may be considered, but would need to be reviewed specifically.

(3) Accent materials should be similar to those used historically.

(A) Imitation wood, such as hardie board, is an appropriate material for trim elements. As a secondary material wood was used on storefronts while stone, painted metal, terra cotta, ceramic tile, and rounded plaster were used in detailing.

(B) Detailing should provide a profile that adds shadow lines to the facade.

(4) Glass used in windows shall appear similar to that used historically.

(A) Transparent, clear glass is appropriate.

(B) Opaque, tinted and mirror glass are inappropriate.

(5) New materials may be considered, but they should appear similar in character to those used traditionally in the district. If substitute materials are to be used, they also must have a demonstrated durability.

f. Building Fenestration: The size, proportion and arrangement of doors and windows are important building features that contribute to the character of the district.

g. Windows And Doors:

(1) Upper story windows should have a vertical emphasis. Windows that are in scale with those seen traditionally are encouraged.

(2) Windows and doors should be trimmed with painted wood or metal; this trim should have a dimension similar to that used historically.

(3) The use of first floor display windows is encouraged to add interest for pedestrians. These should be similar in scale to those seen traditionally.

(4) Kick plates are encouraged. Contemporary interpretations of other traditional building elements also are encouraged.

(5) The primary building entrance should be recessed. Entrance designs also must comply with requirements of the international building code.

h. Color: Using color schemes that reflect those found on historic buildings is preferred. Color selection shall be reviewed by staff and decisions ratified by the ~~historic district review committee~~ planning commission. There is adopted herewith, a color palette with approved paint colors for use within the district. That palette includes those colors illustrated by and comparable to the Williamsburg reserve collection, which includes the collection entitled "Historic Homes". Any color outside the adopted palette may be presented to the ~~committee~~ commission for inclusion within the accepted colors, or as a request for inclusion in a single project.

(1) Use colors to create a coordinated composition for the building.

(A) The facade should "read" as a single color scheme.

(B) "Day-Glo" paints and garish colors are not permitted in the district. Limited metallic paint may be allowed on signs for accent and lettering purposes.

(2) Base or background colors should be muted.

(A) Use the natural colors of the building materials such as the natural color of natural rock, as the base for developing the overall color scheme.

(B) Reserve the use of bright colors for accents only, such as highlighting entries.

i. Lighting:

(1) Use lighting for the following:

(A) To accent architectural details.

(B) To accent building entries.

(C) To accent signs.

(D) To illuminate sidewalks.

(E) To enhance security.

(2) Use lighting as it was used historically in the district.

(A) All light sources shall be shielded. (An exception is when neon is approved for a sign.)

(B) Lighting should not dominate a facade or the street.

(C) Washing the entire facade with light is inappropriate. Lights focused upward to light the facade also are inappropriate.

(D) Lighting may not be animated. Chase lights, for example, are prohibited.

(E) Using low scale, decorative lighting is encouraged.

(F) Winter seasonal displays are permitted from November 1 through March 31. Displays should be turned off at twelve o'clock (12:00) midnight. Any color of lights may be

used; however, the lights shall not be used to create advertising messages or signs. Spelling out the name of a business is prohibited.

(G) Subtle, small, white lights may be used to outline the roofline of a building. These lights need not be shielded.

j. Awnings:

(1) Fabric awnings are encouraged.

(A) Canvas awnings with a matte finish are preferred. High gloss finishes are inappropriate.

(B) Operable awnings are permitted; however, they shall be timely maintained.

(C) Rigid frame awnings may be used. The framework must be on the inside of the awning and may not be included in the valance.

(D) Use colors that are compatible with the overall color scheme of the facade. Solid colors or simple, muted striped patterns are appropriate.

(E) Simple shed shapes are appropriate for rectangular openings.

(F) The angled plane should appear larger than the vertical valance plane of the awning, and the valance is not to exceed twelve inches (12") to fourteen inches (14") in height.

(2) Internal lighting of an awning is permitted; however, external lighting is preferred.

(3) An awning should be mounted to accentuate character defining features. It should be mounted to highlight moldings that may be found above the storefront.

(4) An awning may include signage on the valance portion only. Any such signage shall use an appropriate font and not exceed eight inches (8") in height. It must otherwise comply with the design regulations addressing signage.

k. Security Devices:

(1) Minimize the visual impact of security devices.

(A) Historic precedent exists for using metal bars on the inside of openings. These were simple and yet decorative in design.

(B) New bar designs should be simple in design as well.

(C) Roll down metal screens are not allowed, because these obscure products on display and thereby weaken the interest of the street to pedestrians when in a closed position.

l. Service Areas:

(1) Minimize the visual impacts of trash storage and service areas.

(A) Screen dumpsters from view.

(B) Locate service areas away from primary facades.

(C) locate service areas away from major pedestrian routes, in the rear.

m. Mechanical Equipment And Utilities:

- (1) Minimize the visual impact of mechanical equipment.
 - (A) Screen equipment from view.
 - (B) Do not locate window air conditioning units on the building's facade.
 - (C) Use low profile mechanical units on rooftops that are not visible from the street or alley, or from the inside of other buildings in the district. This would include nontraditional mechanical equipment, such as solar panels.
 - (D) Also minimize the visual impacts of utility connections and service boxes.
 - (E) Regardless of whether the rear of the building is being developed, the mechanical equipment and utilities are to be screened.

n. Accessibility: The Americans with disabilities act (and as amended) mandates that all places of public accommodation be accessible to all users.

(1) These guidelines should not prevent or inhibit compliance with accessibility laws.

(A) All new construction should comply completely with the ADAAA.

(B) Owners of historic properties should comply to the fullest extent, while also preserving the integrity of the character defining features of their buildings.

(C) Special provisions for historic buildings exist in the law that allow some alternatives in meeting the ADAAA standards.

o. Energy Conservation:

(1) The use of energy conservation methods is encouraged.

(2) Energy conservation techniques must be compatible with the historic character of the district.

(A) Solar collection devices should not alter simple rooflines.

(B) Solar collection devices should be screened out of public view to minimize their visual impact. (These may include skylights, glass blocks, etc.)

(C) Wind generated energy conservation devices are not allowed.

6. Site Furnishings:

a. Public Art: Public art is encouraged. Public art is subject to review by the ~~historic district review committee~~ planning commission. "Public art" is defined as that art that is proposed to be located on public property within the district. This may include sculptures, or displays consistent with the history of the district.

b. Street Furniture: Historically, street furnishings were sparse, as they were only infrequently provided by private property owners. Today, many street furnishings provide amenities that enhance the street as a pedestrian environment and such features should be encouraged. However, these elements should not overwhelm what historically was a simple streetscape, and therefore street furniture should be simple in character and limited in numbers. All street furniture must be in accordance with the streetscape plan.

(1) If painted, street furniture should be a muted color.

(2) Newspaper racks, when clustered at a corner, can impede pedestrian activity and obscure the storefronts behind them. Their visual impact, therefore, should be minimized. Locations for these racks will be provided throughout the district, in groupings.

These groupings, as well as other street furniture, should not obstruct any defined pedestrian paths or impede access to crosswalks or on street parking.

(3) Planters should be of stone, treated metal, or wood, and of a simple design. Finished concrete is not acceptable. Planters should be placed out of the way from the general pedestrian circulation.

(4) Avoid historic theme designs for street furniture that are inaccurate.

(A) Avoid locating street furniture where it will obscure significant building features.

(B) The existing design themes in street furnishings should be followed.

(5) Sidewalk seating should be compatible with the historic character of the street.

(A) It should be located such that its use can be monitored and such that it will not obstruct pedestrian traffic.

(B) Treated metal (including wrought iron) or finished wood are the only elements the table and chairs may be made of.

(C) The size and location must be so as to ensure a minimum four foot (4') unobstructed path along the sidewalk, alley, or other pedestrianway.

(6) Trash receptacles should conform to established streetscape standards for the district.

7. Design Guidelines For Signs: Signs should be subordinate to the overall building composition. Historically, signs used on Commercial Street were relatively simple. They varied in size and location quite broadly, but most were basic painted panels with simple type styles. The earliest signs had no lighting. In later years, an indirect light source was typical. These historic sign characteristics should be continued. A balance throughout the street is sought. To do so, the committee seeks to limit the size and number of signs such that no single sign dominates the setting, but rather the district reads as a distinct neighborhood.

a. Sign Context: A sign typically serves two (2) functions: first, to attract attention, second, to convey information. If the building front is well designed, it alone can serve the attention getting function, allowing the sign to be focused on conveying information in a well conceived manner. All new signs should be developed with the overall context of the building and of the district in mind.

(1) Consider the building front as part of an overall sign program.

(A) The overall facade composition, including ornamental details and signs, should be coordinated.

(B) Signs also should be in proportion to the building, such that they do not dominate the appearance.

(C) A master sign plan should be developed for the entire building front, and should be used to guide individual sign design decisions.

- (2) A sign should be subordinate to the overall building composition.
 - (A) A sign should appear to be in scale with the facade.
 - (B) Locate a sign on a building such that it will emphasize design elements of the facade itself. In no case should a sign obscure architectural details or features.
 - (C) Mount signs to fit within existing architectural features. Signs should help reinforce the horizontal lines of moldings and transoms seen along the street.
 - (D) A window sign should not dominate or obscure the view through the window.

(3) A sign should be in character with the material, color, and detail of the historic context of the district. Simple letter styles and graphic designs are more appropriate in the context of the simple wordage or language on structures historically found on Commercial Street.

b. Permitted Types Of Signs:

(1) Flush mounted signs are appropriate.

- (A) A flush mounted wall sign is one that is flat to the wall. In most cases, a flush mounted wall sign should be positioned just above the display window or just above the transom window.

(B) Place a wall sign so that it aligns with others in the block, if practical.

(C) Only one flush mounted sign should be provided for each district facade module.

(2) Projecting signs are allowed. They may not project more than four feet (4') from the building's facade, and must be a minimum of eleven feet (11') above any walkways.

(3) A window sign may be considered.

(A) A window sign may be painted on or hung just inside a window.

(B) A window sign should not obstruct the view into or out of the building. It cannot occupy more than thirty percent (30%) of the window area that is below six feet (6') as measured from the grade of the sidewalk. Seasonal decorations may be in addition to the thirty percent (30%) limitation.

(4) An awning sign may be considered.

(A) An awning sign may be woven, sewn or painted onto the fabric of the valance portion of the awning. (See also subsection K5j(1) of this section.)

(5) A directory sign may be considered.

(A) Where several businesses share a building, coordinate the signs. Align several smaller signs, or group them into a single panel as a directory to make them easier to locate.

(B) Use similar forms or backgrounds for signs to tie them together visually and make them easier to read.

(C) The sign must be simple in design and placed on buildings in a location which does not detract from the overall character of the building.

(6) Sandwich or menu boards that stand on the sidewalk are allowed. These are to be next to the curb or within the recessed entranceway. They may be no larger than four feet (4') in height and two feet (2') in width, and must ensure a four foot (4') unobstructed path along pedestrian walkways.

c. Inappropriate Sign Types:

(1) Signs that are out of character with those seen historically, and that would alter the historic character of the street, are inappropriate.

(A) Freestanding signs, either pole mounted or monument types are inappropriate except on open lots.

(B) Animated signs and inflatables are inappropriate. Signs animated mechanically or by fan created movements are not allowed.

(C) Any sign that visually overpowers the building or obscures significant architectural features is inappropriate.

(D) Flashing signs are not allowed in windows or on buildings.

d. Sign Materials:

(1) Sign materials shall be compatible with that of the building facade.

(A) Painted wood and metal are appropriate material for signs. Their use is encouraged. Unfinished materials, including unpainted wood, are discouraged because they are out of character with the historic context and do not withstand the weather.

(B) Highly reflective materials are inappropriate.

(2) Plastic is inappropriate as the primary sign material. Internally lighted box signs are not allowed.

Any applicant desiring to use an alternative material, or desires to use a restricted material with the objective of satisfying the intent of this code, may submit an application for review to the committee session.

e. Sign Content:

(1) The use of symbol design is encouraged.

(A) Symbols add interest to the street, are quickly read, and are remembered better than written words.

(B) Symbols must be in scale to the sign and structure.

(2) Use colors for the sign that are compatible with those of the building front.

(3) Simple sign designs are preferred.

(A) Typefaces (font styles) that are in keeping with those seen in the area historically are encouraged. Avoid sign types that appear too contemporary.

(B) Limit the number of colors used on a sign. Generally, no more than three (3) colors should be used.

(4) Select letter styles and sizes that will be compatible with the building front.

Avoid hard to read or overly intricate typeface styles.

f. Sign Lighting: Lighting designs should enhance one's ability to perceive and interpret the historic character of individual buildings and of the district as a whole, both during the day and at night. Sign lighting should not overwhelm the significant architectural features of the building. In this regard, sign lighting should be compatible with the historic character of the street.

(1) The light for a sign shall be an indirect source.

(A) Light shall be directed at the sign from an external, shielded lamp.

(B) Internal illumination of a sign is not allowed.

(C) A warm light, similar to daylight, is appropriate. Incandescent lighting may be used in the district.

(2) Neon is acceptable if used in limited quantities, and where it is appropriate to the context. The sign should remain subordinate to the overall building front composition. The name of the business may be written in neon, using a single strand. If neon is used, not in the name, it may not exceed more than ten percent (10%) of the overall sign area, and may only be used to outline the sign or underline its content.

8. Design Guidelines For Additions To Or The Rehabilitation Of Existing Historic Properties: Additions or rehabilitations should be compatible with the style of the main building. Each case should be reviewed on an individual basis, taking into consideration the unique circumstances of each building.

a. Any additions should be designed to remain subordinate to the main structure, while rehabilitations should be consistent therewith.

(1) Additions should be set back from primary, character defining facades.

(2) Additions should be subtly distinguishable from the historic portion.


SECTION III: Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

SECTION IV: Effective Date. This ordinance shall go into effect at the expiration of the 20th day after publication or posting or the 30th day after final passage as noted below or whichever of said days is the most remote from the date of passage thereof.

PASSED AND ADOPTED by the City Council of Morgan, Utah, this 14th day of August, 2018.


RAY W. LITTLE, Mayor

ATTEST:


DENISE WOODS, City Recorder

