



**PARK CITY PLANNING COMMISSION MEETING
SUMMIT COUNTY, UTAH
December 12, 2018**

PUBLIC NOTICE IS HEREBY GIVEN that the Planning Commission of Park City, Utah will hold its regularly scheduled meeting at the City Council Chambers, 445 Marsac Ave Park City, Utah 84060 for the purposes and at the times as described below on Wednesday, December 12, 2018.

1. ROLL CALL

2. MINUTES APPROVAL

- 1A. Consideration to approve the Planning Commission Meeting Minutes from October 24, 2018.
[October 24, 2018 Minutes](#)

3. PUBLIC COMMUNICATIONS

4. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

5. CONTINUATIONS

- 5A. Amended Lot 38 West Ridge Subdivision Phase II Plat Amendment.
(A) Public Input (B) Continue to a Date Uncertain
[Staff Report](#)
- 5B. Municipal Code Amendments regarding Gravel and Landscaping in Title 11 Chapter 15-3 Acceptable Cover, Title 14 Chapter 2-7 Park Strips; and Title 15 Chapters 5-1 Policy and Purpose, 3-3 General Parking and Driveway Standards, 5-5(N) Landscaping, and 15-15 Definitions.
(A) Public Input (B) Continue to a Date Uncertain
[Staff Report](#)

6. CONSENT AGENDA

- 6A. 328 Woodside Avenue – Steep Slope Conditional Use Permit (SS-CUP) – Construction of a new single-family dwelling with driveway access projecting over an existing Slope of 30% or greater.
(A) Public Input (B) Possible Action
[Staff Report](#)
[Exhibits](#)

7. REGULAR AGENDA

- 7A. 638 Park Avenue – City Council Remand of a Conditional Use Permit (CUP) for a Private Event Facility Back to Planning for Additional Review.
(A) No Action Required
[Staff Report](#)
- 7B. Land Management Code Amendments regarding Design Guidelines 15-13 Design Guidelines for Historic Districts and Historic Sites and 15-15 Defined Terms.
(A) Public Input (B) Recommendation to City Council
[Staff Report](#)
- 7C. Land Management Code (LMC) amendments to the Historic Districts (LMC Chapter 15-2.1, 15-2.2, 15-2.3, 15-2.4, 15-2.5, and 15-2.6), Supplemental Regulations (LMC Chapter 15-4), Architectural Review (LMC Chapter 15-5-5) Architectural Design Guidelines, and Defined Terms (LMC Chapter 15-15).
(A) Public Input (B) Recommendation to City Council
[Staff Report](#)
[Exhibits](#)
- 7D. Consideration to Appoint John Kenworthy and Mark Sletten as Representatives for Planning Commission in the Technical Advisory Committee for the Transportation Master Plan.
(A) Public Input (B) Action
[Staff Report](#)
- 7F. 416 Ontario Avenue - Frandsen Plat Amendment.
(A) Public Input (B) Recommendation to City Council
[Staff Report](#)
[Exhibits](#)
- 7G. 8680 Empire Club Drive - Residences at the Tower and Tower Club Conditional Use Permit for 14 residential units and addition to the Tower Club.
(A) Public Input (B) Action
[Staff Report](#)
[Exhibits](#)
- 7H. 8680 Empire Club Drive - Residences at the Tower Condominium Plat.
(A) Public Input (B) Recommendation to City Council
[Staff Report](#)
[Exhibits](#)
- 7I. 1791 Prospector Avenue - Conditional Use Permit for a Multi-Unit Dwelling.
(A) Public Input (B) Action
[Staff Report](#)
[Exhibits](#)

- 7J. 7101 Silver Lake Drive - North Silver Lake Condominium Plat 2nd Amendment.
(A) Public Input (B) Recommendation to City Council
[Staff Report](#)
[Exhibits](#)
- 7K. 510 Ontario Avenue Plat Amendment and Roundabout Condominiums 1st Amendment.
(A) Public Input (B) Recommendation to City Council
[Staff Report](#)
[Exhibits](#)

8. ADJOURN

A majority of Planning Commission members may meet socially after the meeting. If so, the location will be announced by the Planning Commission Chair Person. City business will not be conducted. 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. Wireless internet service is available in the Marsac Building on Wednesdays and Thursdays from 4:00 p.m. to 9:00 p.m. Posted: See:
www.parkcity.org

***Parking validations will be provided for Planning Commission meeting attendees that park in the China Bridge parking structure.**

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
OCTOBER 24, 2018

COMMISSIONERS IN ATTENDANCE:

Vice-Chair John Phillips, Sarah Hall, John Kenworthy, Mark Sletten, Laura Suesser

EX OFFICIO: Planning Director, Bruce Erickson; Kirsten Whetstone, Planner; Tippe Morlan, Planner; Francisco Astorga, Planner; Mark Harrington, City Attorney

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REGULAR MEETING

ROLL CALL

Vice-Chair Phillips called the meeting to order at 5:35 p.m. and noted that all Commissioners were present except Commissioners Band and Thimm, who were excused.

Vice-Chair Phillips reported that the Planning Commission had a site visit to the Spiro Water Treatment Plant in preparation for reviewing the Three Kings Water Treatment Plan on the Agenda this evening. The Commissioners were given a brief description on what the treatment plant does currently, and what the goal is for the future. Vice-Chair Phillips remarked that the majority of the site visit was to get a visual of the site. They walked around the perimeter, particularly the south facing side.

Vice-Chair Phillips anticipated a presentation from the applicants during the Three Kings Water Treatment Plan discussion.

ADOPTION OF MINUTES

October 10, 2018

Vice-Chair Phillips referred to page 7, first paragraph, second sentence, and changed the word The to **They** to correctly read, "**They** will have to be located on private property, but the City cannot require a business license."

MOTION: Commissioner Sletten moved to APPROVE the Minutes of October 10, 2018 as amended. Commissioner Hall seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC COMMUNICATIONS

There were no comments.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Planning Director Bruce Erickson reported that the next two Planning Commission meetings were scheduled for November 14th and December 12th.

Commissioner Kenworthy disclosed that he owns a home on Woodside near the home being discussed this evening.

Commissioner Sletten disclosed that he owns property in the sister complex to the 7704 Village Way item on the agenda. He did not believe it would affect his ability to participate in that matter this evening.

Commissioner Suesser disclosed that she would be recusing herself from 675 Round Valley Drive due to a conflict of interest.

Vice-Chair Phillips clarified that they would still have a quorum for 675 Round Valley Drive because as Vice-Chair he retains the ability to vote.

CONTINUATIONS – (Public Hearing and Continue to date specified.)

2563 Larkspur Drive – Amended Lot 39 West Ridge Subdivision Phase II – Plat Amendment request to move the platted reserved open space delineation back, decreasing it by 764 square feet. (Application PL-18-03903)

MOTION: Commissioner Kenworthy moved to CONTINUE 2563 Larkspur Drive to December 12, 2018.

VOTE: The motion passed unanimously.

CONSENT AGENDA

1. 324 Woodside avenue – Steep Slope Conditional Use Permit (SS-CUP – Construction of a new single-family dwelling with driveway access projecting over an existing Slope of 30% or greater. (Application PL-18-03998)
2. 180 Daly Avenue – Steep Slope Conditional Use Permit (SS-CUP) – Construction of an addition to a historic house, with a Building Footprint in

excess of two hundred square feet (200 sf) located on an existing Slope of 30% or greater. The site is a developed site with a historic house that is designed as "Significant" on the Historic Sites Inventory. (Application PL-16-03085)

3. 182 Daly Avenue – Conditional Use Permit (CUP) – The applicant is proposing to construct a Duplex Dwelling on a vacant lot at 182 Daly Avenue. (Application PL-17-03708)
4. 182 Daly Avenue – Steep Slope Conditional Use Permit (SS-CUP) – Construction of a new Duplex Dwelling with a Building Footprint in excess of two hundred square feet (200 sf) located on an existing Slope of 30% or greater. (Application PL-16-03084)

Vice-Chair Phillips opened the public hearing on the Consent Agenda items. There were no comments. Vice Chair Phillips closed the public hearing.

MOTION: Commissioner Sletten moved to APPROVE the Consent Agenda. Commissioner Suesser seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 324 Woodside Avenue

1. The property is located at 324 Woodside Avenue.
2. On October 3, 2018, the City received an application for a Steep Slope Conditional Use Permit (SS-CUP) for "Construction on a Steep Slope" at 324 Woodside Avenue; the application was deemed complete on October 3, 2018.
3. The property is located in the Historic Residential (HR-1) District.
4. The lot contains 3,037.5 square feet. It is a downhill lot, and the average slope of the lot is approximately 32%. The average slope within the footprint area is approximately 21.7%. Nevertheless, the average slope beneath the proposed driveway is approximately 66.67%; per LMC 15-2.2-6(A)(3), a Steep Slope CUP is required for any Access driveway located on or projecting over an existing slope of 30% or greater.
5. Staff has found that the Historic District Design Review (HDDR) application complies with the Design Guidelines and Land Management Code, as redlined. The complete HDDR application was submitted on June 1, 2018.
6. A single-family dwelling is an allowed use in the HR-1 District.
7. Access to the property is from Woodside Avenue, a public street.
8. Two (2) parking spaces are proposed on site, one in a single-car garage and one on the driveway.

9. The neighborhood is characterized by a mix of historic and non-historic residential structures, single-family homes, and duplexes. The streetscape is dominated by garages, parking pads, and pedestrian entryways. The homes are a mix of one- to two-story residential developments, with a few three- to four-story houses.

10. An overall building footprint of approximately 1,200 square feet is proposed. The maximum allowed footprint for this lot is 1,201 square feet.

11. The proposed structure complies with the front and rear setbacks. The minimum front and rear setbacks are ten feet (10'), for a total of twenty feet (20'); the applicant is proposing a ten foot (10') front setback and nineteen foot (19') rear setback, for a total of twenty feet (29').

12. The proposed structure complies with the side setbacks. The minimum side setbacks are three feet (3'), for a total of six feet (6'). The structure has a three foot (3') side setback for both the north and south side yards for a total of six feet (6').

13. The proposed structure is approximately 25.0125 feet above existing grade at the tallest portions. The maximum height in the HR-1 is twenty-seven feet (27').

14. The proposed structure has an interior height of thirty-five feet (35'). The maximum interior height is thirty-five feet (35').

15. The proposed development is located on the lot in a manner that reduces the visual and environmental impacts of the structure. The majority of the mass and bulk of the building has been broken up into smaller components. Only a one- to two-story structure will appear above grade on the hillside.

16. The applicant submitted a visual analysis, cross valley views, and a streetscape showing a contextual analysis of visual impacts of this single-family dwelling on the cross canyon views and the Woodside Avenue streetscape. The proposed single-family dwelling is compatible with the surrounding structures as the majority of the mass and bulk of the single-family dwelling will be below Woodside Avenue and thus not visible from the right-of-way.

17. Access points and driveways have been designed to minimize grading of the natural topography and reduce the overall building scale. The proposed driveway leads to one (1) single-car garage and one driveway parking space.

18. There is an existing concrete retaining wall in the front yard that maintains the grade of Woodside Avenue. To the east of this wall, the grade drops drastically and flattens out.

19. The applicant is proposing to construct the new house on this flatter portion of the lot. One stone retaining wall measuring approximately 3.2 feet in height will be necessary in the front setback in order to maintain the grade between the concrete retaining wall and exterior front wall of the new house. On the north and south side elevations, only two retaining walls measuring approximately 3.25 feet in height are needed to retain the grade. The applicant is not proposing to change grade more than 4 feet around the periphery of the structure and has largely maintained Natural Grade.

20. The applicant is proposing a driveway leading to one parking space in the driveway and one (1) single-car garage. By incorporating a bridged driveway, the applicant has reduced the need for grading and drastically changing the topography of the front yard. Existing grade at the front of the lot will be maintained by the existing concrete retaining wall. Within the front setback, the grade will be largely maintained. A single stone retaining wall, in addition to the existing retaining wall, will be used in the front yard.

21. At the edge of curb, the applicant has incorporated a driveway with a maximum width of 12 feet. This driveway design is consistent with the width of driveways in the Historic District

22. The proposed structure's building pad location, access, and infrastructure are located in such a manner as to minimize cut and fill that would alter the perceived natural topography. The design steps with the grade of the lot which allows for the mass and scale to be compatible with development patterns in the Historic District

23. The applicant broke up the mass of the proposed structure by incorporating multiple roof lines and articulation of the wall planes. By breaking up the structure into a series of individual smaller components, the entire structure is more compatible with the Historic District. The areas of the structure above grade will appear to be one to three stories in height, which is compatible with the neighborhood overall.

24. The applicant has incorporated setback variations to prevent a wall effect and reduce the building scale and setbacks on adjacent structures.

25. The proposed design is articulated and broken into compatible massing components. The design includes setback variations and lower building heights for portions of the structure. The design minimizes the visual mass and mitigates the differences in scale between the proposed house and surrounding structures.

26. No lighting has been proposed at this time. Lighting will be reviewed at the time of the Building Permit application for compliance with the LMC lighting code standards and Design Guidelines.

27. The property was posted and notice was mailed to property owners within 300 feet on October 10, 2018. Legal notice was also published in the Park Record in accordance with requirements of the LMC on October 6, 2018.

28. The property is located outside of the Soils Ordinance.

29. The findings in the Analysis section of this report are incorporated herein.

Conclusions of Law – 314 Woodside Avenue

1. The CUP, as conditioned, is consistent with the Park City Land Management Code, specifically section 15-2.2-6(B).

2. The Use is consistent with the Park City General Plan, as amended.

3. The effects of any differences in use or scale have been mitigated through careful

planning.

Conditions of Approval – 341 Woodside Avenue

1. All Standard Project Conditions shall apply.
2. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits. The CMP shall include language regarding the method of protecting adjacent structures.
3. City Engineer review and approval of all lot grading, utility installations, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
4. This approval will expire on October 24, 2019, if a building permit has not been issued by the building department before the expiration date, unless an extension of this approval has been requested in writing prior to the expiration date and is granted by the Planning Director.
5. Plans submitted for a Building Permit must substantially comply with the plans reviewed and approved by the Planning Commission on October 24, 2018, and the Final HDDR Design.
6. All new retaining walls within the rear and side setback areas shall not exceed six feet (6') in height measured from final grade and retaining walls within the front setback area shall not exceed four feet (4') in height measured from final grade. An exception may be granted by the City Engineer per the LMC, Chapter 4.
7. Modified 13-D residential fire sprinklers are required for all new construction on this lot.
8. All exterior lighting, on porches, decks, garage doors, entryways, etc. shall be down directed and shielded to prevent glare onto adjacent property and public rights-of-way and shall be subdued in nature. Light trespass into the night sky is prohibited. Final lighting details will be reviewed by the Planning Staff prior to installation.
9. Construction waste should be diverted from the landfill and recycled when possible.
10. To the extent possible, existing Significant Vegetation shall be maintained on Site and protected during construction. When approved by the Planning Department in writing to be removed, the Significant Vegetation shall be replaced with equivalent landscaping in type and size. Multiple trees equivalent in caliper to the size of the removed Significant Vegetation may be considered instead of replacement in kind and size.
11. All excavation work to construct the foundation of the proposed single family dwelling shall start on or after April 15th and be completed on or prior to October 15th.

The Planning Director may make a written determination to extend this period up to 30 additional days if, after consultation with the Historic Preservation Planner, Chief Building Official, and City Engineer, determines that it is necessary based upon the

need to immediately stabilize an existing Historic property, or specific site conditions such as access, or lack thereof, exist, or in an effort to reduce impacts on adjacent properties.

12. The property is located outside the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore not regulated by the City for mine related impacts. If the property owner does encounter mine waste or mine waste impacted soils they must handle the material in accordance to State and Federal law.

Findings of Fact – 180 Daly Avenue

1. The property is located on 180 Daly Avenue.
2. On July 12, 2018, the Park City Council approved the Daly Delight Plat Amendment located at this address through Ordinance 2018-37; the plat has not yet been recorded.
3. The property is located within the Historic Residential (HR-1) District and meets the purpose of the zone.
4. Following recordation of the plat, Lot A at 180 Daly Avenue will contain a total of 3,986 square feet.
5. A single family dwelling is an allowed use in the HR-1 District.
6. A Historic District Design Review (HDDR) application is currently under review.
7. On October 3, 2018, the Historic Preservation Board approved the applicant's proposed Material Deconstruction.
8. On January 20, 2016, the City received an application for a Steep Slope Conditional Use Permit; the application was deemed complete on December 12, 2017.
9. Access to the property is from Daly Avenue, a public street.
10. The neighborhood is characterized by a mix of historic and non-historic residential structures, single family homes, and duplexes. The streetscape on the west side of the road, is dominated by historic garages, sheds, and pedestrian entryways.
11. The proposal will create a single family dwelling of 3,276 square feet, including the basement area.
12. An overall building footprint of 1,568 square feet is proposed following construction of the addition. The maximum allowed footprint for this lot is 1,593 square feet.
13. The proposed addition complies with all setbacks. The minimum front and rear yard setbacks are 12 feet. The minimum side yard setbacks are 5 feet.
14. The historic house currently has a front yard setback of 11 feet, less than the required 12 feet. Per Land Management Code 15-2.2-4 Existing Historic Structures that do not comply with the Building Footprint, Building Height, Building Setbacks, Off-Street parking, and driveway location standards are valid Non-complying Structures.
15. The proposed addition complies with the twenty-seven feet (27') maximum building

height requirement measured from existing grade. Portions of the house are less than twenty-seven feet (27') in height and the tallest portion of the building is 18.4 feet above existing grade.

16. The applicant submitted a visual analysis, cross valley views, and a streetscape showing a contextual analysis of visual impacts of this house on the cross canyon views and the Park Avenue streetscape. Staff finds that the proposed house is compatible with the surrounding structures based on this analysis.

17. The lot has an average slope of 43.5% and in some areas, the slope is as much as 83%. The front portion of the lot where the historic house sits is relatively flat; however, the grade quickly steepens to form the wall of the canyon directly west of the historic house.

18. The development is located and designed to reduce visual and environmental impacts of the Structure. Because the historic house sits at the front of the lot and on a flat portion of the lot, much of the bulk and mass of the new addition is buried in the hillside and is not visible from Daly Avenue. On the north and south sides of the new addition, only one to two stories will be visible above Final Grade. Retaining walls will be used to terrace the grade in four foot segments within the side yards.

19. A visual analysis has been provided and it has been determined that the potential impacts for the project have been mitigated through screening, slope stabilization, erosion mitigation, vegetation protection, and other methods. The proposed addition fits within the context of the slope, neighboring structures and existing vegetation. According to the survey, there are five (5) existing trees on the lot. The applicant proposes to retain the three (3) trees at the front of the site and replace the other two (2) trees with seven (7) new white pine trees. The visual analysis has demonstrated that the proposed design is visually compatible with the neighborhood and is similar in mass and scale to surrounding structures.

20. Access points have been designed to minimize Grading of the natural topography and reduce overall Building Scale. No new driveway or vehicular access to the site is proposed. The site will continue to be accessible from Daly Avenue, and the front door of the building is on the historic house.

21. The applicant has incorporated terraced retaining walls to regain Natural Grade. Finished Grade will be within 4 feet of existing grade following completion of the project. The retaining walls do not exceed 4 feet in height and vegetation will be planted on the terraces to further minimize the visibility of the retaining walls.

22. The buildings, access, and infrastructure have been located to minimize cut and fill that would alter the perceived topography of the site. The new structure's building pad has been located to minimize cut and fill. Though taller than the historic house, the new addition will be set back at least 10 feet from the rear wall of the historic house to help further visually separate it from the historic house. A long shed roof on the façade will help reduce the perceived size of the new addition and make the addition appear to be stepping up the hill. The applicant has been able to hide much

of the bulk and mass of the addition underground.

23. The building has is oriented along the Lot's existing contours, and the main ridge of the new three-story addition will be parallel to the grade. This allows the east side of the gable roof to slope down with the grade. The tallest portion of the structure is 18.4 feet above existing grade, and some portions of the new addition will be only 6.4 feet above existing grade. The proposed design complies with the Design Guidelines for Historic District and Historic Sites as exterior elements of the new development are of human scale and compatible with the neighborhood.

24. The design of the new addition has prevented a "wall effect" along the Street. The mass of the new addition has been staggered so that the three-story addition is visually separated from the historic house and much of its mass and bulk has been buried in the hillside. The articulation of the massing pattern reduces the overall perceived mass of the structure.

25. The volume of the Structure has been limited in order to minimize its visual mass and mitigate the differences in scale between the existing Historic House and the new addition. The taller portions of the new addition are physically and visually separated from the historic house. Setback variations and lower building heights have further reduced the overall mass and scale. The proposed mass and architectural design components are compatible with both the volume and massing of other single family dwellings in the areas. By burying much of the mass underground, the differences in scale between the new addition and surrounding structures have been minimized.

26. The proposed new addition has a height of 18.4 feet above Existing Grade, much lower than the maximum zone height of 27 feet. The roof of the new addition has been designed to allow for a long shed roof to slope downhill towards Daly Avenue. The mass of the roof form has been broken up by gable-roofed dormers. The overall interior height of the structure is 34.6 feet.

27. No lighting has been proposed at this time. Lighting will be reviewed at the time of the HDDR and Building Permit application for compliance with the LMC lighting code standards.

28. The property was posted and notice was mailed to property owners within 300 feet on October 17, 2018. Legal notice was also published in the Park Record in accordance with requirements of the LMC on October 6, 2018.

29. The property is located outside of the Soils Ordinance.

30. The findings in the Analysis section of this report are incorporated herein.

Conclusions of Law – 180 Daly Avenue

1. The CUP, as conditioned, is consistent with the Park City Land Management Code, specifically section 15-2.2-6(B)
2. The CUP, as conditioned, is consistent with the Park City General Plan.

3. The proposed use will be compatible with the surrounding structures in use, scale, mass, and circulation.
4. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval – 180 Daly Avenue

1. All Standard Project Conditions shall apply.
2. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits. The CMP shall include language regarding the method of protecting adjacent structures.
3. City Engineer review and approval of all lot grading, utility installations, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
4. No building permit shall be issued until the Daly Delight Plat Amendment is recorded with the Summit County Recorder's Office.
5. This approval will expire on October 24, 2019, if a building permit has not been issued by the building department before the expiration date, unless an extension of this approval has been requested in writing prior to the expiration date and is granted by the Planning Director.
6. Plans submitted for a Building Permit must substantially comply with the plans reviewed and approved by the Planning Commission on October 24, 2019, and the Final HDDR Design.
7. Residential fire sprinklers will be required for all new construction per requirements of the Chief Building Official.
8. All exterior lighting, on porches, decks, garage doors, entryways, etc. shall be shielded to prevent glare onto adjacent property and public rights-of-way and shall be subdued in nature. Light trespass into the night sky is prohibited. Final lighting details will be reviewed by the Planning Staff prior to installation.
9. Construction waste should be diverted from the landfill and recycled when possible.
10. All excavation work to construct the foundation shall start on or after April 15th and be completed on or prior to October 15th. The Planning Director may make a written determination to extend this period up to 30 additional days if, after consultation with the Historic Preservation Planner, Chief Building Official, and City Engineer, he determines that it is necessary based upon specific site conditions such as access, or lack thereof, exist, or in an effort to reduce impacts on adjacent properties.
11. Final landscape plan shall be provided at the time of the building permit and shall include existing vegetation, and include a replacement plan for any significant vegetation proposed to be removed.
12. The property is located outside the Park City Landscaping and Maintenance of Soil

Cover Ordinance (Soils Ordinance) and therefore not regulated by the City for mine related impacts. If the property owner does encounter mine waste or mine waste impacted soils they must handle the material in accordance to State and Federal law.

Findings of Fact - 182 Daly Avenue - CUP

1. The property is located at 182 Daly Avenue.
2. The Park City Council approved the Daly Delight Plat Amendment at this location on July 12, 2018. The final Mylar has not yet been recorded.
3. The Historic District Design Review (HDDR) application for the proposed for the new Duplex Dwelling is on hold, pending Planning Commission approval of the Steep Slope Conditional Use Permit and Duplex Dwelling Conditional Use Permit.
4. The property is located within the Historic Residential (HR-1) District and meets the purpose of the zone.
5. A Duplex Dwelling is a conditional use in the HR-1 District.
6. Following recording of the plat amendment, the lot will contain 5,329 square feet. This is an uphill lot with an average slope of approximately 44%.
7. Access to the property is from Daly Avenue, a public street.
8. Two (2) parking spaces are provided for each unit. The southerly unit provides one (1) parking space in the garage and one (1) parking space in the driveway. The northerly unit provides two (2) parking spaced in a tandem configuration in the garage. The entire site provides a total of four (4) parking spaces.
9. The neighborhood is characterized by a mix of historic and non-historic residential structures (single-family and Duplex Dwellings). The streetscape is dominated by garages, parking pads, and pedestrian entryways. The homes are a mix of one- to two-story residential developments.
10. An overall building footprint of 1,974 square feet is proposed. The maximum allowed footprint for this lot is 1,975 square feet.
11. The proposed Duplex Dwelling complies with the front and rear yard setbacks. The minimum front and rear yard setbacks are 12 feet, for a total of 25 feet; the applicant is proposing a 12 foot front yard and 19 foot rear yard setback, for a total of 31 feet.
12. The proposed addition complies with the side yard setbacks. The minimum side yard setbacks are 5 feet, for a total of 14 feet. The historic house has a 9 foot side yard setback on the north and 5 foot setback on the south, for a total of 14 feet.
13. The proposed Duplex Dwelling complies with the twenty-seven feet (27') maximum building height requirement measured from existing grade. Portions of the house are less than twenty seven feet (27') in height. The 10 foot minimum horizontal step in the downhill façade has a maximum height of 23 feet with a 24 foot 6 inch tall architectural feature measuring 11 feet 4 inches wide (which equates to less than 25% of the façade width). The Contributory Roof Form has a 7:12 pitch which

complies with the Contributing Roof Form requirement of 7:12 – 12:12 pitch. The Secondary Roof Form has a 3:12 pitch and is subordinate to the Contributory Roof Form.

14. The proposed addition has an interior height of 35 feet, which complies with the required interior height of 35 feet.

15. There are no unmitigated impacts to LMC 15-1-10(E)(1) Size and location of the site, as the Lot containing the Duplex Dwelling is 5,329 square feet. Per LMC 15-2.2-3 Lot And Site Requirements, Developments consisting of a Duplex Dwelling require a Lot Area at least equal to 3,750 square feet. The proposed site complies with the minimum lot size for a Duplex Dwelling.

16. There are no unmitigated impacts to LMC 15-1-10(E)(2) Traffic considerations including capacity of the existing Streets in the Area, as the Duplex Dwelling will be adding additional vehicles to Daly Avenue, as do all developments on Daly Avenue. Staff does not find that the proposed Duplex Dwelling will add any more vehicles to Daly Avenue than what would be added if two (2) Single-Family Dwellings were constructed on this site (had it been divided into two lots). This site could hold two (2) Single-Family Dwellings on two lots within the same property boundary, but the applicant has proposed to construct a Duplex Dwelling on a single lot instead. The proposed design meets the requirements for parking as indicated in the Review Criteria 5.

17. There are no unmitigated impacts to LMC 15-1-10(E)(3) Utility capacity, as this project has been reviewed by the applicable utility companies and internal departments. No concerns were brought up by those entities during their review. The applicant has provided information regarding the proposed utility plan on the Site Plan (Sheet A1.0).

18. There are no unmitigated impacts to LMC 15-1-10(E)(4) Emergency vehicle access as Emergency vehicles will access the site directly from Daly Avenue. No issues have been identified at this time.

19. There are no unmitigated impacts to LMC 15-1-10(E)(5) Location and amount of off street parking, as two (2) parking spaces are provided for each unit. The southerly unit provides one (1) parking space in the garage and one (1) parking space in the driveway. The northerly unit provides two (2) parking spaced in a tandem configuration in the garage. The entire site provides a total of four (4) parking spaces.

20. There are no unmitigated impacts to LMC 15-1-10(E)(6) Internal vehicular and pedestrian circulation system, as vehicular and pedestrian access to the site is from Daly Avenue, a public road. The proposed driveways lead to two (2) single-car garages. At the edge of curb, the applicant has incorporated driveways with a maximum width of 12 feet. This driveway design is consistent with the driveways of new construction in the Historic District.

21. There are no unmitigated impacts to LMC 15-1-10(E)(7) Fencing, Screening and landscaping to separate the Use from adjoining Uses, as Fencing and/or screening

has not been proposed for the site. This is consistent with the Daly Avenue streetscape because a Duplex Use is not uncommon on Daly Avenue. The applicant has incorporated a series of terraced retaining walls to regain Natural Grade along the periphery of the structure. These terraced retaining walls will be vegetated in each terrace which will help to shield any further impact. The retaining walls throughout the site will not change grade more than 4 feet from Existing Grade.

22. There are no unmitigated impacts to LMC 15-1-10(E)(8) Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots, as The proposed Duplex Dwelling is located on the lot in a manner that reduces the visual and environmental impacts. The Duplex Dwelling steps with the hillside which minimizes the mass and scale while still contributing to the development pattern of the Historic District. The applicant has incorporated a series of terracing retaining walls which eliminated the need for large and out of scale retaining walls.

23. There are no unmitigated impacts to LMC 15-1-10(E)(9) Usable Open Space, as the proposed structure complies with all applicable lot and site requirements, thus providing open space similar to that provided by other development on Daly Avenue

24. There are no unmitigated impacts to LMC 15-1-10(E)(10) Signs and lighting, as the proposal does not include any signs. All exterior lighting features will be down-lit and shielded.

25. There are no unmitigated impacts to LMC 15-1-10(E)(11) Physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing, as the proposed design is visually compatible with the neighborhood, similar in scale and mass to surrounding structures, and visual impacts are mitigated. The applicant has staggered the units of the duplex to reduce the overall width and bulk at the street. The applicant broke up the mass of the new structure by incorporating multiple roof lines and articulation of the wall planes. By breaking up the structure into a series of smaller components, the entire structure is more compatible with the Historic District. The areas of the structure above grade will appear to be one to two stories in height, which is compatible with the existing house and the neighborhood overall.

26. There are no unmitigated impacts to LMC 15-1-10(E)(12) Noise, vibration, odors, steam, or other mechanical factors that might affect people and property Off-site, as the mechanical room for the proposed project is located within the building and is not accessible from the exterior of the building.

27. There are no unmitigated impacts to LMC 15-1-10(E)(13) Control of delivery and service vehicles, loading and unloading zones, and Screening of trash pickup Areas, as this is a Duplex Dwelling which is consistent with other residential uses on Daly Avenue. No delivery, loading, or trash pick-up areas will be more intensive than the existing development on the street.

28. There are no unmitigated impacts to LMC 15-1-10(E)(14) Expected Ownership and

management of the project as primary residences, Condominiums, time interval ownership, nightly rental, or commercial tenancies, how the form of ownership affects taxing entities, as this property will be sold to a private property owner. Each unit will be under one owner until a condominium plat amendment is recorded (there is no Condominium Plat Amendment application on file with the Planning Department at this time).

29. There are no unmitigated impacts to LMC 15-1-10(E)(15) Within and adjoining the Site, impacts on Environmentally Sensitive Lands, Slope retention, and appropriateness of the proposed Structure to the topography of the Site, as the property is located outside the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore is not regulated by the City for mine related impacts. If the property owner does encounter mine waste or mine waste impacted soils they must handle the material in accordance to State and Federal law. Staff has included this as Condition of Approval #13 of the Steep Slope Conditional Use Permit.

30. There are no unmitigated impacts to LMC 15-1-10(E)(16) Reviewed for consistency with the goals and objectives of the Park City General Plan; however such review for consistency shall not alone be binding, as the proposed Duplex Dwelling fulfills the Goals, Objectives, and/or Implantation Strategies of the General Plan, including Goal 15: Preserve the integrity, mass, scale, compatibility and historic fabric of the nationally and locally designated historic resources and districts for future generations

31. The property was posted and notice was mailed to property owners within 300 feet on October 10, 2018. Legal notice was also published in the Park Record in accordance with requirements of the Land Management Code on October 6, 2018.

32. The Findings in the Analysis section of this report are incorporated herein.

Conclusions of Law – 182 Daly Avenue - CUP

1. The application complies with all requirements of the LMC and satisfies all Conditional Use Permit review criteria for a Multi-Unit Dwelling as established by the LMC 15-1-10.
2. The Use, as conditioned, is Compatible with surrounding Structures in Use, scale, mass and circulation; and
3. The effects of any differences in Use or scale have been mitigated through careful planning.

Conditions of Approval – 182 Daly Avenue - CUP

1. All Standard Project Conditions shall apply.
2. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits.
3. City Engineer review and approval of all appropriate grading, utility installation,

public improvements and drainage plans for compliance with City standards, to include driveway and Parking Area layout, is a condition precedent to building permit issuance. An approved shoring plan is required prior to excavation.

4. A landscape plan is required to be submitted with the building permit. Changes to an approved landscape plan must be reviewed and approved by the Planning Department prior to landscape installation.

5. This approval will expire on October 24, 2019, if a complete building permit submittal has not been received, unless a written request for an extension is received and approved by the Planning Director prior to the date of expiration

6. Recordation of the Plat is required prior to building permit issuance.

7. Modified 13-D fire sprinkler system is required.

Findings of Fact – 182 Daly Avenue – SS CUP

1. The property is located at 182 Daly Avenue.

2. The Park City Council approved the Daly Delight Plat Amendment at this location on July 12, 2018. The final Mylar has not yet been recorded.

3. The Historic District Design Review (HDDR) application for the proposed for the new Duplex Dwelling is on hold, pending Planning Commission approval of the Steep Slope Conditional Use Permit and Duplex Dwelling Conditional Use Permit.

4. The property is located within the Historic Residential (HR-1) District and meets the purpose of the zone.

5. A Duplex Dwelling is a conditional use in the HR-1 District.

6. Following recording of the plat amendment, the lot will contain 5,329 square feet. This is an uphill lot with an average slope of approximately 44%.

7. Access to the property is from Daly Avenue, a public street.

8. Two (2) parking spaces are provided for each unit. The southerly unit provides one (1) parking space in the garage and one (1) parking space in the driveway. The northerly unit provides two (2) parking spaced in a tandem configuration in the garage. The entire site provides a total of four (4) parking spaces.

9. The neighborhood is characterized by a mix of historic and non-historic residential structures (single-family and Duplex Dwellings). The streetscape is dominated by garages, parking pads, and pedestrian entryways. The homes are a mix of one- to two-story residential developments.

10. An overall building footprint of 1,974 square feet is proposed. The maximum allowed footprint for this lot is 1,975 square feet.

11. The proposed Duplex Dwelling complies with the front and rear yard setbacks. The minimum front and rear yard setbacks are 12 feet, for a total of 25 feet; the applicant is proposing a 12 foot front yard and 19 foot rear yard setback, for a total of 31 feet.

12. The proposed addition complies with the side yard setbacks. The minimum side yard setbacks are 5 feet, for a total of 14 feet. The historic house has a 9 foot side yard

setback on the north and 5 foot setback on the south, for a total of 14 feet.

13. The proposed Duplex Dwelling complies with the twenty-seven feet (27') maximum building height requirement measured from existing grade. Portions of the house are less than twenty seven feet (27') in height. The 10 foot minimum horizontal step in the downhill façade has a maximum height of 23 feet with a 24 foot 6 inch tall architectural feature measuring 11 feet 4 inches wide (which equates to less than 25% of the façade width). The Contributory Roof Form has a 7:12 pitch which complies with the Contributing Roof Form requirement of 7:12 – 12:12 pitch. The Secondary Roof Form has a 3:12 pitch and is subordinate to the Contributory Roof Form.

14. The proposed addition has an interior height of 35 feet, which complies with the required interior height of 35 feet.

15. The proposal complies with Criteria 1: Location of Development as the proposed Duplex Dwelling is located on the lot in a manner that reduces the visual and environmental impacts. The Duplex Dwelling steps with the hillside which minimizes the mass and scale while still contributing to the development pattern of the Historic District. The applicant has incorporated a series of terracing retaining walls which eliminated the need for large and out of scale retaining walls.

16. The proposal complies with Criteria 2: Visual Analysis as the visual analysis, streetscape, and cross canyon view demonstrate that the proposed design is visually compatible with the neighborhood, similar in scale and mass to surrounding structures, and visual impacts are mitigated. The applicant has staggered the units of the duplex to reduce the overall width and bulk at the street. The side yard will be re-vegetated following construction. The terraced retaining walls mitigate the visual impact of the steep grade. The terraces will not change grade by more than 4 feet and occur within the property.

17. The proposal complies with Criteria 3: Access as the proposed driveways lead to two (2) single-car garages. At the edge of curb, the applicant has incorporated driveways with a maximum width of 12 feet. This driveway design is consistent with the driveways of new construction in the Historic District. The grade at the street is minimal which has reduced the need for extensive retaining at the street front. Any retaining to accommodate the pedestrian access will be less than 4 feet and occur within the property.

18. The proposal complies with Criteria 4: Terracing as the applicant has incorporated a series of terraced retaining walls to regain Natural Grade along the periphery of the structure. These terraced retaining walls will be vegetated in each terrace which will help to shield any further impact. The retaining walls throughout the site will not change grade more than 4 feet from Existing Grade.

19. The proposal complies with Criteria 5: Building Location as the new structure's building pad location, access, and infrastructure are located in such a manner as to minimize cut and fill that would alter the perceived natural topography. The design

steps with the grade of the lot which allows for the mass and scale to be compatible with development patterns in the Historic District.

20. The proposal complies with Criteria 6: Building Form and Scale as the applicant broke up the mass of the new structure by incorporating multiple roof lines and articulation of the wall planes. By breaking up the structure into a series of smaller components, the entire structure is more compatible with the Historic District. The areas of the structure above grade will appear to be one to two stories in height, which is compatible with the existing house and the neighborhood overall.

21. The proposal complies with Criteria 7: Setbacks as the new structure complies with all applicable setbacks. The applicant has worked to break up the mass and scale of the structure through incorporating smaller components, multiple roof lines, and articulation of the wall planes.

22. The proposal complies with Criteria 8: Dwelling Volume as the proposed design is articulated and broken into compatible massing components. The design includes setback variations and lower building heights for portions of the structure. The proposed massing and architectural design components are compatible with both the volume and massing of single-family and other Duplex Dwellings in the area. The design minimizes the visual mass and mitigates the differences in scale between the proposed Duplex Dwelling and surrounding structures.

23. The proposal complies with Criteria 9: Building Height (Steep Slope) as the proposed new construction complies with the twenty-seven feet (27') maximum building height requirement measured from existing grade at the highest point. The height of the new structure is 27 feet above existing grade. As designed, the duplex dwelling is compatible in mass and scale with houses in the surrounding neighborhood.

24. No lighting has been proposed at this time. Lighting will be reviewed at the time of the Building Permit application for compliance with the LMC lighting code standards and Design Guidelines.

25. The Conditional Use Permit (CUP) for "Construction on a Steep Slope" at 182 Daly Avenue was deemed complete on December 12, 2017.

26. The property was posted and notice was mailed to property owners within 300 feet on October 10, 2018. Legal notice was also published in the Park Record in accordance with requirements of the LMC on October 6, 2018.

27. The property is located outside of the Soils Ordinance.

28. The findings in the Analysis section of this report are incorporated herein.

Conclusions of Law – 182 Daly Avenue – SSCUP

1. The CUP, as conditioned, is consistent with the Park City Land Management Code, specifically section 15-2.2-6.

2. The Use is consistent with the Park City General Plan, as amended.

3. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval – 182 Daly Avenue – CUP

1. All Standard Project Conditions shall apply.
2. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits. The CMP shall include language regarding the method of protecting adjacent structures.
3. City Engineer review and approval of all lot grading, utility installations, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
4. No building permit for construction of the new addition shall be issued until the Daly Delight Subdivision plat is recorded.
5. This approval will expire on October 24, 2019, if a building permit has not been issued by the building department before the expiration date, unless an extension of this approval has been requested in writing prior to the expiration date and is granted by the Planning Director.
6. Plans submitted for a Building Permit must substantially comply with the plans reviewed and approved by the Planning Commission on October 24, 2018, and the Final HDDR Design.
7. All retaining walls within any of the setback areas shall not exceed more than six feet (6') in height measured from final grade unless an exception is granted by the City Engineer per the LMC, Chapter 4.
8. Modified 13-D residential fire sprinklers are required for all new construction on this lot.
9. All exterior lighting, on porches, decks, garage doors, entryways, etc. shall be shielded to prevent glare onto adjacent property and public rights-of-way and shall be subdued in nature. Light trespass into the night sky is prohibited. Final lighting details will be reviewed by the Planning Staff prior to installation.
10. Construction waste should be diverted from the landfill and recycled when possible.
11. To the extent possible, existing Significant Vegetation shall be maintained on Site and protected during construction. When approved by the Planning Department in writing to be removed, the Significant Vegetation shall be replaced with equivalent landscaping in type and size. Multiple trees equivalent in caliper to the size of the removed Significant Vegetation may be considered instead of replacement in kind and size.
12. All excavation work to construct the foundation of the new addition shall start on or after April 15th and be completed on or prior to October 15th. The Planning Director may make a written determination to extend this period up to 30 additional days if,

after consultation with the Historic Preservation Planner, Chief Building Official, and City Engineer, determines that it is necessary based upon the need to immediately stabilize an existing Historic property, or specific site conditions such as access, or lack thereof, exist, or in an effort to reduce impacts on adjacent properties.

13. The property is located outside the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore not regulated by the City for mine related impacts. If the property owner does encounter mine waste or mine waste impacted soils they must handle the material in accordance to State and Federal law.

14. All development will have to provide elevation certificates certifying compliance with the minimum FEMA Flood Zone requirements.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

1. **675 Round Valley Drive – Plat Amendment – Request to create two (2) 2.5 acre lots of record from Lot 4 of the Third Amended IHC Park City Medical Campus/USSA Headquarters and Training Facility Subdivision plat. (Application PL-18-03982)**

Commissioner Suesser recused herself and left the room.

Planner Whetstone reported that Lot 4 of the IHC/USSA subdivision plat is City-owned property. Park City Municipal Corp is the applicant. Heinrich Deter, the Property Trails and Open Space Manager, was representing the City this evening.

Planner Whetstone reviewed the request to subdivide Lot 4. Lot 4 is a five-acre lot that would be divided into two equal 2-1/2 acre parcels; Lot 13 and Lot 4. She stated that the northern portion of the new Lot 13 is scheduled for a future fire station. The uses for the southern lot to the new Lot 4 are still to be decided.

The Staff recommended that the Planning Commission conduct a public hearing and consider forwarding a positive recommendation to the City Council in accordance with the findings of fact, conclusions of law, and conditions of approval as outlined in the draft ordinance.

Vice-Chair Phillips opened the public hearing.

There were no comments.

Vice-Chair Phillips closed the public hearing.

MOTION: Commissioner Hall moved to forward a POSITIVE recommendation to the City Council to approve the Plat Amendment for 675 Round Valley Drive in accordance with the Findings of Fact, Conclusions of Law, and Conditions of Approval found in the draft ordinance. Commissioner Kenworthy seconded the motion.

VOTE: The motion passed unanimously. Commissioner Suesser was recused.

Commissioner Suesser returned to the meeting.

Findings of Fact – 675 Round Valley

1. The property is located at 675 Round Valley Drive.
2. The zoning is Community Transition (CT) within the IHC Master Planned Development (CT-MPD).
3. On December 7, 2006, City Council approved an annexation ordinance and annexation agreement for the property. The annexation agreement was recorded on January 23, 2007.
4. The annexation agreement sets forth maximum building floor areas, development location, and conditions related to developer-provided amenities on the various lots of the Intermountain Healthcare Park City Medical Campus/USSA Headquarters and Training Facility Subdivision plat, such as roads, utilities, and trails.
5. On January 11, 2007, the City Council approved the Intermountain Healthcare Park City Medical Campus / USSA Headquarters and Training Facility Subdivision plat for the purpose of creating lots of record so that associated property sale and property transfers could be completed. The plat was recorded at Summit County on January 23, 2007 and consisted of 5 lots of record.
6. The IHC Master Planned Development was approved by the Planning Commission on May 23, 2007.
7. The First Amended Intermountain Healthcare Park City Medical Campus/USSA Headquarters and Training Facility Subdivision was approved by the City Council on October 11, 2007 and recorded at Summit County on May 20, 2008. The first amended plat memorialized various easements and road layouts and adjusted the location of various lots consistent with the approved MPD. The plat consisted of nine lots of record.
8. The Second Amended Intermountain Healthcare Park City Medical Campus/USSA Headquarters and Training Facility Subdivision plat was approved by the City Council on July 31, 2008 and recorded at Summit County on November 25, 2008. The second amended plat created new Lots 10 and 11 out of the previous Lot 8. Lot 10 was created for the Summit County Health

Department and the People's Health Clinic building and Lot 11 was created as a separate lot for IHC as it was located south of Victory Lane. The plat consisted of eleven lots of record.

9. The property is subject to the Amended Intermountain Healthcare Master Planned Development (IHC MPD), originally approved on December 7, 2006 and amended in 2014 to transfer support medical office uses and density from Lots 6 and 8 to Lot 1.

10. A second MPD amendment was approved on January 13, 2016 to identify Lot 8 for the Peace House facility, address affordable housing requirements, identify Lot 4 for Public Municipal Use and Essential Services and address administrative amendments of the first MPD amendment. The MPD amendments were found to be consistent with the purpose statements of the CT Zoning District and the goals and objectives of the General Plan. The Amended Development Agreement was recorded on February 5, 2018.

11. On July 21, 2016, the City Council approved a Third Amended Subdivision Plat for Intermountain Healthcare Park City Medical Campus/USSA Headquarters and Training Facility to divide the 9.934 acre Lot 8 of the Second Amended Intermountain Healthcare Park City Medical Campus/USSA Headquarters and Training Facility Subdivision plat into two platted lots of record, namely Lot 8 consisting of 3.6 acres and Lot 12 consisting of 6.334 acres. This plat was recorded on April 12, 2017.

12. On September 11, 2018, a complete application was submitted for this Fourth Amended Subdivision Plat for Intermountain Healthcare Park City Medical Campus/USSA Headquarters and Training Facility to divide the 5.0 acre Lot 4 into two platted lots of record, namely Lot 4 consisting of 2.5 acres and Lot 13 consisting of 2.5 acres.

13. The amended subdivision plat consists of thirteen lots with ownership, acres, and use consistent with the amended IHC MPD as follows:

- | | |
|------------------|---|
| Lot 1 and Lot 2: | IHC- Intermountain Healthcare Campus MPD (107.551 acres) |
| Lot 3: | USSA- Headquarters and Training Facility MPD (5 acres) |
| Lot 4: | PCMC- future Public Municipal Use and Essential Services (2.5 acres) |
| Lot 5: | PCMC- Ice Facility/Fields Complex Expansion (15 acres) |
| Lot 6: | IHC MPD- no assigned density or uses (density transferred to Lot 1) (3.041 acres) |
| Lot 7: | Physicians Holding- Support Medical Office CUP (3.396 acres) |
| Lot 8: | IHC- Peace House CUP (3.632 acres) (previously 9.934 acres- rest to new Lot 12) |
| Lot 9: | Questar facility (0.174 acres) |

- Lot 10: Community Medical Summit County Health and People's Health Clinic CUP (3.088 acres)
- Lot 11: IHC, no assigned density or uses (0.951 acres)
- Lot 12: IHC, no assigned density or uses (6.302 acres) (previously part of Lot 8)
- Lot 13: PCMC, Fire Station as a public safety and Public Municipal Use and Essential Services (2.5 acres) (previously part of Lot 4)
14. Development of each lot requires a Conditional Use Permit for Public Municipal Use and Essential Services. No Unit Equivalents are required for these Public Municipal Uses and Essential Services.
15. The property is currently undeveloped and consists of native grasses and low vegetation with areas of delineated wetlands.
16. Wetlands exist on both Lots 4 and 13. These wetlands were recently inspected by the City and a professional wetlands delineator with additional input from the Army Corps of Engineers. It was determined that the wetlands on the southern portion of Lot 13 exist due to run-off through a culvert installed when Round Valley Drive was constructed. The Corps has approved the diverting of run-off from the culvert to the larger area of Designated Wetlands to the north of Lot 13, via a drainage swale. This diversion will likely eliminate the locally small and isolated newly created wetlands that were incidental to the poor drainage

provided by the road design, and will likely lead to the enhancement of the existing wetlands to the north of the property.

17. Wetlands delineation was done more than five years ago and will need to be updated prior to issuance of a building permit.

18. All development, such as buildings and parking areas, are required to comply with the LMC required setbacks from designated wetlands.

19. Access to the site is from Round Valley Drive, an existing public street that intersects with State Road 248 at a signalized intersection approximately a half mile to the south. Lots 4 and 13 have frontage and access on Round Valley Drive.

20. There are existing utilities within the streets and within platted public utility easements along the front lot lines. Utility, access and snow storage easements are necessary along public street frontages for installation of utilities, sidewalks and snow storage.

21. Public trails are located throughout the IHC Subdivision and MPD. Sidewalks

along the frontage of lots connect to public trails with connections to the Quinn's Recreation Complex, the Round Valley Open Space, and the IHC Park City Medical Center and Clinics.

22.No changes are proposed to the location of platted Round Valley Drive.

23.Attention to the location of visible dry utility boxes and installations is an important consideration when designing a site in order to ensure that adequate area is available for landscape elements to provide adequate screening from public view.

24.The Analysis section of this staff report is incorporated herein.

Conclusions of Law – 675 Round Valley

1. There is good cause for this plat amendment.
2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions, the Park City General Plan, and the IHC Annexation and Amended IHC Master Planned Development.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. Approval of the plat amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval – 675 Round Valley Drive

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with the Annexation Agreement, applicable State law, the Land Management Code, and these conditions of approval, prior to recordation of the plat.
2. The applicant will record the subdivision plat at Summit 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, unless a request for an extension is submitted in writing prior to expiration and is approved by the City Council.
3. All conditions of approval of the IHC Annexation and IHC/USSA Subdivision, as amended, shall continue to apply.
4. Dry utility infrastructure must be located on the property and shown on the building plans prior to building permit issuance to ensure that utility companies verify that the areas provided for their facilities are viable and that exposed meters and boxes can be screened with landscaping elements.
5. Final utility, storm water, and grading plans must be approved by the City Engineer and SBWRD prior to Building Permit issuance. All required easements shall be dedicated on the plat prior to recordation.

6. Required public improvements shall be installed or a financial guarantee for any required public improvements in an amount approved by the City Engineer and in a form approved by the City Attorney shall be in place prior to plat recordation.
7. Any wetlands delineation older than five (5) years shall be updated and submitted to the City prior to building permit issuance for development on the lots. All required Corps of Engineer approvals and permits shall be submitted prior to issuance of a building permit on the lots.
8. A note shall be included on the plat prior to recordation stating that all development, such as buildings and parking areas, proposed on these lots shall comply with LMC required wetlands protection buffer areas in effect at the time of the building permit application.
9. A 10' wide non-exclusive public utility, access and snow storage easement shall be shown along the frontages of Round Valley Drive prior to plat recordation.
10. Each lot is over 1.0 acres and will be required to meet the requirements of the Separate Storm Sewer System (MS4) Storm-Water Program.

2. 7704 Village Way – Condominium Plat – Request for a Condominium Plat for Larkspur Townhomes 6 for three attached multi-family units, on Lot A of the Second Amended Village at Empire Pass Phase 1 Subdivision plat. (Application PL-18-03975)

Planner Whetstone reviewed the request for a condominium plat for three townhomes, attached multi-family units, at the Empire Pass project. These are the Larkspur 6 Townhomes, which are the final townhomes for Larkspur.

Rich Wyler and Jeff Butterworth, were present to represent the applicant, Storied Development.

Planner Whetstone remarked that the application is to condominiumize a plat was straightforward and in accordance with the process at Empire Pass. Every unit that gets built gets a condominium plat to memorialize the configuration of the units, the density, and the unit equivalents. Planner Whetstone noted that the units will be similar to the existing triplex townhomes that are located directly to the south. They will be constructed to the condominium specifications. This recorded plat will allow the units to be sold individually. If any changes are made, the applicant would have to come back to the Planning Commission for a plat amendment to make sure the units conform.

The Staff recommended that the Planning Commission conduct a public hearing and consider forwarding a positive recommendation to the City Council in accordance with the finding of facts, conclusions of law, and conditions of approval outlined in the draft ordinance.

Commissioner Sletten asked if the architectural guidelines that applied to the larger townhomes were applicable to these units. Planner Whetstone answered yes.

Vice-Chair Phillips opened the public hearing.

There were no comments.

Vice-Chair Phillips closed the public hearing.

Commissioner Hall asked someone to speak to the affordable housing. Planner Whetstone remarked that affordable housing is not required for this site because it is part of the larger Flagstaff Development. The remaining on-mountain affordable housing units have been assigned to the larger lodge buildings, as well as a future building at the B-2 site. Planner Whetstone believed that 8 affordable units remained to be built in the future.

MOTION: Commissioner Sletten moved to forward a POSITIVE recommendation to the City Council for the 7704 Village Way Condominium Plat based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance. Commissioner Suesser seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 7704 Village Way

1. The property is located at 7704 Village Way.
2. The property is Lot A of the Second Amended Village at Empire Phase 1 Subdivision plat.
3. The property is located in the RD-MPD zoning district.
4. The City Council approved the Flagstaff Mountain Development Agreement and Annexation Resolution 99-30 on June 24, 1999 and amended it in March of 2007. The Development Agreement is the equivalent of a Large-Scale Master Plan. The Development Agreement sets forth maximum densities, location of densities, and developer-offered amenities.
5. On July 28, 2004, the Planning Commission approved the Village at Empire Pass Master Planned Development.
6. On September 30, 2004, the City Council approved the Village at Empire Pass Phase 1 Subdivision that platted the east side lots of the Village at Empire Pass.
7. A First Amendment to the subdivision amending Lot 9 was approved on January 6,

2011 and was recorded on January 4, 2012.

8. Between March 4, 2004 and April 27, 2006 the original Larkspur Townhomes and Larkspur Townhomes 2, 3, 4, and 5 condominium plats were approved by City Council and recorded at Summit County.

9. On November 9, 2017 a Second Amendment to the subdivision was approved combining Lots 1 and 2 into Lot A of the Second Amended Village at Empire Phase 1. The amended plat was recorded on April 10, 2018.

10. On August 8, 2018, an administrative conditional use permit was approved for the three unit Larkspur Townhomes and up to 5.75 UE, located on Lot A with a condition of approval that prior to issuance of a certificate of occupancy, a condominium plat was required to be approved and recorded.

11. The proposed condominium plat consists of three attached dwelling units consistent with the Village at Empire Pass MPD.

12. Units 33, 34 and 35 consist of 3,782 sf, 3,931 sf, and 3,782 sf respectively in total floor area, including basements but not including the garages.

13. Each unit has a garage less than 600 square feet and therefore no excess garage area is included in the total unit size.

14. The total Unit Equivalents consumed by these three units does not exceed 5.75 UE (11,500 sf), excluding the area of each garage.

15. Two parking spaces are required per unit and each unit has a two car garage.

16. Maximum building height is 28' measured from existing grade. An additional 5' of building height is permitted if the roof pitch is 4:12 or greater. Building height exceptions of LMC Section 15-2.13-4 apply.

17. The VEP-MPD permitted setback exceptions at the time of the Administrative Conditional Use Permit. Minimum front setbacks of 20' to the garage and 15' to the unit were approved with the ACUP on August 8, 2018. Setback exceptions of LMC Section 15-2.13-3 apply.

Conclusions of Law – 7704 Village Way

1. There is good cause for this condominium plat.

2. The condominium plat 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 proposed amended condominium plat.

4. Approval of the condominium plat, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval – 7704 Village Way

1. The City Attorney and City Engineer will review and approve the final form and content of the condominium plat 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 condominium plat 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, unless a request for an extension is submitted in writing and approved by the City Council.
3. All conditions of approval of the 2007 Amended Flagstaff Annexation and Development Agreement and Technical Reports and the Village at Empire Pass Master Planned Development, continue to apply.
4. The CC&Rs shall provide notice and process for the tracking and collection of the Real Estate Transfer Fee as required and defined by the Flagstaff Mountain Development Agreement, as amended.
5. All conditions and applicable notes, easements and requirements of the Second Amended Village at Empire Pass Phase 1 Subdivision plat continue to apply.
6. All conditions of the Administrative Conditional Use Permit continue to apply.

3. **553 Deer Valley Loop Road- Subdivision Plat – a two (2) lot subdivision replacing the Mine Cart Condominium Plat, a two (2) unit condominium that was recorded but never built. (Application PL-03955)**

Planner Francisco Astorga reviewed the request to vacate the platted but unbuilt two unit condominium known as the Mine Cart condominiums; and to replace it with the Mine Cart subdivision of two units. The project was addressed as 553 Deer Valley Loop Road when it was originally platted.

Planner Astorga stated that the Planning Department had received no public input on this request. The Staff recommended that the Planning Commission forward a positive recommendation to the City Council based on the findings of fact, conclusions of law, and conditions of approval found in the draft ordinance.

Jodi Hoffman, representing the property owner, was present to answer questions.

Commissioner Hall asked Planner Astorga for clarification on the proposed Lot 1 having access off Deer Valley Drive. Planner Astorga explained that Deer Valley Road is a residential major collective road, and they do not want vehicles reversing back onto Deer Valley Drive. A condition of approval was added requiring the owner to provide a turnaround within their own property so cars head forward on to Deer Valley Drive as opposed to backing out onto the road. He noted that the applicant had stipulated to the

condition. It was recommended by the former City Engineer and supported by the current City Engineer.

Commissioner Sletten asked about the process of abandoning the CC&Rs, the Bylaws and all recorded documents. Ms. Hoffman stated that it was a several step process dictated by State Law. A single owner owns both units and it is a declaration of abandoning the condominium and condominium documents.

Vice-Chair Phillips opened the public hearing.

There were no comments.

Vice-Chair Phillips closed the public hearing.

MOTION: Commissioner Suesser moved to APPROVE the 553 Deer Valley Loop Road subdivision plat based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance. Commissioner Sletten seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 553 Deer Valley Loop Road

1. The subject site is located at 553 Deer Valley Loop Road, addressed (platted) as Unit A & Unit B.
2. The entire site consisting of 7,935 square feet (0.18 acres) has currently double frontage as it adjacent to both Deer Valley Loop Road and Deer Valley Drive.
3. The site is within the Residential-Medium Density District.
4. The proposal abandons / vacates the recorded Mine Cart Condominium Plat and subdivides the site into two (2) lots of record.
5. The recorded Mine Cart Condominiums has not been built and the site is currently vacant.
6. Proposed Lot 1 is 4,171 square feet.
7. Proposed Lot 2 is 3,764 square feet.
8. The minimum lot area within the Residential-Medium Density District is 2,812 square feet for a single family dwelling.
9. The applicant has indicated on their write-up to build one (1) single family dwelling on each lot.
10. The density of the site remains the same as it was originally platted as two (2) units or lots within this same site.
11. Proposed Lot 1 has a width of 61 feet.

12. Proposed Lot 2 has a width of 59 feet.
13. The minimum lot width in the Residential-Medium Density District is 37.5 feet.
14. Proposed Lot 1 has a minimum lot depth of approximately 70 feet.
15. Proposed Lot 2 has a minimum lot depth of 69 feet.
16. The minimum front setback for lots 75 feet deep or less is a minimum of 10 feet.
17. The minimum side setback is 5 feet.
18. The maximum building height in Residential-Medium Density District is 28 feet; however, structures with a gable, hip, barrel, and similar pitched roof may extend up to another 5 feet.
19. Proposed Lot 1 is to have access off Deer Valley Drive.
20. Proposed Lot 2 is to have access off Deer Valley Loop Road.
21. Due to the current designation of Deer Valley Drive, being a major residential collector road, staff recommends that Proposed Lot 1 does not back onto Deer Valley Drive, but rather provides its own turn around area within the proposed lot so vehicle traffic accesses Deer Valley Drive without having to back into traffic.
22. There is a concrete retaining wall built over the City Right-of-Way along Deer Valley Drive.
23. In order to have access to Deer Valley Drive as requested for Proposed Lot 1, the property owner shall be responsible of modifying the existing retaining wall.
24. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law – 553 Deer Valley Loop Road

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

Conditions of Approval – 553 Deer Valley Loop Road

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant shall record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.

3. A plat note shall be added to limit one (1) single family dwelling per lot. No duplexes allowed.
4. A plat note shall be added indicating that vehicles on Lot 1 shall not back up onto Deer Valley Drive and that Lot 1 shall have its own turn around to accomplish this within their owner private property.
5. Before the Mine Cart Subdivision Plat is recorded, the applicant shall provide proof to the City indicating that the property has been withdrawn from the Utah Condominium Ownership Act in accordance with Utah Code 57-8-22.
6. Ten foot (10') public utility and snow storage easements shall be granted along Deer Valley Drive and Deer Valley Loop Road.
7. Residential fire sprinklers are required for all new construction per requirements of the Chief Building Official, and shall be noted on the plat.
8. The property owner shall be responsible of obtaining applicable permit / encroachment agreement through the Engineering Department concurrently with the building permit for Proposed Lot 1 in order to modify the existing retaining wall on Deer Valley Drive.

4. 50 Shadow Ridge Road – Plat Amendment – Request to change private platted designation to common space. (Application PL-18-03836)

Planner Astorga reviewed the application for a condominium plat amendment to change the designation of 8 units at 50 Shadow Ridge. Two of the eight units are conference rooms and six are closets. The closets are platted as common area because it is where the maintenance supplies are stored. The HOA owns all eight units.

Planner Astorga noted that the Planning Department had received no public comment. The Staff recommended that the Planning Commission conduct a public hearing and consider forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law, and conditions of approval.

Vice-Chair Phillips asked if the space would have the same use. Planner Astorga replied that the use would not change.

Commissioner Kenworthy asked if the HOA was current on the taxes. Planner Astorga answered yes. It is a requirement on all land use applications as indicated on the title report. All taxes must be current.

Commissioner Suesser understood that this action would only change the designation from common to private. Planner Astorga replied that she was correct.

Vice-Chair Phillips opened the public hearing.

There were no comments.

Vice-Chair Phillips closed the public hearing.

MOTION: Commissioner Hall moved to forward a POSITIVE recommendation to the City Council for the plat amendment at 50 Shadow Ridge Road, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance. Commissioner Kenworthy seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 50 Shadow Ridge Road

1. The subject site is located at 50 Shadow Ridge.
2. The site is within the Recreation Commercial District.
3. The proposed Condominium Plat Amendment requests to change private platted designation to common space.
4. All units are owned by the Owners' Association.
5. Unit 4001 is a 3,934.7 sf. and unit 4002 is 969.8 sf., both are conference rooms.
6. Units 4216, 4217, 4316, 4317, 4416, & 4417 are all maintenance closets consisting of 44.9 sf. each.
7. There are no physical changes associated with this Condominium Plat Amendment.
8. No exterior changes are proposed with this plat amendment.
9. A condominium is not use, but a type of ownership.
10. It is typical of conference rooms and maintenance closets to originally be designated as common space. Staff finds that there is good cause for this Condominium Plat Amendment.
11. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law – 50 Shadow Ridge Road

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

City.

Conditions of Approval – 50 Shadow Ridge Road

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant shall record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.

5. 341 Woodside Avenue - Plat Amendment – The proposed Plat Amendment seeks to combine an existing lot and a portion of a second lot into one lot of record at this location. (Application PL-18-03985)

Planner Tippe Morlan reported that the applicant was seeking to combine an existing lot and a portion of a second lot at 341 Woodside into one lot of record. The property is currently vacant and undeveloped. It meets the lot size and width requirements for the HR-1 zone. If the applicant wishes to construct a new single-family dwelling or a new house on this property, it would require a Historic District Design Review and possible a Steep Slope CUP.

The Staff recommended that the Planning Commission conduct a public hearing and forward a positive recommendation to the City Council, finding good cause that the plat amendment cleans up property lines and allows the owner to utilize the entire property for construction in the future.

Commissioner Sletten referred to page 297 of the Staff report and the comments about removing the stone wall. He assumed the stone wall was not historic. Planner Morlan replied that he was correct. Commissioner Suesser asked what the comments were regarding the wall. Planner Morlan stated that encroachments must be removed before the plat is recorded.

Chair Phillips opened the public hearing. There were no comments. Chair Phillips closed the public hearing.

MOTION: Commissioner Sletten moved to forward a POSITIVE recommendation to the City Council for the 341 Woodside Avenue plat amendment, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance. Commissioner Hall seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 341 Woodside Avenue

1. The property is located at 341 Woodside Avenue.
2. The property consists of consists of the entirety of Lot 11 and the southerly five feet (5') of Lot 12 of Block 30 of the Park City Survey.
3. The property is in the Historic Residential (HR-1) District.
4. The property is vacant.
5. The proposed lot is 2,250 square feet in size.
6. The City received a complete Plat Amendment application for the 341 Woodside Avenue Plat Amendment on September 27, 2018.
7. Along the south side of the lot, the neighboring property has a wood deck which encroaches onto this property by approximately 6 inches for a length of 10 feet.
8. Along the north side of the lot, the neighboring property has landscaping including two stone retaining walls which encroach onto this property by up to 9 feet for a length of 60 feet.
9. The proposed lot meets the minimum lot area of 1,875 square feet for a single-family dwelling at 2,250 square feet in size.
10. The minimum lot width of 25 feet is also met as the proposed width is 30 feet.
11. The proposed lot will also be 75 feet deep.
12. The minimum Front and Rear Setbacks are 10 feet each.
13. The minimum Side Setbacks are 3 feet each.
14. The maximum building footprint is 991.38 square feet.
15. A Historic District Design Review application is required for any new construction proposed at the existing site.

Conclusions of Law – 341 Woodside Avenue

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

Conditions of Approval – 341 Woodside Avenue

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration and an extension is granted by the City Council.
3. Residential fire sprinklers will be required for all new construction per requirements of the Chief Building Official.
4. A 10 foot wide public snow storage easement will be required along Woodside Avenue.
5. All encroachments must be removed prior to approval of the plat, including the wood deck along the south side of the lot and the landscaping and retaining walls along the north side of the lot.

6. **Park City Back Nine Subdivision – The proposed Park City Back Nine Subdivision seeks to combine all existing parcels addressed at 1884 Three Kings Drive into one lot of record. (Application PL-18-03956)**

Planner Morlan stated that the Planning Commission would address the subdivision separately from the MPD and the CUP.

Planner Morlan reviewed the application for a one-lot subdivision. The City owns the entire golf course and water treatment plant property; however, it currently consists of several separate parcels. This request would combine all the City owned property into one lot of record. It would clean-up the property lines interior to the golf course. It would also lay out and memorialize the existing easements across the property.

Planner Morlan noted that the property is in the ROS zone and no residential uses are allowed. This proposed subdivision would not change the use or the boundaries of the property. Planner Morlan stated that no future development is proposed outside of the new Three Kings water treatment plant and related improvements.

The Staff recommended that the Planning Commission forward a positive recommendation to the City Council; finding good cause that it meets the ROS zone requirements, cleans up property lines and easements on the site, and does not change the use or boundaries of the site.

Commissioner Suesser asked if the combining the parcels would move any of the easements. Planner Morlan replied that some did not have specific locations on the property. There is a snowmaking easement on the property and the City had to work with Vail to figure out the location of those easements. What was shown is the culmination of discussions between the City and Vail.

Commissioner Hall questioned why the height exception was reference in Finding #4. Planner Morlan explained that typically in subdivisions they state whether or not the requirements of the zone are met in terms of setbacks and building height. She had included that note as the condition of the height on the site and how it meets the ROS zone.

Commissioner Suesser asked if the access easement to the plans meet the conditions. Planner Morlan replied that it would remain as the access to the new Three Kings Water Treatment Plant.

Vice-Chair Phillips opened the public hearing.

Brian O'Locklin, a resident at Three Kings subdivision wanted to know why he had not received a notice about this issue. He understood that people within certain limits of any property line of a project should be notified. He lives at 1423 Three Kings Drive on the 16th fairway.

Planner Morlan stated that she had sent approximately 1100 notices and several were returned. Notices were sent to all properties within 300 feet of the boundary shown on the map.

Mr. O'Locklin stated that in addition to being a property owner, he sits on the Board of the Three Kings HOA and the majority of the owners were not notified. He noted that people on the 14th fairway received notification about the Water Treatment Plan, but the majority were not notified of this subdivision. Planner Morlan stated that it was included in the same notice. Mr. O'Locklin reiterated that a large number of people did not receive notices.

Commissioner Hall asked Planner Morlan about the process for obtaining addresses for the notices. Planner Morlan replied that they come from the County Assessor's Office. Commissioner Hall clarified that if people receive their tax notice they should also receive notices from the Planning Department. Planner Morlan answered yes.

Commissioner Kenworthy asked when the notices were sent. Planner Morlan stated that the standard in the Code requires a 14-day courtesy notice. On this one it took a

little extra time to fill the envelopes. She estimated that notices were sent 15-16 days prior.

Commissioner Suesser asked if Planner Morlan had received feedback. Planner Morlan stated that people had a lot of questions. All the comments were included in the Staff report.

Chair Phillips closed the public hearing.

MOTION: Commissioner Hall moved to forward a POSITIVE recommendation to the City Council for the Park City Back Nine subdivision, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval found in the draft ordinance. Commissioner Sletten seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – Park City Back Nine Subdivision

1. The site is located at 1884 Three Kings Drive.
2. The site is located in the Recreation and Open Space (ROS) zoning district.
3. There is a concurrent application for an MPD-CUP for a water treatment facility which is an essential municipal public utility use.
4. An exception to the Building Height up to 45 feet from Existing Grade is requested as a part of the MPD.
5. The existing Spiro water treatment plant needs to be replaced in order for water treatment related to the Spiro Tunnel to comply with state regulations.
6. The proposed site is 67.89 acres in size.
7. The proposed site is owned entirely by Park City Municipal Corporation and used as the Park City Golf Course and a water treatment facility.
8. The proposed subdivision creates 1 lot of record.
9. A legal lot of record is required for construction of a new water treatment plant on a portion of the existing site where the current Spiro facility exists.
10. On August 16, 2018, the City received a complete application for the Park City Back Nine Subdivision.
11. On July 16, 2018, the applicant held a public Open House for the Three Kings Water Treatment Plant and for the golf maintenance facility at this location.
12. A concurrent application for a Master Planned Development and Conditional Use Permit has been submitted for the reconstruction of the existing water treatment plant on this lot (see PL-18-3941).
13. No portion of this plat is within the Park City Soils Ordinance boundary.
14. The use of the property will remain the same.

15. The property is accessed from Three Kings Drive in the immediate vicinity of the existing Spiro facility with a secondary emergency access proposed to the north of the new 3Kings facility.
16. The subdivision plat complies with the Land Management Code regarding final subdivision plats.
17. General subdivision requirements related to 1) drainage and storm water; 2) water facilities; 3) sidewalks and trails; 4) utilities such as gas, electric, power, telephone, cable, etc.; 5) public uses, such as parks and playgrounds; and 6) preservation of natural amenities and features have been addressed through the Master Planned Development process as required by the Land Management Code.
18. The property within proximity of the existing and proposed water treatment plant is not within a flood zone. Areas surrounding the two ponds are located within FEMA flood zone A.
19. Utilities will be routed within the access road, along and across the PCGC fairways, within and parallel to Three Kings Drive, and within Silver Star Drive.
20. The City will enter into the necessary service agreements with the Snyderville Basin Water Reclamation District (SBWRD) in order to secure adequate sanitary sewer service for the Project.
21. The proposed buildings will connect to the existing sanitary lateral that extends east to the Park City Hotel Cottages.
22. The source of electric power for the Project will be Rocky Mountain Power's existing underground electrical distribution system located within Three Kings Drive street rights-of-way or utility easements.
23. Communications for internet and phone will be provided by City owned fiber optic lines that are located at the eastern limits of the Project site.
24. The source of natural gas for the Project will be Dominion Energy's existing underground gas distribution system located within Three Kings Drive street rights-of-way or utility easements.
25. Water will be provided to the Project by the Park City Water District.
26. A water distribution line, for both potable and fire protection uses, will be routed from an existing water main in the driving range vicinity, south across PCGC Holes No. 10 and No. 11, and continue through the site within the access road to Three Kings Drive where it will connect to the existing water main.
27. Green roofs are proposed on structures to the south of the site.
28. Energy efficient design for the water treatment process is also proposed in order to meet net zero goals.
29. The findings in the Analysis section are incorporated herein.

Conclusions of Law – Park City Back Nine Subdivision

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

Conditions of Approval – Park City Back Nine Subdivision

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration and an extension is granted by the City Council.
3. Fire sprinklers will be required for all new construction per requirements of the Chief Building Official.
4. Conditions of approval of the 3Kings Water Treatment Plant Master Planned Development and Conditional Use Permit shall apply and shall be noted on the plat.
5. All required public utility, access, drainage, and snow storage easements shall be dedicated on the plat prior to recordation.
7. **1884 Three Kings Drive – This application is a request for a Master Planned Development (MPD) and a Conditional Use Permit (CUP) to allow a new water treatment plant to replace the existing City owned and operated Spiro water treatment facility on the premises of the Park City Golf Course. (Application PL-18-03941)**

Planner Morlan reported that the City was requesting a conditional use permit and master planned development application for a new water treatment plant for a public facility that is greater than 600 square feet. Master Planned Developments are required for projects exceeding 10,000 square feet.

Planner Morlan stated that the City needs to replace the Spiro Water Treatment Plan to be in compliance with State requirements for water treatment. This site would be for water treatment from the Spiro Tunnel, the Judge Tunnel, the Thiriot Spring on site.

The project is proposed in three phases. The first phase of construction will be the demolition of the existing Spiro building. The second phase is the construction of the new Three Kings water treatment plant. The third phase are site improvements and infrastructure related to the facility, such as piping improvements. Water lines and other utilities need to be upgraded to work with the new facility. Planner Morlan stated that each phase will require a separate building permit application and a separate construction mitigation plan. Each phase will have its own approval process. Planner Morlan noted that the proposed construction mitigation plan in draft form was included on page 399 of the Staff report.

Planner Morlan stated that the proposed application meets MPD and CUP criteria. The applicant was requesting exceptions for height and parking, which are allowed if approved by the Planning Commission. The applicant was requesting up to 45' in height for Buildings A and B. Additional height is allowed by the MPD process based on certain criteria. The applicant had addressed the criteria in their letter that was included in the Staff report.

Planner Morlan stated that the purpose of this request is to limit the footprint and the impact on the golf course. Some of the administrative offices will be above the water treatment facility in order to reduce the size of the facility and the footprint. Landscape buffers are proposed, including berms and a green roof on some of the southern buildings. The design reflects architecture from the surrounding subdivision. Planner Morlan thought it was important to note that brown water is present; therefore, excavation and digging the building into the site is not possible for this location. The site currently experiences seasonal flooding and the existing facility floods every spring. The proposed buildings were sized to meet State requirements. Planner Morlan explained that the new water treatment process requires different technology in a different size than what currently exists. Planner Morlan reiterated that the applicant was requesting a height exception up to 45'.

Planner Morlan reported that the applicant was requesting a parking reduction. Currently, 35 spaces are provided. With the parking easement the City has with Silver Star, 20 of the 30 spaces are assigned to this site. The applicant was proposing 15 on-site parking spaces as well. Planner Morlan stated that based on the required parking standards in Section 15-3 of the LMC, 59 spaces would be required based on the square footage of the site. The standard requires two spaces per three employees, or one per 1,000 square feet of floor area; whichever is greater. Based on 14 employees in the peak season and 58,305 square feet of floor area, 59 spaces is the higher number.

Planner Morlan stated that the Planning Commission could choose to increase or decrease parking requirements based on occupancy, comparisons with other similar

projects, or plans to encourage alternative modes of transportation. She thought it was important to note that the number of employees would be reduced from 56 current employees down to 14 employees, which meets the first criteria. She noted that when the City did the Quinn's facility water treatment plant project, they reduced the parking requirements by calculating the administrative as office space; which requires 3 spaces per 1,000 square feet of floor area. The Three Kings site will have 6,500 square feet of administrative space. That would amount to 21 spaces if the Planning Commission agrees to reduce the parking using a calculation similar to what was done at Quinn's.

Planner Morlan commented on the plans to encourage alternative modes of transportation, and noted that this facility is located on a public bus route.

The Staff recommended approval, including the height and parking exceptions, as conditioned. The proposed construction mitigation plan uses best management practices and mitigation, addressing issues such as the scope and timing of construction of delivery, hours of operation, meets the standards of the ROS zone, and is a required public facility.

Roger McClain, with Public Utilities, stated that the applicant was prepared with a short presentation to help the Commissioners better understand the project and some of the reasons for the building heights and building massing, as well as the architectural approach.

Mr. McClain explained that the project is the result of the Clean Water Act requirements, which the City is currently in the process of negotiating. A stipulated compliance order requires treating all the water from the Judge and Spiro tunnels. For over a year the City has been in negotiations on reduction of the requirements in terms of how much water is being treated. The process was not yet finalized, but they reached initial understandings that would reduce the treatment plant to the size proposed. The building would be significantly smaller than what would be required to treat all the water, because a building that size would not fit on the site.

Mr. McClain stated that they have been working on the location for the past year and it is a result of sizing and location. It is the head of the East Canyon Creek and the water zone. In terms of delivering water back up to the site, energy constraints and considerations, and location of the plant, this site was selected as the best site to reconstruct the existing treatment plant.

Mr. McClain stated that they worked extensively to mitigate the impacts with the golf course. They have worked with the golf manager and his staff for several months on siting of the plant and making it fit under the constraints of playability and aesthetics.

Paul Swaim, the project manager from Jacobs Engineering, noted that the Planning Commission had visited the site prior to the meeting. He reviewed a site plan to orient the Commissioners and the public to the proximity of the golf course, the golf maintenance buildings, and the Three Kings Water Treatment Plant.

Mr. Swaim noted that the blue shaded buildings were the water treatment plant building. He indicated power generation equipment that would take advantage of sustainable energy. The flow proceeds through the plant and cascades down to the disinfection and pumping building at the end. On the south side were a number of ancillary buildings that support the process requirements of the treatment facility. Mr. Swaim stated that the design approach was the outcome of a multi-faceted planning and site optimization effort. There were five primary drivers of the size and treatment approach. Mr. Swaim commented on a number of environmental approaches that needed to be considered, including net zero per City requirements. From the water treatment plant side, they focused in on operations and maintenance. The water quality requirements of the Clean Water Act were drivers for the overall treatment approach. The last consideration was risk and making sure the facility could run round-the-clock reliably. Mr. Swaim remarked that those were the factors that went into the sizing and treatment process selection, and how this site plan comes together.

Mr. Swaim stated that each building has brain power behind it, and a number of decisions were arrived at in an effort to reduce the footprint of the facility, loading rates for process facilities, and stacking facilities with basins below and equipment above. Some of the individual processes selected makes the facility smaller. They oriented vessels vertically to take up less footprint. A mechanical de-watering process was also done as a better option than putting solids in large basins.

Mr. Swaim remarked that the State criteria from the Department of Drinking Water governed the contact time and loading rates behind their design. A plant design flow rate drives the sizing of 7.2 million gallons per day of treatment. They need to meet building codes on clearance, meet fire code for the certified chemicals that are stored and fed into the drinking water. They have to be able to reach equipment to operate and maintain the facility. They also had to consider reliability for the 24/7 operation.

Mr. Swaim showed a plant that was 30% smaller than the proposed plant overlaid on the same footprint. It was a plant where land was not as constrained around the facility. He considered it to be a more normal water treatment plant layout and the type of site required for this type of plant. He compared that to how they had compacted the proposed facility in a campus type layout to fit everything into a tighter space.

Justin, with Jacobs Engineering, reviewed some of the process facilities on the site. The first was the chemical building located on the west side of the site nearest Three Kings Drive. A 3D isometric of the building showed some of the contents of the building and the processes within the facility. In order to reduce the footprint and height of the building, they explored recessing the chemical tanks below grade up to 14' to help reduce the building height. They also assumed that tank repair would be done in place. Justin remarked that the building height was driven by the ability to be able to remove one of the tanks from the building if it ever becomes necessary to remove a tank or install a new tank. Justin indicated the different chemical systems with the tanks, stairs leading into the areas, and the supporting equipment.

Justin commented on the flocculation and sanitation process, which is one of the first steps of the treatment process. That facility is located on the northern side of the site, but more centrally located. He pointed to a 3D isometric showing some of the contents of the facility. He stated that some of the ideas they explored for reducing the footprint and height of this facility was to implement a high rate settling process. It helps reduce the footprint that is needed to achieve the proper removal of particles. Justin pointed out that the height was driven by the deepest portion of this structure that needs to be above the water table. Therefore, the maximum amount they could sink into the ground was based on the water table.

Justin referred to a different process called the backwash waste and equalization basin, which is centrally located on the site on the northern side. Using the 3D isometric he pointed to a backwash waste equalization basin underneath the main process area. The entire water holding basin is buried, which helped reduce the footprint. The height of the building above grade is driven by the ability to get on top of the clarifiers for maintenance.

Justin moved further down east on the site to the filters building. Vertical filters were selected as opposed to a horizontal configuration primarily to reduce the footprint. Tank repair could be done in place. The main driver for the building height is the clearance above these vessels to both load and remove media during media changes. Media needs to be changed out within these vessels on a periodic basis. There also needs to be access for maintenance staff to get on top of these vessels to maintain certain pieces of mechanical equipment.

Justin stated that the last process in this portion of the presentation was the watering building, which was located further on the east end of the site. The dewatering building utilizes mechanical dewatering, which helps reduce the footprint as opposed to other passive dewatering systems. The dewatering technology is called filter presses and they were sized to allow for 24/7 operation during high solids loading events. If they did

not allow for 24/7 operation, the facility would have been larger in order to spread it out over shifts. Justin remarked that the height for this facility was driven by the ability to get a solids hauling truck underneath this equipment. As solids are pressed and squeezed out they will drop into the trucks.

Dave Kaselak with Zehren Architects, stated that during each phase of design they focused on a handful of design tenets to make sure this building would fit as comfortably as possible on the site. They ensured that the building respected the planning setbacks, as well as the spring in this location. The building was shifted to the east, which helped to eliminate an imposing presence on Three Kings Drive near the residences. They also made sure that the western portion of the building maintained a residential scale to be respectful of Silver Star Lodge and other residences across the street. They also introduced a mining heritage to the architectural character to work with Park City's rich mining era.

Mr. Kaselak presented an image showing how the massing was broken up horizontally. Subsequent images showed how the massing was also broken up vertically. He pointed out how the façade and the roof ridges were interrupted to avoid long continuous ridges and eaves on the site. Mr. Kaselak stated that the design created a campus layout for the facility. Rather than two or three large buildings there are multiple facilities, and all of those facilities are further broken up. Mr. Kaselak explained how they minimized the visual impacts by introducing green roofs and an interesting roofscape. When this campus is seen from Silver Star and other points above, people will see something interesting instead of a large expanse of flat roof. They also bermed along the edges to soften the transition between the campus and the golf course.

Mr. Kaselak stated that they were respectful of the golf course and actually tried to improve the quality of play. He pointed to a new water feature on the southwest corner, which was part of the project. Some of the processes were turned into interesting pieces of architecture that will be seen from the golf course. Mr. Kaselak noted that the entire perimeter of the campus was jogged so at no point will someone be confronted with a large, unbroken building wall. Mr. Kaselak commented on landscape to screen the facility. They were trying to complement the existing vegetation and the transition with the golf course.

Mr. Kaselak presented a series of images showing the details of the six tenets he had mentioned.

Mr. McClain commented on parking on site. He stated that the change in function on the site results in significant reduction of the parking needs. They looked at parking from the standpoint of treatment operations and administration, which are the two main

uses for the site. The City currently has an agreement with Silver Star for 30 spaces on the upper parking lot. Ten of those spaces will be assigned to the golf maintenance facility. The remaining 20 spaces would be for administration and the treatment operations personnel. On-site parking would be for City vehicles and maintenance operation related to the treatment. Parking for water distribution, parks, and golf would all be located on the site. Most of the parking would be destination type activity such as administration and treatment since those are longer shifts. Limited visitor parking was added to accommodate occasional vendors or consultants. Mr. McClain pointed out that car sharing and the bus route would help the parking situation. He believed they were more than adequately parked for the site and the activity.

Commissioner Sletten referred to the water feature that was presented on the renderings. He asked if that feature captures the water from the spring. Mr. McClain stated that there is water from the Spiro Tunnel that bypasses the plant, as well as overflow from the Thiriot Spring. That water will be routed through the water feature waterfall. Commissioner Sletten wanted to know the plan to mitigate the impact of the spring so there would not be continued flooding on the relocated buildings. Mr. McClain explained that they raised the floor elevation of the existing building and set the building back from the spring. They also raised the footprint by 5 feet. Any drainage from the spring would go underneath the roadway and the improved drainage area, out through the water feature area, and down to the golf course pond. To address past flooding issues on the golf course, culverts will be improved across the golf course to mitigate those impacts.

Commissioner Kenworthy recalled that Mr. McClain had mentioned diverting some of the Spiro Tunnel water for the water feature. Mr. McClain stated that the plan is for water that does not come into the treatment plant for treatment would carry through that area and out and down through the water feature area and to the golf course pond. Commissioner Kenworthy asked about the volume. He understood that the building was designed to treat 7.2 million gallons per day. He asked for the million gallon per day number that would come from the full Spiro, with the additional water from the Judge.

Clint McAfee, Public Utilities Director, stated that the volume varies seasonally. It varies with the snowpack, number of dry years, number of wet years. The maximum amount recorded for the Judge and Spiro combined was 10,000 gallons per minutes at 14-1/2 mgd. Commissioner Kenworthy pointed out that they were now proposing a building that would do 7.2 million gallons. He asked if the contract had been negotiated. Mr. McAfee explained that in 2014 they were issued discharge permits for the Judge and Spiro. Along with those permits they were issued a stipulated compliance order. The State recognized the extreme financial burden and the

complexity of this project, and allowed the City to treat both the Judge and Spiro tunnel up to the year 2033. Mr. McAfee stated that as a team they developed conceptual design and cost estimates. There was “stick shock” once they understood how much it would cost and how it would impact the golf course. He remarked that the City has a great relationship with the Division of Water Quality. In May 2017 they told the Division that they could not afford it because Park City is a small community and they believed there was a better approach.

Mr. McAfee reported that they have been working for over a year on an amended compliance order that would require a full treatment of the Judge Tunnel, which is the smaller of the two sources; as well as a phased approach to treating the Spiro Tunnel. Mr. McAfee remarked that areas of the Spiro Tunnel can be isolated with higher metals concentrations that could be collected, piped out, and treated at the Tunnel. Based on a combination of relieving the financial burden and the data showing how they could restructure the standards through a different treatment approach, the State began working on an amended stipulated compliance order. The order was not yet finalized but it was in the final stages. He anticipated taking the agreement to the City Council on November 8th for authorization to execute the agreement. The Division of Water Quality is required to put it out for public comment for 30 days. After the comment period the agreement will be signed. Mr. McAfee noted that the State had issues a comfort letter from the Director of the Department. It is not binding but it signals a strong intent that the State only expect Park City to build a 3,000 gallon per minute treatment plant before 2033. The amended stipulated compliance is set up such that after 2033 they will look at all the performance data and if additional treatment is required, they would develop another compliance period. Mr. McAfee stated that in addition to building up extra capacity, they allowed for expansion space if needed in the future.

Commissioner Kenworthy asked Mr. McAfee if he was optimistic that the compromise would be met. Mr. McAfee replied that he was very optimistic. Commissioner Kenworthy wanted to know what happens to the extra water in a big snow year. Mr. McAfee stated that physically the water bypasses the plant and continues downstream. From the water feature it goes down through the golf course. In the summer, the municipal golf course irrigates the back nine with that water. In the winter, Vail Resorts diverts 100% of the water to use in snowmaking. It provides water to McCloud Creek and it continues down to East Canyon and eventually the Weber River. Water that is not diverted and flows untreated out of the Spiro Tunnel to the north irrigates the City's front nine holes. Water is provided to the Park Meadows Country Club through that ditch. They also provide water to downstream irrigators in Silver Creek. Mr. McAfee stated that sometimes there is so much water that it fills East Canyon Reservoir and Echo Reservoir.

Commissioner Kenworthy asked what would happen if they could not come to an agreement with the State. City Attorney Harrington preferred to keep the discussion away from the compliance agreement; with the exception of how it drives the timeframe. The terms of the agreement were not a basis for Planning Commission review or reflected in the Findings. Mr. Harrington stated that in anticipation of the agreement, the City would need a Plan B. However, there is an agreement that contemplates the first phase for treating the Judge as soon as possible. The City Council would have to decide whether to proceed with the agreement or amend immediately to a different strategy. Mr. Harrington emphasized that the design criteria were the basis of the CUP and the MPD.

Commissioner Kenworthy asked if the agreement was not pertinent even if it requires changing the scale of the building or making other changes. Mr. Harrington stated that the Planning Commission would address those issues if that were to occur.

Vice-Chair Phillips wanted to know how long the new building was designed to last. He understood the old building they were abandoning was 35 years old. Mr. McClain stated that the interior equipment replacement has a shorter life span and they are designed to be replaced. The exterior building is designed as a 30-50 year building with maintenance. The ability to replace interior tanks and other equipment was built into the overall design and scale of the project.

Commissioner Suesser asked if the adsorber building was the tallest building. Mr. McClain answered yes. Planner Morlan stated that it was 44.5 feet. Mr. McClain stated that the numbers provided for the exception were based on the LMC and the existing elevations. Using the scale, they tried to mitigate some of the exposed faces so that the building is different from the exact roof over existing elevations. There is variation and it is actually a lesser number. Commissioner Suesser understood that the building would be set back a little further than the current building. Mr. McClain replied that she was correct. He explained that the design reflects the fact that the floor elevation was raised, and the roof elevations were based on the adjusted grade.

Commissioner Suesser asked Mr. McClain to explain the path around the north side of the campus. She understood there was a current cart path. She asked if the path shown in gray would replace the existing path. Mr. McClain answered yes. It is the new cart path where they locate the T-boxes. He indicated how the footprint extends to the north more than with the existing buildings. They worked extensively to look at relocating the T-boxes and offsetting the buffer with the cart path. Commissioner Suesser asked if there was access to the flocculation building and the rapid mix building from that side of the building. Mr. McClain stated that those would be occasional

maintenance. They are not daily access points. Commissioner Suesser asked if there would be fencing around the north side. Mr. McClain stated that it has been discussed in terms of site security. With the campus style there are limited areas that allow access. The spring requires fencing to meet the Division of Drinking Water requirements, and they were looking at a six-foot metal fence that would be in between buildings. It will be a residential style fence primarily to restrict access to people just walking through. The fence would be from the buildings around the spring area and between the buildings. The entrance area has a gate. He noted that the Quinn's Junction plant only has a gate. There is no other fencing. The gate restricts people from driving in.

Commissioner Suesser ask if signage would be visible to the public. Mr. McClain replied that there is signage stating that it is a secured facility.

Commissioner Hall commented on the proximity of the cart path and asked if the landscape plan has evergreen trees or other vegetation to obscure and protect the building against the golfers. Commissioner Hall could see small plants but nothing larger to conceal the building. David Kaselak stated that the larger landscaping was introduced where possible. The dilemma was that putting larger trees on the north side decreased the size of the fairway. They were trying to strike a balance between residential scale landscaping and offering large trees where they can, without trying to screen the facility with blue spruce or other trees that take up horizontal space. He pointed out that the entire north edge is landscape, but not all the landscaping is tall enough to screen the building. He pointed out that the building was designed to be aesthetically pleasing so it would not have to be screened from visibility.

Vice-Chair Phillips asked to see an isometric of the north side. He asked if the glass was designed to take a hit from a golf ball. Mr. Kaselak stated that the vertical glass would be designed to take hits from golf balls.

Commissioner Suesser asked about a specific space and asked for its purpose. Mr. McClain replied that it was an area reserved for a future basin.

Mr. Kaselak noted that not all the proposed landscaping on the northern edge was shown because they wanted the Commissioners to see the architecture.

Commissioner Hall favored having substantially large evergreen trees to conceal the building.

Commissioner Sletten thought they had already constrained the T-boxes significantly. Vice-Chair Phillips pointed out that there were some evergreens that would grow large.

He believed that a few evergreens with residential scale landscaping in between would be sufficient. He personally thought the buildings were aesthetically pleasing to look at. Commissioner Hall agreed that the buildings were pretty as pictured from the golf course.

Commissioner Suesser asked about the size of the current administration space. Clint McAfee stated that they were spread out all over. He remarked that the current admin space houses the water distribution group in the circular building. He indicated another admin space where the building maintenance staff and parks maintenance staff are housed. He explained that water distribution was going to the Quinn's Water Treatment Plant; Parks Department was going to Iron Horse; Golf Maintenance was going to their building; and Building Maintenance was going to Iron Horse. Mr. McAfee stated that the admin staff that is currently located at Iron Horse will be moving out of Iron Horse into the new facility to make room for transit growth and other growth at Iron Horse. The water treatment staff will be doubled. Mr. McAfee explained that the admin space was added into the project later. A public utilities facility near Quinn's Junction was planned, but due to a number of issues that project was delayed. Because they needed additional admin space in the project, they used existing footprint and took a logical outline of what they could add a second story on to. It added a second story above rapid mix without adding horizontal space.

Commissioner Hall asked for the expected total of admin staff on a regular day. Mr. McClain believed the admin staff was in the 16-18 range; including the reception and building staff for water. The treatment staff is variable because they all work on shifts.

Commissioner Suesser asked if the expectation of the admin space exclusively for the water treatment plant employees. Mr. McAfee stated that it would also be used by the Water Department. Commissioner Suesser asked if it would be office space and conference rooms. Mr. McAfee replied that there would be five or six offices, some cubes, a conference room, a lunch room, copy room, and storage room. Mr. McClain noted that space was included in the footprint as a gathering space for water tours when schools and other community groups come to tour the facility.

Commissioner Suesser was concerned with the size and thought the building should be smaller. She did not believe it was as small as it could be. Commissioner Hall agreed. Commissioner Suesser thought they were maximizing the size by adding the second story and putting in 10,000 square feet of admin space. She understood that there were reasons for it and that they were planning for growth. Mr. McAfee stated that there was not a lot of space for growth. He pointed out that the current water treatment staff is capable of running Quinn's Water Treatment plant and a couple of well facilities. This project will add the need to double that staff and accommodate office space. Mr.

McAfee clarified that they were not planning for significant growth. They were only putting additional staff into this space.

Commissioner Hall commented on the conference room and the parking. She asked if they envisioned that City Staff would utilize this facility for large meetings that require more parking. Mr. McAfee recalled that the conference room would accommodate 15 people. Currently, if they have a meeting with 6 or 8 people they need to leave the office and meet at the Library. A 10 or 15 person would accommodate the Water Department. Considering the parking reduction, Commissioner Hall asked if school buses would drop off school tours, if visitors would be required to take the bus. She pointed out that people could not park at Silver Star. Mr. McAfee felt the parking would be sufficient because they were not making accommodations for a large amount of visitors. Visitors would have to arrange transportation and shuttle in on a van or bus. It is similar to how Quinn's Treatment Plant is operated. Mr. McAfee noted that tours or visitors are not frequent, but it is important to offer that ability. They spend a lot of the water users' money and they want to make it available if people are interested in the facility.

Commissioner Suesser asked if the parking set aside in Silver Star is currently used by employees at the current facility. Mr. McAfee answered yes. They have a year-round easement for 30 spaces. He stated that they recently met with Silver Star to discuss the parking, and Silver Star supported their continued use of the parking spaces.

Commissioner Kenworthy asked how many spaces they occupy at night. Mr. McAfee replied that currently there was no need to park on the Silver Star site at night. He did not expect that to change with the new facility. Mr. McClain agreed. Any functions from operators or anyone coming in for an on-call scenario would park on site. The facility will run 24/7 but there will be minimal staff on weekends and they will park on-site.

Commissioner Hall asked if the 30 extra parking spaces would be marked to allow people to use the parking spaces on weekends or in the evenings. Mr. McAfee stated that currently they were not marked at all. Parks, Golf, Building Maintenance, and the Water staff all come about 7:00 a.m. By the time they leave, the trail users and other people use the parking for different reasons.

Planner Morlan noted that the Engineering Department requested a condition of approval on this CUP, as well as the Golf Maintenance Facility CUP, requiring these spaces to be striped and marked for this use.

Commissioner Kenworthy asked what they considered minimal staff at night and on weekends. Mr. McAfee stated that it would be less than five; but most likely only one or two.

Mr. McClain stated that the construction mitigation plan, which was included in the Staff report, addresses restricted and reduced times during construction for delivering materials. Because this is in a neighborhood, the hours for delivery would be reduced. They would shuttle in construction personnel to avoid workers parking on the right-of-way or at Silver Star. Other restrictions were also imposed on this construction project as outlined in the construction mitigation plan; with the understanding that each of the pieces of the project would enhance the newly developed construction schedules, construction mitigation, and follow the over-arching site specific issues. Mr. McClain noted that access would come back with its own construction mitigation. Any off-site water lines would go through the engineering process and have its own construction mitigation plan.

Mr. McClain pointed out that the Planning Department has always dealt with large projects, but none where they had to protect golfers from construction or construction from golfer. For that reason, they were looking at golf netting fencing strategically placed during times of construction that would be included in the construction mitigation plan. Mr. McClain stated that since that was not typical, he wanted the Planning Commission to be aware that those types of measures will be brought forward as they develop schedules for construction; and reviewed through the building permit process.

Commissioner Suesser asked about the approximate timeframe for general construction. Mr. McClain anticipated that demolition would begin late next year; possibly in October at the earliest. Contracts would extend into the first part of 2023. Mr. McClain stated that the intent is to be operational in 2022 and beginning to treat water. They would begin to operate and merge construction activities with the way the plant needs to operate.

For the public hearing, Vice-Chair Phillips requested that the public ask their questions but avoid back and forth dialogue. The Staff and Commissioners would address the public comments after the public hearing.

Vice-Chair Phillips opened the public hearing.

Julie Breslin, a resident at 1395 Three Kings, next door to the Silver Star development. Ms. Breslin remarked that at first they had a lot of trepidation about this project, however, they have learned a lot over the past few months and a number of the issues were addressed. She thanked everyone for helping them to understand the process.

She had sent a number of emails that she assumed the Commissioners had received and read. Ms. Breslin asked if they could show the site parking plan. She asked if the upper golf cart path was adjacent to the road where they were looking at hard surface. She understood that hard surface means no green belt between the cart path. That means when golf balls go into her yard the golfers will drive off the cart path onto the street and over to her yard. She asked if there was some way to obstruct the golf carts from leaving the golf cart path to keep the golf carts off the road. Ms. Breslin understood that the lower path was the sidewalk. She noted that there are already sidewalks on the Silver Star side of the street. She pointed out that it was the only sidewalk on all of Three Kings and to have two in the same section would be redundant. She thought it would be nicer and more visually appealing to have landscaping rather than another hard surface.

Ms. Breslin asked if she needed to state on the record the items highlighted in her emails. Director Erickson assured Ms. Breslin that her emails, as well as the email from Jack Breslin regarding the pipe and mitigation strategies, were already included in the record.

Stan Rodman, a resident in the Three Kings Condominium commented on the mitigation of vehicular traffic during four years of construction. He stated that during the ski season the traffic at the Empire and Silver King corner that leads down to Three Kings Drive is backed up significantly during the morning and afternoon hours. During the summer, the traffic backs up anytime there is an event. Therefore, the best way to reach the Three Kings Condominium is to come up Empire with a left turn onto Three Kings Drive, which goes right past the water treatment plant. Mr. Rodman wanted to know how that would be impacted by four years of construction traffic, and whether that had been addressed. Mr. Rodman pointed out that if a vehicle is stopped on Three Kings Drive it becomes a one-way street and people trying to get back and forth sometimes drive up on the grass to get around. The situation becomes worse as Vail sells more Epic passes.

Frank Jenger, stated that he lives at 1 Kings Court, which is 200 feet from the front door of the treatment plant. Mr. Jenger understood that these were special unit processes in terms of being compressed. He asked if these have ever been put together in tandem before, and whether the process has a history of success. Mr. Jenger stated that the point of any treatment is to detract the heavy metals. The usual question is where do the metals go, and based on the picture shown, they go in the sludge. Mr. Jenger wanted to know where the sludge goes. If it is spread out in a field, it rains back into the water when it rains. Mr. Jenger understood that occasionally there is bypass water that is used for snowmaking or irrigation. He remarked that the snow melts and the deer and elk eat the grass from the irrigation. When people bike in locations where

there is irrigation and the dust comes up, the heavy metals are inhaled in the dust. If a hunter shoots a deer that has been feeding off the grass and eats the meat, the heavy metals are ingested. Mr. Jenger stated that the point of treatment is to concentrate and isolate, and he believed the antithesis was happening.

Josephine Jenger had concerns with the height of the building because they live very close to them. She could understand the need for a two-story building if there were 50 to 75 employees. However, originally they said that 14 employees would be at the water treatment plant. Suddenly, the number has increased to 40 or 50 employees. Based on the presentation this evening, there would be 10,000 square feet of administrative space. Ms. Jenger noted that it was the size of a 10,000 square foot homes, which is very huge. She thought the number of administration staff was still unclear, but the size was excessive. Ms. Jenger could appreciate the need for that much space if they intend to have 60 people; but if there is only 14 to 20 people, they do not need a 10,000 square foot building. They could keep the building to one story with offices and a conference room. Ms. Jenger stated that as a resident living on Three Kings Drive, she hoped the Planning Commission would require that all construction vehicles come from the PCMR area and not up Thaynes Canyon Drive.

Jeff Ward stated that he owns the Café at Silver Star, as well as the condo that houses the café. He is also a member of the HOA Board. Mr. Ward remarked that some of his comments would represent the HOA and others were his personal comments. Mr. Ward clarified that the agreement of the 30 slots was non-exclusive and they did not support the condition to strip and label the parking spots in an exclusive manner. Mr. Ward requested clarity on the construction mitigation and specific times when construction can begin and end. It is a concern of the HOA. He understood that it would be a shorter duration than allowed by the City Code, but they would like to see it defined. He thought 6:00 a.m. was too early to start and 9:00 p.m. was too late to continue to work.

Mr. Ward stated that on a personal note he felt there was an opportunity missed to try and address parking. He remarked that parking in general is a challenge in this area and he felt like plans automatically moved forward on the basis of having 30 spaces at Silver Star. He thought the applicant could be more creative in trying to create more parking on the specific sites or mandate shuttling employees to free up additional parking at Silver Star. Mr. Ward explained that since the agreement was first defined, there has been the addition of the trail. The reality on the ground is that Silver Star is seeing a lot of trail use impacts and parking beyond what was penciled in in the original agreement. If there is an opportunity to relook at the agreement between Silver Star and the City and to shift or look for a creative approach, this would be the best time to do it considering the four-year construction timeframe and the size of the project.

Vice-Chair Phillips closed the public hearing.

Regarding the sidewalk along Three Kings Drive, Mr. McClain clarified that it was a cart path for golf course operation. He had no objection to adding a green space barrier between that path and the roadway. There is ample room to create the buffer to keep the cart path separate.

Vice-Chair Phillips referred to the Y in the cart path by the T-boxes that then goes out alongside the road. Mr. McClain explained that it is a walking path for the treatment plant employees walking to and from the parking lot. The sidewalk on the west side is 4-feet and it is not maintained in the winter. Commissioner Suesser questioned how the employees would use that path. Mr. McClain explained that they would come down the stairway, cross, and come down the path. On the west side, they could come down the existing 4-foot walkway and cross to the treatment plant.

Commissioner Hall asked if there was an entrance by the micro-hydro building that employees could access. Mr. McClain replied that it is a secondary access and the employees could use it. He noted that the access by the micro-hydro is on the second level of the building. The other access is on the lower level of the building. The lower level would be the ADA access.

Vice-Chair Phillips asked if there would be signage so golf carts do not mistake the path and head in that direction. Mr. McClain replied that the path would be narrower and there would be signs indicating which way to the fairway and to the T-boxes.

Commissioner Hall understood that if someone was handicapped they could park in one of the five spots at facility and access the building through the first floor; and that the other employees would take the most direct route. Mr. McClain answered yes. Commissioner Hall questioned the need for the sidewalk since the employees would probably not use it if they took the most direct route. Vice-Chair Phillips agreed. Commissioner Hall asked if the sidewalk could be removed and replaced with trees. She thought it would be a benefit to the community because it would provide an additional buffer. Commissioner Hall clarified that in general she favors sidewalks and walkability; but in this particular situation trees and landscaping was a better use of the land. Mr. McClain was not opposed to removing that section of the sidewalk.

Vice-Chair Phillips favored Commissioner Hall's suggestion. He thought they could reconfigure and make it one walking path that curls to the building. Commissioner Suesser wanted a green buffer between the path and the road on the northern section as well.

Vice-Chair Phillips commented on the concerns regarding construction traffic. Mr. McClain remarked that in the construction mitigation plan that was submitted they had addressed in detail some of the items with respect to delivery and vehicle traffic and turning movements. Specific requirements do not allow parking and off-loading of equipment and materials on Three Kings Drive. That activity needs to occur on-site, with the exception of long, special members that would prohibit entering the site. It would be outlined in the building permit and requires prior approval by the Chief Building Official. It would occur minimally and be very specific. Mr. McClain stated that they looked at restrictions on delivery and delivery times to mitigate the construction impacts. The times were reduced, and as indicated in the mitigation plan, during the weekdays deliveries can only occur between 9:30 and 3:30. Delivery times were restricted even further on weekends. Also included in the plan were restrictions specific to the peak winter season and skier traffic. Mr. McClain noted that they worked with the Building Department on delivery schedules and materials schedules because there is no staging on-site. Minimal staging on-site would be similar to staging downtown. Due to the significant amount of concrete in the project, concrete deliveries would pull in.

Commissioner Suesser asked why there is no staging on the site. Mr. McClain stated that construction would be on the site. Because there is limited space to work, staging would be limited. Vice-Chair Phillips clarified that materials would be brought in as needed rather than storing material on-site, and the delivery times would be coordinated. Mr. McClain replied that he was correct.

Vice-Chair Phillips asked if there would be a restriction on parking vehicles for construction employees. Mr. McClain stated that employee parking would be off site and remote. The construction employees would be shuttled in. The site is on a bus route, but the buses do not run early enough for the workers. The contractor will look at alternatives for shuttling the employees to the site. Vice-Chair Phillips asked if they would be willing to direct the shuttles through the preferred route that was suggested in public comment. Mr. McClain had no objection. He noted that the construction mitigation plan indications that the primary access would be up Thaynes Canyon Drive and down Three Kings, but they were open to looking at the suggested route. Mr. McClain explained that the Thaynes Canyon route was proposed because it is the most direct route and has the least impact versus going through Park Avenue and Silver King Drive and down to Three Kings Drive.

Commissioner Hall thought these were to issues. The first issue is the day to day workers who need to be bused in because there is no parking on site. Deliveries is the second issue. She had concerns with mandating one route over another because there may be unforeseen issues. Commissioner Sletten concurred. At certain times it would

be difficult to access coming up through the Resort. Commissioner Hall understood the neighbors' concerns, but she felt the on-the-ground contractor would have a better idea of the best path based on the time of day, conditions, etc. She preferred to leave it to the discretion of the contractor.

Commissioner Hall commented on the restriction of 9:30 a.m. to 3:30 p.m. for deliveries. She thought it was better to push through to get the project completed rather than drag it on longer than necessary. She suggested that 8:00 might be a better delivery time.

Commissioner Sletten agreed. He noted that in the winter months during ski season there is a big difference in traffic at 8:00 a.m. versus 9:00 a.m. Mr. McClain suggested being discretionary but possibly having an early morning timeline. Commissioner Hall favored lifting some of the restrictions because each day is different in that area.

Clint McAfee corrected an earlier comment and noted that it is a 30-month construction period for this plan.

Commissioner Suesser asked if it was possible for construction employees to use City transit at the end of the day. Mr. McClain offered to explore that idea with the contractor as a preferred approach. Commissioner Hall was interested in hearing the options the contractor may have for shuttling employees because she is concerned that construction employees would use the 30 parking spaces in Silver Star. Mr. McClain recalled that the construction mitigation plan includes restrictions for contractor parking in the Silver Star lot. It would be for City Staff, City Inspectors, and others who are inspection or administrative related. It could not be contractor parking.

Regarding the compressed building question, Vice-Chair Phillips assumed the applicant was 100% confident that the facility would function properly.

Paul Swaim stated that the backbone of the process is called conventional treatment. He explained how the process separates out and filters the particles. In this case they did a pilot test for 7 months with these facilities and they were monitored around the clock. They investigated some accelerated loading rates that still meet State criteria. The DDW was involved during the pilot period and they reviewed the results and signed off on the loading rates. Mr. Swaim remarked that the adsorption process is unique and it was also tested throughout the pilot. It has also been used at the Alta Treatment Facility for several years. Mr. Swaim was very confident in the treatment process.

Vice-Chair Phillips asked if the sludge goes to the landfill. Mr. Swaim answered yes. It goes to the Summit County Landfill, which is the same place where the sludge currently

goes from the Spiro. It is hauled out in the trucks that are parked underneath the building. It is hauled to the landfill on a periodic basis; not daily. Mr. McClain believed the truck would go to and from the County landfill once a week.

Commissioner Sletten assumed the sludge was not toxic if it was going to the regular landfill. Mr. McClain replied that it was not the same processed metals seen in the Soil Ordinance. It has to pass a Toxicity Characteristic Leaching Potential test for disposal at that landfill. Michelle Downard with the Building Department has had conversations with Summit County with respect to disposal at the landfill site. Summit County gave the general nod that disposal could continue from the new facility.

Commissioner Sletten recalled a question during public comment regarding the overflow. Mr. McAfee stated that the Judge was the City's first water source and it has been periodically putting zinc and cadmium metals in the drinking water system untreated from the time it was drilled until 2013. What wasn't used in the drinking water system ran down the creek as it does today. That will be fully treated and the issue will be eliminated. The Spiro was bored back in the early 1900s and has been free discharging up until now. The EPA implemented the Clean Water Act to address these issues. The City was issued permits in 2014 and they needed to come into compliance, which is the purpose of this new water treatment plant. The management strategies will eventually come into compliance with water quality standards. Mr. McAfee stated that he did not have the knowledge to address the risk of someone killing a deer and eating the meat.

Vice-Chair Phillips noted that the next question related to height and size of the building.

Planner Tippe Morlan referred to the building summary on page 366 of the Staff report. She noted that the administrative space was 6504 square feet. She clarified with Public Works that a maximum of 17 employees currently work for both water and treatment staff. That is the maximum number of people who will be in the facility at any one time. Adding three additional employees for growth puts the maximum at 20 employees. Planner Morlan stated that the parking rate for a public facility is 2 spaces per three employees. At 20 employees, the required parking would be 14 spaces or one space per 1,000 sf of floor area. Using the calculations used at the Quinn's Water Treatment Plant, which was to calculate the administrative space as a general office use, three spaces per 1,000 sf of floor area at 6504 square feet, equals 21 spaces required. This applicant was proposing a total of 35 spaces; 15 spaces on site and 20 spaces in the parking agreement with Silver Star.

Commissioner Suesser asked Planner Morlan to clarify why some slides showed 10,000 square feet of Admin Space and other slides show 6,500 square feet. Planner Morlan was unsure where the 10,000 sf. number came from. A representative for the applicant apologized for the discrepancy. He had made the mistake when he added in some of the operation space. Planner Morlan noted that 200 sf of the 6500 square feet is for operations.

Commissioner Hall assumed that due to the ground water and adding the admin buildings a height exception was necessary to avoid sprawl. Her primary reaction when she looked at the building was that it looked massive. She asked if there was any way to make it smaller. Mr. McAfee stated that they had looked at it many times and came up with three options. They could go under the ground water. They could lower the building and go lighter. They could compromise the architectural look and character by going to a bigger footprint, lower height, adding a flat roof. Commissioner Hall questions whether the admin space could be made smaller. Mr. McAfee clarified that the height restriction did not only apply to the admin building. There are four total buildings.

Vice-Chair Phillips understood that the applicant had tried to condense the project as much as possible. However, they were also planning on the potential of running 50% more water at some point in the future. They may have to stretch what they have to facilitate more employees in 15-20 years. Vice-Chair Phillips was concerned about cramping it down to the absolute bare minimum without leaving space to grow.

Commissioner Sletten had spent a lot of time looking at the graphics. He thought the articulation would break up the building, even though it is higher. A flat roof or some other under-performing mitigation creates a box appearance. Commissioner Hall understood his concern because she does not want the Walmart look.

Mr. McAfee noted that they were replacing the existing treatment plant because conditions, regulations, and future plans changed. They were doing everything possible with this building to anticipated any future changes.

Commissioner Kenworthy commented on removal of the sidewalk. He thought it would help immensely if they could take advantage of the landscaping in that area. Commissioner Kenworthy was more concerned with the parking. He referred to the site plan and asked if it was possible to put additional parking in the area next to the pump on the northeast corner of the lot. He noted that they were talking about massive construction over a 30-month period and it is important to be flexible and consider other people in the area who will also be doing construction.

Mr. McClain stated that the golf group identified iconic trees that affect the aesthetic of the golf hole, and they worked around the site layout to protect those trees. He recognized that parking is an important key aspect, but they also need to be respectful of the golf course aspect. Mr. McClain stated that the employee parking on-site for operations takes care of itself. They also made sure the admin parking was preserved.

Commissioner Kenworthy clarified that they were not using the area he had suggested for parking because of the landmark nature of the trees. Mr. McClain replied that he was correct. Commissioner Kenworthy favored saving those trees. However, on the north side of the property the landmark trees were being removed.

Director Erickson stated that the difference is that people were playing away from the building on the north hole, and playing towards the green on the south. The trees on the south are used as distance markers. Director Erickson anticipated a higher parking demand during construction, but they would not lose the full site until the foundation is poured for all the buildings. He expected a phased construction, parking, and layout plan that may change seasonally. Director Erickson stated that they would add a couple of lines in the construction plan about seasonal changes in operation hours and seasonal changes regarding layout. They also have strategies in the plan for licensed special events.

Commissioner Sletten noted that the representative from Silver Star mentioned that the preference was not striping or reserving those 30 spaces. Planner Morlan referred to page 30 of the Staff report, which was the last page of the parking agreement. In her opinion, the agreement identifies the 30 specific parking spaces. Commissioner Sletten understood that the agreement was for 30 spaces. However, they had not requested striping or specific signage. Planner Morlan noted that the spaces are not any 30 spaces in the parking lot. They are 30 specific spaces.

Vice-Chair Phillips understood from the Silver Star representatives that they would prefer to keep the parking as it is now and not striped. He agreed that if it was functioning, there was no reason to change it. Planner Morlan pointed out that the striping was requested by the Engineering Department. She noted that the condition of approval had already been approved for ten spots with the golf maintenance facility.

Mike Thomas, the General Manager at Silver Star, understood that the easement states non-exclusive. City Attorney Harrington disagreed and explained that the parking is exclusive. Silver Star can grant other use rights over it as long as it does not interfere with that particular parking. The parking is only needed during the day so there was no need to label it as City parking. He believed the status quo could continue with the operations because they have not needed all 30 spots. Mr. Harrington wanted it clear

that the 30 stalls is a City parking lot. They will continue to allow others to use it as long as it does not interfere with their operations.

Vice-Chair Phillips was comfortable with that explanation. Commissioner Sletten could see no reason to change it if it was working. Vice-Chair Phillips stated that the plan is to have the parking continue as it has been. He believed the talk of striping it had changed the focus.

Mr. Thomas stated that the 30 parking spaces were not an issue because it is managed daily on a rotation system. He noted that there are underground parking options for some of the commercial spaces on site. It is just a matter of managing. Vice-Chair Phillips thought everyone was on the same page.

Commissioner Sletten referred to an issue raised in the letter from Jack Breslin with respect to the suitability of the current piping. Director Erickson stated that the current piping is very fragile and contains asbestos. They want to make sure that the construction mitigation plan mitigates for that pipe and that there is no damage prior to the replacement when they do the Spiro tunnel. Director Erickson believed that was included in the information that Mr. McClain had submitted. He noted that the construction management plan is extended to the mouth of the Spiro. Director Erickson remarked that the concern is in the record and the Staff will be watching it during the construction mitigation to make sure the pipe is sound during the construction cycle. Director Erickson stated that when Mr. Breslin submitted his original comment, Mr. McClain had not yet submitted the off-site utility plan. It has since been submitted and was available to the public. The construction mitigation plan will be updated to show how the pipeline is phased. It is the source of water for the Spiro and the timing would all work together. Director Erickson assured Commissioner Sletten that there were no concerns at this point.

Mr. McClain clarified that there were no apparent human health issues with the pipe material. It is called an asbestos cement pipe but it does not carry asbestos. It is throughout the system in the City and throughout the United States. It was used during a period of time and it functions.

Commissioner Hall asked if it was feasible to squeeze in one or two extra parking spots on the south side of the sidewalk on Three Kings next to the existing parking spaces. Mr. McClain thought it might be possible to add one or two spaces as long as it does not encroach on the spring protection zone.

Director Erickson stated that the Staff would request a redesign of the front yard setback to see if there is an opportunity to increase parking, reduce the paved surfaces,

and change the circulation system. Rock walls on the other side of the street preclude widening the sidewalk. He suggested adding a condition stating that the west front yard setback will be redesigned to reduce the amount of pathway, maintain adequate pedestrian circulation, and where there is an opportunity for an additional parking space or two. Director Erickson noted that because this is an MPD, the setback of the building was changed from 10' to 25' in order to meet the MPD requirements. However, the Planning Commission has the authority to vary the setbacks back to the zone depth. Director Erickson stated that the Commissioners could work on drafting the condition this evening or they could direct the Staff to draft the condition.

Commissioner Sletten preferred to leave it to the Staff. Director Erickson stated that if the Planning Commission elects to approve the MPD this evening, the Staff would take another look at the landscaping on the north building, they will look at rezoning the prior setback, and take a closer look at how to protect the important trees on the golf course.

Commissioner Hall asked if the parking spots being designated exclusive was in the conditions. City Attorney Harrington replied that they were talking about the existing terms of the existing easement. He did not believe they needed to over-emphasize the exclusive nature. The City's use is primary and they do not have to look for 30 spaces; but others can use the parking as long as it is compatible with their use. Mr. Harrington pointed out that it was subject to change if necessary in the future. He pointed out that coordination is the key and it has worked well so far.

Commissioner Kenworthy referred to the condition on page 360 which states that the parking spaces would be designated. Commissioner Hall noted that it was also addressed in Finding of Fact #30. Mr. Harrington stated that it was up to the Commissioners whether to keep it in or remove it. He was not opposed to removing it. Commissioner Hall preferred to remove the language. Planner Morlan noted that it came from a discussion on the golf maintenance facility a few months ago and she could not recall the actual discussion. Commissioner Suesser clarified that it substantiated where the parking is for this facility.

Director Erickson suggested that they delete Condition #11 as part of the motion. He thought the solution would be to do public information signage rather than regulatory signage stating that the parking is for City use but can be used for trail users and other Silver Star uses when not in use by the City.

Vice-Chair Phillips commended the Staff and the applicants for answering all the questions thoroughly. It was a job well-done.

MOTION: Commissioner Suesser moved to APPROVE the application for a Master Planned Development and a Conditional Use Permit for 1884 Three Kings Drive, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval, with the amendment to eliminate Condition of Approval #11, and with the additional direction to Staff to address the setback from Three Kings Drive and the landscaping around the property on the west side and the north side properties. Commissioner Hall seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – MPD/CUP Three Kings Drive

1. The site is located at 1884 Three Kings Drive.
2. The site is located in the Recreation and Open Space (ROS) zoning district.
3. The proposed facility is to be located between the existing driving range and Hole 10 of the Park City Golf Course.
4. A water treatment facility is an essential municipal public utility use, which is classified as a conditional use in the ROS zone if it is greater than 600 square feet.
5. The existing Spiro water treatment plant needs to be replaced in order for water treatment related to the Spiro Tunnel to comply with state regulations.
6. The Public Works employees housed at this location will be permanently moved to another City office.
7. There will be a net decrease in the number of employees working at this location.
 - a. The number of employees at this location is decreasing from 56 to 14 during the summer season and from 18 to 10 during the winter.
8. The proposed site is 67.89 acres in size.
9. There is a concurrent 1-lot subdivision, the Park City Back Nine Subdivision, for this site.
10. The proposed project encompasses 8 buildings and all related improvements.
 - a. Improvements needed in order to complete this project include the construction of the buildings, structures, associated utilities, golf course pond improvements, and Spiro Tunnel reconstruction that will be constructed in accordance with City approved construction drawings.
11. The applicant has indicated that all structures will be constructed concurrently.
12. All structures amount to a total of 58,305 square feet of gross floor area with a footprint of 48,530 square feet.
13. The proposed structure complies with all setback and LMC requirements, with the exception of Building Height, as outlined in the analysis.
14. An exception to the Building Height up to 45 feet from Existing Grade is requested as a part of the MPD.

15. On August 16, 2018, the City received a complete Conditional Use Permit application for this water treatment plant.
16. On July 16, 2018, the applicant held a public Open House for the Three Kings Water Treatment Plant and for the golf maintenance facility.
17. The Thiriot Spring is located at the western extent of the site and is currently used as a municipal drinking water source and for in-stream flow, originally developed in 1974.
18. The subject area east of Three Kings Drive is outside the Park City Soils Ordinance boundary.
19. The area west of Three Kings Drive where off-site improvements related to the new water treatment plant will occur is located within the Park City Soils Ordinance boundary.
20. The existing access to the site from Three Kings Drive will remain.
21. Water will be provided to the Project by the Park City Municipal Corporation.
22. The City will enter into the necessary service agreements with the Snyderville Basin Water Reclamation District (SBWRD) in order to secure adequate sanitary sewer service for the Project.
23. The source of electric power for the Project will be Rocky Mountain Power's existing underground electrical distribution system located within Three Kings Drive street rights-of-way or utility easements.
24. Communications for internet and phone will be provided by City owned fiber optic lines that are located at the eastern limits of the Project site.
25. The source of natural gas for the Project will be Dominion Energy's existing underground gas distribution system located within Three Kings Drive street rights-of-way or utility easements.
26. Construction will occur in three phases: 1) demolition of the existing Spiro facility, 2) construction of the new facility, and 3) construction of site improvements and related infrastructure.
27. This development will not affect the operations of the golf course including the driving range.
28. The project anticipates a construction start in the fall of 2019 with completion in the spring of 2023. Construction activities will be continuous throughout that period.
29. The project meets the ROS and MPD Setback requirements of 25 feet from the property line or ROW.
30. A portion of the parking for the project is provided at the adjacent Silver Star Subdivision through an existing parking easement granted to Park City Municipal Corporation (Entry No. 00762729).
 - a. This agreement allocates 30 spaces to the City, of which 10 are assigned to the golf maintenance facility and 20 are assigned to the Three Kings Water Treatment Plant project.

31. Operations vehicle parking is provided on site.
32. The proposed site calls for 59 parking spaces under a Public Utility Use.
33. The applicant is proposing 35 spaces and has requested a parking reduction from the Planning Commission.
34. Green roofs are proposed Buildings A and B.
35. All structures must be no higher than 28 feet from Existing Grade. The maximum height above Existing Grade on any of the structures is 45 feet. A height exception is requested as a part of the MPD.
36. Staff finds that the requirements for a height exception within an MPD have been met by this proposal.
37. The height proposed for this, and this project is unique to this location given the proximity to the Spiro Tunnel and Thiriot Spring. Burying the building is not an option with the spring located on site, and staff supports minimizing the impact of the footprint on the property.
38. The existing footprint of the site is 54,892 square feet.
39. The proposed footprint of the site is 80,760 square feet.
40. The MPD process is required since the overall floor area exceeds 10,000 square feet.
41. This project does not have residential or commercial space allocated to this property.
42. There is no increase in density.
43. All proposed structures meet 25 feet MPD Setback requirements.
 - a. The proposed facility is 25 feet from the west property line along Three Kings Drive.
 - b. To the north, the facility is approximately 600 feet from the Hotel Park City property.
 - c. To the south, the facility is approximately 350 feet from the Payday Condominium property.
 - d. To the east, the facility is approximately 200 feet from the Hotel Park City Condominium property.
44. The minimum required open space is 60 percent of the site. The applicant has indicated that 94.69 percent of the lot is to remain as open space. With a footprint of 80,760 square feet, the proposed water treatment plant occupies approximately 2.73 percent of the overall site.
45. The proposed facility is clustered on the site of the existing Spiro facility to reduce the impact of the new structures on the overall site.
46. The current water treatment plant does not provide employee or affordable housing.
47. The proposed facility does not trigger a requirement for employee or additional housing since it will not generate an increase in staff.
48. The entirety of the Back Nine lot is outside of the Sensitive Lands Overlay Zone.

49. The property is outside of the Soils Boundary Ordinance area, with some improvements taking place within the boundary between the Spiro mine and the water treatment plant.

50. The building pad is not within a flood zone. Areas surrounding the ponds are located within flood zone A.

51. Temporary Trailers and Storage Containers are proposed as a part of this MPD. The Construction Manager will install the basic construction trailers and materials storage containers required for the Project.

52. Trailers and containers will be approved by the Building Department, screened or positioned on the site to avoid visual impacts to adjacent properties, and secured without exterior lighting.

53. The proposed facility meets the criteria for a Conditional Use Permit found in Section 15-1-10 (E) of the LMC as detailed in the Analysis.

Conclusions of Law – MPD/CUP 1884 Three Kings Drive

1. The Application complies with all requirements of this LMC.
2. The Use will be Compatible with surrounding Structures in Use, scale, mass and circulation.
3. The effects of any differences in Use or scale have been mitigated through careful planning.
4. The MPD, as conditioned, complies with all the requirements of the Land Management Code.
5. The MPD, as conditioned, meets the minimum requirements of Section 15-6-5 herein.
6. The MPD, as conditioned, provides the highest value of Open Space, as determined by the Planning Commission.
7. The MPD, as conditioned, strengthens and enhances the resort character of Park City.
8. The MPD, as conditioned, compliments the natural features on the Site and preserves significant features or vegetation to the extent possible.
9. The MPD, as conditioned, is Compatible in Use, scale, and mass with adjacent Properties, and promotes neighborhood Compatibility, and Historic Compatibility, where appropriate, and protects residential neighborhoods and Uses.
10. The MPD, as conditioned, provides amenities to the community so that there is no net loss of community amenities.
11. The MPD, as conditioned, is consistent with the employee Affordable Housing requirements as adopted by the City Council at the time the Application was filed. No residential or commercial space is proposed as a part of this project.
12. The MPD, as conditioned, meets the Sensitive Lands requirements of the Land Management Code. The project has been designed to place Development on the

most developable land and least visually obtrusive portions of the Site.

13.The MPD, as conditioned, promotes the Use of non-vehicular forms of transportation through design and by providing trail connections.

14.The MPD has been noticed and public hearing held in accordance with this Code.

15.The MPD, as conditioned, incorporates best planning practices for sustainable development, including water conservation measures and energy efficient design and construction, per the Residential and Commercial Energy and Green Building program and codes adopted by the Park City Building Department in effect at the time of the Application.

16.The MPD, as conditioned, addresses and mitigates Physical Mine Hazards according to accepted City regulations and policies.

17.The MPD, as conditioned, addresses and mitigates Historic Mine Waste and complies with the requirements of the Park City Soils Boundary Ordinance.

18.The MPD, as conditioned, addresses Historic Structures and Sites on the Property, according to accepted City regulations and policies, and any applicable Historic Preservation Plan.

Conditions of Approval – MPD/CUP 1884 Three Kings Drive

1. All Standard Project Conditions shall apply.

2. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits.

a. No construction related parking or material storage shall be allowed in the Right-of-Way.

b. There shall be no construction vehicle staging on the street and deliveries shall be “just in time” to the satisfaction of the City Engineer and Building Department.

c. The Project requires a MS4 storm water permit for all land disturbance activities for each separate phase of construction, prior to building or City engineering permit issuance.

d. The Project requires a Utah Division of Water Quality permit for construction activities associated with improvements to the existing Park City Golf Course ponds.

e. No construction access, pedestrian or vehicular, is allowed via the Park City Hotel, Park City Hotel Cottages, or Pay Day Condos property without express written approval by the authorized property representative.

f. Construction within and/or access across the Park City Golf Course boundaries shall be approved by the Golf Course Manager, or designee.

3. Any improvements within the Soils Boundary Ordinance area must meet the requirements of the ordinance.

4. A final utility plan, including a drainage plan for utility installation, public improvements, and drainage, shall be submitted with the building permit submittal and shall be reviewed and approved by the City Engineer and utility providers prior to issuance of a building permit (not including the grading permit).
5. City Engineer review and approval of all lot grading, utility installations, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance (not including the grading permit).
6. A final landscape plan, including details for the green roofs, shall be submitted for review and approval by the City Planning Department, prior to building permit issuance (not including the grading permit).
7. No building permits shall be issued for this project unless and until the design is reviewed and approved by the Planning Department staff for compliance with this Conditional Use Permit.
8. As part of the building permit review process, the applicant shall submit a certified topographical survey of the property with roof elevations over topographic and U.S.G.S. elevation information relating to existing grade as well as the height of the proposed building ridges to confirm that the building complies with all height restrictions.
9. The applicant shall submit a detailed shoring plan prior to the issue of a building permit. The shoring plan shall include calculations that have been prepared, stamped, and signed by a licensed structural engineer.
10. Access to the site must meet fire access requirements including adequate road widths and turnaround areas.
11. Six (6) bicycle parking spaces are required according to LMC Section 15-3-9: Bicycle Parking requirements.
12. Green roofs and photovoltaic panels shall meet best practices for green roofs in the Intermountain West, in terms of the structural design, substrate base materials (what plants are planted in), the types of plant materials, and the irrigation system as reviewed and approved by the Planning Department before a building permit may be issued.
13. Any part of this project that may affect historic sites require a Historic District Design Review.
14. This approval will expire on October 24, 2019 if a building permit has not been issued by the building department before the expiration date, unless a written request for an extension is submitted prior to the expiration date and the extension is granted by the Planning Director.
15. Plans submitted for a Building Permit must substantially comply with the plans reviewed and approved by the Planning Commission.

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The Park City Planning Commission Meeting adjourned at 8:30 p.m.

Approved by Planning Commission: _____

PENDING APPROVAL

Planning Commission Staff Report



Subject: Amended Lot 38 West Ridge
Subdivision Phase II Plat Amendment
Author: Laura Newberry, Planner
Francisco Astorga, AICP, Senior Planner
Date: 12 December 2018
Type of Item: Legislative – Plat Amendment

Project Number:	PL-18-03903
Applicant:	Jennifer Gardner
Location:	2563 Larkspur Drive
Zoning:	Residential Development and Sensitive Lands Overlay
Adjacent Land Uses:	Residential
Reason for Review:	Plat Amendments require Planning Commission review and City Council approval.

Proposal

The proposed Plat Amendment seeks to adjust the existing platted Reserved Open Space boundary line located in the rear of the platted lot in the West Ridge Subdivision Phase II. The proposed Plat Amendment does not result in a net loss of Reserved Open Space. **The applicant requests for a second time to continue the item to a future date.**

Summary Recommendations

Staff recommends that the Planning Commission open a public hearing and **continue** the item to a date uncertain.

Planning Commission Staff Report

Application: PL-18-04018
Subject: Gravel, Water Wise Landscaping, and Xeriscape Municipal Code Amendments
Author: Liz Jackson, Planner
Date: 12 December 2018
Type of Item: Legislative – LMC Amendments

Proposal

The proposed LMC Amendments seek to amend the Municipal Code to replace the term Xeriscape with Water Wise Landscape/Landscaping. The Land Management Code Section 15-15 definition would still include Xeriscape in this as a form of Water Wise Landscaping. The goal of this update is to clarify what a Water Wise Landscape is and what is considered appropriate for landscaping on private property. Staff would also like to specify when gravel is appropriate in a landscape plan. **Staff is requesting to continue the item to a future date in order to further research the included subjects.**

Summary Recommendations

Staff recommends that the Planning Commission open a public hearing and **continue** the item to a date uncertain.

Planning Commission Staff Report



Subject: 328 Woodside Avenue
Project #: PL-18-03999
Author: Laura Newberry, Planner
Date: December 12, 2018
Type of Item: Administrative – Steep Slope Conditional Use Permit

Summary Recommendations

Staff recommends the Planning Commission review the application for a Steep Slope Conditional Use Permit (SS-CUP) at 328 Woodside Avenue, conduct a public hearing, and approve the Steep Slope CUP for 328 Woodside Avenue. Staff has prepared findings of fact, conclusions of law, and conditions of approval for the Commission's consideration.

Description

Owner/ Applicant: Damon Navarro/Jonathan DeGray
Location: 328 Woodside Avenue
Zoning: Historic Residential (HR-1) District
Adjacent Land Uses: Residential
Reason for Review: Construction of a new single-family dwelling with a Building Pad located on an existing Slope of 30% or greater and a driveway access projecting over an existing Slope of 30% or greater.

Proposal

This application is a request for a Steep Slope Conditional Use Permit (SS-CUP) for construction of a new single-family dwelling with a Building Pad located on an existing Slope of 30% or greater and a driveway access projecting over an existing Slope of 30% or greater.

Background

On September 6, 2018, the Planning Department received a complete Historic District Design Review (HDDR) application for the construction of a new single family dwelling at 328 Woodside Avenue. Staff has found that the Historic District Design Review (HDDR) application complies with the Design Guidelines and Land Management Code, as redlined. Upon further review of the project, staff determined that a Steep Slope CUP would be necessary because of the steep grade beneath the proposed house and driveway access.

On October 3, 2018, the City received a complete application for a Conditional Use Permit (SS-CUP) for "Construction on a Steep Slope" at 328 Woodside Avenue. The property is located in the Historic Residential (HR-1) District. The lot contains 3,038 square feet. It is a downhill lot (slopes downhill from Woodside Avenue).

This application is a request for a Steep Slope Conditional Use Permit (SS-CUP) for construction of a new single-family dwelling on a vacant lot. Because the proposed access driveway is projecting over an existing slope of greater than 30%, the applicant is required to file a Steep Slope CUP application for review by the Planning Commission, pursuant to Land Management Code (LMC) § 15-2.2-6.

Purpose

The purpose of the Historic Residential HR-1 District is to:

- A. preserve present land Uses and character of the Historic residential Areas of Park City,
- B. encourage the preservation of Historic Structures,
- C. encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods,
- D. encourage single family Development on combinations of 25' x 75' Historic Lots,
- E. define Development parameters that are consistent with the General Plan policies for the Historic core, and
- F. establish Development review criteria for new Development on Steep Slopes which mitigate impacts to mass and scale and the environment.

Analysis

The proposed footprint of the new single-family dwelling is approximately 1,200 square feet; the lot size currently allows a footprint of 1,201 square feet. The new development complies with all setbacks and building footprint, as outlined in the following table.

This is a downhill lot, and the average slope of the lot is approximately 31.3%. The average slope within the footprint area is approximately 23.4%. Nevertheless, the average slope beneath the proposed driveway is approximately 85.7%; per LMC 15-2.2-6(A)(3), a Steep Slope CUP is required for any Building Pad located on an existing Slope of 30% or greater and for an Access driveway located on or projecting over an existing slope of 30% or greater.

The new construction meets the allowed building height. Staff reviewed the plans and made the following LMC related findings:

Requirement	LMC Requirement	Proposed
Lot Size	Minimum of 1,875 square feet	3,038 square feet. <u>Complies.</u>
Building Footprint	1,201 square feet maximum	1,200 square feet. <u>Complies.</u>
Front Yard	10 feet minimum, total of 20 feet	10 feet, total of 20 feet. <u>Complies</u>
Rear Yard	10 feet minimum, total of 20 feet	10 feet, total of 20 feet. <u>Complies</u>
Side Yard	3 feet minimum, 6 feet total	3 feet (north), 3 feet (south) (total of 6 feet). <u>Complies.</u>

Height	27 feet above existing grade, maximum.	Approximately 25.25 feet. <u>Complies.</u>
Height (continued)	A Structure shall have a maximum height of 35 feet measured from the lowest finish floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters.	35 feet. <u>Complies.</u>
Final grade	Final grade must be within four (4) vertical feet of existing grade around the periphery of the structure.	4 feet. <u>Complies.</u>
Vertical articulation	A ten foot (10') minimum horizontal step in the downhill façade is required unless the First Story is located completely under the finish Grade on all sides of the Structure. The horizontal step shall take place at a maximum height of twenty three feet (23') from where Building Footprint meets the lowest point of existing Grade. Architectural features, that provide articulation to the upper story façade setback may encroach into the minimum 10 ft. setback but shall be limited to no more than 25% of the width of the building encroaching no more than 4 ft. into the setback.	There is a 10 foot horizontal step in the downhill façade that has a maximum height of approximately 20.9 feet from where Building Footprint meets the lowest point of existing Grade. <u>Complies.</u>
Contributing Roof Form	The roof pitch of a Structure's Contributing Roof Form shall be between seven: twelve (7:12) and twelve: twelve (12:12) and shall occupy a minimum horizontal distance of 20 feet measured from the primary façade to the rear of the building, as viewed from the primary public right-of-way.	The roof pitch of the Contributing Roof Form is 7:12 and occupies a minimum horizontal distance of 20 feet measured from the primary façade to the rear of the building, as viewed from the primary public right-of-way. <u>Complies.</u>
Secondary Roof Form	Secondary Roof Forms may be below the required 7:12 roof pitch and located on the primary façade (such as porches, bay window roofs, etc).	The Secondary Roof Form is a flat roof over garage. This is subordinate to the Contributory Roof Form. <u>Complies</u>
Parking Regulations	Two (2) parking spaces.	Two (2) parking spaces are provided, one on the driveway and one in a single-car garage. <u>Complies.</u>

The property is located outside the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore not regulated by the City for mine related impacts. If the property owner does encounter mine waste or mine waste impacted soils they must handle the material in accordance to State and Federal law. Staff has included this as Condition of Approval #12.

LMC § 15-2.1-6(A)(2) requires a Steep Slope Conditional Use Permit (SS-CUP) for construction of any access driveway that is projecting over an existing slope of 30% or greater.

Criteria 1: Location of Development.

Development is located and designed to reduce visual and environmental impacts of the Structure. **No unmitigated impacts.**

The proposed single-family dwelling is located on the lot in a manner that reduces the visual and environmental impacts. At the front of the lot, there is an existing retaining wall that holds back the grade of Woodside Avenue. Though the remainder of the lot is mostly flat, this retaining wall holds back a significant amount of grade. The applicant has located the new house on the flatter portion of the lot, reducing visual and environmental impacts to the site; however, the new bridged driveway will need to span the 85.7% sloped grade at the front of the lot. From Woodside Avenue, the house will appear to be one-story in height; however, it will appear to be three-stories in height from the east (rear) elevation. This is consistent with neighboring houses.

Criteria 2: Visual Analysis.

The Applicant must provide the Planning Department with a visual analysis of the project from key Vantage Points to determine potential impacts of the project and identify potential for screening, slope stabilization, erosion mitigation, vegetation protection, and other items. **No unmitigated impacts.**

The applicant submitted a photographic visual analysis, including street views, to show the proposed streetscape and cross canyon views. As demonstrated by the visual analysis, the proposed new single-family dwelling fits within the context of the slope, neighboring structures, and existing vegetation. The neighborhood consists of historic houses with one- to two-story additions, one- to two-story new houses, and a few three- to four-story new residential developments.

The visual analysis, streetscape, and cross canyon view demonstrate that the proposed design is visually compatible with the neighborhood, similar in scale and mass to surrounding structures, and visual impacts are mitigated. By locating the new house at the bottom of the slope, much of the mass and bulk of the structure is visually shielded from Woodside Avenue. Additionally, the applicant's design has broken up the mass and scale of the house further, allowing its massing to compliment nearby historic structures. Because the grade is much flatter to the east of the existing concrete retaining wall, only two retaining walls are needed to maintain Existing Grade within the Side Setbacks. These walls do not exceed a height of approximately 4.16 feet and the grade will be re-vegetated following construction of the house.

Criteria 3: Access.

Access points and driveways must be designed to minimize Grading of the natural topography and to reduce overall Building scale. Common driveways and Parking Areas, and side Access to garages are strongly encouraged. **No unmitigated impacts.**

The proposed driveway leads to one parking space in the driveway and one (1) single-car garage. By incorporating a bridged driveway, the applicant has reduced the need for grading and drastically changing the topography of the Front Yard. Existing grade at the front of the lot will be maintained by the existing concrete retaining wall. Within the Front Setback, the grade will be largely maintained. A single stone retaining wall, approximately 3.2 feet, in addition to the existing retaining wall (approximately 2-4 feet), will be used in the Front Yard.

At the edge of curb, the applicant has incorporated a driveway with a maximum width of 12 feet. This driveway design is consistent with the width of driveways in the Historic District.

Criteria 4: Terracing.

The project may include terraced retaining Structures if necessary to regain Natural Grade. **No unmitigated impacts.**

There is an existing concrete retaining wall in the Front Yard (ranging from two feet to four feet in height) that maintains the grade of Woodside Avenue. To the east of this wall, the grade drops drastically and flattens out. The applicant is proposing to construct the new house on this flatter portion of the lot. One stone retaining wall measuring approximately 3.83 feet in height will be necessary in the Front Setback in order to maintain the grade between the concrete retaining wall and exterior front wall of the new house. On the north and south side elevations, only two retaining walls measuring not more than 4.16 feet in height are needed to retain the grade. The applicant is not proposing to change grade more than 4 feet around the periphery of the structure and has largely maintained Natural Grade.

Criteria 5: Building Location.

Buildings, access, and infrastructure must be located to minimize cut and fill that would alter the perceived natural topography of the Site. The Site design and Building Footprint must coordinate with adjacent properties to maximize opportunities for open Areas and preservation of natural vegetation, to minimize driveway and Parking Areas, and provide variation of the Front Yard. **No unmitigated impacts.**

The new structure's building pad location, access, and infrastructure are located in such a manner as to minimize cut and fill that would alter the perceived natural topography. By placing the new house on the flatter portion of the lot, the applicant has had to locate the new garage on the top story. This has allowed the applicant to bridge the driveway over the steepest portion of the lot, measuring 85.7% slope in some places. The applicant is not proposing to change grade in the Front Yard setback in order construct this driveway, and the bridge significantly reduces the need for cut and fill of the existing topography.

Because the new house will be located on a flatter portion of the lot, the design has greatly reduced the need for terraced retaining walls. The applicant has proposed several retaining walls 4.17 feet or less in height in order to maintain the natural topography. New vegetation will be introduced to further shield the appearance of these short walls. The areas of the structure above grade and visible from the Woodside Avenue right-of-way will appear to be one story in height. On the east (rear) elevation, the house appears to be three stories in height, but steps up the hillside as it reaches Woodside Avenue. This is compatible with the existing house and the neighborhood overall.

Criteria 6: Building Form and Scale.

Where Building masses orient against the Lot's existing contours, the Structures must be stepped with the Grade and broken into a series of individual smaller components that are Compatible with the District. Low profile Buildings that orient with existing contours are strongly encouraged. The garage must be subordinate in design to the main Building. In order to decrease the perceived bulk of the Main Building, the Planning Commission may require a garage separate from the main Structure or no garage. **No unmitigated impacts.**

The applicant broke up the mass of the new structure by incorporating multiple roof lines and articulation of the wall planes. By breaking up the structure into a series of individual smaller components, the entire structure is more compatible with the overall mass and scale of the Historic District. The areas of the structure above grade along Woodside Avenue will appear to be one story in height, which is compatible with the existing house and the neighborhood overall. On the east (rear) elevation, the design appears to step up the hill, preventing a wall effect.

Exterior elements of the new development—roofs, entrances, eaves, porches, windows, doors, steps, retaining walls, garages, etc.—are of human scale and are compatible with the neighborhood and the style of architecture selected. The scale and height of the new structure follows the predominant pattern of the neighborhood which is comprised of one- and two-story buildings as well as historic houses with two-story additions in the back. Further, the style of this structure is consistent with the Design Guidelines.

Criteria 7: Setbacks.

The Planning Commission may require an increase in one or more Setbacks to minimize the creation of a "wall effect" along the Street front and/or the Rear Lot Line. The Setback variation will be a function of the Site constraints, proposed Building scale, and Setbacks on adjacent Structures. **No unmitigated impacts.**

The new structure complies with all applicable setbacks. The applicant has worked to break up the mass and scale of the structure through incorporating smaller components, multiple roof lines, and articulation of the wall planes. By stepping the house to reflect the changes in grade, the applicant has prevented a wall effect along the Rear Lot Line.

Criteria 8: Dwelling Volume.

The maximum volume of any Structure is a function of the Lot size, Building Height, Setbacks, and provisions set forth in this Chapter. The Planning Commission may further limit the volume of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing Structures. **No unmitigated impacts.**

The proposed design is articulated and broken into compatible massing components. The design includes setback variations and lower building heights for portions of the structure. The proposed massing and architectural design components are compatible with both the volume and massing of single-family dwellings in the area. The design minimizes the visual mass and mitigates the differences in scale between the proposed single-family dwelling and surrounding structures.

Criteria 9: Building Height (Steep Slope).

The maximum Building Height in the HR-L District is twenty-seven feet (27'). The Planning Commission may require a reduction in Building Height for all, or portions, of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing residential Structures. **No unmitigated impacts.**

The proposed new construction complies with the twenty-seven feet (27') maximum building height requirement measured from existing grade. The height of the tallest portions of the new structure is approximately 26.25 feet above existing grade. As designed the house is compatible in mass and scale with houses in the surrounding neighborhood.

Process

Approval of this application constitutes Final Action that may be appealed to the City Council following appeal procedures found in LMC § 15-1-18. The applicant has submitted a Historic District Design Review (HDDR) application. The Historic District Design Review (HDDR) application for the proposed single-family dwelling is under review pending approval of the Steep Slope Conditional Use Permit (SS-CUP) by the Planning Commission.

Department Review

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

Notice

The property was posted and notice was mailed to property owners within 300 feet on November 20, 2018. Legal notice was also published in the Park Record in accordance with requirements of the LMC on October 6, 2018.

Public Input

No input has been received regarding the Steep Slope CUP at the time of this report.

Alternatives

- The Planning Commission may approve the Steep Slope Conditional Use Permit (SS-CUP) for 328 Woodside Avenue as conditioned or amended, or
- The Planning Commission may deny the Steep Slope Conditional Use Permit (SS-CUP) for 328 Woodside Avenue and provide staff with Findings for this decision, or
- The Planning Commission may request specific additional information and may continue the discussion to a future date.

Significant Impacts

As conditioned, there are no significant fiscal or environmental impacts from this application. The lot is an existing platted, vacant lot with landscaping consisting of native grasses and shrubs as well as an existing retaining wall.

Consequences of not taking the Suggested Recommendation

The construction as proposed could not occur and the applicant would have to revise the plans.

Recommendation

Staff recommends the Planning Commission review the application for a Steep Slope Conditional Use Permit (SS-CUP) at 328 Woodside Avenue, conduct a public hearing, and approve the Steep Slope CUP for 328 Woodside Avenue. Staff has prepared findings of fact, conclusions of law, and conditions of approval for the Commission's consideration.

Findings of Fact:

1. The property is located at 328 Woodside Avenue.
2. On October 3, 2018, the City received a complete application for a Steep Slope Conditional Use Permit (SS-CUP) for "Construction on a Steep Slope" at 328 Woodside Avenue.
3. The property is located in the Historic Residential (HR-1) District.
4. The lot contains 3,038 square feet. It is a downhill lot, and the average slope of the lot is approximately 31.3%. The average slope within the footprint area is approximately 23.4%. Nevertheless, the average slope beneath the proposed driveway is approximately 85.7%; per LMC 15-2.2-6(A)(3), a Steep Slope CUP is required for any Access driveway located on or projecting over an existing slope of 30% or greater.
5. Staff has found that the Historic District Design Review (HDDR) application complies with the Design Guidelines and Land Management Code, as redlined. The complete HDDR application was submitted on September 6, 2018.
6. A single-family dwelling is an allowed use in the HR-1 District.
7. Access to the property is from Woodside Avenue, a public street.
8. Two (2) parking spaces are proposed on site, one in a single-car garage and one on the driveway.
9. The neighborhood is characterized by a mix of historic and non-historic residential structures, single-family homes, and duplexes. The streetscape is dominated by garages, parking pads, and pedestrian entryways. The homes are a mix of one- to two-story residential developments, with a few three- to four-story houses.

10. An overall building footprint of approximately 1,200 square feet is proposed. The maximum allowed footprint for this lot is 1,201 square feet.
11. The proposed structure complies with the Front and Rear Setbacks. The minimum Front and Rear Setbacks are ten feet (10'), for a total of twenty feet (20'); the applicant is proposing a ten foot (10') Front Setback and ten foot (10') Rear Setback, for a total of twenty feet (20').
12. The proposed structure complies with the Side Setbacks. The minimum Side Setbacks are three feet (3'), for a total of six feet (6'). The structure has a three foot (3') Side Setback for both the north and south side yards for a total of six feet (6').
13. The proposed structure is approximately 26.25 feet above existing grade at the tallest portions. The maximum height in the HR-1 is twenty-seven feet (27').
14. The proposed structure has an interior height of thirty-five feet (35'). The maximum interior height is thirty-five feet (35').
15. The proposed development is located on the lot in a manner that reduces the visual and environmental impacts of the structure. The majority of the mass and bulk of the building has been broken up into smaller components. Only a one story structure will appear above grade as seen from Woodside Avenue.
16. The applicant submitted a visual analysis, cross valley views, and a streetscape showing a contextual analysis of visual impacts of this single-family dwelling on the cross canyon views and the Woodside Avenue streetscape. The proposed single-family dwelling is compatible with the surrounding structures as the majority of the mass and bulk of the single-family dwelling will be below Woodside Avenue and thus not visible from the right-of-way.
17. Access points and driveways have been designed to minimize grading of the natural topography and reduce the overall building scale. The proposed driveway leads to one (1) single-car garage and one driveway parking space.
18. There is an existing concrete retaining wall in the Front Yard that maintains the grade of Woodside Avenue. To the east of this wall, the grade drops drastically and flattens out.
19. The applicant is proposing to construct the new house on this flatter portion of the lot. One stone retaining wall measuring approximately 3.83 feet in height will be necessary in the Front Setback in order to maintain the grade between the concrete retaining wall and exterior front wall of the new house. On the north side elevation, one retaining wall measuring not more than 4.16 feet in height is needed to retain the grade. The applicant is not proposing to change grade more than 4 feet around the periphery of the structure and has largely maintained Natural Grade.
20. The applicant is proposing a driveway leading to one parking space in the driveway and one (1) single-car garage. By incorporating a bridged driveway, the applicant has reduced the need for grading and drastically changing the topography of the Front Yard. Existing grade at the front of the lot will be maintained by the existing concrete retaining wall. Within the Front Setback, the grade will be largely maintained. A single stone retaining wall, in addition to the existing retaining wall, will be used in the Front Yard.
21. At the edge of curb, the applicant has incorporated a driveway with a maximum width of 12 feet. This driveway design is consistent with the width of driveways in the Historic District.
22. The proposed structure's building pad location, access, and infrastructure are located in such a manner as to minimize cut and fill that would alter the perceived

- natural topography. The design steps with the grade of the lot which allows for the mass and scale to be compatible with development patterns in the Historic District
23. The applicant broke up the mass of the proposed structure by incorporating multiple roof lines and articulation of the wall planes. By breaking up the structure into a series of individual smaller components, the entire structure is more compatible with the Historic District. The areas of the structure above grade will appear to be one to three stories in height, which is compatible with the neighborhood overall.
 24. The applicant has incorporated setback variations to prevent a wall effect and reduce the building scale and setbacks on adjacent structures.
 25. The proposed design is articulated and broken into compatible massing components. The design includes setback variations and lower building heights for portions of the structure. The design minimizes the visual mass and mitigates the differences in scale between the proposed house and surrounding structures.
 26. No lighting has been proposed at this time. Lighting will be reviewed at the time of the Building Permit application for compliance with the LMC lighting code standards and Design Guidelines.
 27. The property was posted and notice was mailed to property owners within 300 feet on November 20, 2018. Legal notice was also published in the Park Record in accordance with requirements of the LMC on November 24, 2018.
 28. The property is located outside of the Soils Ordinance.
 29. The findings in the Analysis section of this report are incorporated herein.

Conclusions of Law

1. The CUP, as conditioned, is consistent with the Park City Land Management Code, specifically section 15-2.2-6(B).
2. The Use is consistent with the Park City General Plan, as amended.
3. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval

1. All Standard Project Conditions shall apply.
2. The HDDR Application shall be approved prior to Building Permit issuance.
3. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits. The CMP shall include language regarding the method of protecting adjacent structures.
4. City Engineer review and approval of all lot grading, utility installations, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
5. This approval will expire on December 12, 2019, if a building permit has not been issued by the building department before the expiration date, unless an extension of this approval has been requested in writing prior to the expiration date and is granted by the Planning Director.
6. Plans submitted for a Building Permit must substantially comply with the plans reviewed and approved by the Planning Commission on December 12, 2018, and the Final HDDR Design.
7. All new retaining walls within the Rear and Side Setback areas shall not exceed six feet (6') in height measured from final grade and retaining walls within the Front Setback area shall not exceed four feet (4') in height measured from final grade. An

- exception may be granted by the City Engineer per the LMC, Chapter 4.
8. Modified 13-D residential fire sprinklers are required for all new construction on this lot.
 9. All exterior lighting, on porches, decks, garage doors, entryways, etc. shall be down directed and shielded to prevent glare onto adjacent property and public rights-of-way and shall be subdued in nature. Light trespass into the night sky is prohibited. Final lighting details will be reviewed by the Planning Staff prior to installation.
 10. Construction waste should be diverted from the landfill and recycled when possible.
 11. To the extent possible, existing Significant Vegetation shall be maintained on Site and protected during construction. When approved by the Planning Department in writing to be removed, the Significant Vegetation shall be replaced with equivalent landscaping in type and size. Multiple trees equivalent in caliper to the size of the removed Significant Vegetation may be considered instead of replacement in kind and size.
 12. All excavation work to construct the foundation of the proposed single family dwelling shall start on or after April 15th and be completed on or prior to October 15th. The Planning Director may make a written determination to extend this period up to 30 additional days if, after consultation with the Historic Preservation Planner, Chief Building Official, and City Engineer, determines that it is necessary based upon the need to immediately stabilize an existing Historic property, or specific site conditions such as access, or lack thereof, exist, or in an effort to reduce impacts on adjacent properties.
 13. The property is located outside the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore not regulated by the City for mine related impacts. If the property owner does encounter mine waste or mine waste impacted soils they must handle the material in accordance to State and Federal law.
 14. All conditions of approval of the 315 Park Avenue Subdivision Amended continue to apply.

Exhibits

Exhibit A	Existing Conditions Survey
Exhibit B	Plans (Site Plan, Floor Plans, Elevations, etc.)
Exhibit C	Visual Analysis/Streetscape
Exhibit D	Subdivision Plat

Exhibit A – Existing Conditions Survey

LEGEND

- FOUND REMAIN W/ CAP (AS DISCOVERED)
- 8" BATTERY MANHOLE
- SAFETY-SEAL MANHOLE
- CATCH BASIN
- WATER METER
- ELECTRIC METER
- COMMUNICATING BOX
- REFRESHING BOX
- GAS METER
- UTILITY POLE
- OVERHEAD ELECTRICAL POWER LINE
- PIPE, UNLESS INDICATED IN EDGE OF SURFACE
- CONCRETE PIPE
- RECONSTRUCTED PIPE



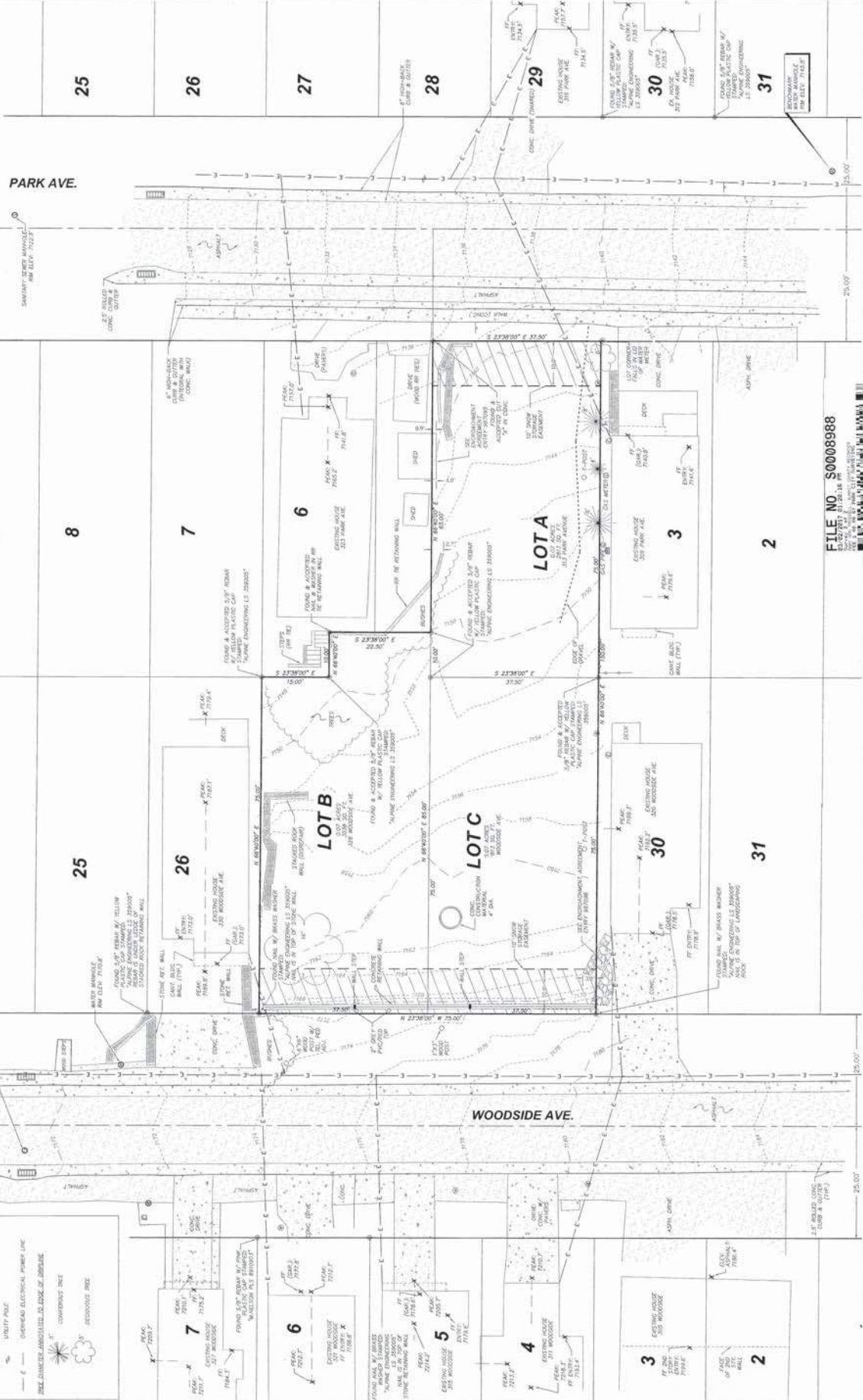
GRAPHIC SCALE
1" = 10' - 0"

THIS MAP PRINTED TO SCALE
AT SIZE 1/4" = 10' - 0"

RECORD OF SURVEY & TOPOGRAPHIC MAP **LOT A AMENDED, B AMENDED & C AMENDED OF** **315 PARK AVENUE SUBDIVISION AMENDED** **LYING WITHIN THE SOUTHEAST QUARTER OF** **SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST** **SALT LAKE BASE & MERIDIAN** **SUMMIT COUNTY, UTAH**

PARK AVE.

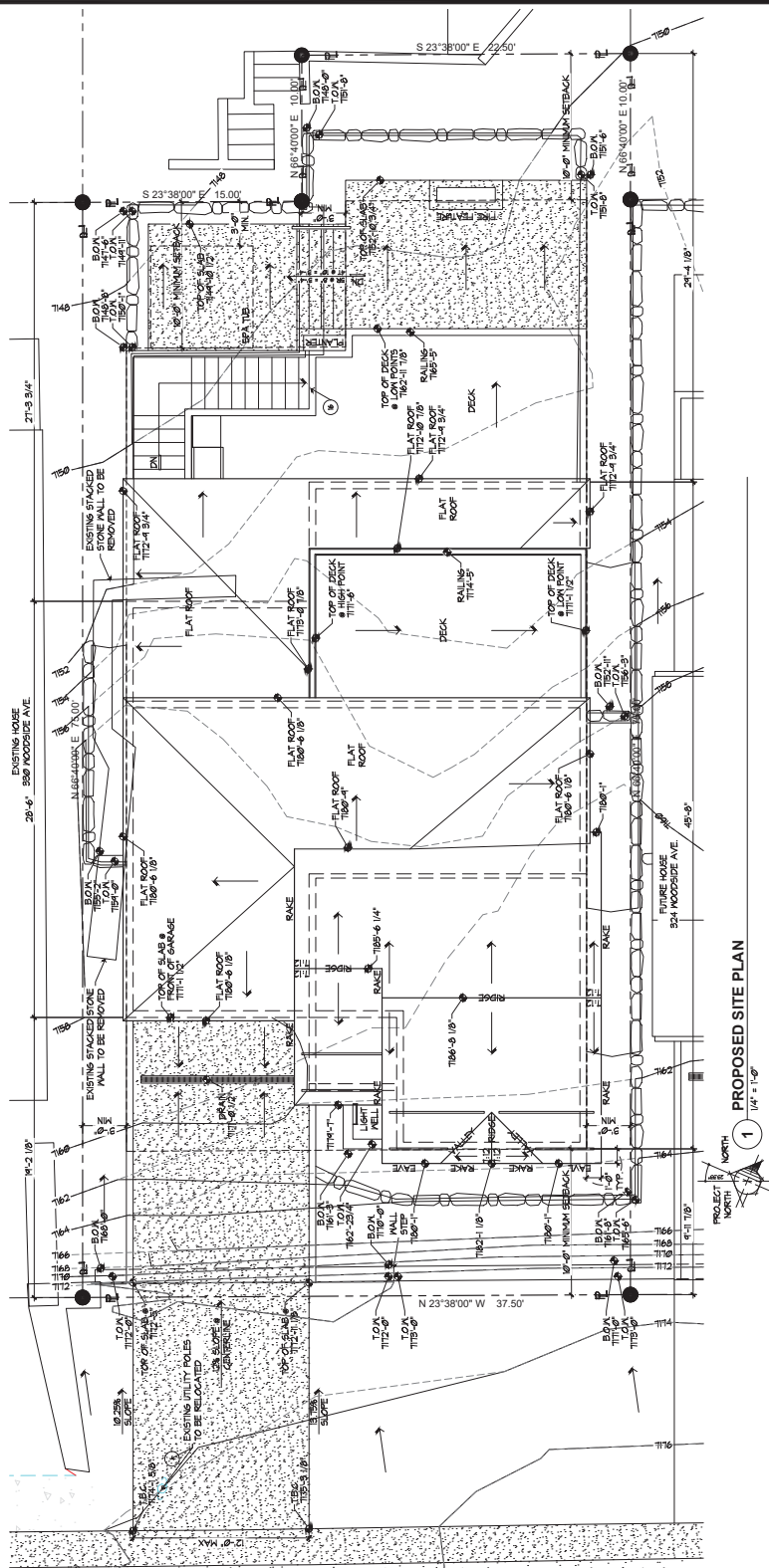
WOODSIDE AVE.



FILE NO. S0008968

5-0968

Exhibit B – Plans (existing conditions, site plan, floor plans, elevations, etc.)

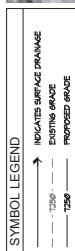


C SNOW RETENTION BARS
NO SCALE



Squared Rubble

STACKED STONE
RETAINING WALL

NO SCALE
TO BE NO GREATER THAN 4'-0" TALL

DRAINAGE NOTE:
SURFACE WATER SHALL DRAIN AWAY FROM THE HOUSE AT ALL POINTS. DIRECT THE DRAINAGE WATER TO THE STREET OR TO AN APPROVED DRAINAGE COURSE BUT NOT ONTO NEIGHBORING PROPERTIES. THE GRADE SHALL FALL A MINIMUM OF 6 INCHES WITHIN THE FIRST 10 FT.



2 AERIAL PHOTO OF PROPOSED SITE

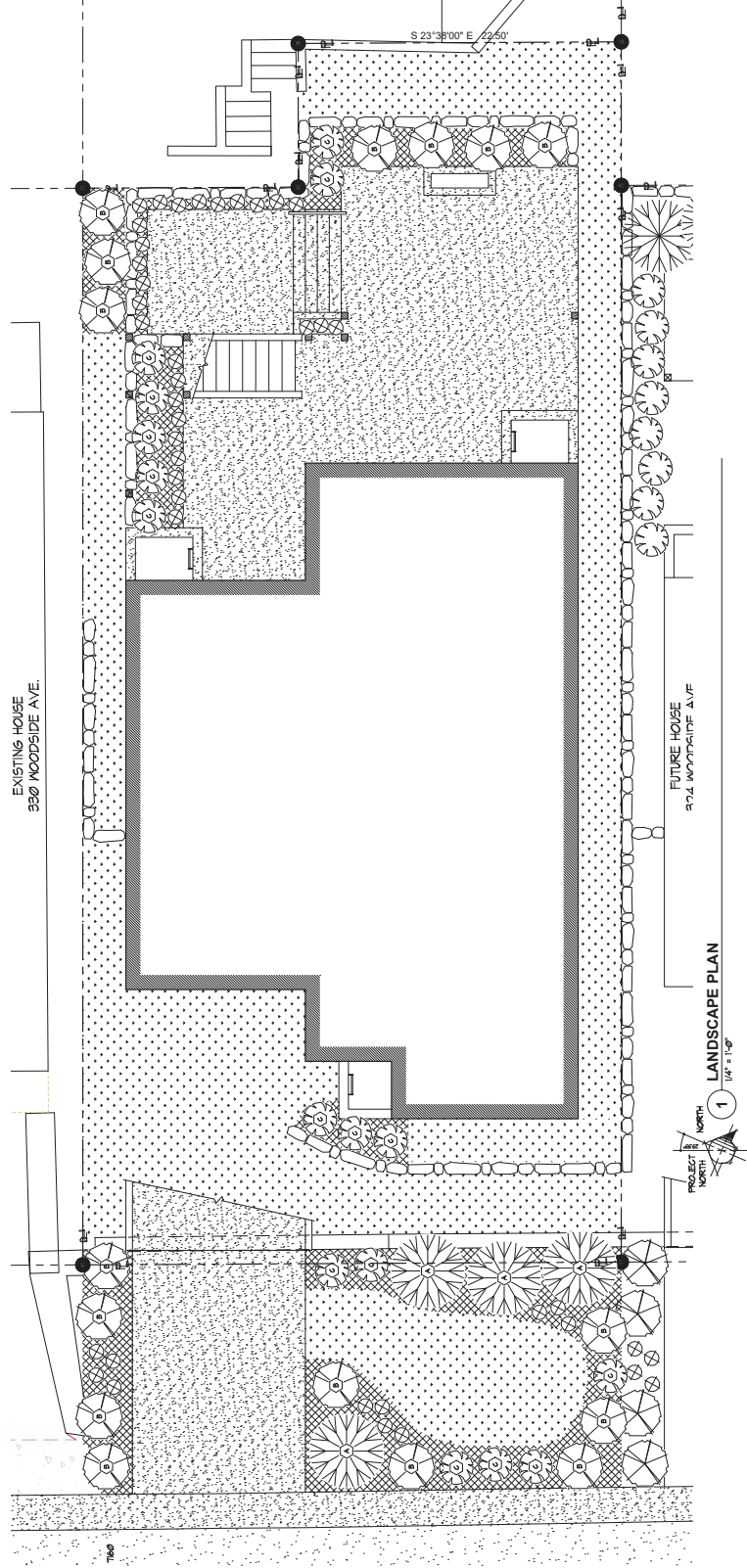


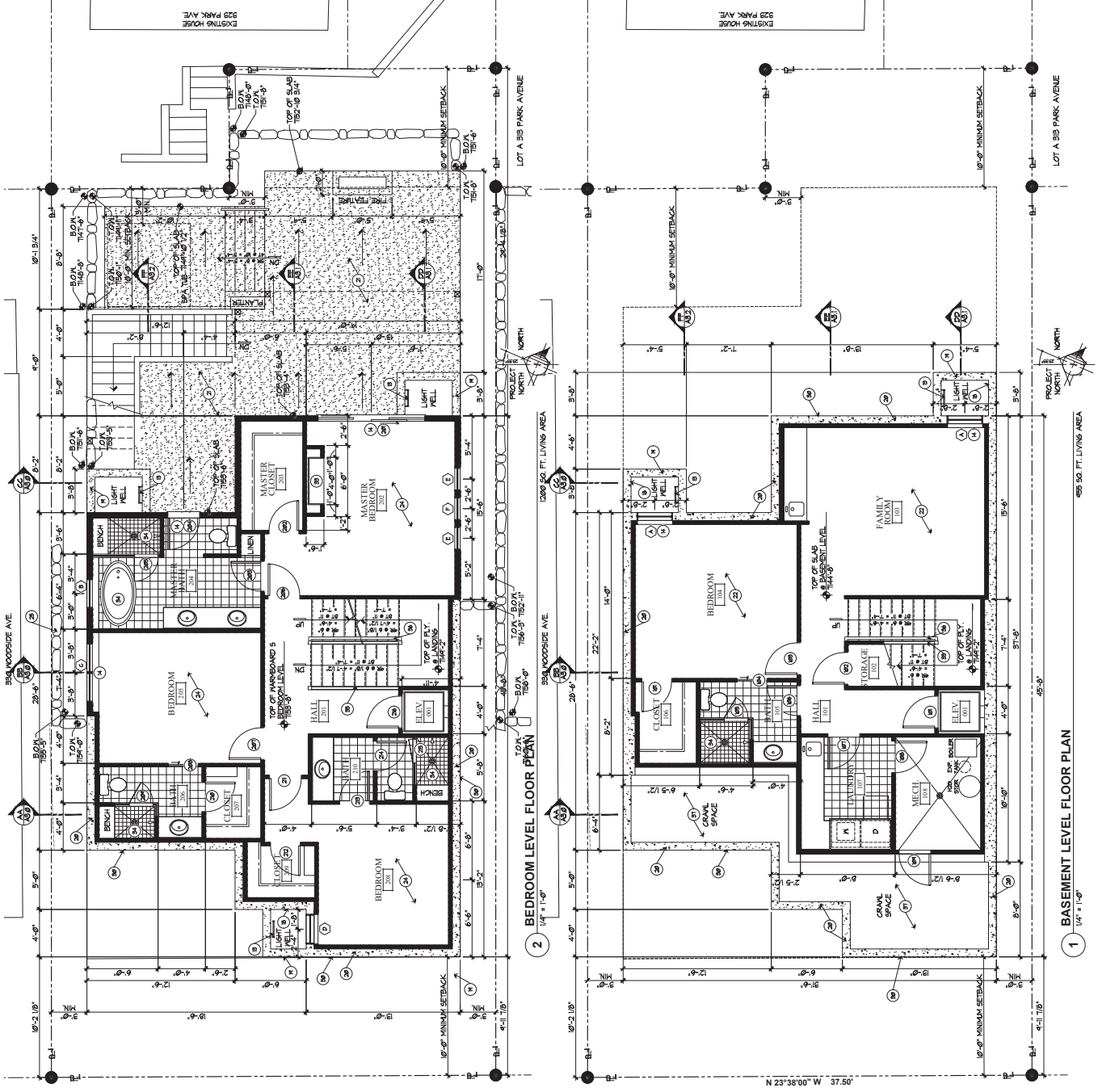
PLANTING NOTES

1. CONTRACTOR TO VERIFY LOCATION OF ALL UTILITIES PRIOR TO INITIATION OF EXCAVATION OF PLANTING OPERATIONS. ANY DAMAGE TO EXISTING UTILITIES OR TO ANY ADJACENT PROPERTY SHALL BE CONTRACTOR'S RESPONSIBILITY.
2. AUTOMATIC IRRIGATION IS REQUIRED. PROVIDE SOW TRAINING FOR APPROVAL.
3. ALL PLANT MATERIAL SHALL CONFORM TO CURRENT AMERICAN ASSOCIATION OF NURSERYMEN'S STANDARD SPECIFICATIONS.
4. ALL PLANT MATERIAL SHALL BE INSTALLED AS PER DRAWINGS, DETAILS AND SPECIFICATIONS.
5. CONTRACTOR SHALL VERIFY ALL PLANTING. IN CASE OF A DISCREPANCY, THE ILLUSTRATED LOCATIONS SHALL INDICATE CORRECT PLANTING LOCATIONS. CONTRACTOR SHALL CORRECT ANY DISCREPANCY.
6. CONTRACTOR SHALL COORDINATE ALL PLANTING WITH IRRIGATION CONTRACTOR, AS NEEDED.
7. IN THE EVENT OF A DISCREPANCY NOTIFY THE ARCHITECT OR OWNER IMMEDIATELY.
8. NO SUBSTITUTIONS SHALL BE ALLOWED WITHOUT WRITTEN PERMISSION OF THE ARCHITECT OR OWNER.
9. SHRUB BEDS SHALL RECEIVE 4" OF TOPSOIL.
10. ALL SHRUB BEDS SHALL HAVE 1" OF RECOMBONED BARK MULCH INSTALLED.
11. SHRUB BEDS ENDING SHALL BE PRESSURE TREATED WOOD OR "TICKY" ENDING IT SHALL SEPARATE ALL SHRUB BEDS NESTIVE GRASS LOCATIONS.
12. ALL PLANTS AND ALL PLANT STAKES SHALL BE SET UPRIGHT.
13. ALL ROOT WRAPPING MATERIAL MADE OF SYNTHETICS OR PLASTICS SHALL BE REMOVED AT TIME OF PLANTING AND PROPERLY PILING AND.
14. NO HARD ROOT STOCK SHALL BE USED.
15. FOR PLANTING BACK THE SHRUB, SEE SPECIFICATIONS.

PLANT SCHEDULE							
SYMBOL	KEY	QUANTITY	COMMON NAME	SCIENTIFIC NAME	SIZE	SPACING	COMMENTS
DECIDUOUS TREES							
		4	Columbia Blue Spruce	Picea pungens	3" Disk	6 x 6' tall	
		16	Aspen	Populus tremuloides	3" Disk	6 x 10'	
SHRUBS							
		16	Red twig dogwood	Cornus sericea "holley"	2 Gal.		Spacing as noted on plan
PERENNIAL PLANTS							
		13	Blackberry	Rubus	1 Gal.	12" x 48"	Distribute Equally
		13	Aspen "Crisp Leaf"	Aspen "Crisp Leaf"	1 Gal.	12" x 48"	Distribute Equally
		13	Yarrow Daisy	Galium aparine	1 Gal.	12" x 48"	Distribute Equally
		13	Bladder Plant	Galium aparine	1 Gal.	12" x 48"	Distribute Equally
OTHER							
	48 S.F.		Wood Chips				3" Thick Layer
	1665 S.F.		Native Grass Seed Mix				See notes on below
	4 S.F.		Overgrown Yarrow Plant				

NATIVE GRASS SEED MIX
The seed mix shall be broadcast in areas specified for native grasses. This mixture shall be applied at a sufficient rate so that germination and subsequent coverage reaches 80% in a representative 10'X10' area. If coverage does not reach 80% reseed mix over. Apply at a rate of 80 lbs. ac or the following percentages: 20% Crested Wheatgrass, 10% Streambank Wheatgrass, 20% Puccinell Watergrass, 15% Perennial Ryegrass, 15% Mountain Bromegrass, 10% Indian Ryegrass, 10% Alopecurus.
* In addition, add 10 lbs. acre each of Linnam twinn and Perennium. Eriophorum with native grass seed mixture.





- [illegible]



- [illegible]

SUBJECT DESCRIPTION

Jonathan DeGray
Architect
P.O. Box 1674, 614 Main Street, Suite 302, Park City, Utah 84060

P.O. Box 1674, 614 Main Street, Suite 302, Park City, Utah 84060

A1.3

SHEET NUMBER

PROJECT NUMBER:

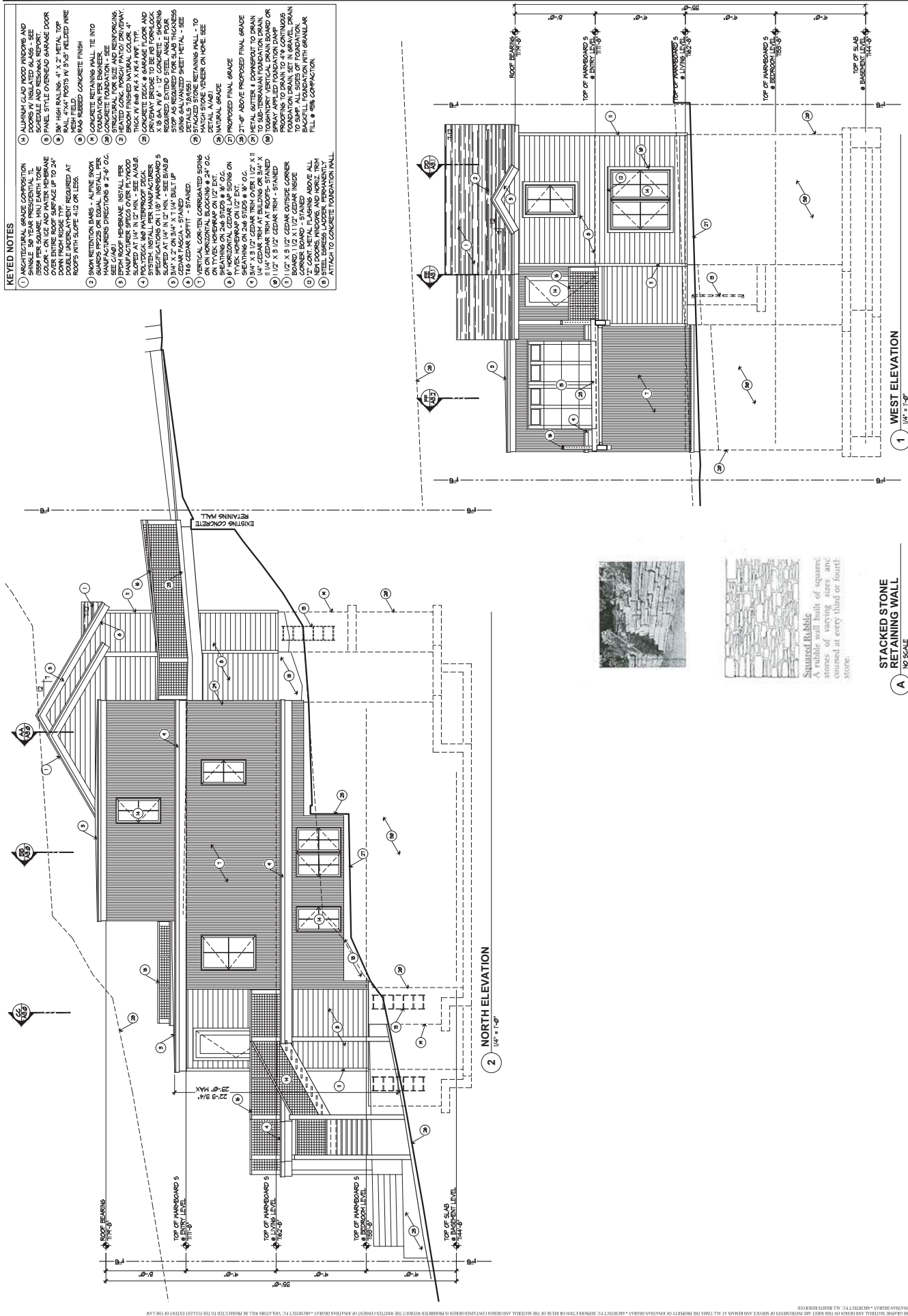
10

DATE: _____

REVISIONS:

KEYED NOTES

- 1 ARCHITECTURAL GRADE COMPOSITION SHINGLE 50 YEAR PRESIDENTIAL II, COLOR: 20 ONCE AND WATER VENEERANE OVER ENTIRE ROOF SURFACE UP TO 24" DOWN FROM RIDGE TOP. DOUBLE UNDERLAYMENT REQUIRED AT ROOFS WITH SLOPE 4:12 OR LESS. GARDEN P/2203 OR EQUAL, INSTALL PER MANUFACTURERS DIRECTIONS # 2-4. O.C. SEE C/A61
- 2 BOTTOM ROOF VENEERANE. INSTALL PER MANUFACTURER SPEC'S OVER FLOOR POLYESTER, 400 POUND PROOF PLY. SYSTEM, INSTALL PER MANUFACTURER SPECIFICATIONS ON 1/8" MARBONBOARD S L X 2 AT 14" IN 12" MIN. SEE B/A3/0
- 3 3/4" X 2" ON 2" N/A 1/4" BUILT UP CEDAR FUSGA - STAINED TO MATCH TO PRAN
- 4 PERMANENT FOUNDATION TO PRAN





EAST ELEVATION



KEYED NOTES

- ## KEYED NOTES

Jonathan DeGray
A r c h i t e c t
P.O. Box 1674, 614 Main Street, Suite 302, Park City, Utah 84060

RESIDENCE
128 WOODSIDE AVENUE
PARK CITY, UT 84060

EXTERIOR ELEVATIONS
EAST AND SOUTH

A2.1

FF BUILDING $1/4" = 1'-0"$



- FF** BUILDING $1/4" = 1'-0"$

A3.2

Exhibit C – Visual Analysis/Streetscape



EXISTING CONDITION 3



PROPOSED DESIGN 3



EXISTING CONDITION 2



PROPOSED DESIGN 2



EXISTING CONDITION 1



PROPOSED DESIGN 1

AI-002

SHEET NUMBER

PROJECT NUMBER

DATE

REVISION

BEFORE/AFTER IMAGES

PROJECT DESCRIPTION
328 WOODSIDE RESIDENCE
324 WOODSIDE AVENUE
PARK CITY, UTAH 84060

Jonathan DeGray
Architect
P.O. Box 1674, 614 Main Street, Suite 302, Park City, Utah 84060
Tel: 435 649 7263, E-mail: jdegray@jonathandegray.com

PROPOSED STREETSCAPE

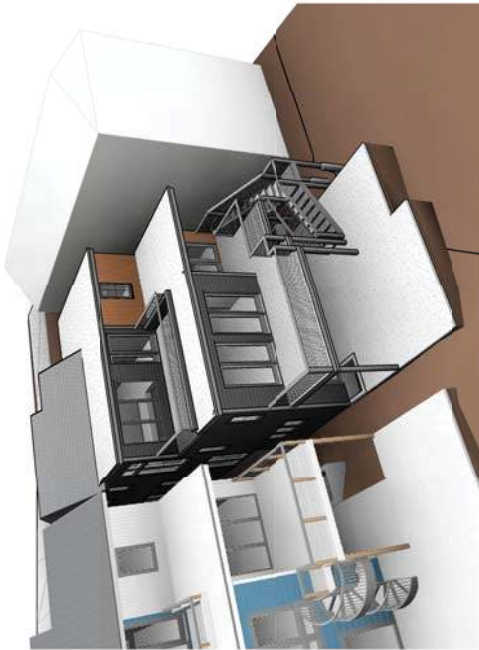


EXISTING STREETSCAPE

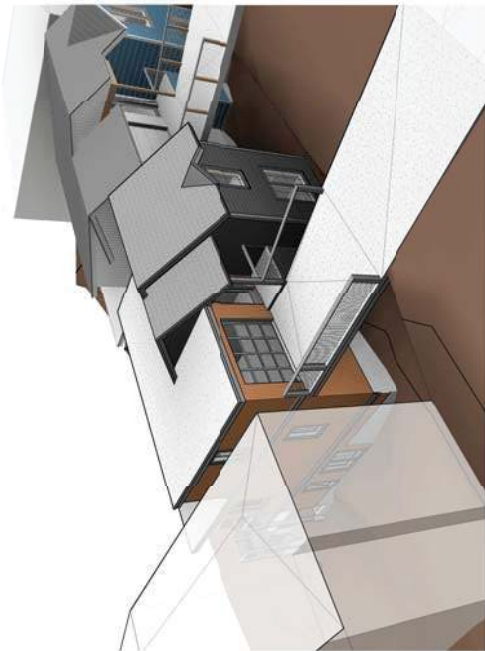




SOUTHWEST BIRDSEYE



SOUTHEAST BIRDSEYE



NORTHWEST BIRDSEYE



NORTHEAST BIRDSEYE

Exhibit D – Subdivision Plat

LEGAL DESCRIPTIONS

Survey requested by: Thames Capital Park City LLC.

2. Basis of survey: found street monuments as shown.
3. Date of survey: September, 2012 & July, 2013.
4. Property monuments set or found as shown.
5. Located in the Southeast Quarter of Section 16, Township 2 South, Range 4 East, Salt Lake Base & Meridian.
6. The owners of the property shown on the above of any items affecting the property that may affect this survey report.
7. This is the same as the Plat of 315 Park Avenue Subdivision recorded as Entry No. 826141 in the office of the Summit County Recorder.

I, J.D. Guley, a Registered Land Surveyor as prescribed by the laws of the State of Utah and holding License No. 359005, do hereby certify that I have supervised a survey of the hereon described property and that this plot is a true representation of said property.

J.D. Gailley / RES@B59005

Know all men by these presents that the undersigned in director of Thyones Capital Park City LLC, 315 Park Avenue Subdivision, Block 3, Park City Survey, and having caused this Plat Amendment to be made, does hereby consent to the recording of this Record of Survey Plat, on behalf of said Thyones Capital Park City LLC, in the office of the County Recorder of Summit County, Utah, in accordance with Utah Law.

Also, the owner hereby irrevocably offer for dedication to the City of Park City all the streets, land for local government utilities and easements shown on the plat, and the undersigned has set his hand this _____ day of _____ 20____.

By: Damon Navarro, Director
Thames Capital Park City, LLC

STATE OF UTAH—South-Central
County of Summit: *Chadwick*
On this 30 day of January, 2014, Damon Novarro personally appeared before me, the undersigned Notary Public in and for said State and County, who after being duly sworn, acknowledged to me that he is director of Thyges Capital Park City, L.L.C., that he has signed the above Owner's Dedication and Consent to Record on behalf of said Thyges Capital Park City, L.L.C., and that he had executed and acknowledged the foregoing instrument on behalf of Thyges Capital Park City, L.L.C., for the purpose set forth therein.

My commission expires: 02/19/19

REVIEWED FOR COMPLIANCE TO SOUTHERN REGIONAL
WATER RECLAMATION DISTRICT STANDARDS
ON THIS 11th DAY OF Feb. 2014.

19 Prospector Driv
Park City, Utah 840

APPROVED BY THE PARK CITY
PLANNING COMMISSION THIS 13TH
DAY OF FEBRUARY, 2013 A.D.

I FIND THIS PLAT TO BE IN
CONFORMANCE WITH INFORMATION ON
FILE IN MY OFFICE THIS 17th
OF February, 2014 A.D.
BY [Signature]
PARK CITY ENGINEER

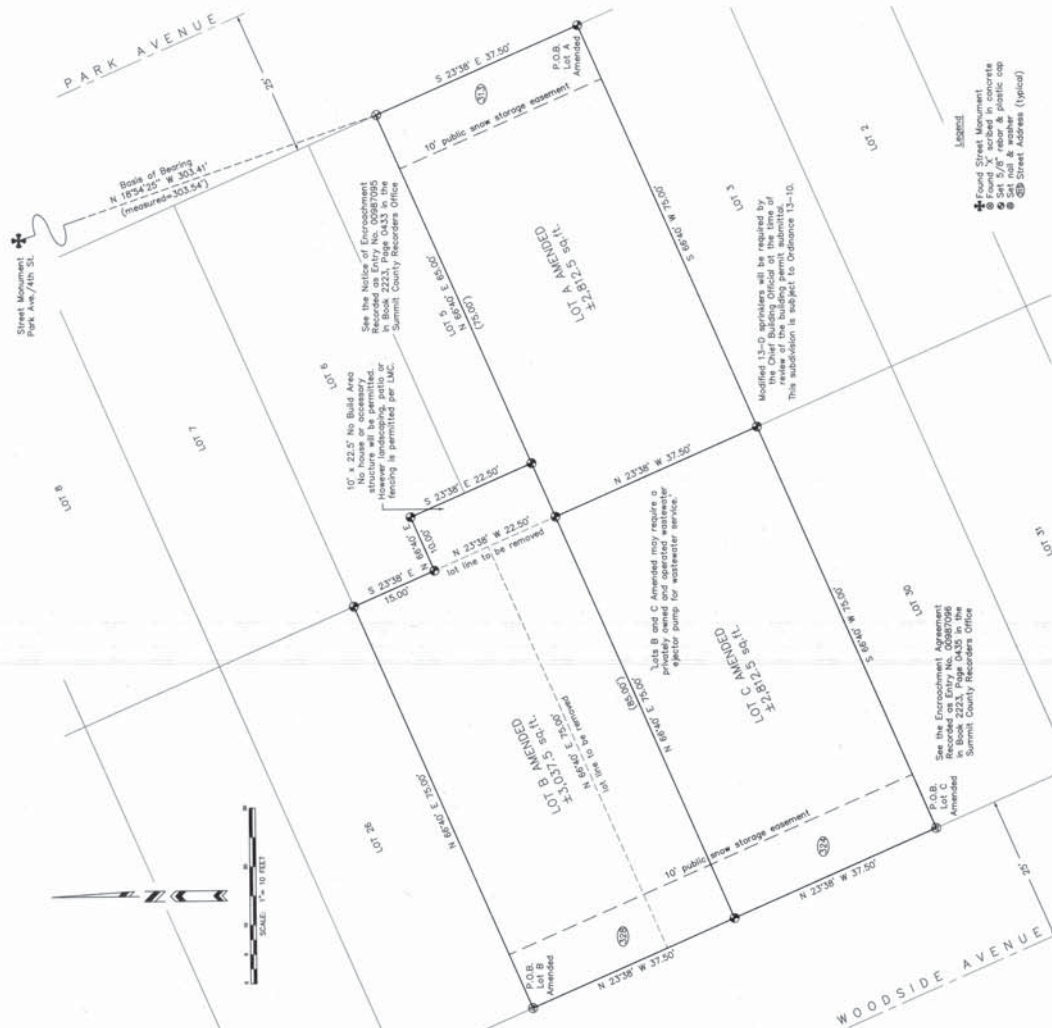
APPROVED AS TO FORM THIS 14th
OF March, 2014 A.D.
BY Robb S. Gail
PARK CITY ATTORNEY

CERTIFY THIS RECORD OF SURVEY
WAS APPROVED BY PARK CITY
COUNCIL THIS 14 DAY
OF March, 2014 A.D.
BY M. M. Heil
PARK CITY RECORDER

APPROVAL AND ACCEPTANCE BY THE PARK CITY
COUNCIL THIS 21ST DAY OF MARCH,
2013 A.D.

Jack Thomas
MAYOR

COUNTY OF SUMMIT, AND FILED
OF COALITION TITLE
BOOK - PAGE -
03 100
Ronda Jeanne Depue
RECORDER



Planning Commission Staff Report

Subject: 638 Park Avenue (Kimball Garage)
Author: Anya Grahn, Senior Historic District Planner
Project Number: PL-16-03412
Date: December 12, 2018
Type of Item: Administrative – City Council Remand of an appeal of Planning Commission’s Approval of a Conditional Use Permit (CUP) for a Private Event Facility

Summary Recommendations

Staff is providing notice to the Planning Commission and public that no further action will be taken upon the remand. The applicant is withdrawing the Conditional Use Permit for the Private Event Facility.

Topic

Applicant: CPP Kimball LLC represented by Tony Tyler and Architect Craig Elliot
Location: Historic Kimball Garage at 638 Park Avenue
Zoning: Historic Recreation Commercial (HRC), Heber Avenue Subzone
Adjacent Land Use: Residential single-family and multi-family; commercial
Reason for review: Appeals of Planning Commission’s decisions are reviewed by the City Council; City Council remanded this CUP back to the Planning Commission on March 30, 2017.

Summary of Proposal

The applicant is withdrawing the Conditional Use Permit (CUP) for the Private Event Facility in order to pursue other permitted Allowed Use options in the zone for the interior use of the building only. The applicant will continue to work with Planning Staff on potential mitigation measures for future use of the exterior rooftop terrace space in advance of applying either through individual Special Event Licenses or an Administrative Conditional Use Permit (Admin-CUP). This is the same permitting for existing outdoor uses at the Town Lift. Both of these processes have their own noticing requirements and appeal process.

Planning Commission Staff Report

Application: PL-17-03730
Subject: Design Guideline Amendments
Author: Anya Grahn, Historic Preservation Planner
Hannah M. Tyler, Planner
Date: December 12, 2018
Type of Item: Legislative – LMC Amendments

Recommendation

Staff recommends the Planning Commission review the proposed LMC amendments, open a public hearing and consider forwarding a positive recommendation to City Council on the Land Management Code (LMC) amendments to the Design Guidelines for Historic Districts and Historic Sites (15-13) as outlined in the draft Ordinance.

Description

Project Name: Design Guideline revisions
Location: Historic Zoning Districts: Historic Residential-Low Density (HRL), Historic Residential (HR-1), Historic Residential (HR-2), Historic Residential Medium District (HRM), Historic Recreation Commercial (HRC), Historic Commercial Business (HCB) Districts; as well as sites located outside the H-Districts that are designated as historic on the City's Historic Sites Inventory (HSI).
Proposal: Revisions to the Land Management Code clarifying and revising the Design Guidelines to better preserve the historic character, mass and scale, and historic integrity of Old Town and historic sites
Reason for Review: LMC Amendments require Planning Commission review and City Council review and action.

Background

Though the City has been a leader in historic preservation since the 1960s, the first historic preservation code provisions date back to approximately 1982. In the early 1990s, the City expanded regulations governing demolition of commercial properties, primarily on Main Street, and soon after extended protections to residential properties on the initial survey or over 50 years old, subject to a determination of significance hearing. In 2007, the City contracted Preservation Solutions to conduct a reconnaissance level, or "windshield" survey of the historic district. This increased our current preservation program in which some 400 sites and structures were designated as historic on the City's Historic Sites Inventory (HSI) and the adoption of the 2009 *Design Guidelines for Historic Districts and Historic Sites*. Owners of properties on the HSI may not demolish buildings or structures designated as Historic unless warranted by economic hardship; however, reconstruction and panelization may be deemed

necessary and approved by the Historic Preservation Board if specified criteria are met as defined in the LMC. The City has been successful in encouraging historic preservation through a “carrot and stick” approach, which includes the Historic District Grant Program and LMC exceptions benefitting historic properties.

Purpose of the Design Guidelines

The Design Guidelines provide direction to property owners, architects, designers, builders, developers, City staff, the Historic Preservation Board (HPB), and City Council in developing proposals that maintain the historic character of Park City’s Old Town. The Design Guidelines fulfill policy directives provided in the General Plan and Land Management Code (LMC). Further, these guidelines are a foundation for making decisions and a framework for ensuring consistent procedures and fair deliberations. The Design Guidelines were envisioned to be a living document. From time to time, the HPB may recommend changes in the Design Guidelines for Park City’s Historic Districts and Historic Sites to Council, provided that no changes in the guidelines shall take effect until adopted by a resolution of the City Council. The Guidelines were last revised in 2009. They were adopted and codified into the LMC by [Ordinance 2017-42](#) on August 3, 2017.

What do they do?

The Design Guidelines are a standard for rehabilitating historic structures, developing historic sites, and constructing new buildings in the commercial and residential neighborhoods of Old Town. In an effort to maintain the historic integrity and character of our historic districts, the Design Guidelines direct alterations to historic properties and the design of new construction projects. This allows Park City to maintain its listing on the National Register of Historic Places. The Design Guidelines also apply to sites designated as Historic that are outside of the H-zoning districts.

National versus Local Review

The Design Guidelines are based on the [Secretary of the Interior’s Standards](#) for Preservation, Rehabilitation, Restoration, and Reconstruction. The Standards are a series of concepts about maintaining, repairing, and replacing historic materials, as well as designing new additions or making alterations. Park City’s Design Guidelines offer general design and technical recommendations to assist in applying the Standards to a specific property. The Secretary of Interior’s Standards are generally applied most specifically during tax credit projects, which are reviewed by the National Park Service.

The City does not enforce the Secretary of the Interior’s Standards; we rely solely on the Design Guidelines.

The Secretary of the Interior, as well as our Design Guidelines, identifies four (4) treatment methods:

- *Preservation*: The act or process of applying measures necessary to sustain the existing form, integrity, and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials, and features rather than extensive replacement and new construction.

- *Rehabilitation*: The act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.
- *Restoration*: The act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period.
- *Reconstruction*: The act or process of depicting, by means of new construction, the form, features, and detailing of a non-surviving site, landscape, building, structure, or object for the purpose of replicating its appearance at a specific period of time and in its historic location.

Often, a project will utilize several of these methods depending on the condition of the structure and work to be completed.

It is important to note that though our Design Guidelines are based on the Secretary of Interior's Standards, City staff does not utilize the federal standards specifically when reviewing applications.

Past Reviews

Staff has been working with the Historic Preservation Board (HPB) to identify sections in the Design Guidelines to discuss protection and treatment of historic materials, mass and scale, and compatibility since 2014. Staff met with the HPB to consider revisions during the following meetings:

<u>Meeting Date</u>	<u>Links</u>	<u>Summary</u>
• February 19, 2014	Work Session Staff Report (starting page 71) Minutes (starting page 15)	Treatment of Historic Structures—Temporary Lifting for foundations; panelization; and reconstruction
• December 3, 2014	Staff Report (starting page 49) Minutes (starting page 6)	Outline of Design Guideline revisions
• October 7, 2015	Work Session Staff Report (page 53) Minutes (starting page 11)	Compatibility Study
• November 18, 2015	Work Session Staff Report (starting page 55) Minutes (starting page 15)	Character Zones
• December 2, 2015	Staff Report (starting page 51) Minutes (starting page 4)	Compatibility study—HPB provided photographs of Old Town and staff led discussions about compatibility.

- January 6, 2016 [Staff Report](#) (starting page 61)
[Minutes](#) (starting page 13) Revisions to Universal Design Guidelines and Site Design for Historic Residential Sites
- February 3, 2016 [Staff Report](#) (starting page 185)
[Minutes](#) (starting page 36) Revisions to Universal Design Guidelines and Site Design for Historic Residential Sites
- March 2, 2016 [Staff Report](#) (starting page 299)
[Minutes](#) (starting page 47) Revisions to Universal Design Guidelines and Site Design for Historic Residential Sites
- May 4, 2016 [Staff Report](#) (starting page 76)
[Minutes](#) (starting page 20) Revisions to Specific Design Guidelines for Primary Structures; Additions to Primary Structures; Historic Accessory Structures; New Accessory Structures
- May 4, 2016 [Work Session Staff Report](#) (starting page 114)
[Minutes](#) (starting page 15) Work session on Compatibility, Subordinate, and Complementary
- June 1, 2016 [Staff Report](#) (starting page 87)
[Minutes](#) (starting page 2) Revisions to Specific Design Guidelines for Primary Structures, Additions to Primary Structures, Historic Accessory Structures; New Accessory Structures; Supplemental Guidelines
- August 3, 2016 [Staff Report](#) (starting page 121)
[Minutes](#) (starting page 23) Revisions to Universal Design Guidelines and Specific Design Guidelines—Site Design, Primary Structures, Additions, Reusing Historic Houses as Commercial Structures, and Supplemental Guidelines for Historic Commercial Structures
- October 5, 2016 [Staff Report](#) (starting page 135)
[Minutes](#) (starting page 14) Revisions to Universal Design Guidelines and Specific Design Guidelines—Site Design, Primary Structures, Additions, Reusing Historic Houses as Commercial Structures, and Supplemental Guidelines for Historic Commercial Structures

- November 2, 2016 [Staff Report](#) (starting page 95)
[Minutes](#) (starting page 30)

Revisions addressing Period of Restoration; Relocation, Panelization, and Reconstruction; Sustainability; and Treatment of Historic Building Materials.
- February 1, 2017 [Work Session Staff Report](#) (starting page 79)
[Minutes](#) (starting page 10)

Appearance of new infill development
- April 5, 2017 [Staff Report](#) (starting page 229)
[Minutes](#) (starting page 21)

Revisions to Universal Design Guidelines and Specific Design Guidelines—Site Design, Primary Structures, Garages, Decks, Balconies and Roof Decks, New Accessory Structures, Additions to Non-Historic Structures, and Supplemental Guidelines for new Residential Infill Construction
- June 7, 2017 [Staff Report](#) (starting page 65)
[Minutes](#) (starting page 15)

Revisions to Universal Design Guidelines and Specific Design Guidelines—Site Design, Primary Structures, Garages, Decks, Balconies and Roof Decks, New Accessory Structures, Additions to Non-Historic Structures, and Supplemental Guidelines for new Residential Infill Construction
- October 4, 2017 [Staff Report](#) (starting page 53)
[Minutes](#) (starting page 3)

Revisions to Universal Design Guidelines and Specific Design Guidelines—Site Design, Primary Structures, Garages, Decks, Balconies and Roof Decks, New Accessory Structures, Additions to Non-Historic Structures, and Supplemental Guidelines for new Commercial Infill Construction
- April 4, 2018 [Staff Report](#) (starting page 59)
[Minutes](#) (starting page Y)

Revisions to Sustainability in New Commercial and Residential Infill Construction; ADA compliance; Seismic Upgrades; and Sidebar: Vegetation for Old Town

Analysis

Staff has spent over two years with the Historic Preservation Board (HPB) studying Park City's historic fabric, comprised of its original development patterns, historic and vernacular architecture, past and current preservation efforts, as well as new construction. From these studies and discussions, we have proposed the attached Design Guideline revisions (Exhibit A). The HPB has forwarded a positive recommendation for all of these guideline revisions.

The goal of the revisions was to create greater transparency within the Design Guidelines, promote compatible additions and infill construction, and provide additional guidance to preserving historic materials. Several overall themes emerged as staff and the HPB worked through these revisions:

- Greater consistency between the Design Guidelines for Historic Sites and New Construction.
- Better assistance on treatment of historic materials.
- Greater transparency in developing compatible design. This included incorporating new sections to the Design Guidelines, but also providing greater emphasis on calling out appropriate materials, measurements, forms, etc.
- Further developing definitions for Compatibility, Complementary, and Subordinate.
- Reorganizing the Design Guidelines into four (4) sections to prevent flipping through multiple sections to guide a project. These sections are:
 - Historic Residential
 - Historic Commercial
 - New Infill Residential
 - New Infill Commercial
- More guidance on designing infill construction and additions to stress the visual unity and cohesiveness of blocks; modules to break up the mass, scale, and bulk; and standards specific to the type of building (commercial or residential).

Though our revisions, we found a number of places where the guidelines fell short and did not provide staff the assistance needed during our design reviews. Staff added the following new sections to the design guidelines:

- Gazebos, Pergolas, and Shade Structures
- Gutters and Downspouts
- Chimneys and Stovepipes
- Transitional Elements (for additions to historic buildings)
- Decks, balconies, and roof decks
- Sidewalks, Plazas, and other street improvements
- Storefronts
- Historic Balconies and Porticos
- Decks, Fire Escapes, and Exterior Staircases
- Architectural Features

- Determining Era of Restoration
- Sustainability in Historic Buildings
- Treatment of Historic Building materials
- Additions to Existing Non-Historic Structures
- Dormers

Staff has attached a complete set of redlined Design Guidelines to-date as Exhibit A to this staff report.

General Plan

The proposed LMC amendments were reviewed for consistency with the General Plan, specifically Goal #15 which states “Preserve the integrity, mass, scale, compatibility and historic fabric of the nationally and locally designated historic resources and districts for future generations.” And Goal #16 which states “Maintain the Historic Main Street District as the heart of the City for residents and encourage tourism in the district for visitors.”

Process

LMC amendments are processed according to LMC § 15-1-7. Amendments to the LMC require Planning Commission review and recommendation and City Council review and adoption. City Council final action may be appealed to a court of competent jurisdiction per LMC § 15-1-18. A public hearing is required by both the Planning Commission and City Council, with proper notice.

Notice

Legal notice of a public hearing was posted in the required public spaces and public notice websites and published in the Park Record on December 1, 2018, per the requirements of the Land Management Code.

Public Input

Public input has been provided in the past during Historic Preservation Board meetings. It is included as Exhibit B.

Recommendation

The Planning Department requests the Planning Commission open a public hearing and Discuss the possible Land Management Code amendments to LMC Chapter 13 Design Guidelines for Historic Districts and Historic Sites, as described in this report.

Exhibits

Exhibit 1 – Draft Ordinance and Design Guideline Revisions (as forwarded for approval by the Historic Preservation Board)
Exhibit 2 – Public Comment

Exhibit 1—Draft Ordinance

Ordinance 19-X

**AN ORDINANCE AMENDING THE MUNICIPAL CODE OF PARK CITY, TITLE 15-
THE LAND MANAGEMENT CODE OF PARK CITY, UTAH, AMENDING CHAPTERS
15-13 TO AMEND THE DESIGN GUIDELINES FOR HISTORIC DISTRICTS AND
HISTORIC SITES and 15-15 DEFINITIONS**

WHEREAS, the Land Management 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, the Land Management Code implements the goals, objectives and policies of the Park City 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 proposed Land Management Code (LMC) amendments enhance the design standards to maintain aesthetic experience of Park City; and

WHEREAS, these proposed Land Management Code (LMC) amendments were reviewed for consistency with the Park City General Plan; and

WHEREAS, the City Council finds that the proposed changes to the Land Management Code are necessary to supplement existing zoning regulations to protect Historic structures and the economic investment by owners of similarly situated property (currently Historic);

WHEREAS, Park City was originally developed as a mining community and much of the City's unique cultural identity is based on the historic character of its mining era buildings; and

WHEREAS, these buildings are among the City's most important cultural, educational, and economic assets;

WHEREAS, the demolition and significant alteration of historic buildings would permanently alter the character of a neighborhood, community and City;

WHEREAS, the Planning Commission duly noticed and conducted public hearings at the regularly scheduled meetings on December 12, 2018 and forwarded a recommendation to City Council; and

WHEREAS, the City Council duly noticed and conducted a public hearing at its regularly scheduled meeting on January 17, 2019; and

WHEREAS, it is in the best interest of the residents of Park City, Utah to amend the Land Management 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, activity and success of the ski resort base area; to ensure compatible development; and to preserve the community's unique character and cultural resources.

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

SECTION 1. APPROVAL OF AMENDMENTS TO TITLE 15 - Land Management Code Chapter 15-13 Design Guidelines for Historic Districts and Historic Sites and Chapter 15-15 Definitions. The recitals above are incorporated herein as findings of fact. Chapters 15-13 and 15-15 of the Land Management Code of Park City are hereby amended as redlined in Exhibit A.

SECTION 2. EFFECTIVE DATE. This Ordinance shall be effective upon publication.

PASSED AND ADOPTED this ____ day of _____, 2019

PARK CITY MUNICIPAL CORPORATION

Andy Beerman, Mayor

Attest:

City Recorder

Approved as to form:

Mark Harrington, City Attorney

Exhibits

Exhibit A – LMC § 15-13 Design Guidelines for Historic Districts and Historic Sites

Exhibit B – LMC § 15-15 Definitions

Exhibit A-- Redlined Design Guidelines

15-13-1 Purpose And Policy

The Design Guidelines for Park City's Historic Districts and Historic Sites (referred to throughout the document as the "Design Guidelines") is intended to fulfill the policy directives provided in the General Plan and the Land Management Code.

The goal of the Design Guidelines is to meet the needs of various interests in the community by providing guidance in determining the suitability and architectural compatibility of proposed projects, while at the same time allowing for reasonable changes to individual buildings to meet current needs. For property owners, design professionals, and contractors, it provides guidance in planning projects sympathetic to the unique architectural and cultural qualities of Park City. For the Planning Department staff and the Historic Preservation Board, it offers a framework for evaluating proposed projects to ensure that decisions are not arbitrary or based on personal taste. Finally, it affords residents the benefit of knowing what to expect when a project is proposed in their neighborhood.

The Design Guidelines are not intended to be used as a technical manual for rehabilitating or building a structure, nor are they an instruction booklet for completing the Historic District/Site Design Review Application. Instead, they provide applicants, staff, and the Historic Preservation Board with a foundation for making decisions and a framework for ensuring consistent procedures and fair deliberations.

HISTORY

Adopted by Ord. 2017-42 on 8/3/2017

15-13-2 Design Guidelines For ~~Historic Districts And Historic Sites~~ Historic Residential Sites

~~*The Design Guidelines for Historic Districts and Historic Sites are hereby adopted and incorporated herein.*~~

A. Universal Design Guidelines

1. A site should be used as it was historically or be given a new use that requires minimal change to the distinctive materials and features.
2. Changes to a site or building that have acquired historic significance in their own right should be retained and preserved.
3. The historic exterior features of a building should be retained and preserved.
4. Distinctive materials, components, finishes, and examples of craftsmanship should be retained and preserved. Owners are encouraged to reproduce missing historic elements that were original to the building, but have been removed. Physical or photographic evidence should be used to substantiate the reproduction of missing features. In some cases, where there is insufficient evidence to allow for an accurate reconstruction of the lost historic elements, it

may be appropriate to reproduce missing historic elements that are consistent with properties of similar design, age, and detailing.

5. Deteriorated or damaged historic features and elements should be repaired rather than replaced. Where the severity of deterioration or existence of structural or material defects requires replacement, the feature or element should match the original in design, dimension, texture, material, and finish. The applicant must demonstrate the severity of deterioration or existence of defects by showing that the historic materials are no longer safe and/or serviceable and cannot be repaired to a safe and/or serviceable condition.
6. Features that do not contribute to the significance of the site or building and exist prior to the adoption of these guidelines, such as incompatible windows, aluminum soffits, or iron porch supports or railings, may be maintained; however, if it is proposed they be changed, those features must be brought into compliance with these guidelines.
7. Each site should be recognized as a physical record of its time, place and use. Owners are discouraged from introducing architectural elements or details that visually modify or alter the original building design when no evidence of such elements or details exists.
8. Chemical or physical treatments, if appropriate, should be undertaken using recognized preservation methods. Treatments that cause damage to historic materials should not be used. Treatments that sustain and protect, but do not alter appearance, are encouraged.
9. New construction—such as new additions, exterior alterations, ~~or related new construction repairs, upgrades, etc.~~—should not destroy historic materials, features, and spatial relationships that characterize the historic site or historic building. New construction should differentiate from the historic structure and, at the same time, be compatible with the historic structure in materials, features, size, scale and proportion, and massing to protect the integrity of the historic structure, the historic site, and its environment.
10. New additions and related new construction should be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment could be restored.

B. Specific Design Guidelines

1. Site Design

a. Building Setbacks & Orientation

- (1) A.1.1 Maintain the existing front and side yard setbacks of Historic Sites.
- (2) A.1.2 Preserve the original location of the main entry of the historic structure, if extant.

- (3) ~~A.1.3 Maintain the original path or steps leading to the main entry, if extant.~~

b. Topography & Grading

- (1) ~~A.5.8~~ Maintain the natural topography and original grading of the site when and where feasible.
- (2) ~~A.5.3~~ The historic character of the site should not be significantly altered by substantially changing the proportion of built and/or paved area to open space, and vice versa.
- (3) ~~A.5.1~~ Respect and maintain existing landscape features that contribute to the historic character of the site and existing landscape features that provide sustainability benefits.
- (4) Maintain established on-site native plantings. During construction, protect established vegetation to avoid damage. Replace damaged, aged, or diseased trees as necessary. Vegetation that may encroach upon or damage the historic structure may be removed, but should be replaced with similar vegetation away from the historic building or structure.

~~A.5.2 Incorporate landscape treatments for driveways, walkways, paths, building and accessory structures in a comprehensive, complimentary and integrated design.~~

- (5) ~~A.5.6~~ Provide a detailed landscape plan that respects, particularly for areas visible from the public right-of-way the front yard, that respects the manner and materials historically used traditionally in the Historic Districts. When planning for the long-term sustainability of a landscape system, consider all landscape relationships on the site, the relationship between the site and its structure(s), as well as the relationship between plants and other plants on site.
- (6) ~~A.5.4~~ Landscape plans should balance water efficient irrigation methods and drought tolerant and native plant materials with existing plant materials and site features that contribute to the historic significance of the site.
- (7) Use to advantage storm water management features, such as gutters and downspouts as well as site topography and vegetation, that contribute to the sustainability of the historic site.
- (8) Where watering systems are necessary, use systems that minimize water loss, such as drip irrigation. Consider the use of xeriscaping or permaculture strategies for landscape design to maximize water efficiency; these systems should be designed to maintain the historic character of areas viewable from the public right-of-way.

~~A.5.5 Landscape plans should allow for snow storage from driveways.~~

~~A.5.7 Provide landscaped separations between parking areas, drives, service areas, and public use areas including walkways, plazas, and vehicular access points.~~

c. Landscaping and Vegetation

- (1) ~~A.5.3~~ The ~~historie~~ character of ~~the~~ a historic site ~~should~~ shall not be significantly altered by substantially changing the proportion of built and/or paved area to open space.
 - (2) ~~A.5.1 Maintain Existing~~ landscape features that contribute to the character of ~~the~~ a historic site and/or existing landscape features that provide environmental sustainability benefits shall be preserved and maintained.
 - (3) Established on-site native plantings shall be maintained. During construction, established vegetation shall be protected to avoid damage. Damaged, aged, or diseased trees shall be replaced as necessary. Vegetation that may encroach upon or damage a new building may be removed, but shall be replaced with similar vegetation near the original location.
 - (4) A detailed landscape plan, particularly for areas viewable from the primary public right-of-way, which respects the manner and materials traditionally used in the Historic Districts, shall be provided. When planning for the long-term sustainability of a landscape system, all landscape relationships on the site, including those between plantings and between the site and its structure(s) shall be considered.
- ~~A.5.4~~ Landscape plans ~~should~~ shall balance water-efficient irrigation methods, and drought-tolerant plants, and native plants ~~materials~~ with existing plant materials and site features that contribute to the historic character ~~significance~~ of the site. Where irrigation is necessary, systems that minimize water loss, such as drip irrigation, shall be used.
- (6) Use to advantage storm water management features such as gutters, downspouts, site topography, and vegetation that can improve the environmental sustainability of a site.
 - (7) The use of xeriscaping or permaculture strategies for landscape design shall be considered in order to maximize water efficiency. Where watering systems are necessary, systems that minimize water loss, such as drip irrigation, shall be used. These systems shall be designed to minimize their appearance from areas viewable from the primary public right-of-way.
 - (8) Along public rights of way, landscaped areas, street trees, and seasonal plantings shall be designed to enhance the pedestrian experience, complement architectural features, and/or screen utility areas.
 - (9) Installing plantings in areas like medians, divider strips, and traffic islands shall be considered.

- (10) Commercial properties typically have no setbacks along the principal façade. However, when front yard setbacks exist, landscaped areas (including patios) shall be of a small scale and design such that they do not disrupt the normal volume and flow of pedestrian traffic along the street.

d. Retaining Walls

- (1) Historic retaining walls shall be preserved to the greatest extent possible.
- (2) ~~A.2.1~~ Maintain the historic height and setback of retaining walls along the street historic stone retaining walls in their original locations. Retaining walls of stone, concrete, or rock-faced concrete block that are original to the historic site should be preserved and maintained in their original dimensions.

~~A.2.2 Maintain the original dimensions of historic retaining walls.~~

- (3) Removing portions of historic retaining walls for new driveways and pathways should be avoided to the greatest extent possible, but where it must occur, visual impact should be minimized.
- (4) Historic retaining walls should be repaired with materials that closely approximate the original. Replace only those portions of historic retaining walls that have deteriorated beyond repair. When repair of deteriorated retaining walls is not feasible, the replacement must reuse the existing stone to the greatest extent possible, and otherwise match the original in color, shape, size, material, and design.
- (5) To abate retaining wall failure, improve drainage behind retaining walls so water drains away from the walls. Repair and preserve historic stone and mortar.
- (6) New retaining walls should be consistent with historic retaining walls in design, material, scale of materials, as well as size and mass of the wall. Simple board-formed concrete, stone, and other historic materials are recommended over concrete block, asphalt, or other modern concrete treatments.
- (7) Non-extant historic retaining walls of concrete or stone specific to the Historic Site may be reconstructed based on physical or pictorial evidence. Historically appropriate concrete or stone walls, if consistent with the historic character of the district, may be added to the area of a historic site viewable from the public right-of-way.
- (8) Maintain stone in its natural finish. It is not appropriate to paint, stain, or plaster over stone or concrete.

e. Fencing

- (1) ~~A.3.1~~ Maintain Historic fences and handrails fencing should be preserved and maintained.

- (2) ~~A.3.2~~ Historic ~~fences and handrails~~ fencing may be reconstructed based on photographic evidence. The reconstruction should match the original in design, color, texture and material.
- (3) ~~A.3.3~~ New ~~fences and handrails~~ fencing should reflect the building's style and period. New wood and metal fencing located where viewable from the public right-of-way should feature traditional design and pattern. Split or horizontal rail, railroad tie, or timber fencing may be located where not viewable from the public right-of-way, but should be avoided where visible from the public right-of-way. Vinyl or plastic-coated fencing is not appropriate.
- (4) New fencing should be designed to minimize its environmental impacts. New fencing should use green material and should take into account site impacts such as shading, natural topography, and drainage.
- (5) Drought tolerant shrubs should be considered in place of fencing or walls.
- (6) Arbors emphasizing a fence gate or entry shall be subordinate to the associated historic building or structure and shall complement the design of the historic structure and fencing in materials, features, size, scale, and proportion, as well as massing to protect the integrity of the historic site.

f. Gazebos, Pergolas, and Other Shade Structures

- (1) Gazebos, pergolas, and other shade structures should be visually subordinate to the associated historic building(s) and should complement the design of the historic structure(s) in materials, features, size, scale and proportion, and massing to protect the integrity of the historic structure and site.
- (2) The installation of gazebos, pergolas, and other shade structures shall be limited to rear or side yards and have limited visibility when viewed from the public right-of-way.
- (3) A.5.2. Gazebos, pergolas, and other shade structures shall not be attached to the associated historic structure(s), or damage historic features of associated or neighboring historic structure(s).

g. Parking Areas & Driveways

- (1) ~~A.5.2~~ Minimize the visual impacts of on-site parking by incorporating landscape treatments for driveways, walkways, paths, building(s) and accessory structures in a comprehensive, complimentary and integrated design.
- (2) ~~A.5.7~~ Provide landscaped separations between parking areas, drives, service areas, and public use areas including walkways, plazas, and vehicular access points.
- (3) ~~C.1.3~~ When locating new off-street parking areas, the existing topography of the ~~building~~ site and ~~significant~~ integral site features should be minimally impacted.

- (4) ~~C.1.1~~ Off-street parking areas should be located within the rear yard and beyond the rear wall plane of the primary structure. ~~C.1.2~~ If locating a parking area in the rear yard is not physically possible, the off-street parking area and associated vehicles should be visually buffered from adjacent properties and the primary public right-of-way. Consider providing a driveway along the side yard of the property where feasible.
- (5) ~~C.2.1~~ When locating driveways, the existing topography of the building site and significant site features should be minimally impacted.
- (6) ~~C.2.2~~ Ten-foot (10') wide driveways are encouraged; however, new driveways should not exceed twelve (12) feet in width.
- (7) ~~C.2.3~~ Shared driveways should be used when feasible.
- (8) Consider using textured and pour paving materials other than smooth concrete for driveways viewable from the public right-of-way. Permeable paving should be used on a historic site, where appropriate, to manage storm water. Permeable paving may not be appropriate for all driveways and parking areas.
- (9) Avoid paving up to the building foundation to reduce heat island effect, building temperature, damage to the foundation, and storm-water runoff problems.
- (10) ~~A.5.5 Landscape plans should allow for~~ Snow storage from driveways should be provided on site.

h. Paths, Steps, Handrails, & Railings (Not Associated with Porches)

- (1) ~~A.1.3 Maintain~~ The original path or steps leading to the main entry, if extant, should be preserved and maintained.
- (2) ~~A.4.1 Maintain~~ Historic hillside steps that may be are an integral part of the landscape should be preserved and maintained.
- (3) New hillside steps should be visually subordinate to the associated historic building or structure in materials, size, scale and proportion, as well as massing and shall complement the historic structure in materials, size, scale, and proportion, and massing to protect the integrity of the historic site. For longer-run stairs, consider changes in material to break up the mass of the stairs.
- (4) Historic handrails should be preserved and maintained. Historic handrails may be reconstructed based on photographic evidence; the reconstruction should match the original in size, design, color, texture, and material.
- (5) New handrails and railings shall complement the historic structure in materials, size, scale and proportions, massing and design to protect the integrity of the historic structure and site.

2. Primary Structures

a. Exterior Walls

- 1) ~~B.2.1~~ Primary and secondary facade components, such as window/door configuration, wall planes, recesses, bays, balconies, steps, porches, and entryways ~~should~~ shall be maintained in their original location on the façade.
- 2) ~~B.2.2~~ Preserve and maintain historic exterior materials including wood siding (drop siding, clapboard, board and batten), frieze boards, cornices, moldings, shingles, etc., as well as stone and masonry. Repair deteriorated or damaged ~~facade~~ historic exterior materials using recognized preservation methods appropriate to the specific material.
- 3) ~~B.2.3~~ If When disassembly of a historic element—window, molding, bracket, etc.—is necessary for its restoration, recognized preservation procedures and methods for removal, documentation, repair, and reassembly ~~should~~ shall be used.
- 4) ~~B.2.4~~ If When historic exterior materials cannot be repaired, they ~~should~~ shall be replaced with materials that match the original historic in all respects; scale, dimension, ~~texture~~, profile, material, texture, and finish. The replacement of existing historic material ~~should be~~ is allowed only ~~after the applicant can show~~ when it can be shown that the historic materials ~~are~~ is no longer safe and/or serviceable and cannot be repaired to a safe and/or serviceable condition.
- 5) ~~B.2.5~~ Substitute materials such as fiber cement or plastic-wood composite siding, shingles, and trim boards ~~should~~ shall not be used unless they are made of a minimum of 50% recycled and/or reclaimed materials. In addition, the applicant must show that the physical properties of the substitute material— expansion/contraction rates, chemical composition, stability of color and texture, ~~and the~~ compressive or tensile strength— have been proven to not ~~to~~ damage or cause the deterioration of adjacent historic materials.
- 6) ~~B.2.6~~ Substitute materials ~~should~~ not be used on a primary or secondary façade unless the applicant can show that historic materials cannot be used and the applicant demonstrates that the substitute material will not cause damage to adjacent historic materials or detract from the historic integrity of the structure (as stated in B.2.4 and B.2.5).
- 7) Vinyl and aluminum siding are not appropriate in the Historic Districts. The application of synthetic or substitute materials, such as vinyl or aluminum, over original wood siding may cause, conceal, or accelerate structural damage and is not appropriate. Removal of synthetic siding (aluminum, asbestos, Brick-Tex, and vinyl) that has been added to a structure, followed by restoration of historic wood siding (or other underlying historic material) is highly encouraged.

- 8) ~~B.2.7~~ Avoid interior changes that affect the exterior appearance of primary and secondary facades, including changing ~~original historic~~ floor levels, changing ~~upper story~~ windows to doors or doors to windows, and changing porch roofs to balconies or decks.

b. Foundation

- a. ~~B.3.2~~ The ~~original historic~~ placement, orientation, and grade of ~~the a~~ historic building ~~should shall~~ be retained, as shall the original grade of the property where feasible.
- b. ~~B.3.1~~ A new foundation ~~should shall~~ not raise or lower ~~the a~~ historic structure generally more than two (2) feet from its original floor elevation. ~~See D.4 for exceptions.~~
- c. ~~B.3.3~~ A historic site shall be returned to original grade following construction of a foundation. If When the original grade cannot be achieved, generally no more than two (2) feet six inches (6") of the new foundation should shall be visible above finished final grade on the primary and secondary facades.
- d. Re-grade the site so that all water drains away from the structure and does not enter the foundation.
- e. A plinth, or trim board at the base of the historic structure, shall be added to visually anchor the historic structure to the new foundation.
- f. Any re-grading of the site shall blend with grade of adjacent sites and shall not create the need for incompatible retaining walls.
- g. The form, material, and detailing of a new foundation shall be similar to the historic foundation (when extant) or similar to foundations of nearby historic structures.
- h. Historic foundations shall not be concealed with masonry block, plywood panels, corrugated metal, or wood shingles. Masonry foundations shall be cleaned, repaired, or re-pointed according to masonry guidelines. The replacement of existing historic material is allowed only when it can be shown that the historic material is no longer safe and/or serviceable and cannot be repaired to a safe and/or serviceable condition.

c. Doors

- a. ~~B.4.1~~ Maintain and preserve historic door openings, doors, ~~and~~ door surrounds, and decorative door features.
- b. Restore historic door openings that are significant to the period of restoration. On primary facades, in particular, consider reconstructing, based on physical or documentary evidence, historic doorways that no longer exist.
- c. Avoid changing the position, proportions, or dimensions of historic door openings. It is not appropriate to create additional openings or remove historic openings on primary or secondary facades that are visible from the primary public right-of-way.

- d. ~~B.4.2 New doors should~~ Replacement doors shall be allowed only if when the historic door cannot be repaired it can be shown that the historic doors are no longer safe and/or serviceable and cannot be repaired to a safe and/or serviceable condition. Replacement doors ~~should~~ shall exactly match the historic door in size, material, profile, and style.
- e. When no physical or documentary evidence of original doors exists, replacement doors typically shall be of wood, with or without glazing, and shall complement the style of the historic structure. When replacing non-historic doors, use designs similar to those that were found historically in Park City. Paneled doors were typical and many had a vertical pane of glass. Scalloped, Dutch, and colonial doors, as well as door sidelights are not appropriate on most primary and secondary façades.
- f. ~~B.4.3 Storm doors and/or~~ Screen doors typical of the Mining Era should ~~may not~~ be used on primary or secondary facades ~~unless~~ when the applicant can show that they will not diminish ~~the integrity or significance~~ historic character of the building. Storm doors are discouraged.
- g. New door openings may be considered on secondary facades. A new opening shall be similar in location, size, and type to those seen on the historic structure.
- h. When a historic door opening is no longer functional on a primary façade, the door shall be retained and, if necessary, blocked on the interior side only. The door shall appear to be functional from the exterior.

d. Windows

- a. ~~B.5.1~~ Maintain and preserve historic window openings, windows, ~~and~~ window surrounds, and decorative window features.
- b. Restore historic window openings that have been altered or lost over time. On primary facades, in particular, consider reconstructing, based on physical or documentary evidence, historic window openings that no longer exist.
- c. Avoid changing the position, proportions, or dimensions of historic window openings. It is not appropriate to create additional openings or remove existing historic openings on primary or secondary facades that are visible from the primary right-of-way.
- d. Maintain the historic ratio of window openings to solid wall.
- e. ~~B.5.2.~~ When historic windows are present, replacement windows should ~~shall~~ be allowed only if when it can be shown that the historic windows are no longer safe and serviceable and the historic windows cannot be made safe and serviceable through repair. Replacement windows ~~should~~ shall exactly match the historic window in size, dimensions, glazing pattern, depth, profile, and material.
- f. Maintain the original number of glass panes in a historic window. Replacing multiple panes with a single pane is not appropriate. Snap-in muntins or

muntings between two sheets of glass are inappropriate as these simulated dividers lack depth and fail to show the effect of true divided glass panes.

- g. Replacing an operable window with a fixed window is inappropriate.
- h. New window openings may be considered on secondary facades but only when placed beyond the midpoint. New window openings shall be similar in location, size, scale, type, and glazing pattern to those seen on the historic structure.
- i. When no physical or documentary evidence of original windows exists, replacement windows typically shall be of wood and shall complement the style of the historic structure. When replacing non-historic windows, use designs similar to those that were found historically in Park City. Aluminum-clad wood windows are appropriate on non-historic additions or foundation level windows. Vinyl and aluminum windows are inappropriate.
- j. New glazing shall match the visual appearance of historic glazing and/or be clear. Metallic, frosted, tinted, stained, textured and reflective finishes are generally inappropriate for glazing on the primary façade of the historic structure.
- k. It is generally inappropriate to modify windows on the primary façade to accommodate interior changes. When a window opening is no longer functional on a primary or secondary façade visible from the right-of-way, the glazing shall be retained and the window opening shall be screened or shuttered on the interior side. The window shall appear to be functional from the exterior.
- l. ~~B.5.3~~ Storm windows ~~should~~ shall be installed on the interior; if interior installation is not infeasible, the materials, style, and dimensions of exterior wood storm windows shall match the way storm windows would have been constructed at the time of the building's construction or complement the historic window dimensions in order to conceal their presence-minimize their visual impact. Exterior storm window should shall be set within the window opening and attach to the exterior sash stop.

e. Gutters and Downspouts

- a. ~~B.1.3~~ Avoid removing or obstructing a historic building's elements and materials when installing gutters and downspouts
- b. When new gutters are needed, the most appropriate design for hanging gutters is half round. Downspouts shall be located away from architectural features and shall be visually minimized when viewed from the right-of-way.
- c. Water from gutters and downspouts shall drain away from the historic structure.

f. Chimneys and Stovepipes

- a. Maintain and preserve historic chimneys and their decorative features as they are important character-defining features of historic structures.
- b. Historic stovepipes shall be maintained and repaired when possible. When partial or full replacement is required, and new materials shall have a matte, non-metallic finish.
- c. Repairs to chimneys shall be made so as to retain historic materials and design. The replacement of existing historic material is allowed only when it can be shown that the historic material is no longer safe and/or serviceable and cannot be repaired to a safe and/or serviceable condition. Ornamental features such as corbelling and brick patterning shall be repaired and preserved.
- d. Chimneys shall not be covered with non-historic materials.
- e. New chimneys and stove pipes shall be of a size, scale, and design that are appropriate to the character and style of the historic structure. New chimneys and stovepipes shall be visually minimized when viewed from public right-of-way and shall be appropriate to the character and style of the historic structure.

g. Porches

- a. Preserve and maintain a historic porch by preserving the existing location, form, proportion, details, posts, railing, and stairs.
- b. Repair deteriorated historic elements of the porch. Replacement porch elements are allowed only when it can be shown that the historic elements are no longer safe and/or serviceable and cannot be repaired to a safe and/or serviceable condition. Replacement elements shall exactly match the historic elements in size, dimensions, form, profile, and material.
- c. Substitute decking materials such as fiber cement or plastic-wood composite floor boards shall not be used unless they are made of a minimum of 50% recycled and/or reclaimed materials. In addition, the applicant must show that the physical properties of the substitute material—expansion/contraction rates, chemical composition, stability of color and texture, compressive or tensile strength—have been proven to not damage or cause the deterioration of adjacent historic material.
- d. It may be appropriate, in some cases, to reconstruct historic porches. Replacement porches shall be constructed of materials and in styles that are compatible with the structure to which they are attached. When possible the reconstructed porch shall be based on physical or documentary evidence; when no such evidence exists, the design shall be based on historic porches found on comparable historic structures.

- e. While modifications to porch posts and balustrades may be necessary to meet current code requirements, these elements shall not be substantially different in size and proportion than those seen historically.
- f. It is not appropriate to add decorative porch elements that are not known to have been used on a particular historic structure or on similar historic structures.

h. Architectural Features

- a. Preserve and maintain architectural features such as eaves, brackets, cornices, moldings, trim work, and decorative shingles.
- b. Repair rather than replace historic architectural features. Replacement architectural features are allowed only when it can be shown that the historic features are no longer safe and/or serviceable and cannot be repaired to a safe and/or serviceable condition.
- c. Replacement features shall exactly match the historic features in design, size, dimension, form, profile, texture, material and finish.
- d. Architectural features may be added to a building when accurately based on physical or photographic evidence (i.e. "ghost" lines).

3. Mechanical Systems, Utility Systems, & Service Equipment

- a. ~~B.6.1~~ Mechanical equipment and utilities, including heating and air conditioning units, meters, and exposed pipes, ~~should~~ shall be located on the rear façade or another inconspicuous location ~~(except as noted in B.1.2) or~~ . If located on a secondary façade, it shall be screened from view by incorporating it into the appearance as an element of the design.
- b. ~~B.6.2~~ Ground-level equipment ~~should~~ shall be screened from view using landscape elements such as fences, low stone walls, or perennial plant materials.
- c. ~~MSNC8.~~ Rooftop mechanical equipment is generally discouraged. Roof-mounted mechanical and/or utility equipment ~~should-shall~~ be screened and minimally visualized from all views.
- d. ~~B.6.3 Avoid removing or obstructing~~ H historic building elements ~~shall not be removed or obstructed~~ when installing mechanical systems and equipment.
- e. ~~B.6.4 Contemporary New~~ communication equipment such as satellite dishes or antennae ~~should~~ shall be visually minimized when viewed from the primary public right-of-way.

4. Additions to Primary Structures

a. Protection for Historic Structures & Sites

- 1) ~~D.1.1~~ Additions to historic buildings should be considered only after it has been when it is demonstrated ~~by the owner/applicant~~ that the new use of the building cannot be accommodated by solely altering interior spaces.

- 2) Additions to historic structures shall be considered with caution and shall be considered only on non-character defining facades, usually rear and occasionally side facades. Additions shall not compromise the architectural character of historic structures. Additions to the primary facades of historic structures are inappropriate.
- 3) ~~D.1.2~~ Additions should be visually subordinate to historic buildings when viewed from the primary public right-of-way.
- 4) ~~D.1.3 Additions should not obscure or contribute significantly to the loss of historic materials. Additions to historic structures shall not be placed so as to obscure, detract from, or modify historic roof forms.~~
- 5) Additions to historic structures shall not contribute significantly to the removal or loss of historic material.
- 6) ~~D.1.4~~ Where the new addition abuts the historic building, a clear transitional element between the old and the new should be designed and constructed. Minor additions, such as bay windows or dormers do not require a transitional element.
- 7) ~~D.1.5 Retain~~ Maintain and preserve additions to structures that ~~have achieved historic significance in their own right.~~ are significant to the era/period of restoration.
- 8) ~~D.2.5~~ In-line additions ~~should~~ shall be avoided.

b. Transitional Elements

- 1) ~~D.2.5~~ In-line additions ~~should be avoided~~ generally are not appropriate.
- 2) A transitional element shall be required for any addition to a historic structure where the footprint of the addition is 50% or greater than the footprint of the historic structure. The historic structure's footprint may include additions to the historic structure made within the historic period that have gained historic significance in their own right.
- 3) When an addition to a historic structure is less than 50% of the historic structure's footprint but exceeds the height of the historic structure due to either the greater height of the addition, site topography (e.g., an uphill addition), or both, a transitional element shall be required.
- 4) On a rear addition, the width of the transitional element shall not exceed two-thirds (2/3) the width of the elevation to which the transitional element is connected. The transitional element shall be set in from the corners of the affected historic elevation by a minimum of two feet (2').
- 5) In the case of additions to the secondary façade, visible from the primary public right-ofway, the transitional element shall be setback a minimum of five feet (5') from the primary façade. All other previous guidelines apply.
- 6) The depth of the transitional element (i.e., the distance between the affected historic elevation and the addition) shall be a minimum of one-

third (1/3) the length of the least wide historic elevation adjacent to the impacted historic elevation.

- 7) The highest point of the transitional element shall be a minimum of two feet (2') lower than the highest ridgeline of the historic structure.
- 8) Balconies and decks may be attached to the secondary facades of a transitional element; however, no roof deck is permitted on the transitional element.
- 9) When an existing non-historic or non-contributory addition is used as a transitional element, the preceding guidelines for transitional elements shall not apply.

c. General Compatibility

- 1) ~~D.2.1~~ Additions ~~should~~ shall complement the visual and physical qualities of the historic building. An addition shall not be designed to be an exact copy of the existing style or imply an earlier period or more ornate style than that of the historic building.
- 2) The addition shall be a contemporary interpretation of the historic structure's architecture style. The addition shall not be designed to contrast starkly with the historic structure; an acceptable design shall be compatible in mass, scale, fenestration patterns, and design details. It shall not detract from the Historic District's or structure's historic character.
- 3) Additions shall be subordinate in scale to the primary historic structure. The footprint of an addition shall not exceed 50% of the footprint of the historic structure, including any additions that have achieved historic significance in their own right. If the footprint of the addition approaches or exceeds 50% of the footprint of the historic structure, the mass shall be broken into modules to reflect the mass and scale of those modules seen on the historic structure.
- 4) Additions shall be visually subordinate to historic structures. Where the combined effects of the addition's footprint, height, mass and scale are such that the overall size of an addition is larger than a historic structure, the volume of the addition shall be broken into modules that reflect the scale of those components seen on the historic structure. Multiple modules are encouraged to add articulation and architectural interest.
- 5) ~~D.2.4~~ Large additions ~~should~~ shall be visually separated from historic buildings when viewed from the public right of way. Where the height of a new addition, site topography (e.g., an uphill addition), or both, the addition shall be set away from the historic structure by a minimum of one-half (1/2) the length of the least-wide historic elevation adjacent to the historic elevation to which the transitional element is attached.
- 6) ~~D.2.2 Building Components~~ Components and materials used on additions ~~should~~ shall be similar in scale and size to those found on the ~~original~~ historic building.

- 7) ~~D.2.3~~ Window shapes, patterns and proportions found on the historic building should be reflected in the new addition.
- 8) Windows, doors and other features on a new addition shall be designed to be compatible with the historic structure and surrounding historic sites. Windows, doors and other openings shall be of sizes and proportions similar to those found on nearby historic structures. When using new window patterns and designs, those elements shall respect the typical historic character and proportions of windows on the primary historic structure and adjacent historic structures. The solid-to-void relationship and detailing of an addition shall be compatible with the historic structure.

5. Garages

a. Scenario 1: Basement Addition without a Garage

- 1) ~~D.3.1~~ The A basement addition ~~should~~ shall not raise the historic structure generally more than two feet (2') from its original floor elevation above grade prior to construction.
- 2) ~~B.3.3~~ A historic site shall be returned to original grade following construction of a foundation. If When the original grade cannot be achieved, no more than two feet (2') of the new foundation ~~should~~ shall be visible above ~~finished~~ final grade on the primary and secondary facades.
- 3) ~~D.3.2~~ ~~In plan, the~~ The exterior walls on an inline basement addition ~~should~~ shall not extend beyond the exterior wall planes of the historic structure's primary or secondary facades.
- 4) ~~D.3.3~~ Window or egress wells, if needed, ~~should~~ shall not be located on the primary façade. Window or egress wells ~~should~~ shall be located behind the midpoint of the secondary façades, on the rear elevation, or in a location ~~that is~~ not visible from the primary public right-of-way. Landscape elements ~~should~~ shall be used to aid in screening window/egress wells from the primary right-of-way.
- 5) ~~D.3.4~~ After construction of the basement, the site ~~should~~ shall be re-graded to approximate the grading prior to construction of the addition.

b. Scenario 2: Basement Addition with a Garage

- 1) ~~D.4.1~~ The A new foundation or basement addition ~~should~~ shall not raise ~~the a~~ historic structure more than two feet (2') from its original floor elevation. Historic buildings on downhill lots may be raised to accommodate a basement garage addition provided 1) access to the garage is from ~~the a~~ side or rear yard, 2) the ground floor of the historic building structure is not raised above finished road grade adjacent to the primary facade, and 3) the integrity and significance character of the structure will not be destroyed by ~~the action~~ raising the historic structure more than two feet (2') above its original height above grade.

- 2) ~~D.4.2~~ In plan, the A basement garage addition ~~should~~ shall not extend beyond the exterior wall planes of the historic structure's primary or secondary facades. In limited situations, site setbacks and topography may allow for a projecting garage without adversely affecting the historic character of the structure. In these cases, a stepped design with an associated site grading and landscaping plan may be considered.
- 3) ~~D.4.3~~ The vertical wall area of ~~the a~~ basement garage addition that is visible from the primary public right-of-way ~~should~~ shall be visually minimized. It is preferential for the garage opening to be setback from the wall plane of the historic structure in order to diminish the presence of the garage.
- 4) ~~D.4.4~~ Window or egress wells, if needed, ~~should~~ shall not be located on the primary façade. Window or egress wells ~~may~~ shall be located behind the midpoint of the secondary façades, on the rear elevation, or in a location that is not visible from the primary public right-of-way.
- 5) ~~D.4.5~~ After construction of ~~the a~~ basement garage addition, ~~the a historic~~ site ~~should~~ shall be re-graded to approximate the grading prior to construction of the addition.
- 6) ~~D.4.6~~ A single vehicle garage doors not greater than nine feet (9') wide and nine feet (9') high ~~should~~ shall be used to access a basement garage addition. Glazing on garage doors shall be limited to no more than 30% of garage door.
- 7) ~~D.2.3~~ Single-width tandem garages are ~~encouraged~~ recommended. Side-by-side parking configurations are strongly discouraged; if used, they ~~should~~ shall be visually minimized when viewed from the public right-of-way.
- 8) Garages featuring a side-by-side parking configuration, at a minimum, shall maintain a two foot (2') offset in the wall plane.

c. Scenario 3: Attached Garages

- 1) ~~D.2.3~~ Single-width tandem garages are ~~encouraged~~ recommended. Side-by-side parking configurations are strongly discouraged; if used, they ~~should~~ shall be visually minimized when viewed from the public right-of-way.
- 2) ~~D.4.6~~ A single vehicle garage doors not greater than nine feet (9') wide and nine feet (9') high ~~should~~ shall be used to access a basement garage addition. Glazing on garage doors shall be limited to no more than 30% of garage door.
- 3) Garages featuring a side-by-side parking configuration, at a minimum, shall maintain a two foot (2') offset in the wall plane.

6. Decks

- a. Decks should be constructed in inconspicuous areas where visually minimized from the primary right-of-way, usually on the rear elevation. If built on a side elevation of the historic structure, a deck should be screened from the right-of-way with fencing and/or appropriate native landscaping. Decks should be located such that they will not damage or conceal significant historic features or details of the historic structure.
- b. In order to prevent damage to a historic structure, decks shall be constructed to be self-supporting. If the deck cannot be constructed to be self-supporting, decks shall be attached to a historic structure with care so loss of historic fabric is minimized.
- c. Introducing a deck that will result in the loss of a character-defining feature of the historic structure or site, such as a historic porch or mature tree, should be avoided.
- d. The visual impact of a deck should be minimized by limiting its size and scale. Introducing a deck that visually detracts from a historic structure or historic site, or substantially alters a historic site's proportion of built area to open space is not appropriate.
- e. Decks and related steps and railings should be constructed of materials and in styles that are compatible with the structure to which they are attached.
- f. Decking materials such as fiber cement or plastic-wood composite floor boards shall not be used unless they are made of a minimum of 50% recycled and/or reclaimed materials.
- g. Significant site features, such as mature trees, should be protected from damage during the construction of a deck by minimizing ground disturbance and by limiting use of heavy construction equipment.

7. Balconies & Roof Decks

- a. New balconies and roof decks on a historic structure shall be visually subordinate to the historic structure from the primary right-of-way. Installing a balcony on a historic structure's primary façade is not allowed, however, a balcony may be considered on a secondary or tertiary facade.
- b. A new balcony shall be simple in design and compatible with the character of the historic structure. Simple wood and metal designs are appropriate for residential structures. Heavy timber and plastics are inappropriate materials.
- c. A roof deck on a new addition shall be visually minimized when viewed from the right-of-way.

See Porches for preserving and maintaining historic balconies.

8. Historic Accessory Buildings

- a. ~~H.1~~ Historic accessory buildings that contribute to the significance of the property ~~should~~ shall be ~~retained~~ maintained and preserved.

- b. ~~H.4~~ Guidelines for the treatment of Primary Structures ~~(Section B) should~~ shall be applied to all historic accessory buildings ~~and structures~~ that contribute to the significance of the property.
- c. Plases see guidelines regarding transitional elements for those cases where the historic accessory structure may be linked to the historic primary structure.

9. New Accessory Buildings

- a. ~~H.2~~ New accessory buildings on flat or downhill sites with ~~an existing~~ historic building ~~should~~ shall generally be located at to the rear of the ~~lot site, unless dictated by the neighborhood to be located in the front yard.~~
- b. ~~H.3~~ New accessory structures on properties a site with ~~an existing~~ historic building may be located at the street front if 1) ~~the a~~ a pattern of front yard historic accessory structures ~~along the street~~ has been established along the street by existing historic accessory buildings, and 2) the proposed placement does not ~~cause~~ create any danger or hazard to traffic by obstructing the view of the street.
- c. ~~C.3.1~~ New detached garages built on sites with ~~existing~~ historic structures should have ~~an~~ maximum interior dimension ~~that does not exceed of~~ twelve (12) feet in width.
- d. ~~D.2.3~~ Single-width tandem garages are ~~encouraged-recommended~~. Side-by-side parking configurations are strongly discouraged; if used, they ~~should~~ shall be visually minimized when viewed from the public right-of-way.
- e. ~~C.3.2~~ Garage doors ~~should~~ shall not exceed ~~the dimension of~~ nine (9) feet wide in width by nine (9) feet high in height. Glazing on garage doors shall be limited to no more than 30% of garage door.
- f. ~~C.3.3~~ Roof form, exterior materials, and architectural detailing of a detached ~~garage~~ Accessory Building ~~should~~ shall complement the primary structure.
- g. Accessory structures (such as sheds and garages) shall be subordinate in scale to the primary historic structure. The footprint of the new accessory structure shall not exceed 50% of the footprint of the historic structure. If the footprint exceeds 50% of the footprint of the historic structure, the scale of the individual modules shall be broken up to reflect the mass and scale of those seen on the historic structure. New accessory structures shall follow the design guidelines for compatibility of additions as outlined in Additions to Primary Structures.

C. Supplemental Guidelines

1. Compatibility & Complementary

Compatibility and Complementary are terms often used in historic preservation to describe the relationship between two structures or a historic structure and its new addition. Many characteristics and features contribute to compatible and complementary design. These include:

- Form
- Mass and scale
- Roof shapes
- Building height
- Height of floor elevations
- Setbacks
- Materials
- Repetition or rhythm of openings-to-solids
- Rhythm of entrances and/or porches
- Window and door sizes, proportions, and patterns
- Orientation of entrances
- Landscaping

2. Masonry Retaining Walls

Retaining walls contribute to the context and rhythm of streetscapes in Old Town. Historically, retaining walls were a simple method for property owners to manage the relentless and complex topography. In addition, retaining walls helped to define property boundaries and create yards spaces where space was otherwise limited.

Historic retaining walls were stacked by hand using stones found at local quarries or on site. The stones were carried by hand, making them rather uniform in size. Retaining walls were either dry stacked or used mortar joints.

As repairs are made to historic retaining walls or new retaining walls are introduced to Old Town, the following should be considered:

- Existing stone retaining walls should be repaired using recognized historic preservation methods.
- Replacement materials should be similar in materials, color, texture, scale, and proportion. Repairs to mortar joints should match the existing mortar in composition, color, texture, and finish – mortar analysis may be necessary.
- Materials of new retaining walls visible from the right-of-way should reflect the period of significance of the historic primary structure.
- Stones in new retaining walls shall be no larger than stones that a miner would be capable of carrying. New stones shall be similar in materials, color, texture, scale, and proportion to those used historically in the District. Large boulders are discouraged and are not in keeping with the character of the District.
- It is preferred that new retaining walls over five feet (5') be terraced to prevent large vertical planes of retaining walls on the streetscape. Historically, retaining walls were approximately three to five feet (3' –5') in height. Staff recognizes the need to retain more earth as development occurs in Old Town; however, staff encourages retaining walls that are in keeping with the scale of

those found throughout the District historically. Terracing multiple walls of three to five feet (3' – 5') in height is encouraged with vegetation in between each terrace.

- f. Board-formed concrete may be appropriate. New concrete retaining walls shall be textured. A smooth or polished concrete finish is inappropriate and not in keeping with the character of the District.
- g. New retaining walls shall be screened with vegetation where appropriate.
- h. Retaining walls of alternative designs and materials will be reviewed on a case-by-case basis.

3. Fencing

Historically, fences and masonry retaining walls were typical site features found throughout Old Town. The repetition of these site features created a sense of continuity and rhythm along the street front. Wood and woven wire fences as were common front yard enclosures that followed the site perimeter, specifically along the street front. Fence and materials visible from the right-of-way should reflect the period of significance of the historic primary structure.

- a. Several styles of fencing that were common during the historic period and are appropriate for use in the Historic District:
- b. Picket fences. Historically, picket fences may have been the most common fence type used in front yards. Wood picket fences with flat, dog-eared, or pointed tops were typical in front yards; the heights of these fences was generally less than three feet (3'), the boards were 3-1/2" wide with spacing of 1-3/4" between boards.
- c. Wire fences. Various types of wire, including woven wire, are were stretched between wood or metal posts. This fence type was very common in Park City; however, many of these original wire fences have been lost.
- d. Simple wrought and cast iron fences.

Fences of alternative designs and materials will be reviewed on a case-by-case basis. Substitute materials such as fiber cement or plastic-wood composite siding, shingles, and trim boards should not be used unless they are made of a minimum of 50% recycled and/or reclaimed materials. Further, it must be demonstrated that the use of these materials will not diminish the historic character of the neighborhood. Vinyl and Trex fencing is generally not appropriate in the Historic District and will be reviewed on a case-by-case basis.

4. How to Case a Window

Historically, the casing and trim surrounding windows was substantial; the sliding sash was typically about 1.5 inches wide, casing or trim boards were typically about 2 inches wide and 7/8 inch thick. Using window casing and trim replacements of smaller or larger dimensions is inappropriate as it seriously alters the historic character of the structure. New window openings shall

generally reflect the proportion of historic window openings by maintaining a 1:1 or 2:1 ratio.

5. Why Preserving Original Windows is Recommended

The Park City Planning Department requires the preservation and retention of historic wood and steel windows unless the windows are clearly proven to be deteriorated beyond repair. The reasons for preserving original windows include:

- a. Rebuilding historic wood windows and adding storm windows makes them as energy efficient as new vinyl windows.
- b. In most cases, windows account for only about one-fourth of a home's heat loss. Insulating the attic, walls and basement is a much more economical approach to reducing energy costs.
- c. The old-growth lumber used in historic window frames can last indefinitely, unlike new-growth wood or vinyl. Old growth windows have a tighter grain and better quality than most new growth wood windows.
- d. All windows expand and contract with temperature changes. However, vinyl expands more than twice as much as wood and seven times more than glass. This often results in failed seals between the frame and glass and a significant performance reduction.
- e. Vinyl windows have a high failure rate – more than one-third of all vinyl windows being replaced today are less than ten years old.
- f. Any energy savings from replacing wood windows with aluminum or vinyl seldom justifies the costs of installation. For most houses, it would take decades to recover the initial cost of installation and with a life expectancy of 25 years or less, installing new vinyl or aluminum windows does not make good economic sense.
- g. Most vinyl windows do not look like historic wood windows; their texture, shallow profile, as well as lack of depth and articulation are inappropriate for Park City's historic structures. A more acceptable alternative when the original windows are beyond reasonable repair are new wood windows.
- h. Historic wood and metal windows are sustainable. They represent embodied energy, are made of materials natural to the environment and are renewable.
- i. Adding storm windows over historic wood windows is a cost-effective approach that preserves the original window and provides energy savings equal to new replacement windows.

6. Why Preserving Original Siding is Recommended

The Park City Planning Department requires the preservation and retention of historic wood siding unless the siding has clearly proven to be deteriorated beyond repair. The reasons for preserving wood siding and not replacing it or concealing it beneath synthetic siding include:

- a. Synthetic sidings do not successfully replicate the appearance of historic wood siding materials. In particular, vinyl siding's plastic appearance is at odds with the rich and varied surfaces of wood siding.
- b. Unventilated synthetic sidings such as aluminum and vinyl can trap moisture and condensation between the siding and the wood underneath, leading to rotted wood and structural problems.
- c. Installing synthetic sidings such as vinyl and aluminum may be less economical than preserving and maintaining wood siding. The costs of applying synthetic siding materials often exceeds or equals the cost of regular painting of wood siding. In terms of property value, real estate appraisers across the country have also recorded increased resale prices when historic building owners retain original wood siding and avoid vinyl siding.
- d. Wood and synthetic materials perform fairly equally in terms of energy conservation since most heat leaves houses through roofs, basements, windows, and doors.
- e. Claims that synthetic siding is "maintenance-free" are untrue. Owners of 15 to 20 year old aluminum siding often find that it, like wood, requires painting due to fading of the original color.
- f. In particular vinyl siding gets brittle with age and tends to crack and break after ten years.
- g. Vinyl siding is made from polyvinyl chloride and the manufacture, use and disposal of this material results in toxic byproducts such as dioxin. Vinyl siding is not a "green" product and cannot be recycled.

7. Determining Era of Restoration

Historic buildings are not static, and many embody the accumulation of changes, large and small, that have been made throughout their history. By contrast, restoration, as defined by the Secretary of the Interior's Standards for Historic Preservation, depicts a property at a particular period of time in its history while removing evidence of other periods. When applying this approach to preservation, it is not appropriate, for instance, to restore a property to its 1920 appearance but retain non-historic additions from 1960. Instead, restoration means accurately depicting the form, materials, features, and character of a property as it appeared at a particular period in time. Restoration retains as much of the historic period's fabric as possible, while removing inconsistent features and reproducing missing features in accordance with the restoration period.

Consider the following when determining what era to restore the building to:

- a. **Relative Importance in history.** What era of significance, based on the City's Historic Sites Inventory, does the property contribute to? The era of significance is generally the length of time when a property was associated with important events, activities, or persons, or attained the characteristics which qualify it for designation on the City's Historic Sites Inventory. Is the

- building associated with a person important in history? If so, during what period did they occupy the building?
- b. **Physical Condition.** What materials or characteristics of the building exist that contribute to our understanding of the building's era of significance? What is the existing condition or degree of integrity of the building's historic materials? What alterations contribute to our understanding of the building's historic significance?
 - c. **Evidence of Earlier Appearance.** Is sufficient evidence available to document the building's appearance during the proposed period of restoration and reproduce missing features? This may take the form of historic photographs, written records, maps, and/or physical evidence in the building itself.
 - d. **Existing Alterations.** Consider the quality, design, materials, and craftsmanship of the building and the changes that have occurred over time. Did the house have an early addition, creating a cross-wing from a hall-parlor form? Or, was the house remodeled during the historic period in order to reflect the Craftsman bungalow style?
 - e. **Uses.** What will the building be used for? How will use affect the property and how does this impact the different historic materials or characteristics that may be present?

15-13-3 Design Guidelines For Historic Commercial Sites

A. Universal Design Guidelines

1. A site ~~should~~ shall be used as it was historically or shall be given a new use that requires minimal change to the distinctive materials, ~~and~~ features, spaces, and spatial relationships.
2. Changes to a site or building that have acquired historic significance in their own right ~~should~~ shall be retained and preserved.
3. ~~The~~ Historic exterior features of a building ~~should~~ shall be retained and preserved.
4. Distinctive materials, components, finishes, construction techniques, and examples of craftsmanship ~~should~~ shall be retained and preserved. Owners Applicants are encouraged to reproduce missing historic elements that were original to the building, but have been removed. Physical~~-or~~, photographic, or documented evidence ~~should~~ shall be used to substantiate the reproduction of missing features. In some cases, where there is insufficient evidence to allow for accurate reconstruction of lost historic elements, it may be appropriate to reproduce missing historic elements that are consistent with historic structures of similar design, age, and detailing.
5. Deteriorated or damaged historic features and elements ~~should~~ shall be repaired rather than replaced. ~~Where~~ When the severity of deterioration or existence of

structural or material defects requires replacement, the replacement feature or element ~~should~~ shall match the original in design, dimension, texture, material, and finish. ~~The Applicants~~ must ~~demonstrate the~~ show severity of deterioration or existence of defects by ~~showing~~ demonstrating that the historic materials ~~are~~ is no longer safe and/or serviceable and cannot be repaired to a safe and/or serviceable condition.

6. ~~Features that do not contribute to the significance of the site or building and exist prior to the adoption of these guidelines, such as incompatible windows, aluminum soffits, or iron porch supports or railings, Non-historic alterations that have been made to elements of a property, such as window replacements, eave enclosures, or porch element substitutions, that are in place prior to the adoption of these Design Guidelines~~ may be maintained; However, if it is additional alterations to these elements are proposed they be changed, those features the elements must be brought into compliance with these Design Guidelines.
7. Each site ~~should~~ shall be recognized as a physical record of its time, place and use. ~~Owners Applicants are discouraged from~~ shall not introducing architectural elements or details that visually modify or alter the original building design when no evidence of such elements or details exists.
8. Chemical or physical treatments, if appropriate, ~~should~~ shall be undertaken using recognized preservation methods. Treatments that cause damage to historic materials ~~should~~ shall not be used. Treatments that sustain and protect, but do not alter appearance, are encouraged.
9. New construction, such as additions, exterior alterations, repairs, upgrades, etc. ~~or related new construction should~~ shall not destroy historic materials, features, and spatial relationships that characterize the historic site or historic building. New construction shall differentiate from the historic structure and, at the same time, be compatible with the historic structure in materials, features, size, scale and proportion, and massing to protect the integrity of the historic structure, the historic site, and the Historic District.
10. New additions and related new construction ~~should~~ shall be undertaken in such a manner that, if removed in the future, the essential form of the historic building and integrity of the historic building and site property and its environment could be restored.
11. The proposed project must not cause the building, site or Historic District to be removed from the National Register of Historic Places.

B. Specific Design Guidelines

1. Site Design

a. Building Setback and Orientation

- 1) ~~A.1.1 Maintain~~ The existing front and side yard setbacks of buildings shall be maintained Historic Sites. MSHS2. The alignment and setbacks along

~~Main Street~~ are often different from residential, and are character-defining features of the district and ~~should~~ shall be preserved.

- 2) ~~A.1.2 Preserve~~ The original location of ~~the a~~ main entry, if extant, ~~shall be preserved~~. ~~MSHS3. Traditional~~ The historic orientation ~~with the of a~~ primary entrance on Main Street ~~should~~ shall be maintained.
- 3) ~~The visual divisions of commercial buildings into storefront and upper stories, when present, shall be maintained.~~
- 4) ~~Residential buildings converted to non-residential use often have deeper setbacks and landscaped front yards; these shall be retained.~~

b. Topography and Grading

- 1) ~~A.5.8 Maintain the~~ The natural topography and original grading of ~~the a~~ historic site ~~shall be maintained~~ when ~~and where~~ feasible.

c. Landscaping and Vegetation

- 1) ~~A.5.3~~ The ~~historic~~ character of ~~the a historic~~ site ~~should~~ shall not be significantly altered by substantially changing the proportion of built ~~and/or~~ paved area to open space.
- 2) ~~A.5.1 Maintain Existing~~ landscape features that contribute to the character of ~~the a historic~~ site ~~and/or existing landscape features that provide environmental sustainability benefits shall be preserved and maintained.~~
- 3) ~~Established on-site native plantings shall be maintained. During construction, established vegetation shall be protected to avoid damage. Damaged, aged, or diseased trees shall be replaced as necessary. Vegetation that may encroach upon or damage a new building may be removed, but shall be replaced with similar vegetation near the original location.~~
- 4) ~~A detailed landscape plan, particularly for areas viewable from the primary public right-of-way, which respects the manner and materials traditionally used in the Historic Districts, shall be provided. When planning for the long-term sustainability of a landscape system, all landscape relationships on the site, including those between plantings and between the site and its structure(s) shall be considered.~~
- 5) ~~A.5.4~~ Landscape plans ~~should~~ shall balance water-efficient irrigation methods, ~~and~~ drought-tolerant ~~plants~~, and native plants ~~materials~~ with existing plant materials and site features that contribute to the ~~historic character~~ significance of the site. ~~Where irrigation is necessary, systems that minimize water loss, such as drip irrigation, shall be used.~~
- 6) ~~Use to advantage storm water management features such as gutters, downspouts, site topography, and vegetation that can improve the environmental sustainability of a site.~~

- 7) The use of xeriscaping or permaculture strategies for landscape design shall be considered in order to maximize water efficiency. Where watering systems are necessary, systems that minimize water loss, such as drip irrigation, shall be used. These systems shall be designed to minimize their appearance from areas viewable from the primary public right-of-way.
- 8) Along public rights of way, landscaped areas, street trees, and seasonal plantings shall be designed to enhance the pedestrian experience, complement architectural features, and/or screen utility areas.
- 9) Installing plantings in areas like medians, divider strips, and traffic islands shall be considered.
- 10) Commercial properties typically have no setbacks along the principal façade. However, when front yard setbacks exist, landscaped areas (including patios) shall be of a small scale and design such that they do not disrupt the normal volume and flow of pedestrian traffic along the street.

d. Sidewalks, Plazas, and Other Street Improvements

- 1) All streetscape elements should work together to create a coherent visual identity and public space. The visual cohesiveness and historic character of the area shall be maintained through the use of complementary materials.
- 2) Sidewalk bump outs reduce the distance required for pedestrians to cross streets. On long blocks, midblock crosswalks are recommended. Brick pavers, concrete pavers (sometimes brick-colored), and textured concrete or asphalt shall be used for crosswalks.
- 3) Using distinctive materials, such as bricks or pavers, to identify crosswalks at key intersections or crossings shall be considered. Crosswalk markings shall be clearly delineated without being obtrusive.
- 4) Street furniture, trash receptacles, bike racks, planters and other elements shall be simple in design and compatible with the appearance and scale of adjacent buildings and public spaces.
- 5) Existing plazas shall be maintained and well managed for daytime use, including landscaping, benches, trash receptacles and lighting.
- 6) Where new plazas are being considered, ensure that they are near pedestrian traffic, are well planned for intended uses, such as concerts or other events, and well designed for maintenance and durability.
- 7) Existing, alleys, staircases, and pedestrian tunnels shall be maintained where feasible.

e. Parking and Driveways

- 1) A-5.2 The visual impacts of on-site parking (both surface lots and parking structures) shall be minimized by incorporating landscape treatments for

driveways, walkways, paths, building and accessory structures in a comprehensive, complimentary and integrated design.

- 2) ~~A.5.7~~ Provide Landscaped separations, screening, and/or site walls shall be placed between parking areas, drives, service areas, and other public-use areas including such as walkways, plazas, and vehicular access points.
- 3) ~~C.1.3~~ When locating creating new off-street parking areas, the existing topography of the building site and significant integral site features, such as mature landscaping and historic retaining walls, should shall be minimally impacted.
- 4) ~~C.1.1~~ Off-street parking areas should-shall be located within the rear yard and beyond the rear wall plane of the a primary structure building, where feasible. ~~C.1.2~~ If locating a parking area in the a rear yard is not physically possible, the off-street parking area and associated vehicles should-shall be visually buffered from adjacent properties and the primary public right-of-way. Providing a driveway along the side yard of a property, if feasible, shall be considered. ~~C.2.1~~ When locating driveways, historic site features and the existing topography of the building-site property and significant site features should shall be minimally impacted.
- 5) ~~C.2.2~~ Ten foot (10') wide driveways are encouraged; however, new driveways should not exceed twelve (12) feet in width.
- 6) ~~C.2.3~~ Shared driveways should be used when feasible.
- 7) Textured and poured paving materials other than smooth concrete should be considered for driveways that are visible from the primary right-of-way. Permeable paving should be used on a historic property, where appropriate, to manage storm water. Permeable paving may not be appropriate for all driveways and parking areas.
- 8) Paving up to a building's foundation shall be avoided in order to reduce heat-island effect, building temperature, damage to the foundation, and drainage problems.
- 9) ~~A.5.5~~ Landscape plans should-shall allow for snow storage from for driveways. Snow storage for driveways shall be provided on site.
- 10) Parking structures and parking areas shall be located at the rear of the building to allow commercial use on the principal façade.

2. Primary Structures

a. Foundation

- 1) ~~B.3.2~~ The original historic placement, orientation, and grade of the a historic building should-shall be retained, as shall the original grade of the site.

- 2) Historic foundations shall not be covered with new materials (e.g. concrete block, plywood panels, corrugated metal, or wood shingles). Masonry foundations shall be cleaned, repaired, or re-pointed according to masonry guidelines. Replacement of historic material is allowed only when it can be demonstrated that the historic material is no longer safe and/or serviceable and cannot be repaired to a safe and/or serviceable condition.
- 3) ~~B.3.1~~ A new foundation ~~should~~shall generally not raise or lower ~~the a~~ historic structure ~~generally~~ more than two (2) feet from its original floor elevation. ~~See D.4 for exceptions.~~
- 4) The form, material, and detailing of a new foundation shall be similar to the historic foundation (when extant) or similar to foundations of nearby historic structures.
- 5) The construction of a foundation at a height that is not proportional to neighboring historic structures is not appropriate. The height of a new foundation shall not be significantly taller or shorter than neighboring structures. A historic storefront shall not be significantly altered by lifting the historic structure for the construction of a new foundation.
- 6) A historic site shall be returned to original grade following construction of a foundation. When original grade cannot be achieved, generally no more than six (6) inches of the new foundation shall be visible above final grade on the primary and secondary facades.
- 7) The re-grading of a site shall blend the grade of the site with the grade of adjacent sites and shall not create the need for retaining walls.
- 8) A site shall be re-graded so that water drains away from the structure and does not enter the foundation.
- 9) Consider adding a plinth, or trim board, at the base of a historic structure to visually anchor the historic structure to the new foundation.

b. Exterior Walls

- 1) ~~B.2.1~~ Primary and secondary facade ~~components~~ elements, such as window/door configuration, wall planes, recesses, bays, balconies, steps, porches, and entryways ~~should~~ shall be preserved and maintained in their original location on the façade.
- 2) ~~B.2.2~~ Exterior historic elements including wood siding (drop siding, clapboard, board and batten), frieze boards, cornices, moldings, shingles, etc., as well as stone and masonry shall be preserved and maintained. Repair ~~Deteriorated or damaged facade materials~~ historic elements shall be repaired using recognized preservation methods appropriate to the specific material.
- 3) ~~B.2.3~~ If When disassembly of a historic element—window, molding, bracket, etc.—is necessary for ~~its~~ restoration, recognized preservation

procedures and methods for removal, documentation, repair, and reassembly ~~should~~ shall be used.

- 4) ~~B.2.4 If~~ When an exterior historic ~~exterior materials element~~ cannot be repaired, ~~they should~~ it shall be replaced with materials that ~~match~~ es the original in all respects; scale, dimension, ~~texture~~, profile, material, texture, and finish. The replacement of an existing historic ~~material element~~ should be is allowed only ~~after the applicant can show when it can be demonstrated~~ that the historic ~~materials element~~ are is no longer safe and/or serviceable and cannot be repaired to a safe and/or serviceable condition.
- 5) ~~B.2.5~~ Substitute materials ~~s~~ such as fiber cement or plastic-wood composite siding, shingles, and trim boards ~~should~~ shall not be used unless ~~they are~~ it is made of a minimum of 50% recycled and/or reclaimed materials. ~~In~~ Additionally, the applicant must show that the physical properties ~~of the substitute material~~— expansion/contraction rates, chemical composition, stability of color and texture, ~~and the~~ compressive or tensile strength—of the substitute material have been proven to not ~~to~~ damage or cause ~~the~~ deterioration of adjacent historic materials.
- 6) ~~B.2.6~~ Substitute materials ~~s~~ ~~should~~ shall not be used on a primary or secondary façade unless the applicant can ~~show~~ demonstrate that historic materials ~~s~~ cannot be used ~~(as stated in B.2.4 and B.2.5)~~ and that the substitute material will not cause damage to adjacent historic material or detract from the historic integrity of the structure.
- 7) The application of synthetic or substitute materials, such as vinyl or aluminum siding, over original wood siding may cause, conceal, or accelerate physical deterioration and is not appropriate. Removal of synthetic siding (aluminum, asbestos, Brick-Tex, and vinyl) that has been added to a building, followed by restoration of the historic wood siding (or other underlying historic material), is highly encouraged.
- 8) ~~B.2.7 Avoid~~ Interior changes that affect the exterior appearance of primary and secondary facades, including changing ~~original historic~~ floor levels, ~~changing upper story~~ windows to doors or doors to widows, and ~~changing~~ porch roofs to balconies or decks, shall be avoided.

c. Roofs

- 1) ~~B.1.1 Maintain the original Historic~~ roof forms, ~~as well as any functional and decorative elements~~ shall be preserved and maintained. Most commercial roof forms are flat, sloping, hipped, or gable.
- 2) The line, pitch, and overhang of the historic roof form, as well as any functional and decorative elements, shall be preserved and maintained. Roof-related features such as parapet walls and cornices shall be maintained and preserved.

- 3) ~~B.1.2~~ New roof features, such as photovoltaic panels (solar panels), ~~and/or skylights, ventilators, and mechanical and communication equipment should~~ shall be visually minimized when viewed from the primary public right-of-way so as not to compromise the architectural character of the building. ~~These Photovoltaic panels and skylights roof features should~~ shall be flush-mounted to the roof.
- 4) ~~B.1.4~~ Roof colors ~~should~~ shall be neutral-colored and earth-toned. ~~and muted and materials should not~~ Roof finish shall be matte and non-reflective.
- 5) Crickets, saddles, or other snow-guard devices shall be placed so they do not significantly alter the form of the roof as seen from the primary public right-of-way.
- 6) Dormers that did not exist historically shall not be added on a primary façade.
- 7) New dormers may be added on rear or secondary facades and shall be visually minimized from the primary public right-of-way. Gabled, hipped, or shed dormers are appropriate for most buildings and shall be in keeping with the character and scale of the building.

d. Storefronts

- 1) ~~B.2.1~~ Primary and secondary facade ~~components~~ elements, such as window/door configuration, wall planes, recesses, bays, balconies, steps, porches, and entryways ~~should~~ shall be maintained in their original location on the façade.
- 2) Historic storefront elements such as doors, windows, kick plates, bulkheads, transoms, ornamentation, cornices, pillars, pilasters, and other character-defining features shall be preserved and maintained.
- 3) Historic storefronts and their character-defining features and elements shall not be covered with modern materials. Deteriorated or damaged storefronts or elements shall be repaired so that the storefront retains its historic appearance. Repairs shall be made with in-kind materials, based on physical or documentary evidence, whenever possible.
- 4) Missing elements shall be replaced in keeping with size, scale, style, and materials of the historic structure, and then only if there is little or no evidence of the original construction. In such cases, an alternative design that is compatible with the remaining character-defining features of the historic building may be considered.
- 5) Historic recessed entries, if in their original historic configuration, shall be preserved and maintained. If a historic recessed entry has been lost during a previous renovation, consider reconstructing, based on physical or documentary evidence, the historic entry. The replacement shall match the original in terms of design, materials, and configuration.

- 6) Primary entrances to commercial buildings should be accessible to meet American Disabilities Act (ADA) requirements. If this is not possible, alternative entrances shall be available, clearly marked, and maintained to the same standards as the primary entrance.
- 7) Original doors shall be preserved and maintained. Replacement of non-historic doors shall be substantiated by documentary, physical, or pictorial evidence.
- 8) If no evidence of the historic door appearance is available, new doors should be similar in materials and configuration to historic doors on commercial buildings of similar period. Typically, painted wood doors with single or multiple lights of clear glass are appropriate replacements for primary facades. Replacement doors for secondary entrances may be smaller or may be solid wood. Dark or bronze-anodized metal, though less appropriate, may be substituted for wood in cases where the original door has been lost and no evidence of the original door exists.
- 9) The original storefront windows and window configuration shall be preserved and maintained if possible. If the storefront windows have been reduced in size over the years, re-establishing their original dimensions and configuration is encouraged.
- 10) Opaque, reflective, and mirror types of glass are not appropriate.
- 11) Transoms above display windows shall be preserved and maintained. When transoms are covered and original moldings and window frame proportions are concealed, or when transoms have been entirely removed, restoring the transom to its original appearance is encouraged.

e. Doors (Not Included in Storefronts)

- 1) ~~B.4.1 Maintain~~ Historic door openings, doors, ~~and~~ door surrounds, and decorative door features shall be preserved and maintained.
- 2) Historic door openings that are significant shall be restored to the historic period of restoration. On primary facades, in particular, consider reconstructed, based on physical or documentary evidence, historic doorways that no longer exist.
- 3) Changing the position, proportions, or dimensions of historic door openings shall be avoided. It is not appropriate to create additional openings or remove existing historic openings on primary or secondary facades that are visible from the primary public right-of-way.
- 4) ~~B.4.2 New Replacement~~ doors ~~should~~ shall be allowed only if ~~the historic door cannot be repaired when it can be shown that the historic doors are no longer safe and/or serviceable and cannot be repaired to a safe and/or serviceable condition.~~ Replacement doors ~~should~~ shall exactly match the historic door in size, material, profile, and style.

- 5) ~~B.4.3 Storm doors and/or~~ Screen doors typical of the Mining Era should not may be used on primary or secondary facades unless when the applicant can show that they will not diminish the integrity or significance historic character of the building. Storm doors are discouraged.
- 6) When no physical or documentary evidence of original doors exists, replacement doors typically shall be of wood, with or without glazing, and shall complement the style of the historic structure. When replacing non-historic doors, designs similar to those that were found historically in Park City shall be used. Paneled doors were typical and many had vertical panes of glass. Scalloped, Dutch, and colonial doors, as well as door sidelights are not appropriate on most primary and secondary façades.
- 7) New door openings may be considered on secondary façades. A new opening shall be similar in location, size, and type to those seen on the historic structure.
- 8) When a historic door opening on a primary façade is no longer functional, the door shall be retained and, if necessary, blocked on the interior side only. The door shall appear to be functional from the exterior.

f. Windows (not included in Storefronts)

- 1) ~~B.5.1 Maintain~~ Historic window openings, windows, ~~and~~ window surrounds and decorative window features shall be maintained and preserved.
- 2) Historic window openings that have been altered or lost over time shall be restored. On primary façades, in particular, consider reconstructing, based on physical or documentary evidence, historic window openings that no longer exist.
- 3) Changing the position, proportions, or dimensions of historic window openings shall be avoided. It is not appropriate to create additional openings or remove existing historic openings on primary or secondary façades that are visible from the primary public right-of-way.
- 4) The historic ratio of window openings to solid wall shall be maintained.
- 5) ~~B.5.2. When historic windows are present, replacement windows should~~ shall be allowed only if ~~when it can be shown that the historic windows are no longer safe and serviceable and that~~ the historic windows cannot be made safe and serviceable through repair. Replacement windows ~~should~~ shall exactly match the historic window in size, dimensions, glazing pattern, depth, profile, and material.
- 6) The original number of glass panes in a historic window shall be maintained. Replacing multiple panes with a single pane is not appropriate. Snap-in muntins, or muntins between two sheets of glass are inappropriate as these simulated dividers lack depth and fail to show the effect of true divided glass panes.
- 7) Replacing an operable window with a fixed window is inappropriate.

- 8) New window openings may be considered on secondary façades but only when placed beyond the midpoint. New window openings shall be similar in location, size, scale, type, and glazing pattern to those seen on the historic structure.
- 9) When no physical or documentary evidence of original windows exists, replacement windows typically shall be of wood and shall complement the style of the historic structure.
- 10) When replacing non-historic windows, designs similar to those found historically in Park City shall be used.
- 11) Aluminum-clad wood windows are appropriate on non-historic additions or foundation-level windows. Vinyl and aluminum windows are inappropriate.
- 12) New glazing shall match the visual appearance of historic glazing and/or be clear. Metallic, frosted, tinted, stained, textured and reflective finishes are generally inappropriate for glazing on the primary façade of the historic structure.
- 13) It is generally inappropriate to modify windows on the primary façade to accommodate interior changes. When a window opening is no longer functional on a primary or secondary façade visible from the primary public right-of-way, the glazing shall be retained and the window opening shall be screened or shuttered on the interior side. The window shall appear to be functional from the exterior.
- 14) ~~B.5.3~~ Storm windows ~~should~~ shall be installed on the interior: of the window; if interior installation is not infeasible, the materials, style, and dimensions of exterior wood storm windows shall match the way storm windows would have been constructed at the time of the building's construction or complement the historic window dimensions in order to conceal their presence-minimize their visual impact. Exterior storm window should shall be set within the window opening and attach to the exterior sash stop.

g. Gutters and Downspouts

- 1) ~~B.1.3 Avoid~~ Removing or obstructing a historic building's elements and materials when installing gutters and downspouts shall be avoided.
- 2) When new gutters are needed, the most appropriate design for hanging gutters is half round. Downspouts shall be located away from architectural features and shall be visually minimized when viewed from the primary public right-of-way.
- 3) Water from gutters and downspouts shall drain away from the historic structure.

h. Historic Balconies/Porticos

- 1) Historic balconies, porticos, and their railings and decorative architectural features shall be maintained and preserved.

- 2) Restoring historic balconies and porticos that have been altered or lost over time is encouraged. On primary façades, in particular, consider reconstructing, based on physical or documentary evidence, historic balconies and porticos that no longer exist.
- 3) Changing the position, proportions, or dimensions of historic balconies or porticos shall be avoided.
- 4) Substitute decking materials such as fiber cement or plastic-wood composite floor boards shall not be used unless they are made of 50% recycled and/or reclaimed material. Additionally, the applicant must show that the physical properties—expansion/contraction rates, chemical composition, stability of color and texture, compressive or tensile strength—of the substitute material have been proven to not damage or cause the deterioration of adjacent historic material.
- 5) Any alteration to drainage on an existing balcony shall be reviewed by the City Engineer.

i. Decks, Fire Escapes, and Exterior Staircases

- 1) New decks, fire escapes, and exterior staircases shall be constructed in inconspicuous areas where visually minimized from the primary public right-of-way, usually on the rear facade. These features shall be located such that they will not damage or conceal significant historic features or details of the historic structure.
- 2) The visual impact of a deck, fire escape, or exterior staircase shall be minimized by limiting its size and scale. Introducing a deck, fire escape, or exterior staircase that visually detracts from a historic structure or historic site, or substantially alters a historic site's proportion of built area to open space is not appropriate.
- 3) Introducing a deck, fire escape, or staircase that will result in the loss of a character-defining feature of the historic structure or site, such as a historic porch, shall be avoided.
- 4) In order to prevent damage to a historic structure, decks, fire escapes, and exterior staircases shall be constructed to be self-supporting. If a deck cannot be constructed to be self-supporting, the deck shall be attached to a historic building with care such that loss of historic material is minimized.
- 5) Decks, fire escapes, and related exterior steps and railings should be constructed of materials and in styles that are compatible with the historic building.
- 6) Decking materials such as fiber cement or plastic-wood composite floor boards shall not be used unless they are made of a minimum of 50% recycled and/or reclaimed material.

j. Chimneys and Stovepipes

- 1) Historic chimneys and their decorative features are important character-defining features of historic buildings and shall be preserved and maintained.
- 2) Historic stovepipes shall be maintained and repaired when possible. When partial or full replacement of a historic stovepipe is required, new materials shall have a matte, nonmetallic finish.
- 3) Repairs to chimneys shall be made so as to retain historic materials and design. The replacement of existing historic material is allowed only when it can be shown that the historic material is no longer safe and/or serviceable and cannot be repaired to a safe and/or serviceable condition. Ornamental features such as corbelling and brick patterning shall be preserved and maintained.
- 4) Chimneys shall not be covered with non-historic materials.
- 5) New chimneys and stovepipes shall be of a size, scale, and design that are appropriate to the character and style of the historic building. New chimneys and stovepipes shall be visually minimized when viewed from primary public right-of-way and shall be appropriate to the character and style of the historic building.

k. Architectural Features

- 1) Architectural features such as eaves, brackets, cornices, moldings, trim work, and decorative shingles shall be preserved and maintained.
- 2) Historic architectural features shall be repaired rather than replaced. Replacement architectural features are allowed only when it can be shown that the historic features are no longer safe and/or serviceable and cannot be repaired to a safe and/or serviceable condition. Replacement features shall exactly match the historic features in design, size, dimension, form, profile, texture, material and finish.
- 3) Architectural features may be added to a historic structure when accurately based on physical or photographic evidence (e.g. 'ghost' lines).

4. Mechanical Equipment, Communications, and Service Areas

- a. ~~B.6.1~~ Mechanical ~~equipment~~ and/or-utilities utility equipment, including heating and air conditioning units, meters, and exposed pipes, ~~should~~ shall be located on the rear façade or another inconspicuous location. ~~(except as noted in B.1.2)- If located on a secondary façade, the visual impact of the mechanical and/or utility equipment shall be minimized by or incorporated into the appearance~~ as an element of the building or landscape design.
- b. ~~B.6.2~~ Ground-level equipment ~~should~~ shall be screened from view using landscape elements such as fences, low stone walls, or perennial plant materials.

- c. Roof-mounted mechanical and/or utility equipment shall be screened and visually minimized from all views.
- d. Low-profile rooftop mechanical units and elevator penthouses that are not visible from the primary public right-of-way shall be used. If this is not possible, rooftop equipment shall be set back or screened from all views. Placement of rooftop equipment shall be sensitive to views from upper floors of neighboring buildings.
- e. ~~B.6.3 Avoid removing or obstructing historic building elements when installing systems and equipment. Historic elements shall not be removed or obstructed when installing mechanical systems and equipment.~~
- f. ~~B.6.4 Contemporary~~ New communications equipment such as satellite dishes or antennae ~~should~~ shall be visually minimized when viewed from the primary public right-of-way.
- g. ~~B.2.17~~ Loading docks ~~should~~ shall be located and designed in order to minimize their visual impact.
- h. Service equipment and trash containers shall be screened. Solid wood or masonry partitions or hedges shall be used to enclose trash areas.

5. Additions to Primary Structures

a. Protection of Historic Sites and Structures

- 1) ~~D.1.1~~ Additions to historic buildings should be considered only after it has been demonstrated ~~by the owner/applicant~~ that the proposed new use cannot be accommodated solely by altering interior spaces.
- 2) Additions to historic buildings shall be considered with caution and shall be considered only on non-character-defining façades, usually rear and occasionally side façades. Additions shall not compromise the architectural integrity of historic structures. Additions to the primary façades of historic structures are not appropriate.
- 3) ~~D.1.2~~ Additions should be visually subordinate to historic buildings when viewed from the primary public right-of-way.
- 4) ~~D.1.3 Additions should not obscure or contribute significantly to the loss of historic materials. Additions to historic structures shall not be placed so as to significantly affect the integrity of historic roof forms.~~
- 5) Additions to historic structures shall not contribute significantly to the removal or loss of historic material.
- 6) ~~D.1.5 Retain~~ Additions to historic structures that have achieved historic significance in their own right are significant to the era/period to which the building is being restored shall be preserved and maintained.

b. General Compatibility

- 1) ~~D.2.1~~ Additions ~~should~~ shall complement the visual and physical qualities of the historic building. An addition shall not be designed to be a copy of the existing style or imply an earlier or more ornate style than that of the historic structure.
- 2) An addition shall be a contemporary interpretation of the historic structure's architecture style. The addition shall not be designed to contrast starkly with the historic structure; an acceptable design shall be compatible in mass, scale, fenestration pattern and size, storefront design, and design details. The addition shall not detract from the streetscape and/or structure's historic character.
- 3) Primary façades of an addition shall not be greater in height than the primary historic façade in order to decrease the bulk and mass of the new addition and to preserve the established mass and scale of the streetscape.
- 4) The rhythm established by the repetition of the traditional 25-foot façade widths shall be maintained; these dimensions, when repeated along the street, create a strong pattern that contributes to the visual continuity of the streetscape.
- 5) When new additions are to be wider than the traditional twenty-five (25) feet, the façade shall be divided into portions that reflect this pattern. The rhythm of façade widths shall be maintained in additions, especially for projects that extend over several lots, by changing materials, patterns, reveals, building setbacks, façade portions, or by using design elements such as columns or pilasters.
- 6) No more than fifty (50) feet in width of street front may have the same façade height. On large projects (more than two lots) building heights shall be varied by creating setbacks in the façade, by stepping back upper stories, and by building decks and balconies when it is appropriate to the design.
- 7) New additions shall incorporate character-defining features of historic commercial buildings such as the division of the façade into zones (storefront and upper stories), cornice treatment, pronounced entry, and other articulation.

~~D.2.2 Building components and materials used on additions should be similar in scale and size to those found on the original building.~~

~~D.2.3 Window shapes, patterns and proportions found on the historic building should be reflected in the new addition.~~

- 8) Proportions and established patterns of historic upper story windows shall be maintained. On additions, upper floors shall incorporate traditional, vertically proportioned window openings within a more solid wall than

lower floors. Windows similar in size and shape to those used historically shall be used in order to maintain the façade pattern of the streetscape. It is generally appropriate for the solid-to-void ratio of structures to be two-thirds (2/3), except for storefronts that feature more glass.

- 9) The solid-to-void relationship of an addition shall be compatible with the historic structure. The proportions of window and door openings shall be similar to historic structures. Large expanses of glass, either vertical or horizontal, are generally inappropriate on commercial structures. Oversized doors that would create a 'grand entry' are also inappropriate. Smaller windows with simple window frames are recommended for additions.
- 10) Windows, doors and other features on a new addition shall be designed to be compatible with the historic structure and surrounding historic sites. Windows, doors and other openings shall be of sizes and proportions similar to those found on nearby historic structures. When using new window patterns and designs, those elements shall respect the typical historic character and proportions of windows on the primary historic structure.
- 11) Generally, the height of the window opening shall be two (2) times the dimension of the width. In some cases, it may be appropriate to use square windows. Additional glazing can be accommodated using transoms.
- 12) Roofs shall be designed to be in character with those seen historically. Simple roof forms—flat, gable, shed—are appropriate. On large projects the use of a variety of these simple roof forms is encouraged.
- 13) Roofs shall appear similar in scale to those seen historically. On larger additions, the use of parapet walls, changes in roof height, and changes in material shall be used to express modules.
- 14) Original exterior walls shall be kept intact and existing openings shall be used for connecting an addition to the original structure when feasible.

c. Transitional Elements

- 1) D.1.4 Where ~~the~~ a new addition abuts ~~the~~ a historic building, a ~~clear~~ well-defined transitional element shall be designed and constructed between the ~~old historic structure~~ and the new addition ~~should be designed and constructed~~. Minor additions, such as bay windows or dormers, do not require a transitional element.
- 2) In some cases, a transitional element may not be necessary if the new addition is visually differentiated from the historic structure, as viewed from the primary public right-of-way, through a shift in wall plane, a change in material or pattern, , or by using other design elements.

- 3) ~~D-2.5~~ In-line additions ~~should be avoided~~ may be appropriate when the joint between the historic structure and the new addition is not visible from the primary public right-of-way. A transitional element is required if the joint between the historic structure and the new addition is visible from the primary public right-of-way and the addition is similar in design to the historic structure.
- 4) If the new addition is in the same wall plane as the historic structure and also abuts a primary public right-of-way, a transitional element is required.
- 5) At a minimum, the transitional element shall be two (2) feet in width.
- 6) The highest point of the transitional element shall be a minimum of two (2) feet lower than the highest roof plate of the historic structure.

d. Scenario 1: Rooftop Additions

- 1) ~~MSHS6.~~ Rooftop additions may be allowed; ~~however, they should~~ shall generally not exceed one story in height above the existing wall plate of the historic building. and should be set back from the primary façade so that they are not visible from the primary public right-of-way. See the section titled Additions to Historic Buildings for further guidance.
- 2) Rooftop additions shall not be visible from the primary public right-of-way. The addition shall be recessed from the primary, character-defining façade to preserve the perception of the historic scale, height, and façade of the historic structure.
- 3) The rooftop addition shall be recessed from the façade to a distance that is at least equal to the height of the historic façade or beyond the midpoint of the structure to ensure that the rooftop addition is minimally visible from the primary public right-of-way.

e. Scenario 2: Rear Additions

1) Rear Additions fronting Swede Alley

- i. ~~MSHS7.~~ Additions ~~to on~~ the rear of Main Street buildings that will front Swede Alley ~~should~~ shall be reduced in scale as they reach Swede Alley in order to to maintain the pedestrian character along the street. ~~See Additions to Historic Buildings as well as the Swede Alley section of the Guidelines for New Construction that follow.~~
- ii. ~~SANC1.~~ Swede Alley ~~additions shall be~~ ~~should remain~~ subordinate ~~but and~~ complementary to Main Street with regard to public access and streetscape amenities. ~~SANC 2.~~ Rear entrances, if developed, ~~should~~ shall accommodate both service activities and secondary access.
- iii. ~~SANC 3.~~ Swede Alley facades ~~should~~ shall be simple in detail and shall complement the character of the building's primary entrance on Main Street. Materials and colors used on the Swede Alley entrance shall be coordinated with the Main Street façade so

customers can recognize that both entrances below to the same business.

- iv. ~~SANC 4.~~ Swede Alley facades ~~should~~ shall utilize materials, colors, signs, and lighting that reinforces a cohesive design of the building.
- v. ~~SANC 5.~~ Window display areas on Swede Alley facades may be appropriate, but ~~should~~ shall be subordinate to and proportionally smaller than those seen on Main Street.

2) Rear Additions fronting Park Avenue

- i. Additions to historic commercial structures that will face Park Avenue shall be consistent to the size and scale of residential development to maintain the character of the Park Avenue streetscape. This includes the overall scale and massing of facades, window and door sizes and configurations, lighting, and landscaping. See Design Guidelines for New Additions to Historic Residential Structures.

3) Basement Additions

- i. ~~D.3.1~~ The A basement addition shall generally not raise the historic structure generally not more than 2' two (2) feet from its original floor elevation above original grade. Lifting of the structure shall not disrupt its relationship with the streetscape or sidewalk elevation.
- ii. ~~D.3.2~~ In plan, The exterior wall planes of an in-line basement addition shall not extend beyond the exterior wall planes of the historic structure's primary or secondary facades.
- iii. ~~D.3.3~~ Window or egress wells, if needed, shall not be located on the primary façade. Window or egress wells shall be located behind beyond the midpoint of the secondary façades, on the rear façade, or in a location that is not visible from the primary public right-of-way. Landscape elements shall be used in screening to screen window/egress wells from the primary public right-of-way.
- iv. ~~B.3.3~~ A historic site shall be returned to original grade following the construction of a foundation. If the When original grade cannot be achieved, no more than two (2) feet six (6) inches of the new foundation shall be visible above finished final grade on the primary and secondary facades.

f. New Storefronts

- 1) Street-facing primary façades of new additions shall be distinguished by well-defined storefront elements, including storefront entryway, ample-size windows, and appropriate decorative elements. Storefronts on new

additions shall have rhythm and pattern similar to that of the historic streetscape.

- 2) Storefronts were built using standard dimensions for kick plates or bulkheads and display windows so the first levels have a similar height. When storefronts are situated on the steep-sloped of Main Street, the result is a stair-step effect. This stair-step effect is an important visual pattern of the Historic District and shall be repeated on additions.
- 3) Recessed entries on additions fronting on Main Street are encouraged.
- 4) Windows on new storefront additions shall be used extensively and in keeping with the architectural style of the historic structure. Design and scale shall be maintained in the tradition of historic storefronts with extensive street-level window area.
- 5) Generally, two-thirds (2/3) or more of storefront areas may be glass. The solid-to-void ratio of an addition's storefront shall be similar to that of the historic structure.

g. New Decks (Not Street Dining Decks)

- 1) Decks on new additions shall be constructed in inconspicuous areas, usually on a rear elevation, where the deck is visually minimized from the primary public right-of-way. If a deck is built on a side elevation of a historic structure, the deck shall be screened from the primary public right-of-way with fencing and/or appropriate native landscaping. Decks shall be located where and in a way that will not damage or conceal significant historic features or details of the historic structure.
- 2) In order to prevent damage to a historic structure, decks shall be constructed to be self-supporting. If a deck cannot be constructed to be self-supporting, the deck shall be attached to a historic structure with care so that loss of historic fabric is minimized.
- 3) Introducing a deck that will result in the loss of a character-defining feature of a historic structure or site, such as a historic porch or mature tree, shall be avoided.
- 4) The visual impact of a deck shall be minimized by limiting its size and scale. Introducing a deck that visually detracts from a historic structure or historic site, or substantially alters a historic site's proportion of built area to open space, is not appropriate.
- 5) Decks and related steps and railings shall be constructed of material and in styles that are compatible with the structure to which they are attached.
- 6) Decking materials such as fiber cement or plastic-wood composite floor boards shall not be used unless they are made of a minimum of 50% recycled and/or reclaimed material.
- 7) A roof deck on a historic structure or new addition shall be visually minimized when viewed from the primary public right-of-way.

h. Handrails

- 1) New handrails and railings shall complement the historic structure in material and design.

i. Awnings

- 1) ~~K.1~~ Awnings may be appropriate for use on ~~the~~ a street level façade if placed in locations historically used for awnings. Storefronts and upper façade windows are both appropriate locations for new awnings.
- 2) ~~K.2 Place~~ Awnings shall be placed so that the historic and architectural features are not obstructed. Transom lights of prism glass or stained glass shall not be covered by permanent, fixed awnings.
- 3) Installation of awning hardware shall not damage historic materials and features of the historic building.
- 4) ~~K.3 The shed form is~~ Shed-type awnings are the most appropriate ~~form of awning~~ for use on both street-level facades and upper facades. ~~Other~~ Alternative awning forms may be considered if physical or photographic evidence ~~exists~~ of their use on the historic building exists or the awning complements the design of the building.
- 5) ~~K.4~~ Awnings ~~should~~ shall be compatible with the style and period of the historic building in size, color and material. Plastic, vinyl or metal awnings ~~should~~ shall be avoided.
- 6) ~~K.5~~ Awnings may contain graphics or signs, but ~~should~~ shall not be backlit. Spotlighting awnings from above ~~should~~ shall ~~also~~ be avoided.
- 7) ~~K.6~~ Awnings ~~should~~ shall not shed an excessive amount of rain or snow onto ~~the~~ a sidewalk or other pedestrian paths.

j. Reusing Historic Houses as Commercial Structures

- 1) When a historic residential structure is adapted to a commercial use, its residential design and character shall be preserved.

Please see Design Guidelines for Historic Residential Structures.

C. Supplemental Guidelines

1. Compatibility & Complementary

Compatibility and Complementary are terms often used in historic preservation to describe the relationship between two structures or a historic structure and its new addition. Many characteristics and features contribute to compatible and complementary design. These include:

- Form
- Mass and scale
- Roof shapes
- Building height
- Height of floor elevations

- Setbacks
- Materials
- Repetition or rhythm of openings-to-solids
- Rhythm of entrances and/or porches
- Window and door sizes, proportions, and patterns
- Orientation of entrances
- Landscaping

2. Masonry Retaining Walls

Retaining walls contribute to the context and rhythm of streetscapes in Old Town. Historically, retaining walls were a simple method for property owners to manage the relentless and complex topography. In addition, retaining walls helped to define property boundaries and create yards spaces where space was otherwise limited.

Historic retaining walls were stacked by hand using stones found at local quarries or on site. The stones were carried by hand, making them rather uniform in size. Retaining walls were either dry stacked or used mortar joints.

As repairs are made to historic retaining walls or new retaining walls are introduced to Old Town, the following should be considered:

- Existing stone retaining walls should be repaired using recognized historic preservation methods.
- Replacement materials should be similar in materials, color, texture, scale, and proportion. Repairs to mortar joints should match the existing mortar in composition, color, texture, and finish – mortar analysis may be necessary.
- Materials of new retaining walls visible from the right-of-way should reflect the period of significance of the historic primary structure.
- Stones in new retaining walls shall be no larger than stones that a miner would be capable of carrying. New stones shall be similar in materials, color, texture, scale, and proportion to those used historically in the District. Large boulders are discouraged and are not in keeping with the character of the District.
- It is preferred that new retaining walls over five feet (5') be terraced to prevent large vertical planes of retaining walls on the streetscape. Historically, retaining walls were approximately three to five feet (3' – 5') in height. Staff recognizes the need to retain more earth as development occurs in Old Town; however, staff encourages retaining walls that are in keeping with the scale of those found throughout the District historically. Terracing multiple walls of three to five feet (3' – 5') in height is encouraged with vegetation in between each terrace.
- Board-formed concrete may be appropriate. New concrete retaining walls shall be textured. A smooth or polished concrete finish is inappropriate and not in keeping with the character of the District.

- g. New retaining walls shall be screened with vegetation where appropriate.
- h. Retaining walls of alternative designs and materials will be reviewed on a case-by-case basis.

3. Fencing

Historically, fences and masonry retaining walls were typical site features found throughout Old Town. The repetition of these site features created a sense of continuity and rhythm along the street front. Wood and woven wire fences as were common front yard enclosures that followed the site perimeter, specifically along the street front. Fence and materials visible from the right-of-way should reflect the period of significance of the historic primary structure.

- a. Several styles of fencing that were common during the historic period and are appropriate for use in the Historic District:
- b. Picket fences. Historically, picket fences may have been the most common fence type used in front yards. Wood picket fences with flat, dog-eared, or pointed tops were typical in front yards; the heights of these fences was generally less than three feet (3'), the boards were 3-1/2" wide with spacing of 1-3/4" between boards.
- c. Wire fences. Various types of wire, including woven wire, are were stretched between wood or metal posts. This fence type was very common in Park City; however, many of these original wire fences have been lost.
- d. Simple wrought and cast iron fences.

Fences of alternative designs and materials will be reviewed on a case-by-case basis. Substitute materials such as fiber cement or plastic-wood composite siding, shingles, and trim boards should not be used unless they are made of a minimum of 50% recycled and/or reclaimed materials. Further, it must be demonstrated that the use of these materials will not diminish the historic character of the neighborhood. Vinyl and Trex fencing is generally not appropriate in the Historic District and will be reviewed on a case-by-case basis.

4. How to Case a Window

Historically, the casing and trim surrounding windows was substantial; the sliding sash was typically about 1.5 inches wide, casing or trim boards were typically about 2 inches wide and 7/8 inch thick. Using window casing and trim replacements of smaller or larger dimensions is inappropriate as it seriously alters the historic character of the structure. New window openings shall generally reflect the proportion of historic window openings by maintaining a 1:1 or 2:1 ratio.

5. Why Preserving Original Windows is Recommended

The Park City Planning Department requires the preservation and retention of historic wood and steel windows unless the windows are clearly proven to be deteriorated beyond repair. The reasons for preserving original windows include:

- a. Rebuilding historic wood windows and adding storm windows makes them as energy efficient as new vinyl windows.
- b. In most cases, windows account for only about one-fourth of a home's heat loss. Insulating the attic, walls and basement is a much more economical approach to reducing energy costs.
- c. The old-growth lumber used in historic window frames can last indefinitely, unlike new-growth wood or vinyl. Old growth windows have a tighter grain and better quality than most new growth wood windows.
- d. All windows expand and contract with temperature changes. However, vinyl expands more than twice as much as wood and seven times more than glass. This often results in failed seals between the frame and glass and a significant performance reduction.
- e. Vinyl windows have a high failure rate – more than one-third of all vinyl windows being replaced today are less than ten years old.
- f. Any energy savings from replacing wood windows with aluminum or vinyl seldom justifies the costs of installation. For most houses, it would take decades to recover the initial cost of installation and with a life expectancy of 25 years or less, installing new vinyl or aluminum windows does not make good economic sense.
- g. Most vinyl windows do not look like historic wood windows; their texture, shallow profile, as well as lack of depth and articulation are inappropriate for Park City's historic structures. A more acceptable alternative when the original windows are beyond reasonable repair are new wood windows.
- h. Historic wood and metal windows are sustainable. They represent embodied energy, are made of materials natural to the environment and are renewable.
- i. Adding storm windows over historic wood windows is a cost-effective approach that preserves the original window and provides energy savings equal to new replacement windows.

6. Why Preserving Original Siding is Recommended

The Park City Planning Department requires the preservation and retention of historic wood siding unless the siding has clearly proven to be deteriorated beyond repair. The reasons for preserving wood siding and not replacing it or concealing it beneath synthetic siding include:

- a. Synthetic sidings do not successfully replicate the appearance of historic wood siding materials. In particular, vinyl siding's plastic appearance is at odds with the rich and varied surfaces of wood siding.
- b. Unventilated synthetic sidings such as aluminum and vinyl can trap moisture and condensation between the siding and the wood underneath, leading to rotted wood and structural problems.

- c. Installing synthetic sidings such as vinyl and aluminum may be less economical than preserving and maintaining wood siding. The costs of applying synthetic siding materials often exceeds or equals the cost of regular painting of wood siding. In terms of property value, real estate appraisers across the country have also recorded increased resale prices when historic building owners retain original wood siding and avoid vinyl siding.
- d. Wood and synthetic materials perform fairly equally in terms of energy conservation since most heat leaves houses through roofs, basements, windows, and doors.
- e. Claims that synthetic siding is “maintenance-free” are untrue. Owners of 15 to 20 year old aluminum siding often find that it, like wood, requires painting due to fading of the original color.
- f. In particular vinyl siding gets brittle with age and tends to crack and break after ten years.
- g. Vinyl siding is made from polyvinyl chloride and the manufacture, use and disposal of this material results in toxic byproducts such as dioxin. Vinyl siding is not a “green” product and cannot be recycled.

7. Determining Era of Restoration

Historic buildings are not static, and many embody the accumulation of changes, large and small, that have been made throughout their history. By contrast, restoration, as defined by the Secretary of the Interior’s Standards for Historic Preservation, depicts a property at a particular period of time in its history while removing evidence of other periods. When applying this approach to preservation, it is not appropriate, for instance, to restore a property to its 1920 appearance but retain non-historic additions from 1960. Instead, restoration means accurately depicting the form, materials, features, and character of a property as it appeared at a particular period in time. Restoration retains as much of the historic period’s fabric as possible, while removing inconsistent features and reproducing missing features in accordance with the restoration period.

Consider the following when determining what era to restore the building to:

- a. **Relative Importance in history.** What era of significance, based on the City’s Historic Sites Inventory, does the property contribute to? The era of significance is generally the length of time when a property was associated with important events, activities, or persons, or attained the characteristics which qualify it for designation on the City’s Historic Sites Inventory. Is the building associated with a person important in history? If so, during what period did they occupy the building?
- b. **Physical Condition.** What materials or characteristics of the building exist that contribute to our understanding of the building’s era of significance? What is the existing condition or degree of integrity of the building’s historic materials? What alterations contribute to our understanding of the building’s historic significance?

- c. **Evidence of Earlier Appearance.** Is sufficient evidence available to document the building's appearance during the proposed period of restoration and reproduce missing features? This may take the form of historic photographs, written records, maps, and/or physical evidence in the building itself.
- d. **Existing Alterations.** Consider the quality, design, materials, and craftsmanship of the building and the changes that have occurred over time. Did the house have an early addition, creating a cross-wing from a hall-parlor form? Or, was the house remodeled during the historic period in order to reflect the Craftsman bungalow style?
- e. **Uses.** What will the building be used for? How will use affect the property and how does this impact the different historic materials or characteristics that may be present?

15-13-4 Guidelines for Relocation and/or Reorientation of Intact Buildings or Structures

Whenever possible, a historic structure should be rehabilitated in its original location for the following reasons:

- The historic integrity of the site or neighborhood will be altered by the relocation and/or reorientation of the structure.
- The relocation and/or reorientation may threaten the historical significance of the structure or site.
- The structure may be damaged or weakened in the process of relocation and/or reorientation.
- Relocation and/or reorientation adds costs not associated with on-site rehabilitation; such as utility line removal, moving expenses, additional International Building Code requirements, tree removal/trimming, and possibly traffic control.

Relocation of any structure designated as historic on the City's Historic Sites Inventory may endanger its historic designation as defined by LMC 15-11-10(A), therefore, all applications for the relocation and/or reorientation of historic structures must be reviewed and approved by the Historic Preservation Board. No historic structure shall be relocated and/or reoriented when its preservation will be adversely affected.

When a structure is permitted to be relocated and/or reoriented, every effort shall be made to reestablish its historic orientation, setting, and relationship to the environment.

A. Protection for the Historic Building and Site

1. ~~E.1.1~~ Relocation and/or reorientation of a historic buildings ~~should~~ shall be considered only after it has been determined by the ~~Design Review Team~~ Historic Preservation Board that the integrity and significance of the historic

building will not be diminished by such action ~~and the application meets one of the criterion listed in the sidebar to the left.~~

2. ~~E.1.2~~ Relocation and/or reorientation of a historic buildings ~~should~~ shall be considered only after it has been determined that the structural soundness of the building will not be negatively impacted. A professional structural analysis shall be conducted in order to minimize any damage that may occur during the relocation/reorientation of a historic structure.
3. Hire licensed professional building movers to relocate a historic building.
4. ~~E.1.3~~ The A historic structure ~~should~~ shall be secured and protected from adverse weather conditions, water infiltration, and vandalism before, during, and after the relocation/ reorientation process.
5. ~~E.1.4~~ If ~~When~~ rehabilitation of the historic structure ~~will be~~ is delayed, temporary improvements, such as roof repairs, secured and/or covered windows and doors, and adequate ventilation ~~should~~ shall be made—~~roof repairs, windows/doors secured and/ or covered, adequate ventilation~~—to the structure to protect the historic fabric until rehabilitation can ~~commence~~ be accomplished.
6. ~~E.1.5~~ A written plan detailing the steps and procedures for relocation or reorientation of a historic building ~~should~~ shall be completed and approved by the Planning and Building Departments. This plan shall outline, step by step, the proposed work to relocate and/or reorient the building to ensure that the least destructive method of moving the building will be employed.
7. Relocating and/or reorienting a historic building of which the location contributes to the character of the Historic District shall be avoided.
8. A historic building shall be moved in one piece whenever possible. When problematic structural or relocation route conditions preclude moving a building as a single unit, then partial disassembly into large sections may be acceptable. Total disassembly of building components shall be avoided except under extreme situations.
9. Buildings and their components shall be protected from damage during the moving process by adding bracing, strapping, and by temporarily infilling door and window openings for structural rigidity.
10. The setting for a relocated historic building shall be selected for compatibility with the character of the structure and with the character of the original site.
11. A relocated/reoriented historic building shall be sited in a position similar to its historic orientation. The relocated/reoriented historic building shall maintain its relationship with the street and shall have a relatively similar setback. Relocating a historic structure to the rear of a parcel to accommodate a new building in front of it is not appropriate.
12. When a historic building is relocated to a new site, the building shall be placed on the new lot with the same orientation and (if consistent to the District) with the same setbacks to the street as the placement on the original site.

B. Panelization

1. Disassembly & Reassembly of all or part of a historic structure

- a. ~~F.1.1~~ Disassembly of a historic building ~~should~~ shall be considered only after it has been determined by the ~~Design Review Team that the application meets one of the criteria listed in the sidebar~~ Historic Preservation Board that the panelization is necessary as outlined by Land Management Code 15-11-14.
- b. ~~F.1.2~~ ~~Though~~ Disassembly/reassembly of a historic building is not ~~a~~ common practice in the preservation field; ~~if it~~ When disassembly/reassembly must be undertaken, it ~~should~~ shall be done using recognized preservation methods.
- c. ~~F.2.1~~ Measured drawings of the structure or element to be disassembled/reassembled ~~should~~ shall be completed.
- d. ~~F.2.2~~ A thorough photographic survey of the ~~element or~~ interior and exterior elevations as well as architectural details of the structure ~~should~~ shall be ~~made~~ completed, including site and location views from all compass points, exterior elevations, interior elevations of each room, and elevations of each basement and attic wall. Standards for photographic documentation are provided in the Design Review Process section of these Design Guidelines.
- e. ~~F.2.3~~ Written plans detailing the disassembly and reassembly steps and procedures ~~should~~ shall be completed and approved by the Planning and Building Departments.
- f. ~~F.3.1~~ In order to minimize loss of historic fabric, structures ~~should~~ shall be disassembled in the largest workable pieces possible.
- g. ~~F.3.2~~ To ensure accurate reassembly, all parts of the building, structure, or element ~~should~~ shall be marked as they are systematically separated from the structure. Contrasting colors of paint or carpenter wax crayons ~~should~~ shall be used to establish a marking code for each component. The markings ~~should~~ shall be removable or ~~should~~ shall be made on surfaces that will be hidden from view when the structure is reassembled.
- h. ~~F.3.3~~ Important architectural features of a historic building or structure ~~should~~ shall be removed, marked, and stored before the structure or element of the structure is disassembled.
- i. ~~F.3.4~~ The process of disassembly of a historic building or structure ~~should~~ shall be recorded through photographic, still or video, means; ~~still photograph or video.~~
- j. ~~F.3.5~~ As each component of a historic building is disassembled, ~~its the~~ physical condition ~~should~~ shall be noted, particularly if it differs from the condition stated in ~~the~~ pre-disassembly documentation. ~~If~~ When a part component is too deteriorated to remove, it ~~should~~ shall be carefully documented— with photographs, and written notes on its dimensions, finish, texture, color, etc. —to facilitate accurate reproduction.

- k. ~~F.4.1 The~~ Wall panels and roof surfaces ~~should~~ shall be protected with rigid materials, such as sheets of plywood, ~~if~~ when there is ~~any~~ risk of damage ~~to these elements~~ during the disassembly-/storage-/reassembly process.
- l. ~~F.4.2 The~~ Disassembled components—trim, windows, doors, wall panels, roof elements, etc.--~~should~~ shall be securely stored on-site in a storage trailer ~~on-site~~ or off-site in a garage/warehouse/trailer ~~off-site~~ until needed for reassembly.

2. Reassembly

- a. ~~F.5.1~~ When reassembling ~~the a historic~~ structure, ~~its the~~ original orientation and siting ~~should~~ shall be ~~approximated~~ replicated as closely as possible.
- b. ~~F.5.2~~ New foundations and ~~any~~ additions ~~should~~ shall follow the Design Guidelines established in earlier sections of these Design Guidelines—~~Additions and Relocation and/or Reorientation of Intact Building~~.

3. Reconstruction

- a. ~~G.1~~ Reconstruction of a historic building ~~or structure that exists in Park City~~ is allowed ~~if~~ when the Chief Building Official determines the structure to be ~~a~~ hazardous or dangerous ~~building~~, pursuant to Section ~~115.1~~ 116.5 of the International Building Code, ~~AND~~ and when the building cannot be made safe and/serviceable through repair.
- b. ~~G.2~~ Reconstruction ~~must~~ shall be guided by documentation and physical evidence in order to facilitate ~~an~~ accurate re-creation.
- c. ~~G.3~~ Reconstruction ~~should~~ shall not be based on conjectural designs or on ~~a~~ combinations of different features from other historic buildings.
- d. ~~G.4~~ Reconstruction ~~should~~ shall include recreating the documented design of exterior features such as ~~the~~ roof shape, architectural detailing, windows, entrances and porches, steps and doors, and the ~~if~~ historic spatial relationships.
- e. ~~G.5 A~~ Reconstruction ~~should~~ shall include measures to preserve and reuse ~~any~~ remaining historic materials found to be safe and/or serviceable.
- f. ~~G.6~~ A reconstructed building ~~should~~ shall accurately duplicate the appearance of the historic building in materials, design, color, and texture.
- g. ~~G.7~~ A reconstructed building ~~should~~ shall duplicate the historic building, ~~but also and shall reconstruct~~ the setting, placement, and orientation of the original structure.
- h. ~~G.8~~ A reconstruction ~~should~~ shall re-establish the historic relationship between the building or buildings and historic site features.
- i. ~~G.9~~ A building may not be reconstructed on a location other than ~~its the~~ original site, unless approved by the Historic Preservation Board pursuant to LMC 15-11-13.

15-13-5 Sustainability in Historic Buildings

A. Planning for Sustainability

1. An integrated sustainability team that includes a preservation professional should be assembled to ensure that the character and integrity of a historic building is maintained during any upgrades.
2. The condition of inherently-sustainable features of a historic building, such as shutters, storm windows, awnings, porches, vents, roof monitors, skylights, light wells, transoms and naturally-lit corridors, should be analyzed and included in energy audits and energy modeling before planning upgrades.
3. Methods to reduce energy use, such as installing fixtures and appliances that conserve resources, including energy-efficient lighting or energy-efficient lamps in existing light fixtures, low-flow plumbing fixtures, and sensors and timers that control water flow, lighting and temperature, should be identified before undertaking more invasive treatments that may negatively impact a historic building.
4. Sustainable improvements, beginning with minimally invasive treatments that are least likely to damage historic building material, should be prioritized.
5. ~~L.1 Owners are encouraged to~~ Maintaining a substantial percentage of original interior floors, walls and non-structural elements is encouraged.
6. ~~L.2~~ Construction and renovation waste should be diverted from disposal ~~if~~ when recycling facilities or services are available.
7. ~~L.3 Retain~~ The inherent energy-conserving features of historic buildings and their sites, including shade trees, porches, operable windows, and transoms should be retained.
8. ~~L.4 Increase~~ The thermal efficiency of historic buildings should be increased by observing traditional practices such as weather-stripping and insulating.

B. Maintenance

1. Historic buildings and structures should be maintained on a regular basis in order to preserve historic fabric and maximize operational efficiency.
2. Durable historic building materials should be retained, preserved and maintained.
3. Environmentally-friendly cleaning products that are compatible with historic finishes should be used.
4. Sustainable products and treatments, such as low-VOC paints and adhesives and lead-safe paint removal methods, should be used as much as possible when rehabilitating a historic building or structure.

C. Windows

1. Windows should be maintained on a regular basis to ensure they function properly and are completely operable.

2. Historic windows should be retained and repaired when deteriorated.
3. Historic windows should be weather-stripped and caulked, when appropriate, to make them weather tight.
4. Interior or exterior storm windows or panels that are compatible with existing historic windows should be installed.
5. Compatible and energy-efficient replacement windows that match the appearance, size, design, proportion, and profile of the existing historic windows and that are durable, repairable and recyclable, should be installed when existing windows are too deteriorated to repair.
6. Missing windows should be replaced with new, energy-efficient windows that are appropriate to the style of the historic building and that are durable, repairable and recyclable.
7. Historic steel windows and curtain-wall systems should be retrofitted to improve thermal performance without compromising the historic character.
8. Existing historic shutters and awnings should be retained, preserved and maintained. Newly installed shutters and awnings should be historically appropriate.
9. Historically-operable interior transoms should be repaired or reopened, when possible, to improve air flow and cross ventilation.

D. Weatherization & Installation

1. A variety of analytical tools, such as a comprehensive energy audit, blower door tests, infrared thermography, and energy modeling or daylight modeling should be used to gain an understanding of the building's performance and potential before implementing any weatherization or retrofit treatments.
2. A weatherization plan should be developed based on the results of an energy analysis of a building's performance and potential.
3. Infiltration should be eliminated, beginning with the least invasive and most cost-effective weatherization measures, such as caulking and weather-stripping, before undertaking more invasive weatherization measures.
4. The inherent thermal properties of a historic building's materials and the insulating needs for the specific climate and building type should be understood before adding or changing insulation.
5. Unfinished spaces, such as attics, basements and crawl spaces, should be insulated before adding wall insulation.
6. The appropriate type of insulation and adequate ventilation should be used in unfinished spaces. Wet-spray or other spray-in insulation that is not reversible or may damage historic materials should not be used. Adding insulation in cavities that are susceptible to water infiltration is not appropriate.
7. Air infiltration should be reduced before adding wall insulation.

8. Appropriate wall insulation should be installed when necessary only after lower impact treatments have been carried out.
9. Wall insulation that is not reversible and that may cause damage to historic building material is not recommended. Insulation installed on the exterior of a historic building which results in the loss of historic materials and may alter the proportion and relationship of the wall to the historic windows and trim is not appropriate.
10. Historic trim that was removed to install insulation should be reinstalled.

E. Heating, Ventilating, Air Conditioning (HVAC), and Air Circulation

1. Functional and efficient HVAC systems should be retained and maintained.
2. Existing HVAC systems should be upgraded within normal replacement cycles to increase efficiency and performance HVAC systems replaced prematurely when existing systems are operating efficiently is not recommended.
3. When a new HVAC system is necessary, an energy-efficient system that takes into account whole building performance and retains the historic character of a building and site should be installed.
4. The efficiency of HVAC systems should be augmented, where appropriate, with less intensive energy measures, such as programmable thermostats, attic and ceiling fans, and louvers and vents.
5. High efficiency, ductless air conditioners, which may be a more sensitive approach than installing a new, ducted, central air-conditioning system that may damage historic building material, should be retained or installed when appropriate.
6. New mechanical ductwork should be installed sensitively or using a mini-duct system so ducts are not visible from the exterior and do not adversely impacts the historic character of the interior space.
7. HVAC equipment should be placed where it will operate effectively and efficiently and will be minimally visible and will not negatively impact the historic character of a building or its site.
8. The performance of a HVAC system should be examined regularly to ensure that the system is operating efficiently.
9. Whether a geothermal heat pump will enhance the heating and cooling efficiency of a building should be investigated before considering installation.

F. Solar Technology

1. On-site solar technology should be considered only after implementing all standard energy-efficiency treatments, which often have greater life-cycle cost benefit than on-site renewable energy, to improve the energy efficiency of a building.

2. Before considering solar technology for a historic structure, it should be analyzed whether the technology can be used successfully and will benefit the historic building without compromising its character or the character of the site or the surrounding Historic District.
3. A solar device should be installed in a compatible location on a site or on a non-historic building or addition where it will have minimal impact on the historic building and site.
4. A solar device should be installed on a historic building only after other locations have been investigated and determined infeasible.
5. A low-profile solar device should be installed on a historic building so the device is not visible or is minimally visible from the primary public right of way; for example, installation should be on a flat roof and set back to take advantage of a parapet or other roof feature to screen solar panels from view, or on a secondary slope of a roof out of view from the primary public right of way.
6. A solar device on a historic building should be installed in a manner that does not damage historic roofing material, does not negatively impact the building's historic character, and is reversible.
7. Solar roof panels should be installed horizontally – flat or parallel to the roof slope—to reduce visibility.

G. Cool Roofs and Green Roofs

1. Whether or not a cool roof or green roof is appropriate for a historic structure should be analyzed before being considered.
2. A cool roof or green roof should be installed on a flat-roofed historic building where it will not be visible from the primary public right of way and will not negatively impact the building's historic character.
3. Appropriate roofing materials and colors should be selected when putting a cool roof on a historic building. Installing a cool roof that is incompatible in material or color with the historic building is not appropriate.
4. A historic building must be able to structurally accommodate the added weight of a green roof. When increasing the weight-bearing capacity of a historic structure is necessary to accommodate a green roof, it should be done in a manner sensitive to the historic character of the structure.
5. Before installation of a green roof system, a structure's roof should be water-tight, should drain properly and gutters and downspouts should function effectively.
6. When installing a green roof, a moisture-monitoring system should be included to protect the historic building from added moisture and accidental leakage.
7. A green roof should be vegetated with sustainable native plantings that are drought resistant and will not require excessive watering.

8. Vegetation for a green roof should be appropriately-scaled so not to grow so tall that the vegetation will be visible from the primary right-of-way and detract from the building's historic character.

H. Site Features and Water Efficiency

1. Historic character-defining site features should be respected when considering adding new sustainable features to the site.
2. Existing storm-water management features, such as gutters and downspouts, as well as site topography and vegetation that contribute to the sustainability of the historic site, should be used to advantage.
3. Natural, sustainable features such as shade trees should be added to the site, when appropriate, to reduce cooling loads for the historic building. Existing natural features, such as shade trees or planting trees that may grow to encroach upon or damage the historic building should be removed.
4. Permeable paving should be used where appropriate on a historic site to manage storm water. Permeable paving may not be appropriate for all driveways and parking areas.
5. Paving up to a building foundation should be avoided in order to reduce heat island effect, building temperature, and damage to the foundation and to facilitate storm-water runoff.
6. A historic site should be landscaped with native plants, when appropriate, to enhance the sustainability of the site.

I. Daylighting

1. Features, such as glazed doors and transoms common in historic structures, that provide natural light to corridors should be retained.
2. Historic windows that have been blocked in should be reopened to add natural light and ventilation.
3. Skylights and dormers should be added on secondary roof elevations where they are not visible or are minimally visible so there is no impact negative to the building's historic character.
4. Automated daylighting controls that ensure adequate indoor lighting and allow for energy-saving use of daylighting should be installed on interior lighting systems.
5. New window openings should be added, where appropriate, on secondary and less visible façades to allow more natural light into a historic building.

15-13-6 Treatment of Historic Building Materials

A. Paint

1. Paint color is not regulated by the Design Guidelines.

2. When painting a historic structure, colors that are in keeping with the structure's style and period should be considered. Along with material and physical differentiation, painting an addition to a historic structure a color different than the historic structure to visually differentiate the addition should be considered.
3. ~~B.7.1~~ Original materials such as brick and stone that ~~are~~ were traditionally left unpainted ~~should~~ shall not be painted. Materials, such as wood, that ~~are~~ were traditionally painted ~~should~~ shall have an opaque rather than transparent finish.
4. ~~B.7.2~~ A rustic, bare-wood look is generally not appropriate on historic residential and commercial structures, but may be appropriate on accessory structures. A transparent or translucent ~~Provide a~~ weather-protective finish shall be applied to wood surfaces that were not historically painted.
5. ~~B.7.3~~ When possible, Low-VOC (volatile organic compound) paints and finishes should be used when possible.

B. Wood

Historically, wood was a popular material choice for siding, cornices, brackets, columns, balustrades, and other architectural features. These wood features, important in defining the historic character of the building or structure, are therefore important to retain, repair, and protect.

DO:

Identify, retain, and preserve wood features, such as siding, cornices, brackets, window architraves, and doorway pediments and their paints and finishes that are important in defining the overall historic character of the building or structure.

Protect and maintain wood features by providing proper drainage so water is not allowed to stand on flat, horizontal surfaces or accumulate on decorative features.

Apply chemical preservatives to traditionally unpainted wood features, such as beam ends or outriggers that are exposed to decay hazards.

Retain coatings, such as paint, that help protect the wood from moisture and

DO NOT:

Remove or radically change wood features important in defining the overall historic character of a building or structure where that removal or change diminishes that overall character.

Remove a major portion of a historic wood feature from a façade instead of repairing or replacing only the deteriorated portion of the wood feature.

Reconstruct a façade with new material in order to achieve a uniform or 'improved' appearance.

Radically change the type of finish or color accent scheme so the historic character of the exterior is diminished.

Strip historically painted surfaces to bare wood then apply clear finishes or stains in

ultraviolet light. Paint removal should be considered only where there is paint-surface deterioration and as part of an overall maintenance program that involves repainting or applying other appropriate protective coatings.

Inspect painted wood surfaces to determine whether repainting is necessary or if cleaning is all that is required.

Remove damaged or deteriorated paint to the next sound layer using the gentlest method possible (hand-scraping and hand-sanding), before repainting.

If paint on decorative wood features and flat wood surfaces is so deteriorated that total removal prior to repainting is necessary, use electric hot-air guns and electric heat plates with care.

Apply compatible paint-coating systems following proper surface preparation.

Evaluate the overall condition of the wood to determine whether more than protection and maintenance are required, that is, if repairs to wood features are necessary.

Repair wood features by patching, piecing, consolidating, or otherwise reinforcing the wood using recognized preservation methods.

Repair may also include limited replacement in kind--or with compatible substitute material—of those extensively deteriorated or missing parts of features where there are surviving prototypes such as brackets, molding, or sections of siding.

Replace in kind an entire wood feature that is too deteriorated to repair--if the overall form and detailing are still evident--using the physical evidence as a model to

order to create a 'improved natural look'.

Strip paint or varnish to bare wood rather than repair or reapply a special finish, i.e., retain the grain finish on an exterior wood feature such as a front door.

Fail to identify, evaluate, and treat the causes of wood deterioration, including faulty flashing, leaking gutters, cracks and holes in siding, deteriorated caulking in joints and seams, plant material growing too close to wood surfaces and insect or fungus infestation.

Use chemical preservatives, such as creosote, which that can change the appearance of wood features unless they the preservatives were used historically.

Strip paint or other coatings to reveal bare wood, therefore exposing historically coated surfaces to the effects of accelerated weathering.

Remove paint that is firmly adhered to and, thus therefore, protects wood surfaces.

Use destructive paint-removal methods such as propane and butane torches, sandblasting, and water blasting. These methods can irreversibly damage historic woodwork.

Use thermal devices improperly where historic woodwork becomes scorched.

Fail to thoroughly neutralize wood after using chemicals, causing new paint to not adhere.

Allow detached wood features to soak too long in a caustic solution where the wood grain becomes raised and the surface roughened.

reproduce the feature. Examples of wood features include cornices, entablature, and balustrades.

If using in-kind material is not technically or economically feasible, then a compatible substitute material shall be considered.

Design and install a new wood feature, such as a cornice or doorway, when the historic feature is missing completely. The wood feature may be an accurate restoration using historical, pictorial, or physical documentation; or may be a new design that is compatible with the size, scale, material, and finish of the historic building or structure.

Fail to follow manufacturers' product and application instructions when repainting exterior woodwork.

Use new colors that are inappropriate to the historic structure or District.

Fail to undertake adequate measures to assure the protection of wood features.

Replace an entire wood feature, such as a cornice or wall, when repair of the feature or limited replacement of deteriorated wood or missing parts is appropriate.

Use, for a replacement part, substitute material that does not convey the visual appearance of, or that is not physically or chemically compatible with the surviving parts of a wood feature.

Remove, and not replace a feature that is unrepairable, or replace the unrepairable feature with a new feature that does not convey the same visual appearance.

Create a false historic appearance by replacing a wood feature based on insufficient historic, pictorial, or physical documentation.

Introduce a new wood feature that is incompatible in size, scale, material and color.

C. Masonry

Historic masonry materials generally include stone, brick, terra cotta, and adobe. Mortar was used to bond masonry units together. Historic mortar was quite soft, consisting primarily of lime and sand; however, after 1880, Portland cement was added to create a more rigid bond. While masonry is among the most durable of historic building materials, it is also very susceptible to damage by improper maintenance and repair techniques and harsh or abrasive cleaning methods.

DO:

Identify, retain, and preserve masonry features, such as walls, brackets, railings, cornices, window architraves, door pediments, steps, and columns as well as details such as tooling and bonding patterns, coatings, and finish, that are important in defining the overall historic character of the structure.

Repair masonry walls and other masonry features where there is evidence of deterioration, such as disintegrating mortar, cracks in mortar joints, loose bricks, damp walls, or damaged plasterwork, by repointing mortar joints.

Protect and maintain masonry by providing proper drainage so water does not stand on flat, horizontal surfaces or accumulate on curved decorative features.

Clean masonry to remove heavy soiling or to halt deterioration only when necessary.

Carry out masonry surface cleaning tests after it has been determined that such cleaning is appropriate. Tests should be observed over a sufficient period of time so both the immediate and long-range effects demonstrate the gentlest method possible.

Clean masonry surfaces with the gentlest method possible, such as low-pressure water and detergents, using natural bristle brushes.

Inspect painted masonry surfaces to determine whether repainting is necessary.

Remove damaged or deteriorated paint only to the next sound layer using the gentlest method possible (e.g., hand-scraping) prior to repainting.

DO NOT:

Remove or radically change masonry features which are important in defining the overall historic character of the building so that, as a result, the character is diminished.

Replace or rebuild a major portion of exterior masonry walls that could be repaired so that, as a result, the building is no longer historic and is essentially new construction.

Apply paint or other coatings such as stucco to masonry that has been historically unpainted or uncoated to create a new appearance.

Remove paint from historically painted masonry.

Radically change the type of paint or coating or its color.

Fail to evaluate and treat the various causes of mortar joint deterioration such as leaking roofs or gutters, differential settlement of the building, capillary action, or extreme weather exposure.

Clean masonry surfaces when they are not heavily soiled to create a new appearance, thus needlessly introducing chemicals or moisture into historic materials.

Clean masonry surfaces without testing or without sufficient time for the testing results to be of value.

Sandblast brick or stone surfaces using dry or wet grit or other abrasives. These methods of cleaning permanently erode the surface of the material and accelerate deterioration.

Use a cleaning method that involves water

Apply compatible paint coating systems following proper surface preparation.

Repaint with colors that are historically appropriate to the building or structure and Historic District.

Evaluate the overall condition of the masonry to determine if what is required is more than just protection and maintenance, that is, if repairs to the masonry features will be necessary.

Remove deteriorated mortar by carefully hand-raking the joints to avoid damaging the masonry.

Duplicate old mortar in strength, composition, color, and texture.

Duplicate old mortar joints in width and in joint profile.

Repair stucco by removing the damaged material and patching with new stucco that duplicates the old in strength, composition, color, and texture.

Use mud plaster as a surface coating over unfired, un-stabilized adobe; mud plaster bonds to the adobe.

Cut damaged concrete back to remove the source of deterioration (often corroded metal reinforcement bars). The new patch must be applied carefully so it will match, and bond satisfactorily with the historic concrete.

Repair masonry features by patching, piecing, or consolidating the masonry using recognized preservation methods. Repair may also include the limited replacement in kind--or with compatible substitute material--of those extensively

or liquid chemical solutions when there is any possibility of freezing temperatures.

Clean with chemical products that will damage masonry, such as using acid on limestone or marble, or leaving chemicals on masonry surfaces.

Apply high-pressure water cleaning methods that will damage historic masonry and the mortar joints.

Remove paint that is firmly adhered to and, therefore, protects masonry surfaces.

Use methods of removing paint that are destructive to masonry such as sandblasting, application of caustic solutions, or high-pressure water blasting.

Fail to follow manufacturers' product and application instructions when repainting masonry.

Fail to undertake adequate measures to assure the protection of masonry features.

Remove non-deteriorated mortar from sound joints, and then repoint an entire building or structure to achieve a uniform appearance.

Use electric saws and electric hammers rather than hand tools to remove deteriorated mortar from joints prior to repointing.

Repoint with mortar of high Portland-cement content (unless Portland cement is the content of the historic mortar). Portland cement can often create a bond that is stronger than historic material and can cause damage as a result of a different coefficient of expansion and a different porosity of the material and mortar.

deteriorated or missing parts of masonry features when there are surviving prototypes such as terra-cotta brackets or stone balusters.

Apply new or non-historic surface treatments, such as water-repellent coatings, to masonry only after repointing and only if masonry repairs have failed to arrest water penetration problems.

Design and install new masonry features such as steps or door pediments when the historic feature is missing completely. The new masonry feature shall be an accurate restoration using historical, pictorial, or physical documentation; or shall be a new design that is compatible with size, scale, material, and color of the historic structure.

Repoint with a synthetic caulking compound.

Use a 'scrub' coating technique to repoint instead of traditional repointing methods. Change joint width or joint profile when repointing.

Remove sound stucco or repair with a new stucco that is stronger than the historic material or does not convey the same visual appearance.

Apply cement stucco to unfired, un-stabilized adobe. Cement stucco does not bond properly to un-stabilized adobe and can cause moisture to become trapped between materials, resulting in accelerated deterioration of the adobe.

Patch concrete without removing the source of deterioration.

Replace an entire masonry feature, such as a cornice or balustrade, when repair of the masonry and limited replacement of deteriorated missing parts is appropriate.

Use a substitute material that is not physically or chemically compatible for a replacement part, or that does not convey the visual appearance of surviving parts of a masonry feature.

Apply waterproof, water repellent, or non-historic coatings, such as stucco, as a substitute for repointing masonry, or masonry repairs. Coatings are frequently unnecessary, expensive, and may change the appearance of historic masonry as well as accelerate its deterioration.

Replace in kind an entire masonry feature that is too deteriorated to repair--if the overall form and detailing are still evident--using the physical evidence as a model to

reproduce the feature.
Examples include entire walls, cornices, balustrades, columns, or stairways. If using the same kind of material is not technically or economically feasible, then a compatible substitute material may be considered.

Remove and not replace, or replace with a new feature that does not convey the same visual appearance, a masonry feature that is not repairable.

Create a false historical appearance by replacing a masonry feature based on insufficient historical, pictorial, or physical documentation.

Introduce a new masonry feature that is incompatible with the historic structure in size, scale, material and color.

D. Architectural Metals

Architectural metal features may include cast iron facades, siding, porches, and steps. Sheet metal cornices, siding, roofs, roof cresting, and storefronts are often found on historic buildings and structures. These features may be important in defining the overall historic character of a building or structure. Metals commonly used in historic buildings and structures include lead, tin, zinc, copper, bronze, brass, iron, steel, nickel alloys, stainless steel, and aluminum.

DO:

Identify, retain, and preserve architectural metal features such as columns, capitals, window hoods, stairways, and their finishes and colors that are important in defining the overall historic character of buildings or structures. Identification, prior to work, is also critical to differentiate between metals. Each metal has different properties and requires treatments unique to those properties.

Protect and maintain architectural metals from corrosion by providing proper drainage so water does not stand on flat,

DO NOT:

Remove or radically change architectural metal features important in defining the overall historic character of a building or structure where that removal or change diminishes that overall historic character.

Remove a major portion of a historic architectural metal feature from a façade, and then reconstruct the façade with new material, instead of repairing or replacing only the deteriorated metal in order to create a uniform or ‘improved’ appearance.

horizontal surfaces or accumulate on curved, decorative features.

Clean architectural metals, when appropriate, to remove corrosion prior to repainting or applying other appropriate protective coatings.

Identify the type of metal prior to any cleaning procedure to determine if cleaning is appropriate, and then test the metal to assure the gentlest cleaning method possible is selected for the particular metal.

Clean soft metals such as lead, tin, copper,terneplate, and zinc with appropriate chemical methods; these metal finishes can be easily abraded by blasting methods.

Use the gentlest cleaning methods for cast iron, wrought iron, and steel--hard metals--in order to remove paint buildup and corrosion. If hand-scraping and wire-brushing have proven ineffective, low-pressure grit blasting may be used as long as it does not abrade or damage the surface.

Apply appropriate paint or other coating systems after cleaning in order to decrease the corrosion rate of metals or alloys.

Apply an appropriate protective coating, such as lacquer, to an architectural metal feature such as a bronze door that is subject to heavy pedestrian use.

Evaluate the overall condition of architectural metal to determine whether more than protection and maintenance are required, that is, if repair is necessary.

Repair architectural metal features by

Radically change the type of finish or historic color or accent scheme of the finish.

Fail to identify, evaluate, and treat causes of corrosion, such as moisture from leaking roofs or gutters.

Place incompatible metals together without providing reliable separation material. Such incompatibility can result in galvanic corrosion of the less noble metal, e.g., copper will corrode cast iron, steel, tin, and aluminum.

Expose metals that are intended to be protected from the environment.

Apply paint or other coatings to metals, such as copper, bronze, or stainless steel, that are meant to be exposed.

Use cleaning methods that alter or damage the historic color, texture, or finish of a metal; or clean a metal when it is inappropriate.

Remove the patina of historic metal. The patina may be a protective coating on some metals, such as bronze or copper, as well as a significant historic finish.

Clean soft metals such as lead, tin, copper,terneplate, and zinc with grit blasting that abrades the surface of those metals.

Fail to employ gentler methods prior to abrasively cleaning cast iron, wrought iron or steel, or prior to using high-pressure grit blasting.

Fail to re-apply, after cleaning, protective coating systems to metals or alloys that require them cleaning so to avoid accelerated corrosion.

patching, splicing, or otherwise reinforcing the metal following recognized preservation methods.

Repair of metal features may include limited replacement in kind--or with a compatible substitute material--of those extensively deteriorated or missing parts of features, such as porch balusters, column capitals or bases, and porch cresting, when there are surviving prototypes.

Replace in kind an entire architectural metal feature too deteriorated to repair--if the overall form and detailing are still evident--using the physical evidence as the model to reproduce the feature. Examples include cast iron porch steps or steel sash windows.

If using the same in kind material is not technically or economically feasible, a compatible substitute material shall be considered.

Design and install a new architectural metal feature, such as a metal cornice or cast iron capital, when the historic feature is missing completely. The new feature shall be an accurate restoration using historical, pictorial, or physical documentation, or shall be a new design that is compatible with the size, scale, material, and color of the historic building or structure.

Fail to assess pedestrian use or new access patterns so architectural metal features are not subject to damage by use or by inappropriate maintenance such as salting adjacent sidewalks.

Fail to undertake adequate measures to assure the protection of architectural metal features.

Replace an entire architectural metal feature, such as a column or balustrade, when repair of the metal or limited replacement of deteriorated or missing parts is appropriate.

Use a substitute material for a replacement part that does not convey the visual appearance of the surviving parts of an architectural metal feature or that is not physically or chemically compatible.

Remove and not replace an architectural metal feature that is not repairable, or replace it with a new architectural metal feature that does not convey the same visual appearance.

Create a false historical appearance by replacing an architectural metal feature based on insufficient historical, pictorial, or physical documentation.

Introduce a new architectural metal feature that is not compatible in size, scale, material and color.

15-13-6 Additional Guidelines

A. ADA in New Residential and Commercial Infill Buildings

The Americans with Disabilities Act requires places of public accommodation to provide access to their services and programs. In the case of historic buildings, the goal is to achieve the highest level of accessibility with the lowest impact on the historic structure.

1. ~~N.1~~ Barrier-free access ~~should~~ shall be provided that promotes independence for the disabled to the highest degree practicable, while preserving the character-defining features of historic buildings.
2. ~~N.2~~ The appearance of accessibility ramps or elevators ~~should~~ shall not significantly detract from the historic character of the building. New or additional means of access shall be compatible with the historic building and its setting.
3. Ramps or other accessibility-related installations shall be single in design and as unobtrusive as possible. They shall be constructed of concrete or wood and painted in colors similar to that of the Historic Building.
4. ~~N.3~~ Historic doors that do not conform to building and/or accessibility codes should be rehabilitated to conform.

B. Seismic Upgrades

1. ~~M.1~~ The visual impact of exterior treatments associated with seismic upgrades ~~should~~ shall be minimized so that it has the least impact on the historic building's historic integrity. Significant architectural features on the exterior of the building shall remain unchanged on facades and secondary elevations visible from the primary public right-of-way.
2. Building materials used in seismic retrofitting shall be located on the interior and/or placed where they do not obscure significant architectural features.

15-13-7 Design Guidelines for New Residential Infill Construction in Historic Districts

A. Universal Guidelines

1. New infill residential buildings ~~should~~ shall reflect the historic character—simple building forms, unadorned materials, restrained ornamentation—of Park City's Historic Sites.
2. New infill residential buildings ~~should~~ shall not directly imitate existing historic structures in Park City. Roof pitch, shape and configuration, as well as scale of building elements found on Historic Sites may be duplicated, but building elements such as moldings, cornice details, brackets, and porch supports ~~should~~ shall not be directly imitated. Reconstructions of ~~non-surviving~~ non-surviving historic buildings ~~are~~ is allowed.
3. A style of architecture ~~should~~ shall be selected and all elevations of the new infill residential building ~~should~~ shall be designed in a manner consistent with a contemporary interpretation of the ~~chosen~~ selected style. Stylistic elements ~~should~~ shall not simply be applied to ~~the~~ exteriors. Styles that never appeared in Park City ~~should~~ shall be avoided. Styles that radically conflict with the character of Park City's Historic Sites ~~should~~ shall also be avoided. Styles that never appeared in Park City should shall be avoided.
4. New infill residential buildings shall differentiate from historic structures but be compatible with historic structures in materials, features, size, scale and

proportion, and massing to protect the integrity of the Historic District as a whole. The massing of the new infill residential buildings shall be further broken up into volumes that reflect the original massing of historic buildings; larger masses shall be located at the rear of the lot.

5. Building and site design ~~should~~ shall respect the existing topography, the character-defining site features, including existing trees and vegetation, and ~~should~~ shall minimize cut, fill, and the use of retaining walls.
6. Exterior elements ~~of the new development~~—roofs, entrances, eaves, chimneys, porches, windows, doors, steps, ~~retaining walls~~, garages, etc.— of the new infill residential building ~~should~~ shall be of human scale and ~~should~~ shall be compatible with neighboring Historic ~~Sites~~ Structures.
7. Scale and height of new infill residential buildings ~~structures should~~ shall follow the predominant pattern of the neighborhood with special consideration given to Historic Sites and respect the architecture of the neighborhood.
8. ~~The~~ Size and mass of ~~the~~ a structure ~~should~~ shall be compatible with the size of the ~~property~~ site so that lot coverage, building bulk, and mass are compatible with Historic Sites in the neighborhood.
9. New construction activity ~~should~~ shall not physically damage nearby Historic Sites.
10. New infill residential buildings shall reinforce visual unity within the context of the Historic District but also within the context of the block. The specific context of each block is an important feature of the Historic District. The context of each block shall be considered in its entirety, as one would see it when standing on the street viewing both sides of the street for the entire length of the block. Special consideration should be given to adjacent and neighboring Historic Sites in order to reinforce existing rhythms and patterns.

B. Specific Guidelines

1. Site Design

a. Building Setback and Orientation

- 1) ~~A.2.1~~ Lot coverage of new buildings ~~should~~ shall be compatible with the surrounding Historic Sites.
- 2) ~~A.1.1 Locate~~ Structures shall be located on ~~the~~ a site in a way that follows the predominant pattern of historic buildings along the street, maintaining traditional setbacks, orientation of entrances, ~~and~~ alignment along the street, and open space.
- 3) The historic town grid shall be preserved by retaining the formal street pattern, maintaining historic lot sizes rather than aggregating the historic-sized lots into larger lots, and preserving the regular rhythm and pattern of lot sizes in a way that reinforces the perception of the grid.

- 4) A new building shall be oriented parallel to the site's lot lines, similar to that of historic building orientations. When similar front yard setbacks are characteristic of the neighborhood, a new building's façade shall be aligned with neighboring buildings' facades. When a variety of building setbacks is part of the historic context, a new building shall be located within the range of setbacks seen historically.
- 5) New buildings shall have a clearly defined primary entrance oriented toward the street consistent with historic buildings in the Historic District. Entrances on the rear or side of a building shall be clearly subordinate to the entrance on the primary façade.
- 6) Side yard setbacks similar to those seen historically in the neighborhood shall be established in order to reinforce the pattern of built and open space. The historic rhythm of building spacing in the immediate block shall be especially considered.

b. Topography and Grading

- 1) The natural topography and original grading of a site shall be maintained when feasible.
- 2) ~~A.4.1~~ Building and site design ~~should~~ shall respond to natural features. New infill residential buildings ~~should~~ shall step down/ or up to follow the existing contours of steep slopes.
- 3) ~~A.4.2~~ The A new site's natural slope ~~should~~ shall be respected in a new building design in order to minimize cuts into hillsides, minimize fill, and minimize retaining walls. ~~excavation should generally not exceed one-story in depth.~~

c. Landscaping and Vegetation

- 1) Existing landscape features that contribute to the character of the Historic District and existing landscape features that provide environmental sustainability benefits shall be respected and maintained.
- 2) Established on-site native plantings shall be maintained. During construction, established vegetation shall be protected to avoid damage. Damaged, aged, or diseased trees shall be replaced as necessary. Vegetation that may encroach upon or damage a new building may be removed, but shall be replaced with similar vegetation near the original location.
- 3) A detailed landscape plan, particularly for areas viewable from the primary public right-of-way, which respects the manner and materials traditionally used in the Historic Districts, shall be provided. When planning for the long-term sustainability of a landscape system, all landscape relationships on the site, including those between plantings and between the site and its structure(s) shall be considered.

- 4) ~~A.5.1~~ Landscape plans ~~should~~ shall balance water efficient irrigation methods and drought tolerant and native plant materials with existing plant materials and site features that contribute to the character of the Historic District.
- 5) Use to advantage storm water management features such as gutters, downspouts, site topography, and vegetation that can improve the environmental sustainability of a site.
- 6) The use of xeriscaping or permaculture strategies for landscape design shall be considered in order to maximize water efficiency. Where watering systems are necessary, systems that minimize water loss, such as drip irrigation, shall be used. These systems shall be designed to minimize their appearance from areas viewable from the primary public right-of-way.

d. Retaining walls

- 1) When feasible, a site shall be contoured in a way that reduces the need for retaining walls. When retaining walls are necessary, the visual impact shall be minimized by creating gradual steps or tiers and by using perennial plant material. When a fence is to be placed on the top of a retaining wall, the combined height shall be similar in scale to retaining walls and fences seen historically.
- 2) New retaining walls shall be consistent with historic retaining walls in terms of mass, scale, design, materials, and scale of materials. Simple board-formed concrete, stacked stone and other traditional materials are recommended over concrete block, asphalt, or other modern concrete treatments. Alternative materials may be considered but they shall convey the general scale, texture, and character of historic masonry walls.
- 3) Masonry shall be maintained in its natural finish. Applying paint, stain, or stucco over stone or concrete retaining walls is not appropriate.
- 4) Traditional height and setback of retaining walls along the street shall be maintained.
- 5) To abate retaining-wall failure, drainage behind retaining walls shall be maintained so water drains away from the walls.

e. Fences

- 1) New fencing should reflect the style of the building to which fencing is associated when viewable from the primary public right-of-way. New wood and metal fencing should reflect traditional designs and patterns. Split or horizontal rail, railroad tie, or timber fencing may be located where not visible from the primary public right-of-way but should be avoided where visible from the primary public right-of-way. Vinyl or plastic-coated fencing is not appropriate in the Historic District.

- 2) New fencing should be designed to minimize its environmental impacts. New fencing should use sustainable material and should take into account site characteristics such as natural topography and drainage.
- 3) Drought-tolerant shrubs should be considered in place of a fence or wall.
- 4) Arbors emphasizing a fence, gate, or entry should be subordinate to the associated building(s) or structure(s) and should complement the design of the primary structure and fencing material, features, size, scale, and proportion.

f. Paths, Steps, Handrails, & Railings (Not associated with porches)

- 1) New paths and walkways should have a modest, unobtrusive appearance in order to support the sense of a natural setting.
- 2) New hillside stairs and any associated railings or handrails shall be visually subordinate to the associated building(s) or structure(s) in size, scale, and proportion, and shall complement the Historic District in material, size, scale, and proportion, and massing. To break up the mass of longer-run stairs, changes in the materials of the stairs shall be considered.

g. Gazebos, Pergolas, and other Shade Structures

- 1) The installation of gazebos, pergolas, and other shade structures shall be limited to rear or side yards and shall have limited visibility when viewed from the primary public right-of-way.
- 2) Gazebos, pergolas, and other shade structures shall be visually subordinate to the associated building(s) or structure(s) and shall complement the design of the primary structure in material, features, size, scale, and proportion.

h. Parking Areas & Driveways

- 1) ~~D.1.1~~ Off-street parking areas ~~should~~ shall be located within the rear yard, and beyond the rear wall plane of the primary structure when feasible.
~~D.1.2~~ If When locating a parking area in ~~the a~~ rear yard is ~~infeasible not physically possible~~, the off street parking area and associated vehicles should be visually buffered from adjacent properties and the primary public right-of-way. Providing a driveway along the side yard of a site shall be considered when feasible.
- 2) ~~D.1.2~~ If locating a parking area in the rear yard is infeasible, the off street parking area and associated vehicles should be visually buffered from adjacent properties.
- 3) ~~D.1.3~~ Parking areas and vehicular access ~~should~~ shall be visually subordinate to ~~the~~ character-defining streetscape elements of the neighborhood.

- 4) The visual impact of on-site parking shall be minimized by incorporating landscape treatments for driveways, walkways, paths, and structures in comprehensive, complimentary and integrated design.
- 5) Landscape separations shall be provided between parking areas, drives, service areas, and public use areas, like walkways, plazas, and vehicular access points. When plant materials are used for screening, they shall be designed to function year-round.
- 6) When locating new off-street parking areas and driveways, the existing topography of a site and integral site features shall be minimally impacted.
- 7) When locating new off-street parking areas and driveways, the existing topography of a building site and significant site features shall be minimally impacted.
- 8) ~~D.3.1 Ten (10) foot wide driveways are encouraged; however, new driveways should~~ shall not exceed twelve (12) feet in width. ~~D.3.2 Shared vehicular approaches—curb cuts and driveways—should~~ driveways shall be used when feasible.
- 9) Textured and poured paving materials other than smooth concrete shall be considered for driveways that are visible from the primary public right-of-way. Permeable paving may not be appropriate for all driveways and parking areas.
- 10) Paving up to the building foundation shall be avoided in order to reduce heat-island effect, building temperature, damage to the foundation, and storm-water runoff problems.
- 11) Snow storage from driveways shall be provided on site.

2. Primary Structures

a. Mass, Scale & Height

- 1) ~~B.1.1 The size of a new building, The size and mass of a new residential infill building its mass~~ in relation to open spaces, ~~should~~ shall be visually compatible with ~~the surrounding adjacent historic buildings and historic structures in the surrounding~~ Historic Sites District.
- 2) Buildings that utilize traditional building forms – rectangular, cross-wing, pyramid-roof – are encouraged.
- 3) Historic height, width, and depth proportions that are important in creating compatible infill and maintaining the historic mass and scale of the Historic District shall be maintained.
- 4) Building features such as upper story windows, porches, and first floor bays shall be aligned with similar historic building features in the neighborhood. Generally, these elements should align in relation to the topography allowing these elements to “step up” or “step down” the block.

- 5) The perceived scale of new buildings shall respect the scale established by historic buildings in the character zone. Abrupt change of scale in the character zone is inappropriate, especially when a new, larger building would directly abut smaller historic buildings.
- 6) A larger building shall be divided into 'modules' that reflect the mass, scale, proportions, and size of historic buildings in the Historic District. Modules shall be clearly expressed throughout the entire building and a single form shall remain the dominant element so the overall mass does not become too fragmented. To minimize the scale perceived from the primary public right-of-way, stepping down the mass of a larger building shall be considered.
- 7) B.1.3 Larger-scaled projects ~~should~~ shall also include variations in roof height in order to break up the form, mass and scale of the overall structure.
- 8) B.1.8 Buildings constructed on lots greater than 25 feet wide ~~should~~ shall be designed so that the facades visible from the primary public right-of-way reinforce the rhythm along the street in terms of traditional building width, ~~building~~-depth, and patterns within the façade.
- 9) B.1.7 Regardless of lot frontage, the primary façade ~~should~~ shall be compatible with the width of surrounding historic buildings. The greater width of ~~the structure should~~ a building shall be set back significantly from the plane of the primary façade. The width of a new building shall not appear to be appreciably greater than historic buildings in the neighborhood. Modules on a primary façade should generally not exceed eleven (11) feet to twenty-five (25) feet in width.
- 10) B.1.2 When ~~the~~ overall length of a new structure is greater than ~~those that~~ seen historically, ~~it should~~ the design shall employ methods—changes in wall plane, roof heights, use of modules, etc.—~~to~~ to diminish the visual impact of the overall building mass, form and scale.
- 11) B.1.5 New buildings ~~should~~ shall not be significantly taller or shorter than ~~surrounding historic buildings. adjacent building with special consideration given to surrounding historic buildings.~~
- 12) Primary facades shall be limited to one to two stories in height. (Generally, historic residential facades are about 15 to 20 feet in height from top of the foundation to the top of the gable.)
- 13) Variation in building height may be considered regarding topography. Hillsides for a backdrop for taller buildings, minimizing their perceived height, therefore it may be appropriate for taller building masses to be located on steeper slopes. The facades of taller buildings shall still express a human scale.
- 14) Beyond the primary façade, the average perceived scale of one-story to two-story buildings shall be maintained. As a means of minimizing the

perceived mass of a project, breaking up the height of the building into a set of modules or components that relate to the height of the buildings along the street front shall be considered.

- 15) Secondary and tertiary elevations may be taller than the established norm when the change in scale cannot be perceived from designated vantage points including the cross-canyon view. This may be appropriate when taller portions will not be seen from a primary public right-of-way.
- 16) ~~B.1.4~~ Taller portions of buildings ~~should~~ shall be constructed so as to minimize obstruction of sunlight to adjacent yards and ~~rooms~~ windows.

b. Foundation

- 1) ~~B.2.1 Generally, no more than two (2) feet of the new foundation should be visible above finished grade when viewed from the primary public right-of-way. (Exception in the event the garage must be located under primary living space, as is often the case with standard 25'x75' lots).~~
- 2) Foundation materials shall be simple in form and minimally visible above grade when viewed from the primary public right-of-way. Acceptable foundation materials may include stone and concrete, wood lattice and vertical boards. Distinction between foundation and wall material shall be clearly defined. Clapboard siding shall not extend to the ground.
- 3) ~~B.2.1 A site shall be returned to original grade following construction of a foundation. When original grade cannot be achieved, Generally, no more than two (2) feet eight inches (8") of the new foundation should shall be visible above finished Final grade on the primary façade when viewed from the primary public right-of-way. (Exception in the event the garage must be located under primary living space, as is often the case with standard 25'x75' lots). No more than two (2) feet of the new foundation shall be visible above final grade on secondary and tertiary facades.~~
- 4) A site shall be re-graded so as to blend with the grade of adjacent sites and not create the need for incompatible retaining walls.
- 5) A site shall be re-graded so all water drains away from the structure and does not enter the foundation.

c. Doors

- 1) ~~B.2.8 Ratios of openings to solid that are compatible with surrounding historic buildings should be used. The historic pattern of principal doorways along the street shall be maintained. All buildings that face the street shall have a well-defined front entrance.~~
- 2) ~~B.2.9 Windows and New doors shall be similar in location, size, and material to those seen traditionally in the Historic District. Doors should shall be proportional to the scale and style compatible with the style of both the new building and be compatible with the historically buildings in the neighborhood Historic District.~~

- 3) Doors shall be designed and finished with trim elements similar to those used historically.

d. Windows

- 1) B.2.8 Ratios of ~~openings-to-solid~~ solid-to-void that are compatible with surrounding historic buildings ~~should~~ shall be used. Large expanses of glazing are inappropriate on residential structures. Large glass surfaces shall be divided into smaller windows that are in scale with those seen historically. To maximize views, non-historic window patterns may be considered on tertiary facades; however, the overall ratio of solid-to-glass shall still be respected.
- 2) B.2.9 Windows shall be historic size and shall relate to the human scale of the Historic District. Windows ~~and doors should~~ shall be proportional to the scale and style of the building and shall be compatible with the historically buildings in the ~~neighborhood~~ Historic District.
- 3) The placement and grouping of windows shall be similar to those seen historically.
- 4) Windows with vertical emphasis are encouraged. The general rule is the height shall be twice the dimension of the width (commonly referred to as 2:1 ratio). Double-hung, vertically proportioned windows similar to those used historically are particularly encouraged. Windows with traditional depth and trim are preferred.
- 5) The number of different window sizes and styles on a building or structure shall be limited.
- 6) Wood or metal windows similar to those used historically are preferred but aluminum-clad wood windows are also appropriate. Vinyl and aluminum windows are inappropriate.
- 7) New glazing shall match the appearance of historic glazing and/or shall be clear. Metallic, frosted, tinted, stained, textured, and reflective finishes are generally inappropriate for glazing on the primary façade.
- 8) Window muntins shall be true divided lights or simulated divided lights on both sides of the glass. Snap-in muntins are inappropriate.

e. Roofs

- 1) B.2.2 Roofs of new residential infill-buildings ~~should~~ shall be visually compatible with ~~the~~ roof shapes and orientation of surrounding Historic Sites and adjacent buildings that contribute to the character of the Historic District. Sloping of roof forms, such as gable, hip, and shed, should be the dominant roof shapes. Roofs composed of a combination of roof planes, but simple in form, are also encouraged. Roofs shall be in scale with those on historic structures.
- 2) B.2.3 Roof pitch ~~should~~ shall be consistent with the style of architecture chosen for the structure and with ~~the surrounding Historic Sites~~ adjacent

buildings that contribute to the character of the Historic District, with special consideration given to Historic Sites.

- 3) The alignment that is created by similar heights of primary roofs and porches among historic buildings shall be maintained. This similarity of heights in building features contributes to the visual continuity along the streetscape.
- 4) ~~B.2.4~~ Roofs ~~should~~ shall be designed to minimize snow shedding onto adjacent properties and/or pedestrian paths. Cricketts, saddles, or other snow-guard devices shall be placed so they do not significantly alter the form of the roof as seen from the primary public right-of-way.
- 5) New roof features, such as photovoltaic panels (solar panels), skylights, ventilators, and mechanical or communication equipment shall be visually minimized from the primary public right-of-way so as not to compromise the architectural character of the structure. Roof-mounted features like photovoltaic panels (solar panels) and skylights should be installed parallel to the roof plane when feasible.
- 6) Roof materials should appear similar to those seen historically. Asphalt shingles may be considered. Metal sheeting or standing seam metal roofs with a baked-on paint finish and galvanized or rusted steel sheeting are generally appropriate. Roofs shall have matte finishes to minimize glare. ~~B.1.4~~ Roof colors ~~should~~ shall be neutral and muted and materials ~~should~~ shall not be reflective.
- 7) Overhanging eaves, use of bargeboards, soffits, fascia boards, brackets, and boxed eave returns that are consistent with the style of the architecture of the new building and that are compatible with surrounding buildings shall be incorporated.

f. Dormers

- 1) If used, dormers shall be modest in size and fit the scale of the house and the roof form. The number and size of dormers shall be limited on a roof, such that the primary roof form remains prominent. Dormers shall be used with restraint, in keeping with the simple character of buildings in Park City.
- 2) Dormers shall be visually minimized from primary public right-of-way. Gabled, hipped, or shed dormers are appropriate for most structures and shall be in keeping with the character and scale of the structure.
- 3) Dormers shall be setback from the main wall of the building.
- 4) A new dormer shall be lower than the primary ridge line of the associated roof form and set in from the eave of the building.

g. Gutters and Downspouts

- 1) Downspouts shall be located away from architectural features and shall be visually minimized when viewed from the primary public right-of-way.

h. Chimneys & Stovepipes

- 1) Chimneys shall not be covered with non-traditional materials.
- 2) Chimneys and stove pipes shall be of a size, scale, and design that are appropriate to the character and style similar to those found historically. Chimneys and stovepipes shall be visually minimized when viewed from primary public right-of-way.

i. Porches

- 1) ~~B.2.10 Porches should be incorporated into new construction when the Historic Sites in the neighborhood establish the pattern for this entry type~~ Porches shall be used to define front entrances. Porches typically cover the entrance, and usually extend partially or fully across the main façade. Over-scaled, monumental and under-scaled entries shall be avoided.
- 2) ~~B.2.11 Porches on primary and secondary facades should~~ shall be compatible with the a building's building's style and shall respect the scale and proportions found on historic buildings in the neighborhood. Over-scaled, monumental and under-scaled entries should be avoided.
- 3) The height of porch decks shall be similar to those found on historic building(s) in the Historic District.
- 4) Locate porches on new infill construction in a way that follows the predominant pattern of historic porches along the street, maintaining traditional setbacks, orientation of entrances, and alignment along the street to reinforce the visual rhythm of the buildings and site elements in the neighborhood.
- 5) The height of porch decks shall be similar to those found on historic building(s) in the Historic District.
- 6) Porch columns and railings shall be simple in design and utilize square or rectangular shapes. If balusters are used, they should be no more than two inches square. Columns should be a minimum of size inches and a maximum of eight inches square.

j. Architectural Features

- 1) Simple ornamental trim and decoration is in character with historic architectural ornamentation and is encouraged. Traditional locations for architectural ornamentation are porches and eaves. Other details, like eave depth, mullions, corner boards, and brackets, that lend character to historic buildings shall be considered.

3. Mechanical and Utility Systems and Service Equipment

- a. Mechanical and/or utility equipment, including heating and air conditioning units, meters, and exposed pipes, shall be located on the back of the building or in another inconspicuous location. When located on a secondary façade, the mechanical and/or utility equipment shall be located beyond the midpoint

of the structure if feasible and visual impact of the equipment shall be minimized by incorporating it as an element of the building or landscape design.

- b. Ground-level equipment shall be screened from view using landscape elements such as fences, low stone walls, or perennial plant materials.
- c. Low-profile rooftop mechanical units and elevator penthouses that are not visible from the primary public right-of-way shall be used. When this is not possible, rooftop equipment shall be set back or screen from all views. Placement of rooftop equipment shall be sensitive to views from upper floors or neighboring buildings.
- d. New communications equipment such as satellite dishes or antennae shall be visually minimized when viewed from the primary public right-of-way.
- e. Service equipment and trash containers shall be screened. Solid wood or masonry partitions or hedges shall be used to enclose trash areas.

4. Materials

- a. ~~B.2.5 Materials~~ Building materials should shall be compatible in scale, proportion, texture, finish and color to ~~those materials used on Historic Sites in the neighborhood~~ on Historic Structures in the Historic District. The dimensions of masonry units, wood siding, and other building materials shall be similar to those used historically.
- b. The primary siding material for new structures shall appear similar to those on historic structures in the neighborhood. Historically, the most common material on primary structures was painted horizontal lap siding with a reveal between 6 to 8 inches. Secondary structures such as barns and sheds typically had siding of unpainted wood (horizontal lap or vertical board and batten) or corrugated metal panels.
- c. ~~B.2.6 M~~ Building materials, especially stone and masonry, should be used shall be applied in the manner similar to that they were used historically. Typically, a 'hierarchy' of building materials should be used, with heavier, more durable materials for foundations and more refined materials above foundations. Building materials, especially masonry, shall be used in the manner they were used historically.
- d. ~~B.2.7~~ Synthetic building materials such as fiber cement or plastic-wood composite siding, shingles, and trim ~~should shall~~ not be used unless 1) the materials are made of a minimum of 50% recycled and/or reclaimed materials and 2) the applicant can demonstrate that use of the materials will not diminish the historic character of the neighborhood by providing a sample of the material to the Planning Department for approval. Vinyl and aluminum siding are not appropriate in the Historic District.
- e. If synthetic materials are proposed, the synthetic material shall have a similar appearance and profile to historic siding and trim materials. Synthetic

materials shall be applied as traditional materials were historically; it is not appropriate to introduce artificial patterns.

5. Paint and Color

- a. Paint color is not regulated by the Design Guidelines.
- b. ~~B.7.1~~ Original materials such as brick and stone that ~~are traditionally~~ was historically left unpainted ~~should~~ shall not be painted. Materials, such as wood, that are traditionally painted ~~should~~ shall have an opaque rather than transparent finish.
- c. ~~B.2.12~~ Original material such as brick and stone that was historically left unpainted shall not be painted. Exterior surfaces Materials, such as wood, that are traditionally painted ~~should~~ shall have an opaque rather than transparent finish.
- d. ~~B.2.13~~ Rustic, unfinished wood siding is generally not appropriate on houses, but may be appropriate on accessory structures or additions to non-historic buildings. Provide a A transparent or translucent weather-protective finish shall be applied to wood surfaces that were not historically painted.
- e. ~~B.2.14~~ When possible, Low-VOC (volatile organic compound) paints and finishes should be used when possible.

6. Garages

a. Garages: General Compatibility

- 1) ~~D.2.2~~ If the lot size dictates that the garage must be located above, below, or adjacent to the primary living space, its visual impact should be minimized.
- 2) ~~D.2.3~~ Single-width tandem garages are ~~encouraged~~ recommended. Side-by-side parking configurations are strongly discouraged; if used, they ~~should~~ shall be visually minimized when viewed from the public right-of-way.
- 3) Garages featuring a side-by-side parking configuration shall maintain a 2 foot horizontal offset in the front wall plane.
- 4) ~~D.2.4~~ Single vehicle garage doors ~~that do not exceed 9'x9' are recommended~~ not greater than 9 feet wide by 9 feet high shall be used to access the garage. Glazing on garage doors shall be limited to no more than 30% of garage door.
- 5) ~~D.2.5~~ Carports ~~should~~ shall be avoided.

b. Scenario 1: Detached Garages

- 1) ~~D.2.1~~ Garages ~~should~~ shall be constructed as detached or semi-detached structures and located beyond the side-yard midpoint of the building ~~in the side-yard~~ or within the rear yard when feasible.

- 2) ~~D.2.3~~ Single-width tandem garages are ~~encouraged~~ recommended. Side-by-side parking configurations are strongly discouraged; ~~if~~ when used, they ~~should~~ shall be visually minimized when viewed from the public right-of-way.
- 3) Garages featuring a side-by-side parking configuration shall maintain a 2 foot horizontal offset in the front wall plane.
- 4) ~~D.2.4~~ Single vehicle garage doors ~~that do not exceed 9'x9' are recommended~~ not greater than 9 feet wide by 9 feet high shall be used to access the garage. Glazing on garage doors shall be limited to no more than 30% of garage door.
- 5) ~~D.2.5~~ Carports should be avoided.
- 6) Detached garages shall be subordinate to the pedestrian entrance of the house. Where excavation is required for access to the garage, the pedestrian entrance should still be clearly articulated.

c. Scenario 2: Basement Level Attached Or Detached Garages

- 1) When construction of a detached garage is not feasible, a basement level garage may be considered, particularly on uphill lots.
- 2) A basement garage shall not extend beyond the exterior wall planes of a structure's primary or secondary facades.
- 3) In limited situations, site setbacks and topography may allow for a projecting garage without adversely affecting the historic character of the streetscape. In these cases, a stepped design with associated site grading and a landscaping plan may be considered.
- 4) The vertical façade of a basement garage that is visible from the primary public right-of-way shall be visually minimized. It is preferred that the garage opening be set back from the wall plane of the primary structure in order to diminish the presence of the garage.
- 5) Window or egress wells, when needed, shall not be located on the primary façade. Window or egress wells shall be located beyond the midpoint of the secondary facades, on the rear elevation, or in a location that is not visible from the primary public right-of-way.
- 6) After construction of a basement garage, a site shall be re-graded to approximate the grading prior to the new construction.
- 7) A single-vehicle garage door not greater than 9 feet wide by 9 feet high shall be used to access a basement garage addition.
- 8) Single-width tandem garages are recommended. Side-by-side parking configurations are strongly discouraged; if used, they shall be visually minimized when viewed from the primary public right-of-way.

- 9) Garages featuring a side-by-side parking configuration, at a minimum, shall maintain a two (2) foot horizontal offset in the wall plane between the two garage doors.

d. SCENARIO 3: ATTACHED GARAGES

- 1) When construction of a detached garage is not feasible, an attached garage may be considered.
- 2) A single-vehicle garage door not greater than 9 feet wide by 9 feet high shall be used to access a garage addition.
- 3) Single-width tandem garages are recommended. Side-by-side parking configurations are strongly discouraged; if used, they shall be visually minimized when viewed from the primary public right-of-way.
- 4) Garages featuring a side-by-side parking configuration shall maintain a 2 foot horizontal offset in the front wall plane.
- 5) Garages shall be subordinate to the pedestrian entrance of the house. Where excavation is required for access to the garage, the pedestrian entrance should still be clearly articulated. When excavation is not required, the pedestrian entrance shall be proud of the garage wall plane.

7. Decks

- a. Decks shall be constructed in inconspicuous areas where visually minimized from the primary public right-of-way, usually on the rear elevation. When built on a side elevation of a new structure, a deck should be screened from the primary public right-of-way with fencing and/or appropriate native landscaping.
- b. The visual impact of a deck should be minimized by limiting its size and scale. Introducing a deck that visually detracts from a new structure, or substantially alters a site's proportion of built area to open space is not appropriate.
- c. Decks and related steps and railings shall be constructed of materials and in styles that are compatible with the structure to which they are attached as well as with the character of the Historic District as a whole.
- d. Decking materials such as fiber cement or plastic-wood composite floor boards shall not be used unless they are made of a minimum of 50% recycled and/or reclaimed materials.
- e. Significant site features, such as mature trees, shall be protected from damage during the construction of a deck by minimizing ground disturbance and by limiting use of heavy construction equipment.

8. Balcony & Roof Decks

- a. New balconies and roof decks shall be visually subordinate to the new building and shall be minimally visible from the primary public right-of-way.

- b. A new balcony shall be simple in design and compatible with the character of the Historic District. Simple wood and metal designs are appropriate for residential structures. Heavy timber and plastics are inappropriate materials.
- c. A roof deck shall be visually minimized when viewed from the primary public right-of-way.

9. New Accessory Structures

- a. ~~H.1 New accessory structures should generally be located at the rear of the lot.~~ New accessory structures on flat or downhill sites shall generally be located in the rear yard, unless located in a character zone with similar development patterns.
- b. New accessory structures may be located at the street front when a pattern of front yard historic accessory structures has been established along the street, and when the proposed placement of the accessory structure does not create a danger or hazard to traffic by obstructing the view on the street.
- c. Accessory structures (such as sheds and detached garages) shall be subordinate in scale to the primary structure.

10. Additions to Existing Non-Historic Structures

- a. An addition shall complement the visual and physical qualities of the existing structure.
- b. An addition shall be visually subordinate to the existing structure and shall be compatible with the scale of the historic buildings and structures in the neighborhood. When the combined effects of the addition's footprint, height, mass, and scale are such that the overall size of the addition is larger than the existing structure, the volume of the addition shall be broken into modules that reflect the scale of those components seen on the existing structure. Multiple modules are encouraged to add articulation and architectural interest.
- c. Components and materials used on additions shall be similar in scale and size to those found on the existing structure.
- d. Windows, doors, and other features on a new addition shall be designed to be compatible with the existing structure and surrounding historic sites. Windows, doors, and other openings shall be of sizes and proportions similar to those found on the building as well as those found on historic structures in the Historic District. When using new window patterns and designs, those elements shall respect the typical historic character and proportions of windows on adjacent historic structures. Also, the solid-to-void relationships and detailing of an addition shall be compatible with the existing structure and with buildings in the Historic District.

11. Reconstruction of Non-Surviving Structures

- a. ~~C.1~~ Reconstruction of a documented but non-surviving historic structure that ~~once~~ existed in Park City is allowed when no existing building in Park City with the same historical significance has survived.

- b. ~~C.2~~ Reconstruction may be allowed when documentary and physical evidence is available to facilitate an accurate ~~re-creation~~ reconstruction.
- c. ~~C.3~~ Reconstruction ~~should~~ shall not be based on conjectural designs or on a combination of different features from other historic buildings.
- d. ~~C.4~~ Reconstruction ~~should~~ shall include recreating the documented design of exterior features such as the roof shape, architectural detailing, windows, entrances and porches, steps and doors, and their historic spatial relationships.
- e. ~~C.5~~ A reconstructed building ~~should~~ shall accurately duplicate the appearance of the non-surviving historic property in materials, design, color, and texture.
- f. ~~C.6~~ A reconstructed building ~~should~~ shall duplicate the building, but also the setting, placement, and orientation of the non-surviving structure.
- g. ~~C.7~~ A reconstruction ~~should~~ shall re-establish the historic relationship between the building(s) ~~or buildings~~ and historic site features.
- h. ~~C.8~~ A building may not be reconstructed on a location other than its original site.
- i. A building may not be reconstructed on a location other than its original site.

C. Supplemental Guidelines for New Residential Sites & Structures

1. Compatibility & Complementary

“Compatible” and “Complementary” are terms often used in historic preservation to describe the relationship between historic structures and new infill construction. Many characteristics and features contribute to compatible and complementary design, which helps to ensure the preservation of Park City’s Historic Sites and Districts. These characteristics include:

- Form
- Mass and scale
- Roof shapes
- Building height
- Floor height
- Setbacks
- Materials
- Repetition or rhythm of solid-to-voids
- Rhythm of entrances and/or porches
- Window and door sizes, proportions, and patterns
- Orientation of entrances
- Landscaping

2. Masonry & Retaining Walls

Retaining walls contribute to the context and rhythm of streetscapes in Old Town. Historically, retaining walls were a simple method for property owners to manage

the steep and complex topography. In addition, retaining walls helped define property boundaries and create yard space where space was otherwise limited.

Historic retaining walls were stacked by hand using stones found at local quarries or on site. The stones were carried by hand, making them rather uniform and small in size. Retaining walls were either dry stacked or used mortar. After 1900, concrete retaining walls began to appear.

As new retaining walls are introduced to Old Town, the following should be considered:

- a. Materials for new retaining walls visible from the right-of-way should reflect the building's era and style.
- b. Stones in new retaining walls shall be no larger than stones that a miner would be capable of carrying. New stones shall be similar in type, color, texture, scale, and proportion to those used historically in the District. Large boulders are discouraged and are not in keeping with the character of the Historic District.
- c. Historically, retaining walls were no more than 3 to 5 feet in height. It is generally preferred that new retaining walls over 5 feet be terraced to prevent large vertical planes of retaining walls on the streetscape. The Design Review Team recognizes the need to retain more earth as development occurs in Old Town; however, the Design Review Team encourages retaining walls that are in keeping with the scale of those found historically throughout the Historic District. Terracing multiple walls of 3 to 5 feet in height is encouraged with vegetation in between each terrace.
- d. Board-formed concrete may be appropriate. New concrete retaining walls shall be textured. A smooth or polished concrete finish is inappropriate and not in keeping with the character of the District.
- e. New retaining walls shall be screened with vegetation where appropriate.
- f. Retaining walls of alternative designs and materials shall be reviewed on a case-by-case basis.

3. Fences

As with retaining walls, fences were typically historic site features found throughout Old Town. The repetition of these site features created a sense of continuity and rhythm along the street front. Wood and woven wire fences were common front yard enclosures that followed the site perimeter, most commonly along the street front. New fences visible from the public right-of-way should reflect the period of significance of the historic primary structure.

Several styles of fencing that were common during the historic period and are appropriate for use in the Historic District:

- a. Picket fences. Historically, wood picket fences may have been the most common fence type used in front yards. These fences had flat, dog-eared, or

pointed tops and were generally less than 3 feet high. Pickets were typically 3-1/2 inches wide with spacing of 1-3/4 inches between boards.

- b. Wire fences. Various types of wire, including woven wire, were stretched between wood or metal posts. This fence type was very common in Park City; however, many of these original wire fences have been lost.
- c. Simple wrought and cast iron fences.

Fences of alternative designs and materials will be reviewed on a case-by-case basis. Substitute materials such as fiber cement or plastic-wood composite materials should not be used unless they are made of a minimum of 50% recycled and/or reclaimed materials. Further, it must be demonstrated that the use of these materials will not diminish the historic character of the neighborhood. Vinyl and Trex-type fencing is generally not appropriate in the Historic District and will be reviewed on a case-by-case basis.

15-13-8 Design Guidelines for Historic Commercial Infill Construction

A. Universal Design Guidelines

1. New infill commercial buildings ~~should~~ shall reflect the historic character—simple building forms, unadorned materials, restrained ornamentation—of Park City’s Historic Sites.
2. New infill commercial buildings ~~should~~ shall not directly imitate existing historic structures in Park City. Roof pitch, shape and configuration, as well as scale of building elements found on Historic Sites may be duplicated, but building elements such as moldings, cornice details, brackets, and porch supports ~~should~~ shall not be directly imitated. Reconstructions of non-~~surviving~~ surviving historic buildings are allowed.
3. A style of architecture ~~should~~ shall be selected and all elevations of the infill commercial building ~~should~~ shall be designed in a manner consistent with a contemporary interpretation of the ~~chosen~~ selected style. Stylistic elements ~~should~~ shall not simply be applied to the exterior. ~~Styles that never appeared in Park City should be avoided.~~ Styles that radically conflict with the character of Park City’s Historic Sites ~~should~~ shall ~~also~~ be avoided. Styles that never appeared in Park City shall be avoided.
4. New infill commercial buildings shall differentiate from historic structures but shall be compatible with historic structures in materials, features, size, scale, and proportion, and massing to protect the integrity of the Main Street Historic District as a whole. The massing of new infill commercial buildings shall be further broken up into volumes that reflect the original massing of historic buildings; larger masses shall be located at the rear of the site.
5. Building and site design ~~should~~ shall respect the existing topography; and character-defining site features; (including existing trees and vegetation) and ~~should~~ shall minimize cut, fill, and the use of retaining walls.

6. Exterior elements ~~of the new development~~—roofs, entrances, eaves, chimneys, porches, windows, doors, steps, retaining walls, garages, etc.— ~~should~~ shall be of human scale and ~~should~~ shall be compatible with neighboring Historic Sites.
7. Scale and height of new infill commercial structures ~~should~~ shall follow the predominant pattern of the neighborhood with special consideration given to Historic Sites and respect the architecture of the neighborhood.
8. ~~The~~ Size and mass of ~~the a~~ structure ~~should~~ shall be compatible with the size of the property site so that ~~lot site~~ coverage, and building bulk, and mass are compatible with Historic Sites in the neighborhood.
9. New construction activity ~~should~~ shall not physically damage nearby Historic Sites.
10. New infill commercial buildings shall reinforce visual unity within the context of the Historic District but also within the context of the block. The specific context of each block is an important feature of the Historic District. The context of each block shall be considered in its entirety, as one would see it when standing on the street viewing both sides of the street for the entire length of the block. Special consideration should be given to adjacent and neighboring Historic Sites in order to reinforce existing rhythms and patterns.

B. Specific Design Guidelines

1. Site Design

a. Setback and Orientation

- 1) A.2.1 Lot Site coverage of new infill commercial buildings ~~should~~ shall be compatible with the surrounding adjacent and neighboring Historic Sites.
- 2) A.1.1 Locate Structures shall be located on ~~the a~~ site in a way that follows the predominant pattern of historic buildings along the street, maintaining traditional setbacks, orientation of entrances, and alignment along the street.
- 3) The historic town grid shall be preserved by retaining the formal street pattern, maintaining historic lot sizes rather than aggregating historic-sized lots into larger lots, and preserving the regular rhythm and pattern of lot sizes in a way that reinforces the perception of the grid.
- 4) A new building shall be oriented parallel to the site's lot lines similar to that of historic building orientations.—~~MSNC6~~. New buildings, in general, ~~should~~ shall be constructed in line with adjacent historic structures and ~~should~~ shall avoid large setbacks that disrupt the continuity of the historic street wall.
- 5) Side yard setbacks similar to those seen historically in the neighborhood shall be established in order to reinforce the pattern of built and open space. The historic rhythm of the building spacing of the adjacent and neighboring historic buildings as well as the immediate block shall be especially considered.

- 6) New commercial infill buildings shall have a clearly defined primary entrance oriented toward the street consistent with historic buildings in the Historic District. Entrances on the rear or side of a building shall be clearly subordinate to the entrance on the primary façade.

b. Topography and Grading

- 1) The natural topography and original grading of a site shall be maintained when feasible.
- 2) ~~A.4.1~~ Building and site design ~~should~~ shall respond to natural features. New buildings ~~should~~ shall step down/ or up to follow the existing contours of steep slopes.
- 3) ~~A.4.2~~ The A new site's natural slope ~~should~~ shall be respected in a new building design in order to minimize cuts into hillsides, minimize fill, and minimize retaining walls; ~~excavation should generally not exceed one-story in depth.~~

c. Landscaping and Vegetation

Historically, commercial buildings were built to setbacks and did not include open space areas for landscaping. Please see Design Guidelines for Infill Residential Buildings for specific guidelines regarding Retaining Walls; Fences; Paths, Steps, Handrails & Railings (Not associated with Porches); and Gazebos, Pergolas, and other Shade Structures.

While many new commercial infill projects may not require landscaping, if built to setbacks, those that have space for landscaping shall comply with the following Design Guidelines:

- 1) Existing landscape features that contribute to the character of the Historic District and existing landscape features that provide environmental sustainability benefits shall be respected and maintained.
- 2) Established on-site native plantings shall be maintained. During construction, established vegetation shall be protected to avoid damage. Damaged, aged, or diseased trees shall be replaced as necessary. Vegetation that may encroach upon or damage a new building may be removed, but shall be replaced with similar vegetation near the original location.
- 3) A detailed landscape plan, particularly for areas viewable from the primary public right-of-way that respects the manner and materials traditionally used in the Historic District shall be provided. When planning for the long-term sustainability of a landscape system, all landscape relationships on the site, including those between plantings and between the site and its structure(s) shall be considered.
- 4) ~~A.5.1~~ Landscape plans ~~should~~ shall balance water efficient irrigation methods and drought tolerant and native plant materials with existing plant

materials and site features that contribute to the character of the Historic District.

- 5) Storm water management features such as gutters and downspouts as well as site topography and vegetation that can improve the environmental sustainability of a site shall be used to advantage.
- 6) The use of xeriscaping or permaculture strategies for landscape design shall be considered in order to maximize water efficiency. Where watering systems are necessary, systems that minimize water loss such as drip irrigation shall be used. These systems shall be designed to minimize their appearance from areas viewable from the primary public right-of-way.

d. Sidewalks, Plazas, and Other Street Improvements

- 1) All streetscape elements should work together to create a coherent visual identity and public space. The visual cohesiveness and historic character of a site shall be maintained through the use of complementary materials.
- 2) Street furniture, trash receptacles, bike racks, planters and other elements shall be simple in design and compatible with the appearance and scale of adjacent buildings and public spaces.
- 3) New plazas that are being considered shall be well planned for intended uses, such as concerts or other events, and shall be well designed for maintenance and durability.
- 4) Existing, alleys, staircases, and pedestrian tunnels shall be maintained where feasible.

e. Parking Areas and Driveways

- 1) ~~D.1.1~~ Off-street parking areas ~~should~~ shall be located within the rear yard, and beyond the rear wall plane of the primary structure. Providing a driveway along the side yard of a site shall be considered when feasible. ~~D.1.2~~ If ~~When~~ locating a parking area in the rear yard is ~~infeasible~~ not physically possible, the off street parking area and associated vehicles ~~should~~ shall be visually buffered from adjacent properties and the primary public right-of-way.
- 2) ~~D.1.3~~ Parking areas and vehicular access ~~should~~ shall be visually subordinate to the character-defining streetscape elements of the neighborhood.
- 3) The visual impact of on-site parking shall be minimized by incorporating landscape treatments for driveways, walkways, paths, and structures in a comprehensive, complimentary and integrated design.
- 4) Landscaped separations shall be provided between parking areas, drives, service areas, and public use areas like walkways, plazas, and vehicular access points. When plant materials are used for screening, they shall be designed to function year-round.

- 5) When locating new off-street parking areas and driveways, the existing topography of a building site and significant site features shall be minimally impacted.
- 6) Ten foot (10') wide driveways are encouraged; however, new driveways shall not exceed 12 feet in width. Shared driveways shall be used when feasible.
- 7) Textured and poured paving materials other than smooth concrete shall be considered for driveways that are visible from the primary public right-of-way. To manage storm water permeable paving shall be used when appropriate; permeable paving may not be appropriate for all driveways and parking areas.
- 8) Paving up to a building foundation shall be avoided in order to reduce heat-island effect, building temperature increase, damage to the foundation, and storm-water runoff problems.
- 9) On-site storage for snow from driveways shall be provided.

2. Primary Structures

a. Mass, Scale, and Height

- 1) Historic height, width, and depth proportions are important in creating compatible infill and new design shall reflect the historic mass and scale of commercial buildings in the Historic District.
- 2) ~~B.1.1~~ The size and mass of a new infill commercial building, ~~its mass~~ in relation to open spaces, ~~should~~ shall be visually compatible ~~with the surrounding Historic Sites~~ with adjacent historic buildings and historic structures in the surrounding Historic District.
- 3) Buildings that utilize traditional commercial building forms—false-front, one-part or two-part block, or central block with wings—are encouraged.
- 4) Building features such as storefronts, upper story windows, cornices, and balconies shall be aligned with similar historic building features in the Historic District. Generally, these elements should align in relation to the topography to allow these elements to —step up or —step down the streetscape. MSNC5. New buildings should maintain the stair-step effect of storefronts on Main Street. The step effect is reinforced by a standard first floor height—which ~~should~~ shall be maintained—made evident with the use of cornices, moldings and other façade treatments.
- 5) Buildings constructed on sites greater than 25 feet wide shall be designed so the facades visible from the primary public right-of-way reinforce the rhythm along the street in terms of historic building width, depth, and patterns within the façade.
- 6) Regardless of lot frontage, the primary façade shall be compatible with the width of adjacent and neighboring historic buildings. The width of a new building shall not appear to be appreciably greater than historic buildings

in the neighborhood. Modules on a primary façade shall generally not exceed 25 to 50 feet in width, reflective of historic commercial buildings in the Historic District.

- 7) A larger building shall be divided into modules that reflect the mass, scale, proportions, and size of historic buildings in the Historic District. Modules shall be clearly expressed throughout the entire building and a single form shall remain the dominant element so the overall mass does not become too fragmented. To minimize the scale perceived from the primary public right-of-way, stepping down the mass of a larger building shall be considered.
- 8) Larger-scaled projects shall also include variations in roof height in order to break up the form, mass and scale of the overall structure.
- 9) ~~B.1.2~~ When the overall length of a new structure along the streetfront is greater than ~~those that~~ seen historically, ~~it should~~ the design shall employ methods—changes in wall plane, roof heights, use of modules, etc.—to diminish the visual impact of the overall building mass, form and scale.
- 10) ~~B.1.5~~ New buildings ~~should~~ shall not be significantly taller or shorter than surrounding adjacent historic buildings. The Primary façade of the new building shall be limited to one to two stories in height. Special consideration shall be given to the wall heights of adjacent historic structures.
- 11) Primary facades shall be limited to one to two stories in height. Special consideration shall be given to the wall heights of neighboring and adjacent historic structures to reinforce the pattern of wall heights of the Historic District.
- 12) Variation in building height may be considered regarding topography. The facades of taller buildings shall still express a human scale.
- 13) ~~MSNC7.~~ New construction on corner lots ~~should~~ shall reinforce the street wall, but where appropriate, may be designed to define public plazas and public gathering places.

b. Foundation

- 1) Foundation materials shall be simple in form and minimally visible above grade when viewed from the primary public right-of-way. Acceptable foundation materials may include stone and concrete, wood lattice and vertical boards. A clear distinction between foundation and wall material shall be made. Clapboard siding shall not extend to the ground.
- 2) ~~B.2.1~~ A site shall be returned to exiting grade following construction of a foundation. When existing grade cannot be achieved, no more than eight inches (8") of the new foundation shall be visible above final grade on the primary façade. Generally, No more than two (2) feet of the new foundation ~~should~~ shall be visible above ~~finished~~ final grade ~~when viewed~~

~~from the primary public right-of-way on secondary and tertiary facades. (Exception in the event the garage must be located under primary living space, as is often the case with standard 25'x75' lots).~~

c. Storefronts

- 1) Street-facing primary façades of new commercial infill shall be distinguished by well-defined storefront elements, including storefront entryway, ample-sized windows, and appropriate decorative elements. Storefronts on new infill shall have rhythm and pattern similar to that of the historic streetscape.
- 2) Historic storefronts were built using standard dimensions for kick plates or bulkheads and display windows so the first story of historic commercial buildings have similar heights. When storefronts are situated on steep-sloped Main Street, the result is a stair-step effect.
- 3) This stair-step effect is an important visual pattern of the Historic District and shall be repeated on new commercial infill construction.
- 4) Recessed entries on new commercial facades fronting on Main Street and in adjoining commercial areas are encouraged.
- 5) Windows on new storefronts shall be used extensively and in keeping with the architectural style of the historic structure. Design and scale shall be maintained in the tradition of historic storefronts with extensive street-level window area.
- 6) Generally, two-thirds (2/3) or more of storefront areas may be glass. The solid-to-void ratio of a new storefront shall be similar to that of the historic structure.

d. Awnings

- 1) ~~F.1~~ Awnings may be appropriate for use on the street level façade. If used, they should be placed in locations historically used for awnings. ~~be compatible with the building's style and materials and not detract from surrounding Historic Site.~~ Storefronts and upper façade windows are both appropriate locations for new awnings.
- 2) Shed-type awnings are the most appropriate for use on both street-level facades and upper facades. Alternative awning forms may be considered if their use complements the design of the building.
- 3) Awnings may contain graphics or signs, but shall not be backlit. Spotlighting awnings from above shall be avoided.
- 4) Awnings shall not shed an excessive amount of rain or snow onto a sidewalk or other pedestrian paths.

e. Doors

- 1) The historic pattern of principal doorways along the street shall be maintained. All buildings that face the street shall have a well-defined front entrance.
- 2) New doors shall be similar in location, size, and material to those seen traditionally in the Historic District. Doors shall be compatible with the style of both the new building and historic buildings in the Main Street Historic District.
- 3) Doors shall be designed and finished with trim elements similar to those used historically. Paneled doors, used singly or in pairs, were typical and many had vertical panes of glass as well as transom lights over the doors. Scalloped, Dutch, and Colonial doors are not appropriate on most primary and secondary facades.

f. Windows

- 1) ~~B.2.8 Ratios of openings-to-solid~~ solid-to-void that are compatible with ~~surrounding adjacent and neighboring~~ historic buildings ~~should~~ shall be used. Window openings shall be similar in location, size, and scale to those found on historic commercial buildings. Except for storefronts, large expanses of glazing are inappropriate.
- 2) ~~B.2.9 Windows and doors should~~ shall be proportional to the scale and style of the building and shall be compatible with the ~~historically~~ commercial buildings in the ~~neighborhood~~ Historic Districts. Window types and glazing patterns shall also be compatible with those seen on historic commercial structures.
- 3) Upper story windows with vertical emphasis are encouraged. The general rule is the window height shall be twice the dimension of the width (commonly referred to as 2:1 ratio). Double-hung, vertically proportioned windows similar to those used historically are particularly encouraged. Windows with traditional depth and trim are preferred.
- 4) The number of different window sizes and styles on a building shall be limited.
- 5) Wood or metal windows similar to those used historically are preferred, but aluminum-clad wood windows are also appropriate. Vinyl and aluminum windows are inappropriate.
- 6) New glazing shall match the appearance of historic glazing and/or shall be clear. Metallic, frosted, tinted, stained, textured and reflective finishes are generally inappropriate for glazing on the primary façade.
- 7) Window muntins shall be true divided lights or simulated divided lights on both sides of the glass. Snap-in muntins are inappropriate.

g. Roofs

- 1) ~~B.2.2~~ Roofs of new commercial infill buildings ~~should~~ shall be visually compatible with ~~the~~ roof shapes and orientation of ~~surrounding Historic Sites~~ neighboring and adjacent historic commercial buildings that contribute to the character of the Historic Districts. Simple roof forms—flat, gable, shed—are appropriate. Roofs composed of a combination of roof planes, but simple in form, are also encouraged.
- 2) ~~B.2.3~~ Roof pitch ~~should~~ shall be consistent with the style of architecture chosen for the structure and with ~~the surrounding Historic Sites~~ the adjacent and neighboring commercial buildings that contribute to the character of the Historic Districts, with special consideration given to Historic Sites.
- 3) The alignment that is created by similar heights of primary roofs among historic buildings shall be maintained. The similarity of heights in building features contributes to the visual continuity along the streetscape.
- 4) Overhanging eaves, use of bargeboards, soffits, fascia boards, and brackets that are consistent with the style of architecture of the new building and that are compatible with adjacent and neighboring commercial buildings shall be incorporated.
- 5) ~~B.2.4~~ Roofs ~~should~~ shall be designed to minimize snow shedding onto adjacent ~~properties~~ sites and/or pedestrian paths. Crickets, saddles, or other snow-guard devices shall be placed so they do not significantly alter the form of the roof as seen from the primary public right-of-way.
- 6) New roof features, such as photovoltaic panels (solar panels), skylights, ventilators, and mechanical or communication equipment shall be visually minimized from the primary public right-of-way so as not to compromise the architectural character of the structure. Roof-mounted features like photovoltaic panels (solar panels) and skylights should be installed parallel to the roof plane when feasible.
- 7) Roof materials shall appear similar to those seen historically. Asphalt shingles may be considered. Metal sheeting or standing seam metal roofs with a baked-on paint finish and galvanized or rusted steel sheeting are generally appropriate. Roof membranes shall generally not be white. Roofs shall have matte finishes to minimize glare. Roof colors shall be neutral and muted and materials shall not be reflective.

h. Dormers

- 1) If used, dormers shall be modest in size and fit the scale of the commercial building and the roof form. The number and size of dormers shall be limited on a roof, such that the primary roof form remains prominent. Dormers shall be used with restraint, in keeping with the simple character of buildings in Park City.

- 2) Dormers shall be visually minimized from primary public right-of-way. Gabled, hipped, or shed dormers are appropriate for most structures and shall be in keeping with the character and scale of the structure.
- 3) Dormers shall be setback from the main wall of the building.
- 4) A new dormer shall be lower than the primary ridge line of the associated roof form and set in from the eave of the building.

i. Balconies and Roof Decks

- 1) New balconies and roof decks shall be visually subordinate to the new building and shall be minimally visible from the primary public right-of-way.
- 2) A new balcony shall be simple in design and compatible with the character of the Historic Districts. Simple wood and metal designs are appropriate for commercial structures. Heavy timber and plastics are inappropriate materials.
- 3) A roof deck shall be visually minimized when viewed from the primary public right-of-way. Consider minimalizing its visual appearance by hiding rooftop decks behind parapets and/or setting rooftop decks back from the primary façade.

j. Decks, Fire Escapes, and Exterior Staircases

- 1) Decks, fire escapes, and exterior staircases shall be constructed in inconspicuous areas where visually minimized from the primary public right-of-way, usually on the rear facade.
- 2) The visual impact of a deck, fire escape, or exterior staircase shall be minimized by limiting its size and scale. Introducing a deck, fire escape, or exterior staircase that visually detracts from the architectural character of the building, or substantially alters a site's proportion of built area to open space is not appropriate.
- 3) Decks, fire escapes, and related exterior steps and railings shall be constructed of materials and in styles that are compatible with the existing building.
- 4) Decking materials such as fiber cement or plastic-wood composite floor boards shall not be used unless they are made of a minimum of 50% recycled and/or reclaimed material.

k. Gutters and Downspouts

- 1) Downspouts shall be located away from architectural features and shall be visually minimized when viewed from the primary public right-of-way.

l. Architectural Features

- 1) Simple ornamental trim and decoration is in character with historic architectural ornamentation and is encouraged. Traditional locations for architectural ornamentation are porches and eaves. Other details like

eave depth, mullions, corner boards, and brackets that lend character to historic commercial buildings shall be considered.

1. Mechanical Systems, Utility Systems, and Service Equipment

- a. ~~B.2.15~~ Mechanical and/or utility equipment, including heating and air conditioning units, meters, and exposed pipes, should shall not be located on the back of the building, the roof, or another inconspicuous location primary façade (except as noted in Supplemental Guidelines main Street National Register Historic District). If equipment is located on a secondary façade it should be placed behind the midpoint or in a location that is not visible from the primary public right-of-way.
- b. ~~B.2.16~~ Ground-level equipment ~~should~~ shall be screened from view using landscape elements such as fences, low stone walls, or perennial plant materials.
- c. Low-profile rooftop mechanical units and elevator penthouses that are not visible from the primary public right-of-way shall be used. When this is not possible, rooftop equipment shall be set back or screened from all views. Placement of rooftop equipment shall be sensitive to views from upper floors of neighboring buildings.
- d. New communications equipment such as satellite dishes or antennae shall be visually minimized when viewed from the primary public right-of-way.
- e. Service equipment and trash containers shall be screened. Solid wood or masonry partitions or hedges shall be used to enclose trash areas.
- f. ~~B.2.17~~ Loading docks ~~should~~ shall be located and designed in order to minimize their visual impact.

2. Materials

- a. ~~B.2.5~~ Building materials should shall be compatible in scale, proportion, texture, finish and color to ~~those materials~~ used on Historic Sites Structures in the neighborhood Main Street Historic District. The dimensions of masonry units, wood siding, and other building materials shall be similar to those used historically.
- b. The primary siding material for new buildings shall appear similar to those on historic commercial structures in the Historic Districts. Historically, the most common material on primary structures was painted horizontal lap siding with a reveal between 6 to 8 inches. Secondary structures such as barns and sheds typically had siding of unpainted wood (horizontal lap or vertical board and batten) or corrugated metal panels.
- c. ~~B.2.6~~ Building materials shall be applied in the manner to that used historically. Typically, a hierarchy of building materials should be used, with heavier, more durable materials for foundations and more refined materials above foundations. Building materials, especially stone and masonry, should shall be used in the manner they were used historically.

- d. ~~B.2.7~~ Synthetic materials such as fiber cement or plastic-wood composite siding, shingles, and trim ~~should~~ shall not be used unless ~~1)~~ the materials are made of a minimum of 50% recycled and/or reclaimed materials and ~~2)~~ the applicant can demonstrate that use of the materials will not diminish the historic character of the neighborhood by providing a sample of the material to the Planning Department for approval. Vinyl and aluminum siding are not appropriate in the Historic District.
- e. If synthetic materials are proposed, the synthetic material shall have a similar appearance and profile to historic siding and trim materials. Synthetic materials shall be applied as traditional materials were historically; introducing artificial patterns is not appropriate.

3. Paint and Color

- a. Paint color is not regulated by the Design Guidelines.
- b. Original material such as brick and stone that are was historically left unpainted shall not be painted. Materials, such as wood, that are traditionally painted shall have an opaque rather than transparent finish.
- c. ~~B.2.12~~ Rustic unfinished wood siding is generally not appropriate on commercial buildings, but may be appropriate on accessory structures or additions to non-historic buildings. Exterior surfaces that are painted should have an opaque rather than A transparent or translucent weather-protective finish shall be applied to wood surfaces that were not historically painted.
- d. ~~B.2.14~~ When possible, Low-VOC (volatile organic compound) paints and finishes should be used when possible.

4. Additions to Existing Non-Historic Structures

- a. An addition shall complement the visual and physical qualities of the existing structure.
- b. An addition shall be visually subordinate to the existing building and shall be compatible with the scale of the historic buildings in the neighborhood. When the combined effects of the addition's footprint, height, mass, and scale are such that the overall size of the addition is larger than the existing structure, the volume of the addition shall be broken into modules that reflect the scale of those components seen on the existing structure. Multiple modules are encouraged to add articulation and architectural interest.
- c. Components and materials used on additions shall be similar in scale and size to those found on the existing structure.
- d. Windows, doors, and other features on a new addition shall be designed to be compatible with the existing building as well as adjacent and neighboring historic sites. Windows, doors, and other openings shall be of sizes and proportions similar to those found on the building as well as those found on historic structures in the Historic District. When using new window patterns and designs, those elements shall respect the typical historic character and

proportions of windows on adjacent and neighboring historic structures. Also, the solid-to-void relationships and detailing of an addition shall be compatible with the existing structure and with historic buildings in the Historic District.

5. Reconstruction of Non-Surviving Structures

- a. ~~C.1~~ Reconstruction of a documented but non-surviving historic structure that ~~once~~ existed in Park City is allowed when no existing building in Park City with the same historical significance has survived.
- b. ~~C.2~~ Reconstruction may be allowed when documentary and physical evidence is available to facilitate an accurate ~~re-creation~~ reconstruction.
- c. ~~C.3~~ Reconstruction ~~should~~ shall not be based on conjectural designs or on a combination of different features from other historic buildings.
- d. ~~C.4~~ Reconstruction ~~should~~ shall include recreating the documented design of exterior features such as the roof shape, architectural detailing, windows, entrances and porches, steps and doors, and their historic spatial relationships.
- e. ~~C.5~~ A reconstructed building ~~should~~ shall accurately duplicate the appearance of the non-surviving historic property in materials, design, color, and texture.
- f. ~~C.6~~ A reconstructed building ~~should~~ shall duplicate not only the building, but also the setting, placement, and orientation of the non-surviving structure.
- g. ~~C.7~~ A reconstruction ~~should~~ shall re-establish the historic relationship between the building or buildings and historic site features.
- h. ~~C.8~~ A building may not be reconstructed on a location other than its original site.

6. Supplemental Guidelines for New Commercial Sites and Structures

a. Compatibility and Complementary

“Compatible” and “Complementary” are terms often used in historic preservation to describe the relationship between historic structures and new infill construction. Many characteristics and features contribute to compatible and complementary design, which helps to ensure the preservation of Park City’s historic sites and districts. These include:

- Form
- Mass and scale
- Roof shapes
- Building height
- Height of floor elevations
- Setbacks
- Materials
- Repetition or rhythm of openings-to-solids
- Rhythm of entrances and/or porches
- Window and door sizes, proportions, and patterns
- Orientation of entrances
- Landscaping

b. Sustainability in New Residential and Commercial Infill Buildings

- 1) ~~I.2~~ Construction waste should be diverted from disposal when feasible.
- 2) Owners are encouraged to use eco-friendly materials that appear similar in scale, texture, and finish to those employed on Historic Structures. Eco-friendly materials include, but are not limited to, those that are locally manufactured, easy to maintain, durable, have a long life span, recyclable, and comprised of recycled or repurposed materials.
- 3) The arrangement of windows that are compatible with the historic context shall be arranged to maximize strategies for passive solar and day-lighting. Window patterns shall be consistent with the solid-to-void ratio seen on Historic buildings. The use of true divided light windows is preferred.
- 4) Green roofs may be used to provide thermal mass to help regulate interior temperatures and reduce the urban heat island effect. The visual impact of a green roof shall be limited to preserve the character of the Historic District. Green roofs shall be designed to not be visible from the primary public right-of-way and where a flat or low-pitched roof form is compatible with neighboring Historic structures. The height of the vegetation shall be limited so as not to overwhelm the character of the new infill building.
- 5) ~~I.3~~ Owners are encouraged to use sources of renewable energy—on- or offsite. ~~Photovoltaic cells be located on roofs such that they will be visually minimized when viewed from the primary public right-of-way and should be mounted flush with the roof. The following shall be met:~~
 - Solar energy systems may be located on the primary structure's roof only when located so as not to be visible from the public right-of-way, including side streets for corner lots.
 - Solar energy systems shall be sized to remain subordinate to the structure. Solar energy systems shall be mounted below the ridgeline on a sloping roof or behind a parapet of a flat roof to reduce visibility from the public right-of-way.
 - Solar energy systems on Accessory Structures shall be positioned to the side or rear of the main building to limit their visibility from the primary public right-of-way.
 - Solar energy systems may also be located on a free-standing structure in a rear or side yard, so long as it meets the required setbacks and heights for an Accessory Structure.

- Building-integrated solar energy systems are appropriate when the materials used are compatible with the new infill building, have proven durability, and their application does not detract from the historic character of the district.
- Wind turbines may be located on the primary structure's roof only when located so as not to be visible from the public right-of-way, including side streets for corner lots.
- Wind turbines shall be sized to remain subordinate to the structure.
- Wind turbines on Accessory Structures shall be positioned to the side or rear of the main building to limit their visibility from the primary public right-of-way.
- Wind turbines may also be located on a free-standing structure in a rear or side yard, so long as it meets the required setbacks and heights for an Accessory Structure.

c. ADA in New Residential and Commercial Infill Buildings

The Americans with Disabilities Act requires places of public accommodation to provide access to their services and programs. In the case of historic buildings, the goal is to achieve the highest level of accessibility with the lowest impact on the historic structure.

- 1) The appearance of accessibility ramps or elevators shall not significantly detract from the historic character of the Historic District. New or additional means of access shall be compatible with the new building and its setting.
- 2) Ramps or other accessibility-related installations shall be simple in design and as unobtrusive as possible. They shall be constructed of concrete or wood and painted in colors similar to that of the new building.

d. Exterior Lighting

- 1) ~~J.1~~ Exterior light fixtures ~~should~~ shall be compatible with the building's style, period and materials, but ~~should~~ shall also be down-directed and shielded.
- 2) ~~G.1 Exterior, building-mounted light fixtures should be compatible with the building's style and materials.~~
- 3) ~~G.2~~ Exterior lighting schemes ~~should~~ shall compliment the overall building and site design.
- 4) ~~G.3~~ Indirect lighting ~~should~~ shall be used to identify entrances and to illuminate signs.

- 5) Warm tones in energy efficient lighting shall be used as a proliferation of cool tones could alter the neighborhood character.
- 6) Security lighting shall be shielded from adjacent uses so as to prevent off-site glare.

e. Landscaping in Old Town

The following plant varieties are recommended for use in the Historic Districts and Historic Sites:

<u>Fruit Trees</u>	<u>Common Trees</u>	<u>Shrubs and bushes</u>	<u>Vines</u>	<u>Perennials</u>	<u>Plants</u>
<u>Plum,</u> <u>flowering and</u> <u>fruiting</u> <u>Pear Walnut</u> <u>Crabapple</u> <u>Service berry</u> <u>Elderberry</u> <u>Jonathan Gold</u> <u>Apple tree</u> <u>(and other cold</u> <u>varieties)</u> <u>Choke Cherry</u> <u>trees</u>	<u>Aspens¹</u> <u>White Fir</u> <u>Bolleana</u> <u>Popular¹</u> <u>Mountain</u> <u>Ash</u> <u>Maple</u> <u>Gambel</u> <u>Oak</u> <u>Scrub Oak</u> <u>Pinyon pine</u>	<u>Lilacs</u> <u>Harrison</u> <u>Yellow Rose</u> <u>Austrian</u> <u>Copper Rose</u> <u>Golden</u> <u>Current</u> <u>Alpine</u> <u>Currant</u> <u>Serviceberry</u> <u>Mountain</u> <u>Lover</u> <u>Dogwood</u> <u>Willow</u> <u>Junipers</u> <u>Cinnamon</u> <u>Fern</u>	<u>Hops</u> <u>Palmatis</u> <u>Virginia</u> <u>Creeper</u> <u>Trumpet vine</u> <u>Clematises</u> <u>Climbing</u> <u>Roses</u> <u>Rogosa</u> <u>Roses</u> <u>Silver Lace</u> <u>Sages</u> <u>Potentilla</u>	<u>White</u> <u>columbine</u> <u>Bluebells</u> <u>Dogtooth</u> <u>Violets</u> <u>Daffodils</u> <u>Daylily</u> <u>Squills</u>	<u>Sweet</u> <u>woodruff</u> <u>Bishop's</u> <u>weed</u> <u>Hostas</u>

¹ Use with discretion near building foundations, sidewalks and drives.

Exhibit B-- Definitions

Cool Roof: a type of roof that reflects and emits the sun's solar energy back to the sky instead of absorbing and transferring heat to the building below. The "coolness" is measured by two properties, solar reflectance and thermal emittance.



Planning Commission Staff Report

PLANNING DEPARTMENT

Subject: Land Management Code
Amendments to Historic Districts (LMC Chapter 15-2.1, 15-2.2, 15-2.3, 15-2.4, 15-2.5, and 15-2.6), Supplemental Regulations (LMC Chapter 15-4), Architectural Review (LMC Chapter 15-5-5) Architectural Design Guidelines, and Defined Terms (LMC Chapter 15-15)

Author: Laura Newberry, Planner

Application: PL-18-03895

Date: December 12, 2018

Type of Item: Legislative – LMC Amendments

Summary Recommendation

Staff recommends the Planning Commission review the proposed LMC amendments, open a public hearing and consider forwarding a positive recommendation to City Council on the Land Management Code (LMC) amendments to the Historic Districts (LMC Chapter 15-2.1, 15-2.2, 15-2.3, 15-2.4, 15-2.5, and 15-2.6), Supplemental Regulations (LMC Chapter 15-4), Architectural Review (LMC Section 15-5-5) Architectural Design Guidelines, and Defined Terms (LMC Chapter 15-15) as outlined in the Draft Ordinance.

Description

Project Name: Land Management Code (LMC) Amendments in Chapter 15-2.1 Historic Residential-Low Density (HRL) District, 15-2.2 Historic Residential (HR-1) District, 15-2.3 Historic Residential (HR-2) District, 15-2.4 Historic Residential-Medium Density (HRM) District, 15-2.5 Historic Recreation Commercial (HRC) District, 15-2.6 Historic Commercial Business (HCB) District, 15-4 Supplemental Regulations, 15-5-5 Architectural Design Guidelines, and 15-15 Defined Terms.

Applicant: Planning Department

Proposal: Revisions to the Land Management Code

Affected Land Management Code Chapters:

- 15-2.1 Historic Residential-Low Density (HRL)
- 15-2.2 Historic Residential (HR-1)
- 15-2.3 Historic Residential (HR-2)
- 15-2.4 Historic Residential-Medium Density (HRM)
- 15-2.5 Historic Recreation Commercial (HRC)
- 15-2.6 Historic Commercial Business (HCB)
- 15-4 Supplemental Regulations
- 15-5-5 Architectural Design Guidelines

Reason for Review: 15-15 Defined Terms
LMC Amendments require Planning Commission review, public hearing, and recommendation plus City Council review, public hearing, and final action

Background

The Planning Department recommends updating the Land Management Code to make the language and wording used in the Historic Districts more consistent and to codify regulations that are currently enforced through policy. Staff requests to amend the Historic Districts (§15-2.1, 15-2.2, 15-2.3, 15-2.4, 15-2.5, and 15-2.6) and Supplemental Regulations (§15-4) to clear up inconsistencies. Staff also requests to amend §15-5-5 to include vinyl as a generally inappropriate material in the Historic Districts and to include a maximum Solar Reflective Index (SRI) to measure reflectivity of metal materials on the exterior of buildings. Finally, staff requests to define two (2) additional terms within §15-15, Defined Terms.

On [November 7, 2018](#), the Historic Preservation Board unanimously forwarded a positive recommendation to Planning Commission to approve these LMC amendments.

Analysis

The following analyses give a brief overview of the proposed LMC Amendments:

Historic Districts

The primary goal of these revisions is to make the language in all Historic Districts more consistent and rearrange the content within each section to make them easier to navigate.

The first change staff proposes relates to the minimum Lot Size. The LMC currently requires a minimum Lot Area of 1,875 square feet for Single Family Dwellings in the HR-1 and HR-2 Districts. This lot size is based on the platted lot size of 25 feet by 75 feet, generating 1,875 square feet. The original Park City Survey platted the original town site into 25 by 75 foot lots in 1880; however, contemporary surveys have found that the lots are not always 25 feet by 75 feet in size. They are occasionally a few inches short. Staff finds that this difference in size is nominal and it is more appropriate for it be addressed administratively, rather than through a variance. For that reason, staff is proposing the following LMC amendment to provide some flexibility for those legally platted lots that no longer meet our minimum Lot Size requirements.

- A. **LOT SIZE.** The minimum Lot Area is 1,875 square feet for a Single Family Dwelling and 3,750 square feet for a Duplex. For properties platted as lots within the historic Park City Survey and originally platted as 25 foot wide 75 foot deep with a lot size of 1,875 square feet, the Planning Director may make a determination that the minimum Lot Size may be reduced up to 20 square feet if subsequent surveys find that the final lot dimensions are less than 25 feet by 75 feet. The Footprint shall be reduced in accordance with the Lot Size and no variation to setbacks will be allowed. The minimum width of a Lot is twenty five feet (25'), measured fifteen feet (15') back from the Front Lot Line. In

~~the case of unusual Lot configurations, Lot width measurements shall be determined by the Planning Director.~~

- B. **LOT WIDTH.** The minimum width of a Lot is twenty five feet (25'), measured fifteen feet (15') back from the Front Lot Line. In the case of unusual Lot configurations, Lot width measurements shall be determined by the Planning Director.

Additionally, Staff proposes to add language to the Side Setbacks for Corner Lots that will allow for a smaller Setback to be used on lots with a width less than 37.5 feet, but no Setback Exceptions will be allowed. Below is an example of the language proposed:

On Corner Lots, ~~the Side Yard that faces a Street or platted Right-of-Way is considered a Front Yard and~~ the minimum Side Setback ~~that faces a side Street or platted Right-of-Way~~ is five feet (5'). A three foot (3') Side Setback along the platted Right-of-Way is allowed when the Lot Width is less than 37.5 feet; no Side Setback exceptions shall be utilized when the Setback is three feet (3') along the Right-of-Way.

Many of the amendments will be added to all (applicable) sections. For example, staff proposes to clarify the Setback Exception for Window Wells in the Rear and Side Setbacks. The following language is an example of the proposed amendment:

Window wells not exceeding the minimum International Residential Code (IRC) requirements for egress or light wells may extend ~~ing~~ not more than four feet (4') into the Rear Setback. Should egress requirements be met within the building pad, no Rear Setback exception is permitted.

Another proposed change in all applicable zones is to clarify the patio exception in Setbacks. Many of the zones do not include a minimum distance from the Rear or Side Lot Lines. The following is an example of the proposed language:

Patios, decks, pathways, steps, or similar Structures not more than thirty inches (30") above Final Grade, located at least one foot (1') from the Rear Lot Line.

Staff is also proposing to add language to the Rear Setback Exceptions as well as the Parking Regulations that will allow for a Rear Setback Exception for a shared driveway. The following is an example of the proposed language:

One (1) private or Shared Driveway leading to a garage or approved Parking Area. See Parking Regulations for additional requirements.

~~Common driveways are~~ One (1) private or Shared Driveway is allowed along shared Side ~~or Rear~~ Lot Lines to provide Access to Parking in the rear of the Main Building or below Grade if both Properties are deed restricted to allow for the perpetual Use of the shared drive.

Another proposed amendment will affect the Development on Steep Slopes sections within the HRL, HR-1, and HR-2 Zones. Staff is proposing to allow Development on Steep Slopes of Lots of 3,750 square feet or less to be reviewed under an Administrative Conditional Use Permit (Admin CUP) instead of a full Conditional Use Permit (CUP). Lots with more than 3,750 square feet will still require a full Steep Slope Conditional Use Permit. An example of the proposed language is included below:

Development on Steep Slopes must be environmentally sensitive to hillside Areas, carefully planned to mitigate adverse effects on neighboring land and Improvements, and consistent with the Design Guidelines for Park City's Historic Districts and Historic Sites, and Chapter 5.

For the purpose of measuring Slope, the measurement shall include a minimum horizontal distance of fifteen feet (15') measured perpendicular to the contour lines on the certified topographic survey. The measurement shall quantify the steepest Slope within the Building Footprint and any Access driveway.

A. CONDITIONAL USE Steep Slope Determination

1. A Steep Slope Conditional Use permit or Administrative Conditional Use Permit is required for construction of any Structure with a Building Footprint in excess of two hundred square feet (200 sq. ft.) if said Building Footprint is located on or projecting over an existing Slope of thirty percent (30%) or greater.
2. A Steep Slope Conditional Use permit or Administrative Conditional Use Permit is required for construction of any addition to an existing Structure, when the Building Footprint of the addition is in excess of two hundred square feet (200 sq. ft.), if the Building Footprint of the addition is located on or projecting over an existing Slope of thirty percent (30%) or greater.
3. A Steep Slope Conditional Use permit or Administrative Conditional Use Permit is required for any Access driveway located on or projecting over an existing Slope of (30%) or greater.

B. Permits Required.

1. On Lots with 3,750 square feet or less, an Administrative Conditional Use Permit shall be processed by the Planning Department.
2. On Lots greater than 3,750 square feet, a Conditional Use Permit is required. The Planning Department shall review all Steep Slope Conditional Use permit Applications and forward a recommendation to the Planning Commission.

~~C. For the purpose of measuring Slope, the measurement shall include a minimum horizontal distance of fifteen feet (15') measured perpendicular to the contour lines on the certified topographic survey. The measurement shall quantify the steepest Slope within the Building Footprint and any Access driveway.~~

D. Conditional Use Permit Criteria

The Planning Commission may review Steep Slope Conditional Use permit Applications as Consent Calendar items. Steep Slope Conditional Use permit Applications shall be subject to the following criteria:

1. **LOCATION OF DEVELOPMENT.** Development is located and designed to reduce visual and environmental impacts of the Structure.
2. **VISUAL ANALYSIS.** The Applicant must provide the Planning Department with a visual analysis of the project from key Vantage Points:
 - a) To determine potential impacts of the proposed Access, and Building mass and design; and
 - b) To identify the potential for Screening, Slope stabilization, erosion mitigation, vegetation protection, and other design opportunities.
3. **ACCESS.** Access points and driveways must be designed to minimize Grading of the natural topography and to reduce overall Building scale. ~~Common driveways~~ Shared Driveways and Parking Areas, and side Access to garages are strongly encouraged, where feasible.
4. **TERRACING.** The project may include terraced retaining Structures if necessary to regain Natural Grade.
5. **BUILDING LOCATION.** Buildings, Access, and infrastructure must be located to minimize cut and fill that would alter the perceived natural topography of the Site. The Site design and Building Footprint must coordinate with adjacent Properties to maximize opportunities for open Areas and preservation of natural vegetation, to minimize driveway and Parking Areas, and to provide variation of the Front Yard.
6. **BUILDING FORM AND SCALE.** Where Building masses orient against the Lot's existing contours, the Structures must be stepped with the Grade and broken into a series of individual smaller components that are Compatible with the District. Low profile Buildings that orient with existing contours are strongly encouraged. The garage must be subordinate in design to the main Building. In order to decrease the perceived bulk of the Main Building, the Planning Director and/or Planning Commission may require a garage separate from the main Structure or no garage.
7. **SETBACKS.** The Planning Department and/or Planning Commission may require an increase in one or more Setbacks to minimize the creation of a "wall effect" along the Street front and/or the Rear Lot Line. The Setback variation will be a function of the Site constraints, proposed Building scale, and Setbacks on adjacent Structures.
8. **DWELLING VOLUME.** The maximum volume of any Structure is a function of the Lot size, Building Height, Setbacks, and provisions set

forth in this Chapter. The Planning Department and/or Planning Commission may further limit the volume of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing Structures.

9. **BUILDING HEIGHT (STEEP SLOPE).** The Zone Height in the HR-2 District is twenty-seven feet (27') and is restricted as stated above in Section 15-2.3-6. The Planning Department and/or Planning Commission may require a reduction in Building Height for all, or portions, of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between the proposed Structure and the historic character of the neighborhood's existing residential Structures.

Staff is also proposing to add a section, regarding Existing Historic Buildings and/or Structures, to the HCB Zone that exists in all other Historic Districts. Further, Staff is proposing to move all of the "Goods and Uses to be within Enclosed Building" Sections to LMC 15-4, Supplemental Regulations.

Finally, Staff is also proposing to correct scrivener errors (grammatical, spelling, etc.) as well as make the language more consistent throughout the Historic District zoning regulations.

Architectural Design Guidelines

On November 1, 2017, the Planning Department posted a policy regarding reflectivity of roofing materials. The purpose of the policy was to improve consistency of approvals on roofing materials. The policy stated that metal roofing with a Solar Reflective Index (SRI) rating greater than 35 will not be approved by the Planning Department.

The goal of the revisions is to promote Compatible additions and infill construction in the Historic Districts and to provide greater guidance in determining reflectivity of metal materials.

Staff recommends amending LMC 15-5-5(H) to list vinyl and untreated metal window frames as generally inappropriate materials in the Historic Districts (HRL, HR-1, HR-2, HRM, HRC, HCB) and on any site designated as Historic that is outside of the Historic Districts.

Staff is proposing to amend LMC 15-5-5 to include a maximum Solar Reflective Index (SRI) for metal siding and metal roofing.

The SRI rating is based on two measurements:

- Initial Solar Reflectance (IR) rating, this is the total solar energy that is reflected away from a surface. To be considered "cool," a roofing product must have an IR rating of 0.25 or greater.

- Thermal Emittance is the measure of a panel's ability to release heat that is absorbed.

Together, these two measurements comprise the SRI value. The higher the SRI value, the lower its surface temperature and consequently, the heat gain into the building. The higher SRI value will result in a reduced heat gain to the building, therefore reducing the energy demand. Metallic colors are generally not appropriate due to their reflectivity and high SRI values. Staff proposes amending the LMC to codify this policy for both metal siding materials (15-5-5(B)) and metal roofing materials (15-5-5(E)) and to include a requirement for roof materials to be neutral and earth-toned. Below is a list of sample SRI values for common roof colors.

Table 1: Sample SRI Values

Color	SRI Value
White	88
Bare Aluminum	72
Beige	53
Slate Gray	37
Terra Cotta	35
Evergreen	31
Charcoal Gray	28
Matte Black	26

Staff is reviewing the Night Sky Ordinance and plans to bring forward recommendations at a future meeting to amend the LMC to align better with the Ordinance.

Defined Terms LMC Amendments

The goal of these amendments is to define terms that are used within the zoning regulations that are not currently defined. These proposed amendments include adding the following definitions:

Shared Driveway. A single access way that is privately owned and maintained and provides access to two or more structures or off-street parking areas, which are located on individual lots.

Solar Reflective Index (SRI). A measure of the solar reflectance and emissivity of materials that can be used as an indicator of how hot they are likely to become when solar radiation is incident on their surface. The lower the SRI, the hotter a material is likely to become in the sunshine.

Staff has attached the complete Draft Ordinance as Exhibit 1.

Process

LMC amendments are processed according to LMC § 15-1-7. Amendments to the LMC require Planning Commission review and recommendation and City Council review and adoption. City Council final action may be appealed to a court of competent jurisdiction

per LMC § 15-1-18. A public hearing is required by both the Planning Commission and City Council, with proper notice.

Notice

Legal notice of a public hearing was posted in the required public spaces and public notice websites and published in the Park Record on November 24, 2018 and November 28, 2018, per requirements of the Land Management Code.

Public Input

Public hearings are required to be conducted by the Planning Commission and City Council prior to adoption of Land Management Code amendments. No public input has been received as of the date of publishing. No public input was provided at the Historic Preservation Board meeting on November 7, 2018.

Alternatives

- The Planning Commission may forward a positive recommendation to City Council for the proposed Land Management Code as presented or as amended at the meeting; or
- The Planning Commission may forward a negative recommendation to City Council to deny the proposed amendments; or
- The Planning Commission may continue the discussion to a date certain and provide direction to Staff regarding additional information, revisions, or analysis needed in order to take final action.

Summary Recommendation

Staff recommends the Planning Commission review the proposed LMC amendments, open a public hearing and consider forwarding a positive recommendation to City Council on the Land Management Code (LMC) amendments to the Historic Districts (LMC 15-2.1, 15-2.2, 15-2.3, 15-2.4, 15-2.5, and 15-2.6), Supplemental Regulations (LMC 15-4), Architectural Review (LMC 15-5-5) Architectural Design Guidelines, and Defined Terms (LMC 15-15) as outlined in the Draft Ordinance.

Exhibits

Exhibits

Exhibit 1 – Draft Ordinance

- Exhibit A – LMC § 15-2.1 Historic Residential-Low Density (HRL)
- Exhibit B – LMC § 15-2.2 Historic Residential (HR-1)
- Exhibit C – LMC § 15-2.3 Historic Residential (HR-2)
- Exhibit D – LMC § 15-2.4 Historic Residential-Medium Density (HRM)
- Exhibit E – LMC § 15-2.5 Historic Recreation Commercial (HRC)
- Exhibit F – LMC § 15-2.6 Historic Commercial Business (HCB)
- Exhibit G – LMC § 15-4 Supplemental Regulations
- Exhibit H – LMC § 15-5-5 Architectural Design Guidelines
- Exhibit I – LMC § 15-15 Defined Terms

Exhibit A – Draft Ordinance

Ordinance 18-

AN ORDINANCE AMENDING THE LAND MANAGEMENT CODE OF PARK CITY, UTAH, AMENDING CHAPTERS 15-2.1 HISTORIC RESIDENTIAL-LOW DENSITY (HRL) DISTRICT, 15-2.2 HISTORIC RESIDENTIAL (HR-1) DISTRICT, 15-2.3 HISTORIC RESIDENTIAL (HR-2) DISTRICT, 15-2.4 HISTORIC RESIDENTIAL-MEDIUM DENSITY (HRM) DISTRICT, 15-2.5 HISTORIC RECREATION COMMERCIAL (HRC) DISTRICT, 15-2.6 HISTORIC COMMERCIAL BUSINESS (HCB) DISTRICT, 15-4 SUPPLEMENTAL REGULATIONS, 15-5-5 ARCHITECTURAL DESIGN GUIDELINES, AND 15-15 DEFINED TERMS

WHEREAS, the Land Management 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, the Land Management Code implements the goals, objectives and policies of the Park City 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 proposed Land Management Code (LMC) amendments enhance the design standards to maintain aesthetic experience of Park City; and

WHEREAS, these proposed Land Management Code (LMC) amendments were reviewed for consistency with the Park City General Plan; and

WHEREAS, the Planning Commission duly noticed and conducted public hearings at the regularly scheduled meetings on December 12, 2018 and forwarded a recommendation to City Council; and

WHEREAS, the City Council duly noticed and conducted a public hearing at its regularly scheduled meeting on January 15, 2019; and

WHEREAS, it is in the best interest of the residents of Park City, Utah to amend the Land Management 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, activity and success of the ski resort base area; to ensure compatible development; and to preserve the community's unique character.

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

SECTION 1. APPROVAL OF AMENDMENTS TO TITLE 15 - Land Management Code Section 15-2.1 Historic Residential-Low Density (HRL) District. The recitals above are incorporated herein as findings of fact. Section 15-2.1 of the Land Management Code of Park City is hereby amended as redlined in Exhibit A.

SECTION 2. APPROVAL OF AMENDMENTS TO TITLE 15 - Land Management Code Section 15-2.2 Historic Residential (HR-1) District. The recitals above are incorporated herein as findings of fact. Section 15-2.2 of the Land Management Code of Park City is hereby amended as redlined in Exhibit B.

SECTION 3. APPROVAL OF AMENDMENTS TO TITLE 15 - Land Management Code Section 15-2.3 Historic Residential (HR-2) District. The recitals above are incorporated herein as findings of fact. Section 15-2.3 of the Land Management Code of Park City is hereby amended as redlined in Exhibit C.

SECTION 4. APPROVAL OF AMENDMENTS TO TITLE 15 - Land Management Code Section 15-2.4 Historic Residential-Medium Density (HRM) District. The recitals above are incorporated herein as findings of fact. Section 15-2.4 of the Land Management Code of Park City is hereby amended as redlined in Exhibit D.

SECTION 5. APPROVAL OF AMENDMENTS TO TITLE 15 - Land Management Code Section 15-2.5 Historic Recreation Commercial (HRC) District. The recitals above are incorporated herein as findings of fact. Section 15-2.5 of the Land Management Code of Park City is hereby amended as redlined in Exhibit E.

SECTION 6. APPROVAL OF AMENDMENTS TO TITLE 15 - Land Management Code Section 15-2.6 Historic Commercial Business (HCB) District. The recitals above are incorporated herein as findings of fact. Section 15-2.6 of the Land Management Code of Park City is hereby amended as redlined in Exhibit F.

SECTION 7. APPROVAL OF AMENDMENTS TO TITLE 15 - Land Management Code Section 15-4 Supplemental Regulations. The recitals above are incorporated herein as findings of fact. Section 15-4 of the Land Management Code of Park City is hereby amended as redlined in Exhibit G.

SECTION 8. APPROVAL OF AMENDMENTS TO TITLE 15 - Land Management Code Section 15-5-5 Architectural Design Guidelines. The recitals above are incorporated herein as findings of fact. Section 15-5-5 of the Land Management Code of Park City is hereby amended as redlined in Exhibit H.

SECTION 9. APPROVAL OF AMENDMENTS TO TITLE 15 - Land Management Code Section 15-15 Defined Terms. The recitals above are incorporated herein as

findings of fact. Section 15-15 of the Land Management Code of Park City is hereby amended as redlined in Exhibit I.

SECTION 12. EFFECTIVE DATE. This Ordinance shall be effective upon publication.

PASSED AND ADOPTED this ____ day of _____, 2019

PARK CITY MUNICIPAL CORPORATION

Andy Beerman, Mayor

Attest:

City Recorder

Approved as to form:

Mark Harrington, City Attorney

Exhibits

- Exhibit A – LMC § 15-2.1 Historic Residential-Low Density (HRL) District
- Exhibit B – LMC § 15-2.2 Historic Residential (HR-1) District
- Exhibit C – LMC § 15-2.3 Historic Residential (HR-2) District
- Exhibit D – LMC § 15-2.4 Historic Residential-Medium Density (HRM) District
- Exhibit E – LMC § 15-2.5 Historic Recreation Commercial (HRC) District
- Exhibit F – LMC § 15-2.6 Historic Commercial Business (HCB) District
- Exhibit G – LMC § 15-4 Supplemental Regulations
- Exhibit H – LMC § 15-5-5 Architectural Design Guidelines
- Exhibit I – LMC § 15-15 Defined Terms

Exhibit 1 – LMC § 15-2.1 Historic Residential-Low Density (HRL)

15-2.1 Historic Residential-Low Density (HRL) District

15-2.1-1 Purpose

15-2.1-2 Uses

15-2.1-3 Lot And Site Requirements

15-2.1-4 Existing Historic Buildings and/or Structures

15-2.1-5 Building Height

15-2.1-6 Development On Steep Slopes

15-2.1-7 Parking Regulations

15-2.1-8 Architectural Review

15-2.1-9 Vegetation Protection

15-2.1-10 Signs

15-2.1-11 Related Provisions

15-2.1-1 Purpose

The purpose of the Historic Residential Low-Density (HRL) District is to:

- A. reduce density that is accessible only by substandard Streets so these Streets are not impacted beyond their reasonable carrying capacity,
- B. provide an Area of lower density Residential Use within the old portion of Park City,
- C. preserve the character of Historic residential Development in Park City,
- D. encourage the preservation of Historic Buildings and/or Structures,
- E. encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District, and maintain existing residential neighborhoods.
- F. establish Development review criteria for new Development on Steep Slopes which mitigate impacts to mass and scale and the environment, and
- G. define Development parameters that are consistent with the General Plan policies for the Historic core.

HISTORY

Adopted by Ord. [00-15](#) on 3/2/2000

Ame15-2nded by Ord. [09-14](#) on 4/9/2009

15-2.1-2 Uses

A. ALLOWED USES.

- 1. Single Family Dwelling
- 2. Home Occupation
- 3. Child Care, In-Home Babysitting
- 4. Child Care, Family¹
- 5. Child Care, Family Group¹
- 6. Accessory Building and Use
- 7. Conservation Activity
- 8. Agriculture
- 9. Residential Parking Area or Structure with four (4) or fewer spaces

B. CONDITIONAL USES.

1. Nightly Rentals²
2. Lockout Unit
3. Accessory Apartment³
4. Child Care Center¹
5. Essential Municipal and Public Utility Use, Facility, Service and Structure
6. Telecommunication Antenna⁴
7. Satellite dish greater than thirty-nine inches (39") in diameter⁵
8. Residential Parking Area or Structure five (5) or more spaces
9. Temporary Improvement⁶
10. Passenger Tramway Station and Ski Base Facility⁷
11. Ski Tow Rope, Ski Lift, Ski Run, and Ski Bridge⁶
12. Recreation Facility, Private
13. Fences greater than six feet (6') in height from Final Grade^{5,8}

C. **PROHIBITED USES.** Any Use not listed above as an Allowed or Conditional Use is a prohibited Use.

¹See LMC Chapter 15-4-9 for Child Care Regulations

²Conditional Use Permit allowed only in the West sub-neighborhood located south of platted 2nd Avenue, west of Upper Norfolk and Daly Avenues, and east of King Road. No Nightly Rentals are allowed elsewhere in this Zoning District.

³See LMC Chapter 15-4-7, Supplemental Regulations for Accessory Apartments

⁴See LMC Chapter 15-4-14, Telecommunications Facilities

⁵See LMC Chapter 15-4-13, Satellite Receiving Antennas

⁶Subject to Administrative or Administrative Conditional Use permit, see LMC Chapter 15-4.

⁷See LMC Chapter 15-4-18, Passenger Tramways and Ski-Base Facilities

⁸See LMC Chapter 15-4-2, Fences and Walls

HISTORY

Adopted by Ord. [00-15](#) on 3/2/2000

Amended by Ord. [06-56](#) on 7/27/2006

Amended by Ord. [09-10](#) on 3/5/2009

Amended by Ord. [15-35](#) on 10/12/2015

Amended by Ord. [15-44](#) on 11/5/2015

15-2.1-3 Lot And Site Requirements

Except as may otherwise be provided in this Code, no Building Permit shall be issued for a Lot unless such Lot has the Area, width, and depth as required, and Frontage on a Street shown as a ~~City Street~~ private or Public Street on the Streets Master Plan, or on a private easement connecting the Lot to a Street shown on the Streets Master Plan.

~~Minimum Lot and Site requirements are as follows: All Development activity must comply with the following minimum Lot and Site requirements:~~

- A. **LOT SIZE.** The minimum Lot Area is 3,750 square feet. ~~The minimum width of a Lot is thirty-five feet (35'), measured fifteen feet (15') back from the Front Lot Line. In the case of unusual Lot configurations, Lot width measurements shall be determined by the Planning Director.~~

- B. **LOT WIDTH.** The minimum width of a Lot is thirty-five feet (35'), measured fifteen feet (15') back from the Front Lot Line. In the case of unusual Lot configurations, Lot width measurements shall be determined by the Planning Director.
- C. **BUILDING ENVELOPE (HRL DISTRICT)**. The Building Pad, Building Footprint, and height restrictions define the maximum Building Envelope in which all Development must occur, with exceptions as allowed by Section 15-2.1-3(~~CD~~).
- D. **BUILDING PAD (HRL DISTRICT)**. The Building Pad is the Lot Area minus required Front, Rear and Side Setback Areas.
1. The Building Footprint must be within the Building Pad. The remainder of the Building Pad must be open and free of any other Structure except:
 - a. Porches or decks, with or without roofs;
 - b. At Grade patios;
 - c. Upper level decks, with or without roofs;
 - d. Bay Windows;
 - e. Chimneys;
 - f. Sidewalks, pathways, and steps;
 - g. Screened hot tubs; and
 - h. Landscaping.
 2. Exceptions to the Building Pad Area, excluding Bay Windows, are not included in the Building Footprint calculations, and are subject to Planning Department approval based on a determination that the proposed exceptions result in a design that:
 - a. provides increased architectural interest consistent with the Historic District Design Guidelines;
 - b. maintains the intent of this section to provide horizontal and vertical Building articulation.
- E. **BUILDING FOOTPRINT (HRL DISTRICT)**. The maximum Building Footprint of any Structure shall be located on a Lot, or combination of Lots, not exceeding 18,750 square feet in Lot Area, shall be calculated according to the following formula for Building Footprint, illustrated in Table 15-2.1. The maximum Building Footprint for any Structure located on a Lot or combination of Lots, exceeding 18,750 square feet in Lot Area, shall be 4,500 square feet; with an exemption allowance of 400 square feet per dwelling unit for garage floor area. A Conditional Use Permit is required for all Structures with a proposed footprint of greater than 3,500 square feet.

Accessory Buildings listed on the Park City Historic ~~Structures~~ Sites Inventory that are not expanded, enlarged or incorporated into the Main Building, shall not count in the total Building Footprint of the Lot.

$$\text{MAXIMUM FP} = (A/2) \times 0.9^{A/1875}$$

Where FP = maximum Building Footprint and A = Lot Area.

Example: 3,750 sq. ft. Lot: $(3,750/2) \times 0.9^{(3750/1875)} = 1,875 \times 0.81 = 1,519$ sq. ft.

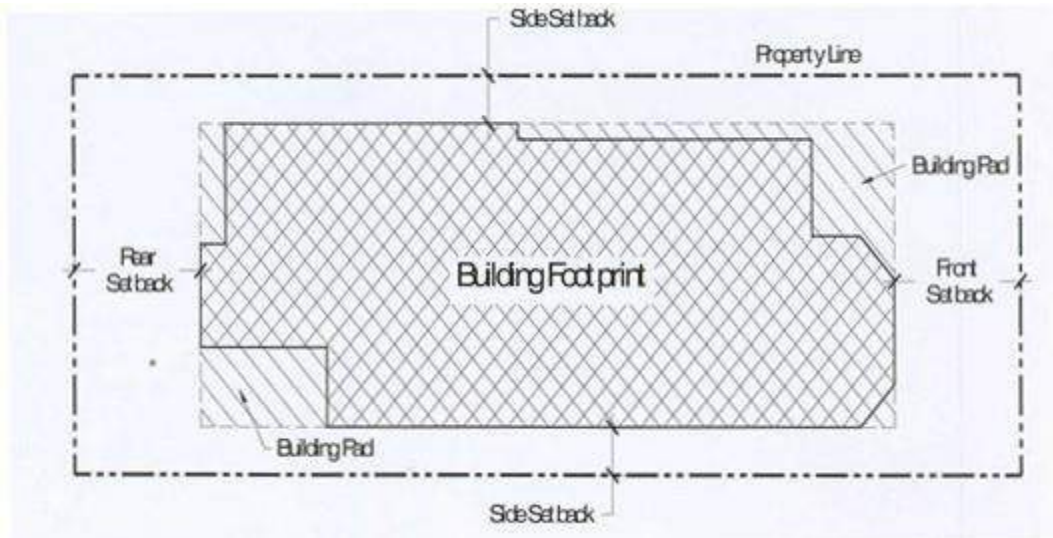
See the following Table 15-2.1. for a schedule equivalent of this formula.

TABLE 15-2.1.

Lot Depth <= ft. **	Lot Width, ft. up to:-	Side Setbacks Min. Total		Lot Area Sq. ft.	Bldg. Pad Sq. ft.	Max. Bldg. Footprint Sq. ft.
75 ft.	37.5*	3 ft.	6 ft.	2,813	1,733	1,201
75 ft.	50.0	5 ft.	10 ft.	3,750	2,200	1,519
75 ft.	62.5	5 ft.	14 ft.	4,688	2,668	1,801
75 ft.	75.0	5 ft.	18 ft.	5,625	3,135	2,050
75 ft.	87.5	10 ft.	24 ft.	6,563	3,493	2,269
75 ft.	100.0	10 ft.	24 ft.	7,500	4,180	2,460
75 ft.	Greater than 100.0	10 ft.	30 ft.	Greater than 7,500	Per Setbacks and Lot Area	Per Formula

* for existing 25' wide lots, Use HR-1 standards.

** for lots > 75' in depth use Footprint formula and Table 15-2.1a for Front and Rear Setbacks.



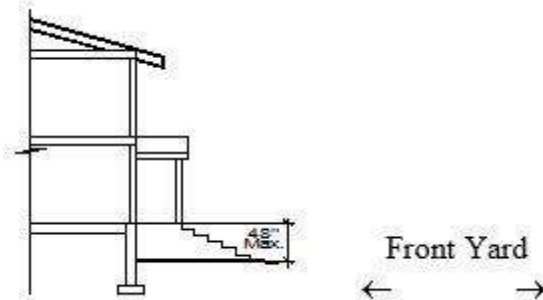
F. **FRONT AND REAR SETBACKS.** Front and Rear Setbacks are as follows:

TABLE 15-2.1a

Lot Depth	Minimum Front/Rear Setback	Total of Setback
Up to 75 ft., inclusive	10 ft.	20 ft.
From 75 ft. to 100 ft.	12 ft.	25 ft.
Over 100 ft.	15 ft.	30 ft.

G. **FRONT SETBACK EXCEPTIONS.** The Front Yard must be open and free of any Structure except:

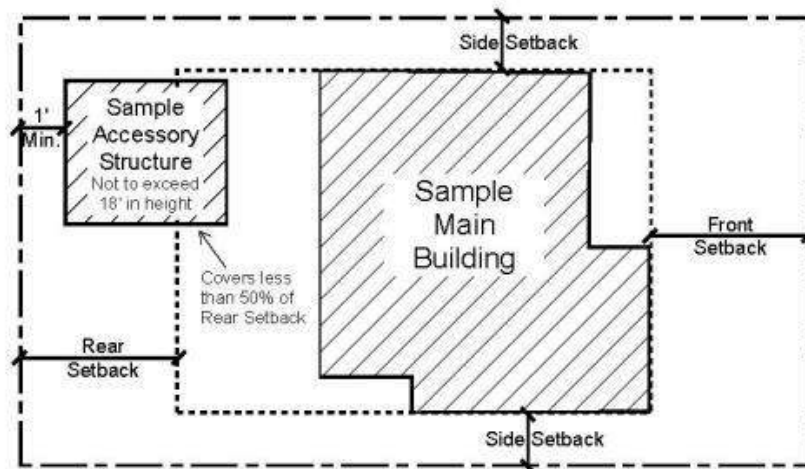
1. Fences and walls not more than four feet (4') in height, or as permitted in Section 15-4-2 Fences and Walls. On Corner Lots, Fences more than three feet (3') in height are prohibited within twenty-five feet (25') of the intersection, at back of curb.
2. Uncovered steps leading to the Main Building, provided the steps are not more than four feet (4') in height from Final Grade, not including any required handrail, and do not cause any danger or hazard to traffic by obstructing the view of the Street or intersection.



3. Decks, porches, or Bay Windows not more than ten feet (10') wide, and projecting not more than three feet (3') into the Front Setback.
4. Roof overhangs, eaves, or cornices projecting not more than three feet (3') into the Front Setback.
5. Sidewalks and pathways.
6. Driveways leading to a garage or Parking Area. No portion of a Front Yard, except for patios, driveways, allowed Parking Areas and sidewalks, may be Hard-Surfaced or graveled.

H. **REAR SETBACK EXCEPTIONS.** The Rear Setback must be open and free of any Structure except:

1. Bay Windows not more than ten feet (10') wide, and projecting not more than two feet (2') into the Rear Setback.
2. Chimneys not more than five feet (5') wide, and projecting not more than two feet (2') into the Rear Setback.
3. Window wells not exceeding the minimum International Residential Code (IRC) or International Building Code (IBC) requirements for egress or light wells may extending not more than four feet (4') into the Rear Setback. Should egress requirements be met within the building pad, no Rear Setback exception is permitted.
4. Roof overhangs or eaves projecting not more than two feet (2') into the Rear Setback.
5. Window sills, belt courses, cornices, trim, exterior siding, or other ornamental features projecting not more than six inches (6") ~~into the Rear Setback~~ beyond the main Structure to which they are attached.
6. Detached Accessory Buildings not more than eighteen feet (18') in height, and including any free-standing Solar Energy Systems, located a minimum of five feet (5') behind the ~~front facade~~ Front Façade of the Main Building, and maintaining a minimum Rear Setback of one foot (1'). Such Structure must not cover over fifty percent (50%) of the Rear Setback. See the following illustration:



7. A Hard-Surfaced Parking Areas subject to the same location requirements as a Detached Accessory Building.
8. Mechanical equipment (which must be screened), hot tubs, or similar Structures, located at least three feet (3') from the Rear Lot Line.
9. Fences, walls and retaining walls not more than six feet (6') in height, ~~or walls~~ as permitted in Section 15-4-2 ~~Fences and Walls~~.
10. Patios, decks, pathways, steps, or similar Structures not more than thirty inches (30") above Final Grade, located at least one foot (1') from the Rear Lot Line.
11. Pathways or Steps connecting to a City staircase or pathway.
12. One (1) private or Shared Driveway leading to a garage or approved Parking Area. See Section 15-2.1-7 Parking Regulations for additional requirements.

I. **SIDE SETBACKS**. Side Setbacks are as follows:

TABLE 15-2.1b

<u>Lot Depth <= ft.</u>	<u>Lot Width, ft. up to:</u>	<u>Side Setbacks Min. Total</u>	
<u>75 ft.</u>	<u>37.5*</u>	<u>3 ft.</u>	<u>6 ft.</u>
<u>75 ft.</u>	<u>50.0</u>	<u>5 ft.</u>	<u>10 ft.</u>
<u>75 ft.</u>	<u>62.5</u>	<u>5 ft.</u>	<u>14 ft.</u>
<u>75 ft.</u>	<u>75.0</u>	<u>5 ft.</u>	<u>18 ft.</u>
<u>75 ft.</u>	<u>87.5</u>	<u>10 ft.</u>	<u>24 ft.</u>
<u>75 ft.</u>	<u>100.0</u>	<u>10 ft.</u>	<u>24 ft.</u>
<u>75 ft.</u>	<u>Greater than 100.0</u>	<u>10 ft.</u>	<u>30 ft.</u>

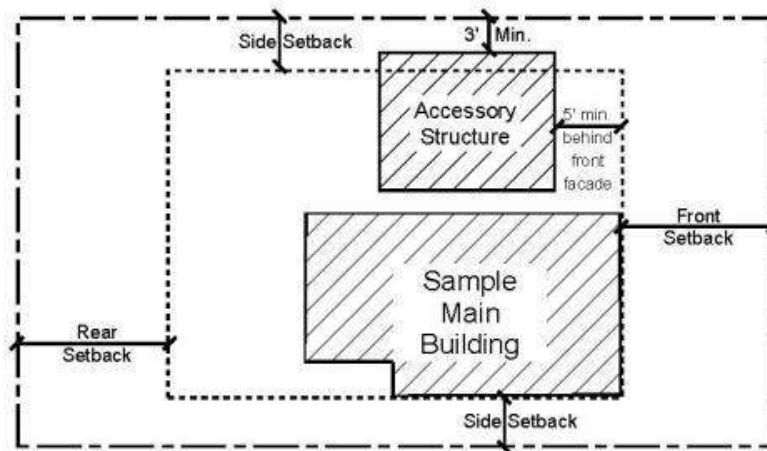
* for existing 25' wide lots, Use HR-1 standards.

1. ~~The minimum Side Setback is three feet (3'), but increases for Lots greater than thirty seven and one half feet (37.5') in Width, as per Table 15-2.1.above.~~
2. On Corner Lots, the ~~Side Yard that faces a Street or platted Right-of-Way is considered a Front Yard and~~ the minimum Side Setback that faces a side Street or platted Right-of-Way is five feet (5'). A three foot (3') Side Setback along the platted Right-of-Way is allowed when the Lot Width is less than 37.5 feet; no Side Setback exceptions shall be utilized when the Setback is three feet (3') along the Right-of-Way.

J. **SIDE SETBACK EXCEPTIONS.** The Side Setback must be open and free of any Structure except:

1. Bay Windows not more than ten feet (10') wide, and projecting not more than two feet (2') into the Side Setback.
2. Chimneys not more than five feet (5') wide, and projecting not more than two feet (2') into the Side Setback.
3. Window wells not exceeding the minimum International Residential Code (IRC) or International Building Code (IBC) requirements for egress or light wells projecting may extend not more than four feet (4') into the Side Setback. ⁺ Only permitted on Lots with a Side Setback of five feet (5') or greater. Should egress requirements be met within the building pad, this Side Setback exception is not permitted.
4. Roof overhangs or eaves projecting not more than two feet (2') into the Side Setback on Lots with a Side Setback of five feet (5') or greater. A one foot (1') eave overhang is permitted on Lots with a Side Setback less than five feet (5').⁺
5. Window sills, belt courses, trim, exterior siding, cornices, or other ornamental features projecting not more than six inches (6") ~~into the Side Setback~~ beyond the main Structure to which they are attached.
6. Patios, decks, pathways, steps, or similar Structures not more than thirty inches (30") in height from Final Grade, located at least one foot (1') from the Side Lot Line.
7. Fences, walls and retaining walls not more than six feet (6') in height, ~~or walls~~ as permitted in Section 15-4-2 ~~Fences and Walls.~~
8. ~~A driveway~~ One (1) private or Shared Driveway leading to a garage or approved Parking Area. See Section 15-2.1-7 Parking Regulations for additional requirements.
9. Pathways or steps connecting to a City staircase or pathway.
10. Detached Accessory Buildings, not more than eighteen feet (18') in height, and including any free-standing Solar Energy Systems, located a minimum of five feet (5') behind the ~~front~~ Front Facade of the Main Building, maintaining a minimum

Side Setback of three feet (3'). See the following illustration:



11. Mechanical equipment ~~(which must be screened)~~, hot tubs, or similar Structures, which must be Screened and located at least three feet (3') from the Side Lot Line.
- K. **SNOW RELEASE**. Site plans and Building designs must resolve snow release issues to the satisfaction of the Chief Building Official.
- L. **CLEAR VIEW OF INTERSECTION**. No visual obstruction in excess of two feet (2') in height above road Grade shall be placed on any Corner Lot within the Site Distance Triangle. A reasonable number of trees may be allowed, if pruned high enough to permit automobile drivers an unobstructed view. This provision must not require changes in the Natural Grade on the Site.

~~[†]Applies only to Lots with a Side Setback of five feet (5') or greater.~~

HISTORY

Adopted by Ord. [00-15](#) on 3/2/2000

Amended by Ord. [06-56](#) on 7/27/2006

Amended by Ord. [15-35](#) on 10/12/2015

Amended by Ord. [2018-27](#) on 5/31/2018

Amended by Ord. [2018-43](#) on 7/19/2018

15-2.1-4 Existing Historic Buildings and/or Structures

Historic Buildings and/or Structures that do not comply with Building Footprint, Building Height, Building Setbacks, Off-Street parking, and driveway location standards are valid Non-Complying Structures. Additions must comply with Building Setbacks, Building Footprint, driveway location standards and Building Height. Additions to Historic Buildings and/or Structures are exempt from Off-Street parking requirements provided the addition does not create a Lockout Unit or Accessory Apartment. ~~Additions must comply with Building Setbacks, Building Footprint, driveway location standards and Building Height.~~ All Conditional Uses

proposed on the Site, excluding Development on a Steep Slope, shall comply with parking requirements of Chapter 15-3.

- A. **EXCEPTION.** In order to achieve new construction consistent with the Historic District Design Guidelines, the Planning Commission may grant an exception to the Building Setback and driveway location standards for additions to Historic Buildings, including detached single car Garages:
1. Upon approval of a Conditional Use permit, and
 2. When the scale of the addition and/or driveway is Compatible with the Historic Building and/or Structure, and
 3. When the addition complies with all other provisions of this Chapter, and
 4. When the addition complies with the adopted Building and Fire Codes, and
 5. When the addition complies with the Design Guidelines for Historic Districts and Sites.

HISTORY

Adopted by Ord. 00-15 on 3/2/2000

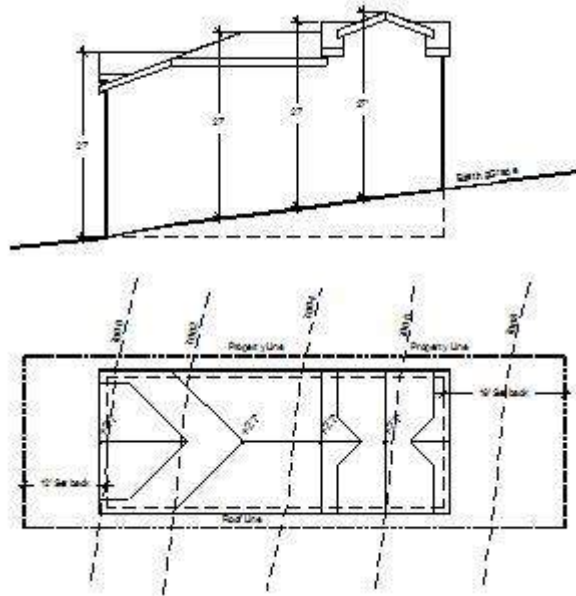
Amended by Ord. 2016-44 on 9/15/2016

15-2.1-5 Building Height

No Structure shall be erected to a height greater than twenty-seven feet (27') from Existing Grade. This is the Zone Height. Final Grade must be within four vertical feet (4') of Existing Grade around the periphery of the Structure, except for the placement of approved window wells, emergency egress, and a garage entrance. The following height requirement must be met:

- A. A Structure shall have a maximum height of thirty five feet (35') measured from the lowest floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters.
- B. A ten foot (10') minimum horizontal step in the downhill façade is required unless the First Story is located completely under the finish grade on all sides of the Structure. The horizontal step shall take place at a maximum height of twenty three feet (23') from where the Building Footprint meets the lowest point of existing Grade. Architectural features, that provide articulation to the upper story façade setback, may encroach into the minimum ten foot (10') setback but shall be limited to no more than twenty five percent (25%) of the width of the building encroaching no more than four feet (4') into the setback, subject to compliance with the Design Guidelines for Historic Sites and Historic Districts.
- C. **ROOF PITCH.** The roof pitch of a Structure's Contributing Roof Form shall be between seven: twelve (7:12) and twelve: twelve (12:12) and shall occupy a minimum horizontal distance of 20 feet measured from the primary façade to the rear of the building, as viewed from the primary public right-of-way. Secondary Roof Forms may be below the required 7:12 roof pitch and located on the primary façade (such as porches, bay window roofs, etc).

1. Secondary Roof Forms may be Rooftop Decks so long as they are not more than 23 feet in height above Finished Grade. This height includes any railings, parapets, stairs, and similar constructions on the Roof Deck.
2. The height of railings, parapets, stairs, and similar constructions on a Green Roof or Flat Roof are included in the calculation of Building Height. Decks, hot tubs, outdoor cooking areas, and seating areas are not permitted on Green Roofs. Green Roofs must be vegetated.
3. A Structure containing a flat roof shall have a maximum height of thirty-five feet (35') measured from the lowest floor plan to the highest wall top plate that supports the ceiling joists or roof rafters. The height of the Green Roof, including the parapets or similar features shall not exceed twenty four inches (24") above the highest top plate mentioned above. Any required railings for a Green Roof shall comply with Building Height.



4. Accessory Structures may be below the required seven: twelve (7:12) roof pitch.

D. BUILDING HEIGHT EXCEPTIONS. The following height exceptions apply:

1. Antennas, chimneys, flues, vents, or similar Structures, may extend up to five feet (5') above the highest point of the Building to comply with International Building Code (IBC) requirements.
2. Water towers, mechanical equipment, and Solar Energy Systems, when Screened or enclosed, may extend up to five feet (5') above the height of the Building. See LMC 15-5-5(G)(7)(a).
3. **ELEVATOR ACCESS.** The Planning Director may allow additional height to allow for an elevator compliant with American Disability Act (ADA) standards. The Applicant must verify the following:

- a. The proposed height exception is only for the Area of the elevator. No increase in square footage of the Building is being achieved.
 - b. The proposed option is the only feasible option for the elevator on the Site.
 - c. The proposed elevator and floor plans comply with the American Disability Act (ADA) standards.
4. **GARAGE ON DOWNHILL LOT.** The Planning Commission may allow additional Building Height (see entire Section 15-2.1-5) on a downhill Lot to accommodate a single car wide garage in a Tandem Parking configuration; to accommodate circulation, such as stairs and/or an ADA elevator; and to accommodate a reasonably sized front entry area and front porch that provide a Compatible streetscape design. The depth of the garage may not exceed the minimum depth for internal Parking Space(s) as dimensioned within this Code, Section 15-3. The additional Building Height may not exceed thirty-five feet (35') from Existing Grade.

HISTORY

Adopted by Ord. [00-15](#) on 3/2/2000

Amended by Ord. [06-56](#) on 7/27/2006

Amended by Ord. [09-10](#) on 3/5/2009

Amended by Ord. [09-14](#) on 4/9/2009

Amended by Ord. [09-40](#) on 11/5/2009

Amended by Ord. [13-48](#) on 11/21/2013

Amended by Ord. [2016-44](#) on 9/15/2016

Amended by Ord. [2017-59](#) on 11/9/2017

Amended by Ord. [2018-27](#) on 5/31/2018

15-2.1-6 Development On Steep Slopes

Development on Steep Slopes must be environmentally sensitive to hillside Areas, carefully planned to mitigate adverse effects on neighboring land and Improvements, and consistent with the Design Guidelines for Park City's Historic Districts and Historic Sites and Chapter 5.

For the purpose of measuring Slope, the measurement shall include a minimum horizontal distance of fifteen feet (15') measured perpendicular to the contour lines on the certified topographic survey. The measurement shall quantify the steepest Slope within the Building Footprint and any Access driveway.

A. ~~CONDITIONAL USE~~ Steep Slope Determination

1. A Steep Slope Conditional Use permit or Administrative Conditional Use Permit is required for construction of any Structure with a Building Footprint in excess of two hundred square feet (200 sq. ft.) if said Building Footprint is located on or projecting over an existing Slope of thirty percent (30%) or greater.
2. A Steep Slope Conditional Use permit or Administrative Conditional Use Permit is required for construction of any addition to an existing Structure, when the Building Footprint of the addition is in excess of two hundred square feet (200 sq. ft.), if the Building Footprint of the addition is located on or projecting over an existing Slope of thirty percent (30%) or greater.

3. A Steep Slope Conditional Use permit or Administrative Conditional Use Permit is required for any Access driveway located on or projecting over an existing Slope of (30%) or greater.

B. Permits Required.

1. On Lots with 3,750 square feet or less, an Administrative Conditional Use Permit shall be processed by the Planning Department.
2. On Lots greater than 3,750 square feet, a Conditional Use Permit is required. The Planning Department shall review all Steep Slope Conditional Use permit Applications and forward a recommendation to the Planning Commission.

~~C. For the purpose of measuring Slope, the measurement shall include a minimum horizontal distance of fifteen feet (15') measured perpendicular to the contour lines on the certified topographic survey. The measurement shall quantify the steepest Slope within the Building Footprint and any Access driveway.~~

D. Conditional Use Permit Criteria

~~The Planning Department shall review all Steep Slope Conditional Use permit Applications and forward a recommendation to the Planning Commission.~~ The Planning Commission may review Steep Slope Conditional Use permit Applications as Consent Calendar items. Steep Slope Conditional Use permit Applications shall be subject to the following criteria:

1. **LOCATION OF DEVELOPMENT.** Development is located and designed to reduce visual and environmental impacts of the Structure.
2. **VISUAL ANALYSIS.** The Applicant must provide the Planning Department with a visual analysis of the project from key Vantage Points:
 - a. To determine potential impacts of the proposed Access, and Building mass and design; and
 - b. To identify the potential for Screening, Slope stabilization, erosion mitigation, vegetation protection, and other design opportunities.
3. **ACCESS.** Access points and driveways must be designed to minimize Grading of the natural topography and to reduce overall Building scale. Common driveways Shared Driveways and Parking Areas, and side Access to garages are strongly encouraged, where feasible.
4. **TERRACING.** The project may include terraced retaining Structures if necessary to regain Natural Grade.
5. **BUILDING LOCATION.** Buildings, Access, and infrastructure must be located to minimize cut and fill that would alter the perceived natural topography of the Site. The Site design and Building Footprint must coordinate with adjacent Properties to maximize opportunities for open Areas and preservation of natural vegetation, to minimize driveway and Parking Areas, and to provide variation of

the Front Yard.

6. **BUILDING FORM AND SCALE.** Where Building masses orient against the Lot's existing contours, the Structures must be stepped with the Grade and broken into a series of individual smaller components that are Compatible with the District. Low profile Buildings that orient with existing contours are strongly encouraged. The garage must be subordinate in design to the main Building. In order to decrease the perceived bulk of the Main Building, the Planning Director and/or Planning Commission may require a garage separate from the main Structure or no garage.
7. **SETBACKS.** The Planning Director and/or Planning Commission may require an increase in one or more Setbacks to minimize the creation of a "wall effect" along the Street front and/or the Rear Lot Line. The Setback variation will be a function of the Site constraints, proposed Building scale, and Setbacks on adjacent Structures.
8. **DWELLING VOLUME.** The maximum volume of any Structure is a function of the Lot size, Building Height, Setbacks, and provisions set forth in this Chapter. The Planning Director and/or Planning Commission may further limit the volume of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing Structures.
9. **BUILDING HEIGHT (STEEP SLOPE).** The Zone Height in the HRL District is twenty-seven feet (27') and is restricted as stated above in Section 15-2.1-5. The Planning Director and/or Planning Commission may require a reduction in Building Height for all, or portions, of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and the Historic character of the neighborhood's existing residential Structures.

HISTORY

Adopted by Ord. [00-15](#) on 3/2/2000

Amended by Ord. [06-56](#) on 7/27/2006

Amended by Ord. [09-10](#) on 3/5/2009

Amended by Ord. [09-14](#) on 4/9/2009

Amended by Ord. [15-35](#) on 10/12/2015

Amended by Ord. [2016-44](#) on 9/15/2016

15-2.1-7 Parking Regulations

- A. Tandem Parking is allowed in the Historic District.
- B. ~~Common driveways are~~ One (1) private or Shared Driveway is allowed along shared Side or Rear Lot Lines to provide Access to Parking in the rear of the Main Building or below Grade if both Properties are deed restricted to allow for the perpetual Use of the shared drive.
- C. Common Parking Structures are allowed as a Conditional Use where it facilitates:
 1. the Development of individual Buildings that more closely conform to the scale of Historic Buildings and/or Structures in the District; and

2. the reduction, mitigation or elimination of garage doors at the Street edge.
- D. A common Parking Structure may occupy below Grade Side Yards between participating Developments if the Structure maintains all Setbacks above Grade. Common Parking Structures [requiring a Conditional Use Permit](#) are subject to a Conditional Use review, Chapter 15-1-10.
- E. Driveways between Structures are allowed in order to eliminate garage doors facing the Street, to remove cars from on-Street parking, and to reduce paved Areas, provided the driveway leads to an approved garage or Parking Area.
- F. Turning radii are subject to review by the City Engineer as to function and design.
- G. See Section 15-3 Off Street Parking for additional parking requirements.

HISTORY

Adopted by Ord. [00-15](#) on 3/2/2000

Amended by Ord. [06-56](#) on 7/27/2006

Amended by Ord. [09-10](#) on 3/5/2009

15-2.1-8 Architectural Review

Prior to issuance of a Building Permit for any Conditional or Allowed Use, the Planning Department shall review the proposed plans for compliance with the Design Guidelines for Historic Districts and Historic Sites, Historic Preservation LMC Chapter 15-11, and Architectural Review LMC Chapter 15-5.

Appeals of departmental actions on compliance with the Design Guidelines for Historic Districts and Historic Sites, LMC Chapter 15-11, and LMC Chapter 15-5 are heard by the Board of Adjustment as outlined in Section 15-1-18 of the Code.

HISTORY

Adopted by Ord. [00-15](#) on 3/2/2000

Amended by Ord. [06-56](#) on 7/27/2006

Amended by Ord. [09-23](#) on 7/9/2009

Amended by Ord. [15-53](#) on 12/17/2015

15-2.1-9 Vegetation Protection

The Property Owner must protect Significant Vegetation during any Development activity. Significant Vegetation includes large trees six inches (6") in diameter or greater measured four and one-half feet (4½') above the ground, groves of smaller trees, or clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more measured at the drip line.

Development plans must show all Significant Vegetation within twenty feet (20') of a proposed Development. The Property Owner must demonstrate the health and viability of all large trees through a certified arborist. The Planning Director shall determine the Limits of Disturbance and may require mitigation for loss of Significant Vegetation consistent with Landscape Criteria in LMC Chapter 15-3-3 and Title 14.

HISTORY

Adopted by Ord. [00-15](#) on 3/2/2000

Amended by Ord. [06-56](#) on 7/27/2006

15-2.1-10 Signs

Signs are allowed in the HRL District as provided in the Park City Sign Code, Title 12.

HISTORY

Adopted by Ord. [00-15](#) on 3/2/2000

15-2.1-11 Related Provisions

- Fences and Walls.
- LMC Chapter 15-4-2.
- Accessory Apartment. LMC Chapter 15-4-7.
- Satellite Receiving Antenna. LMC Chapter 15-4-13.
- Telecommunication Facility. LMC Chapter 15-4-14.
- Parking. LMC Chapter 15-3.
- Landscaping. Title 14; LMC Chapter 15-3-3(D).
- Lighting. LMC Chapters 15-3-3(C), 15-5-5(I).
- Historic Preservation. LMC Chapter 15-11.
- Park City Sign Code. Title 12.
- Architectural Review. LMC Chapter 15-5.
- Snow Storage. LMC Chapter 15-3-3(E)
- Parking Ratio Requirements. LMC Chapter 15-3-6.

HISTORY

Adopted by Ord. [00-15](#) on 3/2/2000

Exhibit 2 – LMC § 15-2.2 Historic Residential (HR-1)

15-2.2 Historic Residential (HR-1) District

15-2.2-1 Purpose

15-2.2-2 Uses

15-2.2-3 Lot And Site Requirements

15-2.2-4 Existing Historic Buildings and/or Structures

15-2.2-5 Building Height

15-2.2-6 Development On Steep Slopes

15-2.2-97 Criteria For Bed And Breakfast Inns

15-2.2-78 Parking Regulations

15-2.2-89 Architectural Review

15-2.2-9 Criteria For Bed And Breakfast Inns

15-2.2-10 Vegetation Protection

15-2.2-11 Signs

15-2.2-12 Related Provisions

15-2.2-1 Purpose

The purpose of the Historic Residential HR-1 District is to:

- A. preserve present land Uses and character of the Historic residential Areas of Park City,
- B. encourage the preservation of Historic Building and/or Structures,
- C. encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods,
- D. encourage single family Development on combinations of 25' x 75' Historic Lots,
- E. define Development parameters that are consistent with the General Plan policies for the Historic core, and
- F. establish Development review criteria for new Development on Steep Slopes which mitigate impacts to mass and scale and the environment.

HISTORY

Adopted by Ord. 00-15 on 3/2/2000

Amended by Ord. 09-14 on 4/9/2009

15-2.2-2 Uses

Uses in the HR-1 District are limited to the following:

A. **ALLOWED USES.**

- 1. Single Family Dwelling
- 2. Lockout Unit¹
- 3. Nightly Rental¹
- 4. Home Occupation
- 5. Child Care, In-Home Babysitting²

6. Child Care, Family²
7. Child Care, Family Group²
8. Accessory Building and Use
9. Conservation Activity
10. Agriculture
11. Residential Parking Area or Structure, with four (4) or fewer spaces

B. CONDITIONAL USES.

1. Duplex Dwelling
2. Guest House on Lots one (1) acre or greater
3. Secondary Living Quarters
4. Accessory Apartment³
5. Group Care Facility
6. Child Care Center
7. Public and Quasi-Public Institution, church and school
8. Essential Municipal and Public Utility Use, Facility, Service, and Structure
9. Telecommunication Antenna⁴
10. Satellite Dish, greater than thirty-nine inches (39") diameter⁵
11. Bed and Breakfast Inn⁶
12. Boarding House, hostel⁶
13. Hotel, Minor, (fewer than sixteen (16) rooms)⁶
14. Residential Parking Area or Structure with five (5) or more spaces.
15. Temporary Improvement⁷
16. Passenger Tramway Station and Ski Base Facility⁸
17. Ski Tow, Ski Lift, Ski Run, and Ski Bridge⁸
18. Recreation Facility, Private
19. Fences greater than six feet (6') in height from Final Grade^{7,9}

C. PROHIBITED USES. Any Use not listed above as an Allowed or Conditional Use is a prohibited Use.

¹Nightly Rental of a Lockout Unit requires a Conditional Use permit

²See LMC Chapter 15-4-9 for Child Care Regulations

³See LMC Chapter 15-4, Supplemental Regulations for Accessory Apartments

⁴See LMC Chapter 15-4-14, Supplemental Regulations for Telecommunication Facilities

⁵See LMC Chapter 15-4-13, Supplemental Regulations for Satellite Receiving Antennas

⁶In Historic Buildings and/or Structures only. Parking requirements of Chapter 15-3 shall apply.

⁷Subject to Administrative or Administrative Conditional Use permit

⁸See LMC Chapter 15-4-18, Passenger Tramways and Ski-Base Facilities

⁹See LMC Chapter 15-4-2, Fences and Walls

HISTORY

Adopted by Ord. [00-15](#) on 3/2/2000

Amended by Ord. [06-56](#) on 7/27/2006

Amended by Ord. [07-25](#) on 4/19/2007

Amended by Ord. [09-10](#) on 3/5/2009

Amended by Ord. [15-35](#) on 10/12/2015

15-2.2-3 Lot And Site Requirements

Except as may otherwise be provided in this Code, no Building Permit shall be issued for a Lot unless such Lot has the Area, width, and depth as required, and Frontage on a Street shown as a private or Public Street on the Streets Master Plan, or on a private easement connecting the Lot to a Street shown on the Streets Master Plan.

~~Minimum Lot and Site requirements are as follows:~~ All Development activity must comply with the following minimum Lot and Site requirements:

- A. **LOT SIZE.** The minimum Lot Area is 1,875 square feet for a Single Family Dwelling and 3,750 square feet for a Duplex. ~~For properties platted as lots within the historic Park City Survey and originally platted as 25 foot wide 75 foot deep with a lot size of 1,875 square feet, the Planning Director may make a determination that the minimum Lot Size may be reduced up to 20 square feet if subsequent surveys find that the final lot dimensions are less than 25 feet by 75 feet. The Footprint shall be reduced in accordance with the Lot Size and no variation to setbacks will be allowed. The minimum width of a Lot is twenty five feet (25'), measured fifteen feet (15') back from the Front Lot Line. In the case of unusual Lot configurations, Lot width measurements shall be determined by the Planning Director.~~
- B. **LOT WIDTH.** ~~The minimum width of a Lot is twenty five feet (25'), measured fifteen feet (15') back from the Front Lot Line. In the case of unusual Lot configurations, Lot width measurements shall be determined by the Planning Director.~~
- C. **BUILDING ENVELOPE (HR-1 DISTRICT).** The Building Pad, Building Footprint and height restrictions define the maximum Building envelope within which all Development must occur, with exceptions as allowed by Section 15-2.2-3(C).
- D. **BUILDING PAD (HR-1 DISTRICT).** The Building Pad is the Lot Area minus required Front, Rear, and Side Setback Areas.
 - 1. The Building Footprint must be within the Building Pad. The Building Pad must be open and free of any other Structure except:
 - a. Porches or decks with or without roofs;
 - b. At Grade patios;
 - c. Upper level decks, with or without roofs;
 - d. Bay Windows;
 - e. Chimneys;
 - f. Sidewalks, pathways, and steps;
 - g. Screened hot tubs; and
 - h. Landscaping.
 - 2. Exceptions to the Building Pad Area, excluding Bay Windows, are not included in the Building Footprint calculations, and are subject to Planning Director approval based on a determination that the proposed exceptions result in a design that:

- a. provides increased architectural interest consistent with the Historic District Design Guidelines;
- b. maintains the intent of this section to provide horizontal and vertical Building articulation.

E. BUILDING FOOTPRINT (HR-1 DISTRICT). The maximum Building Footprint of any Structure located on a Lot or combination of Lots, not exceeding 18,750 square feet in Lot Area, shall be calculated according to the following formula for Building Footprint, illustrated in Table 15-2.2. The maximum Building Footprint for any Structure located on a Lot or combination of Lots, exceeding 18,750 square feet in Lot Area, shall be 4,500 square feet; with an exemption allowance of 400 square feet, per Dwelling Unit, for garage floor area. A Conditional Use permit is required for all Structures with a proposed footprint of greater than 3,500 square feet.

Accessory Buildings listed on the Park City Historic ~~Structures~~ Sites Inventory that are not expanded, enlarged or incorporated into the Main Building, shall not count in the total Building Footprint of the Lot.

$$\text{MAXIMUM FP} = (A/2) \times 0.9^{A/1875}$$

Where FP = maximum Building Footprint and A= Lot Area.

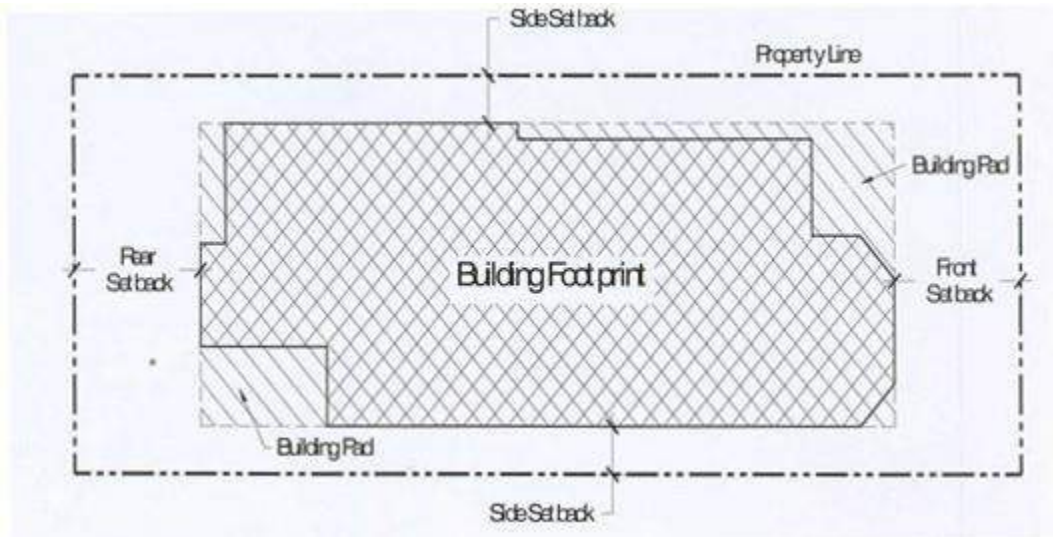
Example: 3,750 sq. ft. lot: $(3,750/2) \times 0.9^{(3750/1875)} = 1,875 \times 0.81 = 1,519$ sq. ft.

~~See the following Table 15-2.2. for a schedule equivalent of this formula.~~

TABLE 15-2.2

Lot Depth ≤/- ft. *	Lot Width, ft. up to:-	Side Setback Min. Total		Lot Area Sq. ft.-	Bldg. Pad Sq. ft.	Max. Bldg. Footprint Sq. ft.
75 ft.	25.0	3 ft.	6 ft.	1,875	1,045	844
75 ft.	37.5	3 ft.	6 ft.	2,813	1,733	1,201
75 ft.	50.0	5 ft.	10 ft.	3,750	2,200	1,519
75 ft.	62.5	5 ft.	14 ft.	4,688	2,668	1,801
75 ft.	75.0	5 ft.	18 ft.	5,625	3,135	2,050
75 ft.	87.5	10 ft.	24 ft.	6,563	3,493	2,269
75 ft.	100.0	10 ft.	24 ft.	7,500	4,180	2,460
75 ft.	Greater than 100.0	10 ft.	30 ft.	Greater than 75 ft.	Per Setbacks and Lot Area	Per Formula

~~* For Lots > 75' in depth use footprint formula and Table 15-2.2a for Front and Rear Setbacks.~~



F. **FRONT AND REAR SETBACKS.** Front and Rear Setbacks are as follows:

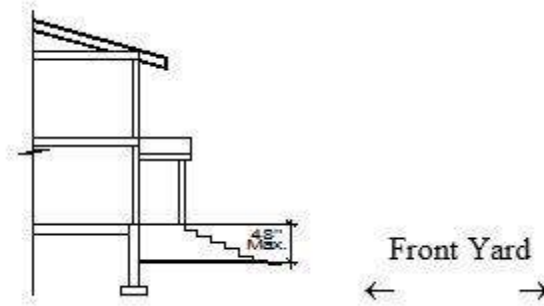
TABLE 15-2.2a

Lot Depth	Minimum Front/Rear Setback	Total of Setbacks
Up to 75 ft., inclusive	10 ft.	20 ft.
From 75 ft. to 100 ft.	12 ft.	25 ft.
Over 100 ft.	15 ft.	30 ft.

G. **FRONT SETBACK EXCEPTIONS.** The Front Setback must be open and free of any Structure except:

1. Fences or walls not more than four feet (4') in height, or as permitted in Section 15-4-2, Fences and Walls. On Corner Lots, Fences more than three feet (3') in height are prohibited within twenty-five feet (25') of the intersection, at back of curb.
2. Uncovered steps leading to the Main Building; provided the steps are not more than four feet (4') in height from Final Grade, not including any required handrail, and do not cause any danger or hazard to traffic by obstructing the view of the

Street or intersection.

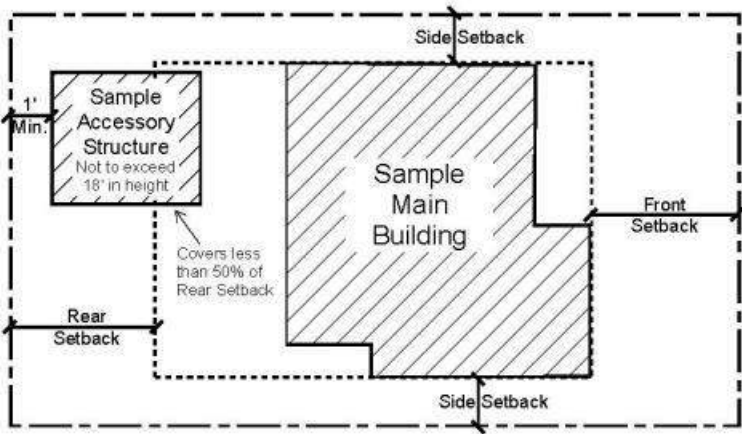


3. Decks, porches, or Bay Windows not more than ten feet (10') wide, and projecting not more than three feet (3') into the Front Setback.
4. Roof overhangs, eaves or cornices projecting not more than three feet (3') into the Front Setback.
5. Sidewalks and pathways.
6. Driveways leading to a Garage or Parking Area. No portion of a Front Yard, except for patios, driveways, allowed Parking Areas and sidewalks, may be Hard-Surfaced or graveled.

H. **REAR SETBACK EXCEPTIONS.** The Rear Setback must be open and free of any Structure except:

1. Bay Windows not more than ten feet (10') wide, and projecting not more than two feet (2') into the Rear Setback.
2. Chimneys not more than five feet (5') wide, and projecting not more than two feet (2') into the Rear Setback.
3. Window wells not exceeding the minimum International Residential Code (IRC) or International Building Code (IBC) requirements for egress or light wells may extending not more than four feet (4') into the Rear Setback. Should egress requirements be met within the building pad, no Rear Setback exception is permitted.
4. Roof overhangs or eaves projecting not more than two feet (2') into the Rear Setback.
5. Window sills, belt courses, cornices, trim, exterior siding, or other ornamental features projecting not more than six inches (6") into the Rear Setback beyond the main Structure to which they are attached.
6. Detached Accessory Buildings, not more than eighteen feet (18') in height, and including any free-standing Solar Energy Systems, located a minimum of five feet

(5') behind the ~~front facade~~ **Front Façade** of the Main Building, and maintaining a minimum Rear Setback of one foot (1'). Such Structure must not cover over fifty percent (50%) of the Rear Setback. See the following illustration:



7. A Hard-Surfaced Parking Area subject to the same location requirements as a Detached Accessory Building.
8. Mechanical equipment (which must be screened), hot tubs, or similar Structures, located at least three feet (3') from the Rear Lot Line.
9. Fences, walls, and retaining walls not more than six feet (6') in height, or walls as permitted in Section 15-4-2, ~~Fences and Walls~~.
10. Patios, decks, pathways, steps, or similar Structures not more than thirty inches (30") above Final Grade, located at least one foot (1') from the Rear Lot Line.
11. Pathways or steps connecting to a City staircase or pathway.
12. One (1) private or Shared Driveway leading to a garage or approved Parking Area. See Section 15-2.2-8 Parking Regulations for additional requirements.

I. **SIDE SETBACKS.**

TABLE 15-2.2b

<u>Lot Depth </= ft.</u>	<u>Lot Width, ft. up to:</u>	<u>Side Setback Min. Total</u>	
<u>75 ft.</u>	<u>25.0</u>	<u>3 ft.</u>	<u>6 ft.</u>
<u>75 ft.</u>	<u>37.5</u>	<u>3 ft.</u>	<u>6 ft.</u>
<u>75 ft.</u>	<u>50.0</u>	<u>5 ft.</u>	<u>10 ft.</u>

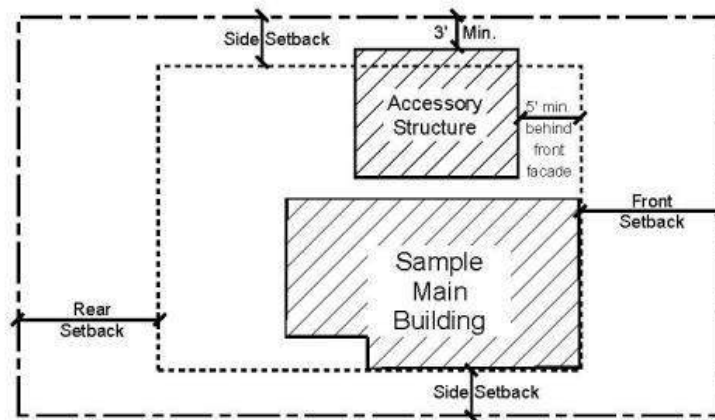
<u>75 ft.</u>	<u>62.5</u>	<u>5 ft.</u>	<u>14 ft.</u>
<u>75 ft.</u>	<u>75.0</u>	<u>5 ft.</u>	<u>18 ft.</u>
<u>75 ft.</u>	<u>87.5</u>	<u>10 ft.</u>	<u>24 ft.</u>
<u>75 ft.</u>	<u>100.0</u>	<u>10 ft.</u>	<u>24 ft.</u>
<u>75 ft.</u>	<u>Greater than 100.0</u>	<u>10 ft.</u>	<u>30 ft.</u>

- ~~1. The minimum Side Setback is three feet (3'), but increases for Lots greater than thirty seven and one half feet (37.5') in Width, as per Table 15-2.2. above.~~
 2. On Corner Lots, the minimum Side Setback that faces a side Street or platted Right-of-Way is five feet (5'). A three foot (3') Side Setback along the platted Right-of-Way is allowed when the Lot Width is less than 37.5 feet; no Side Setback exceptions shall be utilized when the Setback is three feet (3') along the Right-of-Way.
 3. A Side Setback between connected Structures is not required where Structures are designed with a common wall on a Property Line, each Structure is located on an individual Lot, the Lots are burdened with a party wall agreement in a form approved by the City Attorney and Chief Building Official, all applicable Building and Fire Code requirements are met, and the Use is an Allowed or Conditional Use in the Zoning District.
 - a. Exterior Side Setbacks shall be based on the required minimum Side Setback for each Lot; however the Planning Commission may consider increasing exterior Side Setbacks during Conditional Use Permit review to mitigate potential impacts on adjacent Property. Side Setback exceptions continue to apply.
 - b. Building Footprint shall be based on the total lot Area of the underlying Lots. The Planning Commission may consider decreasing Building Footprint during Conditional Use Permit review to mitigate potential impacts on adjacent Property.
- J. **SIDE SETBACK EXCEPTIONS.** The Side Setback must be open and free of any Structure except:
1. Bay Windows not more than ten feet (10') wide, and projecting not more than two feet (2') into the Side Setback.⁺ Only permitted on Lots with a Side Setback of five feet (5') or greater.
 2. Chimneys not more than five feet (5') wide, and projecting not more than two feet (2') into the Side Setback.⁺ Only permitted on Lots with a Side Setback of five

feet (5') or greater.

3. Window wells not exceeding the minimum International Residential Code (IRC) or International Building Code (IBC) requirements for egress or light wells may extend~~ing~~ not more than four feet (4') into the Side Setback⁺ Only permitted on Lots with a Side Setback of five feet (5') or greater. Should egress requirements be met within the building pad, no Side Setback exception is permitted.
4. Roof overhangs or eaves projecting not more than two feet (2') into the Side Setback on Lots with a Side Setback of five feet (5') or greater. A one foot (1') roof or eave overhang is permitted on Lots with a Side Setback of less than five feet (5').⁺
5. Window sills, belt courses, trim, cornices, exterior siding, or other ornamental features projecting not more than six inches (6") ~~into the Rear Setback~~ beyond the main Structure to which they are attached.
6. Patios, decks, pathways, steps, or similar Structures not more than thirty inches (30") in height above Final Grade, located at least one foot (1') from the Side Lot Line.
7. Fences, walls, or retaining walls not more than six feet (6') in height, as permitted in Section 15-4-2, ~~Fences and Walls.~~
8. One (1) private or Shared Driveways leading to a garage or approved Parking Area. See Section 15-2.2-8 Parking Regulations for additional requirements.
9. Pathways or steps connecting to a City staircase or pathway.
10. Detached Accessory Buildings, not more than eighteen feet (18') in height, and including any free-standing Solar Energy Systems, located a minimum of five feet (5') behind the Front ~~façade~~ Façade of the Main Building, maintaining a minimum

Side Setback of three feet (3'). See the following illustration:



11. Mechanical equipment (which must be screened), hot tubs, or similar Structures, located at least three feet (3') from the Side Lot Line.

- K. **SNOW RELEASE**. Site plans and Building designs must resolve snow release issues to the satisfaction of the Chief Building Official.
- L. **CLEAR VIEW OF INTERSECTION**. No visual obstruction in excess of two feet (2') in height above road Grade shall be placed on any Corner Lot within the Site Distance Triangle. A reasonable number of trees may be allowed, if pruned high enough to permit automobile drivers an unobstructed view. This provision must not require changes in the Natural Grade on the Site.

[†]~~Applies only to Lots with a minimum Side Setback of five feet (5').~~

HISTORY

Adopted by Ord. [00-15](#) on 3/2/2000

Amended by Ord. [06-56](#) on 7/27/2006

Amended by Ord. [09-10](#) on 3/5/2009

Amended by Ord. [15-35](#) on 10/12/2015

Amended by Ord. [2016-44](#) on 9/15/2016

Amended by Ord. [2018-27](#) on 5/31/2018

Amended by Ord. [2018-43](#) on 7/19/2018

15-2.2-4 Existing Historic Buildings and/or Structures

Historic **Buildings and/or Structures** that do not comply with Building Footprint, Building Height, Building Setbacks, Off-Street parking, and driveway location standards are valid **Non-Complying Structures**. **Additions must comply with Building Setbacks, Building Footprint, driveway location standards and Building Height**. Additions to Historic **Buildings and/or Structures** are exempt from Off-Street parking requirements provided the addition does not create a Lockout Unit or **Accessory Apartment**. ~~Additions must comply with Building Setbacks,~~

~~Building Footprint, driveway location standards and Building Height.~~ All Conditional Uses proposed on the Site, ~~excluding Development on a Steep Slope,~~ shall comply with parking requirements of Chapter 15-3.

- A. **EXCEPTION.** In order to achieve new construction consistent with the Historic District Design Guidelines, the Planning Commission may grant an exception to the Building Setback and driveway location standards for additions to Historic Buildings, including detached single car Garages:
1. Upon approval of a Conditional Use permit, and
 2. When the scale of the addition and/or driveway is Compatible with the Historic Building and/or Structure, and
 3. When the addition complies with all other provisions of this Chapter, and
 4. When the addition complies with the adopted Building and Fire Codes, and
 5. When the addition complies with the Design Guidelines for Historic Districts and Sites.

HISTORY

Adopted by Ord. [00-15](#) on 3/2/2000

Amended by Ord. [06-56](#) on 7/27/2006

Amended by Ord. [07-25](#) on 4/19/2007

Amended by Ord. [2016-44](#) on 9/15/2016

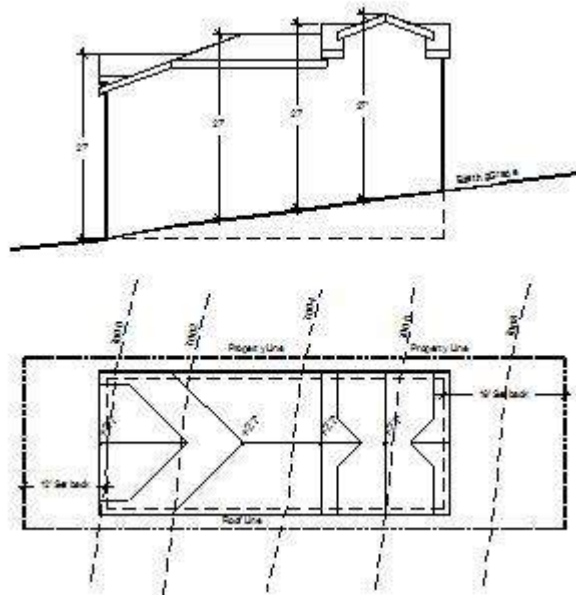
15-2.2-5 Building Height

No Structure shall be erected to a height greater than twenty-seven feet (27') from Existing Grade. This is the Zone Height. Final Grade must be within four vertical feet (4') of Existing Grade ~~around the periphery of the Structure~~, except for the placement of approved window wells, emergency egress, and a garage entrance. The following height requirements must be met:

- A. A Structure shall have a maximum height of thirty five feet (35') measured from the lowest finish floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters.
- B. A ten foot (10') minimum horizontal step in the downhill façade is required unless the First Story is located completely under the finish Grade on all sides of the Structure. The horizontal step shall take place at a maximum height of twenty three feet (23') from where the Building Footprint meets the lowest point of existing Grade. Architectural features, that provide articulation to the upper story façade setback, may encroach into the minimum ten foot (10') setback but shall be limited to no more than twenty five percent (25%) of the width of the building encroaching no more than four feet (4') into the setback, subject to compliance with the Design Guidelines for Historic Sites and Historic Districts.
- C. **ROOF PITCH.** The roof pitch of a Structure's Contributing Roof Form shall be between seven: twelve (7:12) and twelve: twelve (12:12) and shall occupy a minimum horizontal distance of 20 feet measured from the primary façade to the rear of the building, as viewed from the primary public right-of-way. Secondary Roof Forms may be below the

required 7:12 roof pitch and located on the primary façade (such as porches, bay window roofs, etc).

1. Secondary Roof Forms may be Rooftop Decks so long as they are not more than 23 feet in height above Finished Grade. This height includes any railings, parapets, stairs, and similar constructions on the Roof Deck.
2. The height of railings, parapets, stairs, and similar constructions on a Green Roof or Flat Roof are included in the calculation of Building Height. Decks, hot tubs, outdoor cooking areas, and seating areas are not permitted on Green Roofs. Green Roofs must be vegetated.
3. A Structure containing a flat roof shall have a maximum height of thirty-five feet (35') measured from the lowest floor plan to the highest wall top plate that supports the ceiling joists or roof rafters. The height of the Green Roof, including the parapets or similar features shall not exceed twenty four inches (24") above the highest top plate mentioned above. Any required railings for a Green Roof shall comply with Building Height.



4. Accessory Structures may be below the required seven: twelve (7:12) roof pitch.

D. BUILDING HEIGHT EXCEPTIONS. The following height exceptions apply:

1. Antennas, chimneys, flues, vents, or similar Structures, may extend up to five feet (5') above the highest point of the Building to comply with International Building Code (IBC) requirements.
2. Water towers, mechanical equipment, and Solar Energy Systems, when enclosed or Screened, may extend up to five feet (5') above the height of the Building. See LMC 15-5-5(G)(7)(a).

3. **ELEVATOR ACCESS.** The Planning Director may allow additional height to allow for an elevator compliant with American Disability Act (ADA) standards. The Applicant must verify the following:
 - a. The proposed height exception is only for the Area of the elevator. No increase in square footage is being achieved.
 - b. The proposed option is the only feasible option for the elevator on the Site.
 - c. The proposed elevator and floor plans comply with the American Disability Act (ADA) standards.
4. **GARAGE ON DOWNHILL LOT.** The Planning Commission may allow additional Building Height (see entire Section 15-2.2-5) on a downhill Lot to accommodate a single car wide garage in a Tandem Parking configuration; to accommodate circulation, such as stairs and/or an ADA elevator; and to accommodate a reasonably sized front entry area and front porch that provide a Compatible streetscape design. The depth of the garage may not exceed the minimum depth for internal Parking Space(s) as dimensioned within this Code, Section 15-3. The additional Building Height may not exceed thirty-five feet (35') from Existing Grade.

HISTORY

Adopted by Ord. [00-15](#) on 3/2/2000

Amended by Ord. [06-56](#) on 7/27/2006

Amended by Ord. [09-10](#) on 3/5/2009

Amended by Ord. [09-14](#) on 4/9/2009

Amended by Ord. [09-40](#) on 11/5/2009

Amended by Ord. [13-48](#) on 11/21/2013

Amended by Ord. [2016-44](#) on 9/15/2016

Amended by Ord. [2017-59](#) on 11/9/2017

Amended by Ord. [2018-27](#) on 5/31/2018

15-2.2-6 Development On Steep Slopes

Development on Steep Slopes must be environmentally sensitive to hillside Areas, carefully planned to mitigate adverse effects on neighboring land and Improvements, and consistent with the Design Guidelines for Park City's Historic Districts and Historic Sites and Chapter 5.

For the purpose of measuring Slope, the measurement shall include a minimum horizontal distance of fifteen feet (15') measured perpendicular to the contour lines on the certified topographic survey. The measurement shall quantify the steepest Slope within the Building Footprint and any Access driveway.

A. ~~CONDITIONAL USE~~ Steep Slope Determination

1. A Steep Slope Conditional Use permit or Administrative Conditional Use Permit is required for construction of any Structure with a Building Footprint in excess of two hundred square feet (200 sq. ft.) if said Building Footprint is located on or projecting over an existing Slope of thirty percent (30%) or greater.

2. A Steep Slope Conditional Use permit or Administrative Conditional Use Permit is required for construction of any addition to an existing Structure, when the Building Footprint of the addition is in excess of two hundred square feet (200 sq. ft.), if the Building Footprint of the addition is located on or projecting over an existing Slope of thirty percent (30%) or greater.
3. A Steep Slope Conditional Use permit or Administrative Conditional Use Permit is required for any Access driveway located on or projecting over an existing Slope of (30%) or greater.

B. Permits Required.

1. On Lots with 3,750 square feet or less, an Administrative Conditional Use Permit shall be processed by the Planning Department.
2. On Lots greater than 3,750 square feet, a Conditional Use Permit is required. The Planning Department shall review all Steep Slope Conditional Use permit Applications and forward a recommendation to the Planning Commission.

~~C. For the purpose of measuring Slope, the measurement shall include a minimum horizontal distance of fifteen feet (15') measured perpendicular to the contour lines on the certified topographic survey. The measurement shall quantify the steepest Slope within the Building Footprint and any Access driveway.~~

D. Conditional Use Permit Criteria

~~The Planning Department shall review all Steep Slope Conditional Use permit Applications and forward a recommendation to the Planning Commission.~~ The Planning Commission may review Steep Slope Conditional Use permit Applications as Consent Calendar items. Steep Slope Conditional Use permit Applications shall be subject to the following criteria:

1. **LOCATION OF DEVELOPMENT.** Development is located and designed to reduce visual and environmental impacts of the Structure.
2. **VISUAL ANALYSIS.** The Applicant must provide the Planning Department with a visual analysis of the project from key Vantage Points:
 - a. To determine potential impacts of the proposed Access, and Building mass and design; and
 - b. To identify the potential for Screening, Slope stabilization, erosion mitigation, vegetation protection, and other design opportunities.
3. **ACCESS.** Access points and driveways must be designed to minimize Grading of the natural topography and to reduce overall Building scale. Common driveways Shared Driveways and Parking Areas, and side Access to garages are strongly encouraged, where feasible.
4. **TERRACING.** The project may include terraced retaining Structures if necessary to regain Natural Grade.

5. **BUILDING LOCATION.** Buildings, Access, and infrastructure must be located to minimize cut and fill that would alter the perceived natural topography of the Site. The Site design and Building Footprint must coordinate with adjacent properties to maximize opportunities for open Areas and preservation of natural vegetation, to minimize driveway and Parking Areas, and to provide variation of the Front Yard.
6. **BUILDING FORM AND SCALE.** Where Building masses orient against the Lot's existing contours, the Structures must be stepped with the Grade and broken into a series of individual smaller components that are Compatible with the District. Low profile Buildings that orient with existing contours are strongly encouraged. The garage must be subordinate in design to the main Building. In order to decrease the perceived bulk of the Main Building, the Planning Director and/or Planning Commission may require a garage separate from the main Structure or no garage.
7. **SETBACKS.** The Planning Department and/or Planning Commission may require an increase in one or more Setbacks to minimize the creation of a "wall effect" along the Street front and/or the Rear Lot Line. The Setback variation will be a function of the Site constraints, proposed Building scale, and Setbacks on adjacent Structures.
8. **DWELLING VOLUME.** The maximum volume of any Structure is a function of the Lot size, Building Height, Setbacks, and provisions set forth in this Chapter. The Planning Department and/or Planning Commission may further limit the volume of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing Structures.
9. **BUILDING HEIGHT (STEEP SLOPE).** The Zone Height in the HR-1 District is twenty-seven feet (27') and is restricted as stated above in Section 15-2.2-5. The Planning Department and/or Planning Commission may require a reduction in Building Height for all, or portions, of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and the Historic character of the neighborhood's existing residential Structures.

HISTORY

Adopted by Ord. [00-15](#) on 3/2/2000

Amended by Ord. [06-56](#) on 7/27/2006

Amended by Ord. [09-10](#) on 3/5/2009

Amended by Ord. [09-14](#) on 4/9/2009

Amended by Ord. [15-35](#) on 10/12/2015

15-2.2-97 Criteria For Bed And Breakfast Inns

A Bed and Breakfast Inn is a Conditional Use. No Conditional Use permit may be issued unless the following criteria are met:

- A. The Use is in a Historic Building and/or Structure, or an addition thereto.

- B. The Applicant will make every attempt to rehabilitate the Historic portion of the Structure.
- C. The Structure has at least two (2) rentable rooms. The maximum number of rooms will be determined by the Applicant's ability to mitigate neighborhood impacts.
- D. The size and configuration of the rooms are Compatible with the Historic character of the Building and neighborhood.
- E. The rooms are available for Nightly Rental only.
- F. An Owner/manager is living on-Site, or in Historic Buildings and/or Structures there must be twenty-four (24) hour on-Site management and check-in.
- G. Food service is for the benefit of overnight guests only.
- H. No Kitchen is permitted within rental room(s).
- I. Parking on-Site is required at a rate of one (1) space per rentable room.
 - 1. no on-Site parking is possible without compromising the Historic Buildings and/or Structures or Site, including removal of existing Significant Vegetation, and all alternatives for proximate parking have been explored and exhausted; and
 - 2. the Structure is not economically feasible to restore or maintain without the adaptive Use.
- J. The Use complies with Chapter 15-1-10, Conditional Use review process.

HISTORY

Adopted by Ord. 00-15 on 3/2/2000

Amended by Ord. 07-25 on 4/19/2007

Amended by Ord. 2016-44 on 9/15/2016

15-2.2-78 Parking Regulations

- A. Tandem Parking is allowed in the Historic District.
- B. ~~Common driveways are~~ One (1) private or Shared Driveway is allowed along shared Side ~~Yard Property or Rear Lot~~ Lines to provide Access to Parking in the rear of the Main Building or below Grade if both Properties are deed restricted to allow for the perpetual Use of the shared drive.
- C. Common Parking Structures are allowed as a Conditional Use permit where it facilities:
 - 1. the Development of individual Buildings that more closely conform to the scale of Historic Buildings and/or Structures in the District; and
 - 2. the reduction, mitigation or elimination of garage doors at the Street edge.
- D. A Parking Structure may occupy below Grade Side Yards between participating Developments if the Structure maintains all Setbacks above Grade. Common Parking Structures requiring a Conditional Use permit are subject to a Conditional Use review, Chapter 15-1-10.
- E. Driveways between Structures are allowed in order to eliminate garage doors facing the Street, to remove cars from on-Street parking, and to reduce paved Areas, provided the driveway leads to an approved garage or Parking Area.
- F. Turning radii are subject to review by the City Engineer as to function and design.
- G. See Section 15-3 Off Street Parking for additional parking requirements.

HISTORY

Adopted by Ord. [00-15](#) on 3/2/2000

Amended by Ord. [06-56](#) on 7/27/2006

Amended by Ord. [09-10](#) on 3/5/2009

15-2.2-89 Architectural Review

Prior to issuance of a Building Permit for any Conditional or Allowed Use, the Planning Department shall review the proposed plans for compliance with the Design Guidelines for Historic Districts and Historic Sites, Historic Preservation LMC Chapter 15-11, and Architectural Review LMC Chapter 15-5.

Appeals of departmental actions on compliance with the Design Guidelines for Historic Districts and Historic Sites, LMC Chapter 15-11, and LMC Chapter 15-5 are heard by the Board of Adjustment as outlined in Section 15-1-18 of the Code.

HISTORY

Adopted by Ord. [00-15](#) on 3/2/2000

Amended by Ord. [06-56](#) on 7/27/2006

Amended by Ord. [09-23](#) on 7/9/2009

Amended by Ord. [15-53](#) on 12/17/2015

15-2.2-9 Criteria For Bed And Breakfast Inns

~~A Bed and Breakfast Inn is a Conditional Use. No Conditional Use permit may be issued unless the following criteria are met:-~~

~~K. The Use is in a Historic Structure, or an addition thereto.~~

~~L. The Applicant will make every attempt to rehabilitate the Historic portion of the Structure.~~

~~M. The Structure has at least two (2) rentable rooms. The maximum number of rooms will be determined by the Applicant's ability to mitigate neighborhood impacts.~~

~~N. The size and configuration of the rooms are Compatible with the Historic character of the Building and neighborhood.~~

~~O. The rooms are available for Nightly Rental only.~~

~~P. An Owner/manager is living on Site, or in Historic Structures there must be twenty-four (24) hour on Site management and check in.~~

~~Q. Food service is for the benefit of overnight guests only.~~

~~R. No Kitchen is permitted within rental room(s).~~

~~S. Parking on Site is required at a rate of one (1) space per rentable room.~~

~~1. no on Site parking is possible without compromising the Historic Structures or Site, including removal of existing Significant Vegetation, and all alternatives for proximate parking have been explored and exhausted; and~~

~~2. the Structure is not economically feasible to restore or maintain without the adaptive Use.~~

~~T. The Use complies with Chapter 15-1-10, Conditional Use review process.~~

HISTORY

Adopted by Ord. [00-15](#) on 3/2/2000

Amended by Ord. [07-25](#) on 4/19/2007

15-2.2-10 Vegetation Protection

The Property Owner must protect Significant Vegetation during any Development activity. Significant Vegetation includes large trees six inches (6") in diameter or greater measured four and one-half feet (4.5') above the ground, groves of smaller trees, or clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more measured at the drip line.

Development plans must show all Significant Vegetation within twenty feet (20') of a proposed Development. The Property Owner must demonstrate the health and viability of all large trees through a certified arborist. The Planning Director shall determine the Limits of Disturbance and may require mitigation for loss of Significant Vegetation consistent with Landscape Criteria in LMC Chapter 15-3-3 and Title 14.

HISTORY

Adopted by Ord. [00-15](#) on 3/2/2000

Amended by Ord. [06-56](#) on 7/27/2006

15-2.2-11 Signs

Signs are allowed in the HR-1 District as provided in the Park City Sign Code (Title 12).

HISTORY

Adopted by Ord. [00-15](#) on 3/2/2000

15-2.2-12 Related Provisions

- Fences and Walls. LMC Chapter 15-4-2.
- Accessory Apartment. LMC Chapter 15-4-7.
- Satellite Receiving Antenna. LMC Chapter 15-4-13.
- Telecommunication Facility. LMC Chapter 15-4-14.
- Parking. LMC Chapter 15-3.
- Landscaping. Title 14; LMC Chapter 15-3.3(D).
- Lighting. LMC Chapters 15-3-3(C), 15-5-5(I).
- Historic Preservation. LMC Chapter 15-11.
- Park City Sign Code. Title 12.
- Architectural Review. LMC Chapter 15-5.
- Snow Storage. LMC Chapter 15-3-3(E).
- Parking Ratio Requirements. LMC Chapter 15-3-6.

HISTORY

Adopted by Ord. [00-15](#) on 3/2/2000

Amended by Ord. [06-56](#) on 7/27/2006

Exhibit 3 – LMC § 15-2.3 Historic Residential (HR-2)

15-2.3 Historic Residential (HR-2) District

15-2.3-1 Purpose

15-2.3-2 Uses

15-2.3-3 Conditional Use Permit Review

15-2.3-4 Lot And Site Requirements

15-2.3-5 Existing Historic ~~Buildings and/or~~ Structures

15-2.3-6 Building Height

15-2.3-7 Development On Steep Slopes

15-2.3-8 Special Requirements For Master Planned Developments And Conditional Use Permits In Sub-Zone A

15-2.3-9 Special Requirements For Sub-Zone B

15-2.3-10 Service Access

15-2.3-~~13~~11 Mechanical Service

15-2.3-12 Criteria For Bed And Breakfast Inns

15-2.3-~~10~~13 Parking Regulations

15-2.3-~~11~~14 Architectural Review

15-2.3-13 Mechanical Service

15-2.3-14 Goods And Uses To Be Within Enclosed Building

15-2.3-15 Vegetation Protection

15-2.3-16 Signs

15-2.3-17 Related Provisions

15-2.3-1 Purpose

The purpose of the HR-2 District is to:

- A. allow for adaptive reuse of Historic ~~Buildings and/or~~ Structures by allowing commercial and office Uses in Historic ~~Buildings and/or~~ Structures in the following Areas:
 1. Upper Main Street;
 2. Upper Swede Alley; and
 3. Grant Avenue,
- B. encourage and provide incentives for the preservation and renovation of Historic ~~Buildings and/or~~ Structures,
- C. establish a transition in Use and scale between the HCB, HR-1, and HR-2 Districts, by allowing Master Planned Developments in the HR-2, Subzone A,
- D. encourage the preservation of Historic ~~Buildings and/or~~ Structures and construction of historically Compatible additions and new construction that contributes to the unique character of the Historic District,
- E. define Development parameters that are consistent with the General Plan policies for the Historic core that result in Development that is Compatible with Historic ~~Buildings and/or~~ Structures and the Historic character of surrounding residential neighborhoods and consistent with the Design Guidelines for Park City's Historic Districts and Historic Sites and the HR-1 regulations for Lot size, coverage, and Building Height, and

- F. provide opportunities for small scale, pedestrian oriented, incubator retail space in Historic Buildings and/or Structures on Upper Main Street, Swede Alley, and Grant Avenue,
- G. ensure improved livability of residential areas around the historic commercial core,
- H. encourage and promote Development that supports and completes upper Park Avenue as a pedestrian friendly residential street in Use, scale, character and design that is Compatible with the ~~historie~~ Historic character of the surrounding residential neighborhood,
- I. encourage residential development that provides a range of housing opportunities consistent with the community's housing, transportation, and historic preservation objectives,
- J. minimize visual impacts of the automobile and parking by encouraging alternative parking solutions,
- K. minimize impacts of Commercial Uses on surrounding residential neighborhood.

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

15-2.3-2 Uses

Uses in the HR-2 District are limited to the following:

A. ALLOWED USES.

1. Single Family Dwelling
2. Lockout Unit¹
3. Nightly Rental²
4. Home Occupation
5. Child Care, In-Home Babysitting³
6. Child Care, Family³
7. Child Care, Family Group³
8. Accessory Building and Use
9. Conservation Activity
10. Agriculture
11. Residential Parking Area or Structure with four (4) or fewer spaces
12. Recreation Facility, Private

B. CONDITIONAL USES.

1. Duplex Dwelling
2. Secondary Living Quarters
3. Accessory Apartment⁴
4. Group Care Facility
5. Child Care Center
6. Public or Quasi-Public Institution, church or School
7. Essential Municipal and Public Utility Use, Facility, Service, and Structure
8. Telecommunication Antenna⁵
9. Satellite Dish Antenna greater than thirty-nine inches (39") in diameter⁶
10. Bed & Breakfast Inn⁷
11. Boarding House, Hostel⁷

12. Hotel, Minor, fewer than sixteen (16) rooms⁷
13. Office, General⁸
14. Office, Moderate Intensive⁸
15. Office and Clinic, Medical⁸
16. Retail and Service Commercial, Minor⁸
17. Retail and Service Commercial, personal improvement⁸
18. Cafe or Deli⁸
19. Restaurant, General⁸
20. Restaurant, Outdoor Dining⁸
21. Outdoor Events
22. Residential Parking Area or Structure with five (5) or more spaces, associated with a residential Building on the same Lot
23. Temporary Improvement
24. Passenger Tramway Station and Ski Base Facility¹⁰
25. Ski tow rope, ski lift, ski run, and ski bridge¹⁰
26. Recreation Facility, Private
27. Fences greater than six feet (6') in height from Final Grade¹¹
28. Limited Commercial expansion necessary for compliance with Building/ Fire Code egress and Accessibility requirements and support Uses associated with HCB Commercial Use¹²
29. Bar⁸
30. Special Events⁸

C. **PROHIBITED USES.** Any Use not listed above as an Allowed or Conditional Use is a prohibited Use.

¹Nightly Rental of Lockout Units requires a Conditional Use Permit

²Nightly Rental does not include the use of dwellings for Commercial Uses

³See LMC Chapter 15-4-9 for Child Care Regulations

⁴See LMC Chapter 15-4, Supplemental Regulations for Accessory Apartments

⁵See LMC Chapter 15-4-14, Supplemental Regulations for Telecommunication Facilities

⁶See LMC Chapter 15-4-13, Supplemental Regulations for Satellite Receiving Antennas

⁷In Historic **Buildings and/or** Structures only

⁸In Historic **Building and/or** Structures and within Sub-Zones A and B subject to compliance with all criteria and requirements of Section 15-2.3-8 for Sub-Zone A and Section 15-2.3-9 for Sub-Zone B.

⁹Subject to an Administrative Conditional Use Permit, and permitted in Sub-Zone B only, subject to requirements in Section 15-2.3-9.

¹⁰See LMC Chapter 15-4-18, Passenger Tramways and Ski-Base Facilities

¹¹See LMC Chapter 15-4-2, Fences and Walls

¹²Subject to compliance with the criteria set forth in section 15-2.3-8(B).

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

Amended by Ord. [04-08](#) on 3/4/2004

Amended by Ord. [06-56](#) on 7/27/2006

Amended by Ord. [09-10](#) on 3/5/2009

Amended by Ord. [10-14](#) on 4/15/2010

Amended by Ord. [12-37](#) on 12/20/2012

Amended by Ord. [15-35](#) on 10/12/2015

15-2.3-3 Conditional Use Permit Review

The Planning Commission shall review any Conditional Use permit (CUP) Application in the HR-2 District according to Conditional Use permit criteria set forth in Section 15-1-10 as well as the following:

- A. Consistent with the Design Guidelines for Park City's Historic Districts and Historic Sites, ~~Section 15-4~~.
- B. The Applicant may not alter an Historic Building and/or Structure to minimize the residential character of the Building.
- C. Dedication of a Facade Preservation Easement for Historic Buildings and/or Structures is required to assure preservation of Historic Buildings and/or Structures and the Historic fabric of the surrounding neighborhood.
- D. New Buildings and additions must be in scale and Compatible with the mass, height, width, and ~~historic~~ Historic character of the surrounding residential neighborhood and existing Historic Buildings and/or Structures in the neighborhood. Larger Building masses should be located to rear of the Structure to minimize the perceived mass from the Street.
- E. Parking requirements of Section 15-3 shall be met. The Planning Commission may waive parking requirements for Historic Buildings and/or Structures and may consider in-lieu fees for all or a portion of parking requirements for Master Planned Developments. Calculation of in-lieu fees shall be based on the Park City Municipal Code Section 11-12-16 and any adopted City Council fees in effect at the time a complete application is received.

The Planning Commission may allow on-Street parallel parking adjacent to the Front Yard to count as parking for Historic Buildings and/or Structures, if the Applicant can document that the on-Street Parking will not impact adjacent Uses or create traffic circulation hazards. A traffic study, prepared by a registered Engineer, may be required.

- F. All Yards must be designed and maintained in a residential manner. Existing mature landscaping shall be preserved wherever possible. The Use of native plants and trees is strongly encouraged.
- G. Fencing and Screening between residential and Commercial Uses may be required along common Property Lines.
- H. All utility equipment and service areas must be fully Screened to prevent visual and noise impacts on adjacent residential Properties and on pedestrians.

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

Amended by Ord. [06-56](#) on 7/27/2006

Amended by Ord. [10-14](#) on 4/15/2010

Amended by Ord. [12-37](#) on 12/20/2012

15-2.3-4 Lot And Site Requirements

Except as may otherwise be provided in this Code, no Building Permit shall be issued for a Lot unless such Lot has Area, width, and depth as required, and Frontage on a private or Public Street shown on the Streets Master Plan, or on a private easement connecting the Lot to a Street shown on the Streets Master Plan.

All Development [activity](#) must comply with the following [minimum Lot and Site requirements](#):

- M. **LOT SIZE**. The minimum Lot Area is 1,875 square feet for a Single Family Dwelling and 3,750 square feet for a Duplex Dwelling. [For properties platted as lots within the historic Park City Survey and originally platted as 25 foot wide 75 foot deep with a lot size of 1,875 square feet, the Planning Director may make a determination that the minimum Lot Size may be reduced up to 20 square feet if subsequent surveys find that the final lot dimensions are less than 25 feet by 75 feet. The Footprint shall be reduced in accordance with the Lot Size and no variation to setbacks will be allowed.](#) The Minimum Lot Area for all other Uses shall be determined by the Planning Commission during the Conditional Use or Master Planned Development review process. ~~The minimum width of a Lot is twenty five feet (25'), measured fifteen feet (15') back from the Front Lot Line. In the case of unusual Lot configurations, Lot width measurements shall be determined by the Planning Director.~~
- A. **LOT WIDTH**. [The minimum width of a Lot is twenty five feet \(25'\), measured fifteen feet \(15'\) back from the Front Lot Line. In the case of unusual Lot configurations, Lot width measurements shall be determined by the Planning Director.](#)
- B. **BUILDING ENVELOPE (HR-2 DISTRICT)**. The Building Pad, Building Footprint and height restrictions define the maximum Building Envelope within which all Development must occur with exceptions as allowed in Section 15-2.3-4.
- C. **BUILDING PAD (HR-2 DISTRICT)**. The Building Pad is the Lot Area minus required Front, Rear, and Side Setback Areas.
 - 1. The Building Footprint must be within the Building Pad. The remainder of the Building Pad must be open and free of any Structure except:
 - a. Porches or decks, with or without roofs;
 - b. At Grade patios;
 - c. Upper level decks, with or without roofs;
 - d. Bay Windows;
 - e. Chimneys;
 - f. Sidewalks, pathways, and steps;

- g. Screened hot tubs; and
 - h. Landscaping.
2. Exceptions to the Building Pad Area, excluding Bay Windows, are not included in the Building Footprint calculations, and are subject to Planning Director approval based on a determination that the proposed exceptions result in a design that:
 - a. provides increased architectural interest consistent with the Design Guidelines for Park City's Historic Districts and Historic Sites; and
 - b. maintains the intent of this section to provide horizontal and vertical Building articulation.

D. BUILDING FOOTPRINT (HR-2 DISTRICT).

1. The maximum Building Footprint for any Structure located on a Lot, or combination of Lots, not exceeding 18,750 square feet in Lot Area, shall be calculated according to the following formula for Building Footprint, illustrated in Table 15-2.3. The maximum Building Footprint for any Structure located on a Lot or combination of Lots, exceeding 18,750 square feet in Lot Area, shall be 4,500 square feet; with an exemption allowance of 400 square feet per Dwelling Unit for garage floor area. A Conditional Use permit is required for all Structures with a proposed footprint greater than 3,500 square feet.

Accessory Buildings listed on the Park City Historic ~~Structures~~ Sites Inventory that are not expanded, enlarged or incorporated into the Main Building, shall not count in the total Building Footprint of the Lot.

2. See Section 15-6-5(B) for maximum allowed Building footprint for Master Planned Developments within the HR-2 District.

$$\text{MAXIMUM FP} = (A/2) \times 0.9^{A/1875}$$

Where FP = maximum Building Footprint and A= Lot Area.

Example: 3,750 sq. ft. lot: $(3,750/2) \times 0.9^{(3750/1875)} = 1,875 \times 0.81 = 1,519$ sq. ft.

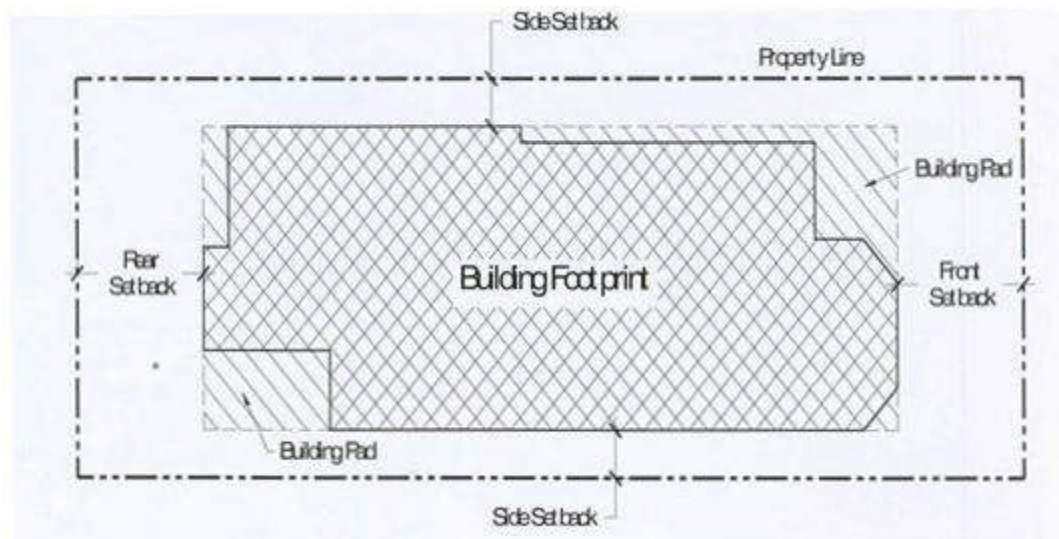
~~See the following Table 15-2.3. for a schedule equivalent of this formula.~~

~~TABLE 15-2.3.~~

Lot Depth <= ft. *	Lot Width, ft. Up to:-	Side Setbacks Min. Total, ft.		Lot Area Sq. ft.	Bldg. Pad Sq. ft.	Max Bldg. Footprint
75 ft.	25.0	3 ft.	6 ft.	1,875	1,045	844
75 ft.	37.5	3 ft.	6 ft.	2,813	1,733	1,201

75 ft.	50.0	5 ft.	10 ft.	3,750	2,200	1,519
75 ft.	62.5	5 ft.	14 ft.	4,688	2,668	1,801
75 ft.	75.0	5 ft.	18 ft.	5,625	3,135	2,050
75 ft.	87.5	10 ft.	24 ft.	6,563	3,493	2,270
75 ft.	100.0	10 ft.	24 ft.	7,500	4,180	2,460
75 ft.	Greater than 100.0	10 ft.	30 ft.	Greater than 7,500 ft.	Per Setbacks and Lot Area	Per formula

*For Lots > 75' in depth use footprint formula and Table 15-2.3a for Front and Rear Setbacks.



E. **FRONT AND REAR SETBACKS.** Front and Rear Setbacks are as follows:

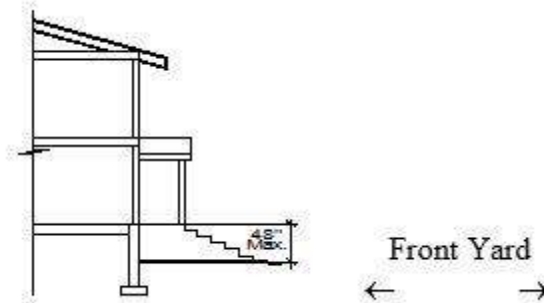
TABLE 15-2.3.a

Lot Depth	Min. Front/Rear Setback	Total of Setbacks
Up to 75 ft., inclusive	10 ft.	20 ft.
From 75 ft. to 100 ft.	12 ft.	25 ft.

Over 100 ft.	15 ft.	30 ft.
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F. **FRONT SETBACK EXCEPTIONS.** The Front Setback must be open and free of any Structure except:

1. Fences or walls not more than four feet (4') in height or as permitted in Section 15-4-2, Fences and Walls. On Corner Lots, Fences more than three feet (3') in height are prohibited within twenty-five feet (25') of the intersection, at the back of curb.
2. Uncovered steps leading to the Main Building; provided, the steps are not more than four feet (4') in height from Final Grade, not including any required handrail, and do not cause any danger or hazard to traffic by obstructing the view of the Street or intersection.

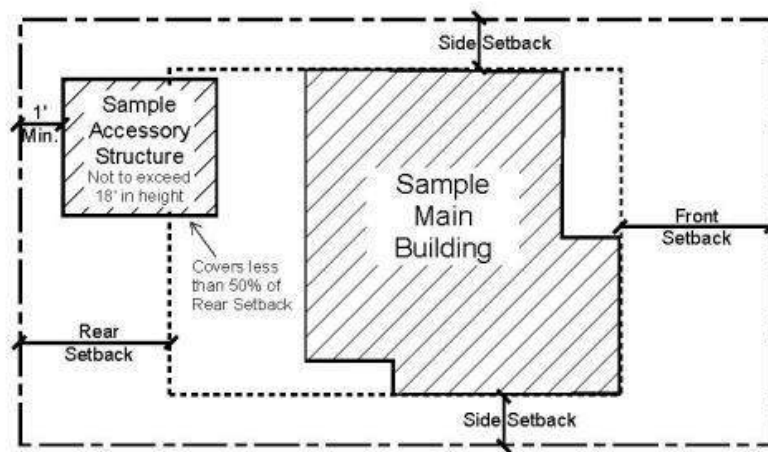


3. Decks, porches, or Bay Windows not more than ten feet (10') wide, and projecting not more than three feet (3') into the Front Setback.
4. Roof overhangs, eaves or cornices projecting not more than three feet (3') into the Front Setback.
5. Sidewalks and pathways.
6. Driveways leading to a Garage or Parking Area. No portion of a Front Yard except for driveways, allowed Parking Areas and sidewalks, may be Hard-Surfaced or graveled.
7. Single car detached Garages approved as part of a Master Planned Development in Subzone A.

G. **REAR SETBACK EXCEPTIONS.** The Rear Setback must be open and free of any Structure except:

1. Bay Windows not more than ten feet (10') wide, and projecting not more than two feet (2') into the Rear Setback.

2. Chimneys not more than five feet (5') wide, and projecting not more than two feet (2') into the Rear Setback.
3. Window wells not exceeding the minimum International Residential Code (IRC) or International Building Code (IBC) requirements for egress or light wells may extend~~ing~~ not more than four feet (4') into the Rear Setback. Should egress requirements be met within the building pad, no Rear Setback exception is permitted.
4. Roof overhangs or eaves projecting not more than two feet (2') into the Rear Setback.
5. Window sills, belt courses, cornices, trim, exterior siding, or other ornamental features projecting not more than six inches (6") ~~into the Rear Setback~~ beyond the main Structure to which they are attached.
6. Detached Accessory Buildings not more than eighteen feet (18') in height, and including any free-standing Solar Energy Systems, located a minimum of five feet (5') behind the ~~front facade~~ Front Façade of the Main Building, and maintaining a minimum Rear Setback of one foot (1'). Such Structure must not cover over fifty percent (50%) of the Rear Setback. See the following illustration:



7. A Hard-Surfaced Parking Areas ~~s~~ subject to the same location requirements as a detached Accessory Building.
8. Mechanical equipment (which must be screened), hot tubs, or similar Structures, located at least three feet (3') from the Rear Lot Line.
9. Fences, walls, and retaining walls ~~or walls~~ not more than six feet (6') in height, or as permitted in Section 15-4-2.

10. Patios, decks, steps, pathways, or similar Structures not more than thirty inches (30") above Final Grade, located at least one foot (1') from the Rear Lot Line.
11. Pathways or steps connecting to a City staircase or pathway.
12. One (1) private or Shared Driveway leading to a garage or approved Parking Area. See Section 15-2.3-13 Parking Regulations for additional requirements.

H. **SIDE SETBACKS.**

TABLE 15-2.3b

<u>Lot Depth </= ft.</u>	<u>Lot Width, ft. Up to:</u>	<u>Side Setbacks Min. Total, ft.</u>	
<u>75 ft.</u>	<u>25.0</u>	<u>3 ft.</u>	<u>6 ft.</u>
<u>75 ft.</u>	<u>37.5</u>	<u>3 ft.</u>	<u>6 ft.</u>
<u>75 ft.</u>	<u>50.0</u>	<u>5 ft.</u>	<u>10 ft.</u>
<u>75 ft.</u>	<u>62.5</u>	<u>5 ft.</u>	<u>14 ft.</u>
<u>75 ft.</u>	<u>75.0</u>	<u>5 ft.</u>	<u>18 ft.</u>
<u>75 ft.</u>	<u>87.5</u>	<u>10 ft.</u>	<u>24 ft.</u>
<u>75 ft.</u>	<u>100.0</u>	<u>10 ft.</u>	<u>24 ft.</u>
<u>75 ft.</u>	<u>Greater than 100.0</u>	<u>10 ft.</u>	<u>30 ft.</u>

1. ~~The minimum Side Setback is three feet (3'), but increases for Lots greater than thirty-seven and one-half feet (37.5') in width, as per Table 15-2.3 above.~~
2. On Corner Lots, the minimum Side Setback that faces a side Street or platted Right-of-Way is five feet (5'). A three foot (3') Side Setback along the platted Right-of-Way is allowed when the Lot Width is less than 37.5 feet; no Side Setback exceptions shall be utilized when the Setback is three feet (3') along the Right-of-Way.
3. A Side Setback between connected Structures is not required where Structures are designed with a common wall on a Property Line, each Structure is located on an individual Lot, the Lots are burdened with a party wall agreement in a form approved by the City Attorney and Chief Building Official, all applicable Building and Fire Code requirements are met, and the Use is an Allowed or Conditional Use in the Zoning District.
 - a. Exterior Side Setbacks shall be based on the required minimum Side Setback for each Lot; however the Planning Commission may consider increasing exterior Side Setbacks during Conditional Use Permit review to

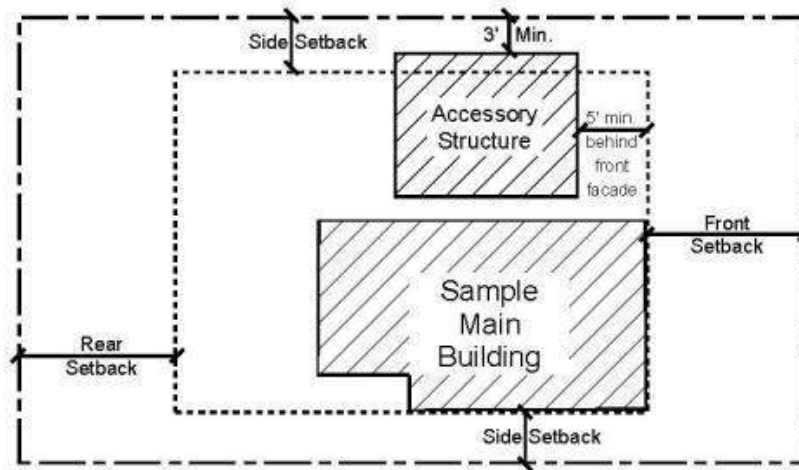
mitigate potential impacts on adjacent Property. Side Setback exceptions continue to apply.

- b. Building Footprint shall be based on the total lot Area of the underlying Lots. The Planning Commission may consider decreasing Building Footprint during Conditional Use Permit review to mitigate potential impacts on adjacent Property.

I. **SIDE SETBACK EXCEPTIONS.** The Side Setback must be open and free of any Structure except:

1. Bay Windows not more than ten feet (10') wide, and projecting not more than two feet (2') into the Side Setback.¹
2. Chimneys not more than five feet (5') wide, and projecting not more than two feet (2') into the Side Setback.⁺ Only permitted on Lots with a Side Setback of five feet (5') or greater.
3. Window wells not exceeding the minimum International Residential Code (IRC) or International Building Code (IBC) requirements for egress or light wells may extend~~ing~~ not more than four feet (4') into the Side Setback⁺ Only permitted on Lots with a Side Setback of five feet (5') or greater. Should egress requirements be met within the building pad, no Rear Setback exception is permitted.
4. Roof overhangs or eaves projecting not more than two feet (2') into the Side Setback on Lots with a Side Setback of five feet (5') or greater. A one foot (1') roof or eave overhang is permitted on Lots with a Side Setback of less than five feet (5').⁺
5. Window sills, belt courses, trim, cornices, exterior siding, or other ornamental features projecting not more than six inches (6") ~~into the Rear Setback~~ beyond the main Structure to which they are attached.
6. Patios, decks, pathways, steps, or similar Structures not more than thirty inches (30") in height from Final Grade, located at least one foot (1') from the Side Lot Line.
7. Fences, walls, or retaining walls ~~or walls~~ not more than six feet (6') in height, or as permitted in Section 15-4-2.
8. One (1) private or Shared Driveways leading to a garage or approved Parking Area. See Section 15-2.3-13 Parking Regulations for additional requirements.
9. Pathway or steps connecting to a City staircase or pathway.
10. Detached Accessory Buildings, not more than eighteen feet (18') in height, and including any free-standing Solar Energy Systems, located a minimum of five feet (5') behind the ~~front facade~~ Front Façade of the Main Building, maintaining a

minimum Side Setback of three feet (3'). See the following illustration:



11. Mechanical equipment (which must be screened), hot tubs, or similar Structures, located at least three feet (3') from the Side Lot Line.
- J. **SNOW RELEASE**. Site plans and Building designs must resolve snow release issues to the satisfaction of the Chief Building Official.
- K. **CLEAR VIEW OF INTERSECTION**. No visual obstruction in excess of two feet (2') in height above Road Grade shall be placed on any Corner Lot within the Site Distance Triangle. A reasonable number of trees may be allowed, if pruned high enough to permit automobile drivers an unobstructed view. This provision must not require changes in the Natural Grade on the Site.
- L. **MASTER PLANNED DEVELOPMENTS**. The Planning Commission may increase or decrease Setbacks in Master Planned Developments in accordance with Section 15-6-5 (C); however the above Grade spacing between houses shall be consistent with the spacing that would result from required Setbacks of the Zone and shall be Compatible with the ~~historie~~-Historic character of the surrounding residential neighborhood. The Planning Commission may increase or decrease Maximum Building Footprint in Master Planned Developments in accordance with Section 15-6-5 (B).

~~[†]Applies only to Lots with a minimum Side Setback of five feet (5')~~

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

Amended by Ord. [06-56](#) on 7/27/2006

Amended by Ord. [09-10](#) on 3/5/2009

Amended by Ord. [10-14](#) on 4/15/2010

Amended by Ord. [15-35](#) on 10/12/2015

Amended by Ord. [2016-44](#) on 9/15/2016

Amended by Ord. [2018-27](#) on 5/31/2018

Amended by Ord. [2018-27](#) on 5/31/2018

Amended by Ord. [2018-43](#) on 7/19/2018

15-2.3-5 Existing Historic Buildings and/or Structures

Historic [Buildings and/or](#) Structures that do not comply with [Building Setbacks](#), Building Footprint, Building Height, [Building Setbacks](#), Off-Street parking, and driveway location standards are valid Non-Complying Structures. [Additions must comply with Building Setbacks, Building Footprint, driveway location standards and Building Height.](#) Additions to Historic [Buildings and/or](#) Structures are exempt from Off-Street parking requirements provided the addition does not create a Lockout Unit or [Accessory](#) Apartment. ~~Additions must comply with Building Setbacks, Building Footprint, driveway location standards and Building Height.~~ [All Conditional Uses proposed on the Site, excluding Development on a Steep Slope, shall comply with parking requirements of Chapter 15-3.](#)

- A. **EXCEPTION.** In order to achieve new construction consistent with the [Historic District](#) Design Guidelines ~~for Park City's Historic Districts and Historic Sites~~, the Planning Commission may grant an exception to the Building Setbacks and driveway location standards for additions to Historic Buildings, including detached single car Garages:
1. Upon approval of a Conditional Use permit, and
 2. When the scale of the addition, and/or driveway is Compatible with the Historic [Building and/or](#) Structure, and
 3. When the addition complies with all other provisions of this Chapter, and
 4. When the addition complies with the adopted Building and Fire Codes; and
 5. When the addition complies with the Design Guidelines for Historic Districts and Sites.

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

Amended by Ord. [2016-44](#) on 9/15/2016

15-2.3-6 Building Height

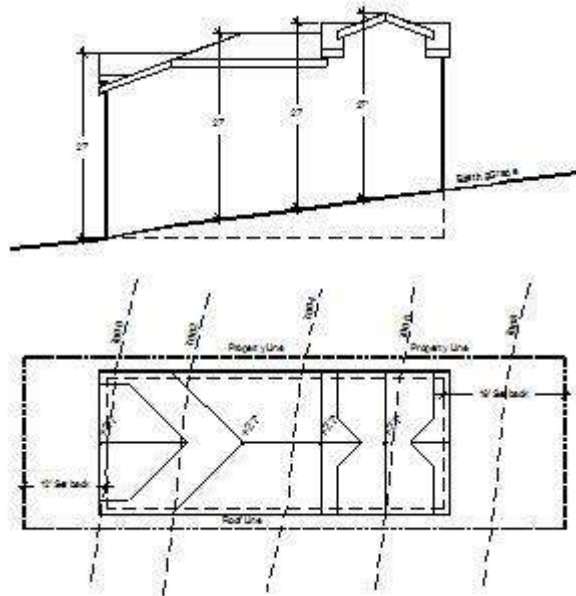
No Structure shall be erected to a height greater than twenty-seven feet (27') from Existing Grade. This is the Zone Height. Final Grade must be within four vertical feet (4') from Existing Grade ~~around the periphery of the Structure~~, except for the placement of approved window wells, emergency egress, and a garage entrance. The Planning Commission may grant an exception to the Final Grade requirement as part of a Master Planned Development within Subzone A where Final Grade must accommodate zero lot line Setbacks. The following height requirements must be met:

- A. A Structure shall have a maximum height of thirty five feet (35') measured from the lowest finish floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters. The Planning Commission may grant an exception to this requirement as part of a Master Planned Development within Subzone A for the

extension of below Grade subterranean HCB Commercial Uses.

- B. A ten foot (10') minimum horizontal step in the downhill façade is required unless the First Story is located completely under the finish Grade on all sides of the Structure. The Planning Commission may grant an exception to this requirement as part of a Master Planned Development within Subzone A consistent with MPD requirements of Section 15-6-5(F). The horizontal step shall take place at a maximum height of twenty three feet (23') from where Building Footprint meets the lowest point of existing Grade. Architectural features, that provide articulation to the upper story façade setback, may encroach into the minimum ten foot (10') setback but shall be limited to no more than twenty five percent (25%) of the width of the building encroaching no more than four feet (4') into the setback, subject to compliance with the Design Guidelines for Historic Sites and Historic Districts.
- C. **ROOF PITCH.** The roof pitch of a Structure's Contributing Roof Form shall be between seven: twelve (7:12) and twelve: twelve (12:12) and shall occupy a minimum horizontal distance of 20 feet measured from the primary façade to the rear of the building, as viewed from the primary public right-of-way. Secondary Roof Forms may be below the required 7:12 roof pitch and located on the primary façade (such as porches, bay window roofs, etc).
1. Secondary Roof Forms may be Rooftop Decks so long as they are not more than 23 feet in height above Finished Grade. This height includes any railings, parapets, stairs, and similar constructions on the Roof Deck.
 2. The height of railings, parapets, stairs, and similar constructions on a Green Roof or Flat Roof are included in the calculation of Building Height. Decks, hot tubs, outdoor cooking areas, and seating areas are not permitted on Green Roofs. Green Roofs must be vegetated.
 3. A Structure containing a flat roof shall have a maximum height of thirty five feet (35') measured from the lowest floor plane to the highest wall top plate that supports the ceiling joists or roof rafters. The height of the Green Roof, including the parapets or similar features shall not exceed twenty four (24") above the highest top plate mentioned above. Any required railings for a Green Roof shall

comply with Building Height.



4. Accessory Structures may be below the required seven: twelve (7:12) roof pitch.

D. BUILDING HEIGHT EXCEPTIONS. The following height exceptions apply:

1. ~~An~~ Antennas, chimneys, flues, vents, or similar Structures, may extend up to five feet (5') above the highest point of the Building to comply with International Building Code (IBC) requirements.
2. Water towers, mechanical equipment, and Solar Energy Systems, when enclosed or Screened, may extend up to five feet (5') above the height of the Building. See LMC 15-5-5(G)(7)(a).
3. **ELEVATOR ACCESS.** The Planning Director may allow additional height to allow for an elevator compliant with American Disability Act (ADA) standards. The Applicant must verify the following:
 - a. The proposed height exception is only for the Area of the elevator. No increase in square footage of the Building is being achieved.
 - b. The proposed option is the only feasible option for the elevator on the Site.
 - c. The proposed elevator and floor plans comply with the American Disability Act (ADA) standards.
4. **GARAGE ON DOWNHILL LOT.** The Planning Commission may allow additional Building Height (see entire Section 15-2.3-6) on a downhill Lot to accommodate a single car wide garage in a Tandem configuration; to accommodate circulation, such as stairs and/or an ADA elevator; and to accommodate a reasonably sized front entry area and front porch that provide a Compatible streetscape design. The depth of the garage may not exceed the minimum depth for internal Parking Space(s) as dimensioned within this Code, Section 15-3. The additional height may not exceed thirty-five feet (35') from existing Grade.

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

Amended by Ord. [06-56](#) on 7/27/2006

Amended by Ord. [09-10](#) on 3/5/2009

Amended by Ord. [09-14](#) on 4/9/2009

Amended by Ord. [09-40](#) on 11/5/2009

Amended by Ord. [10-14](#) on 4/15/2010

Amended by Ord. [13-48](#) on 11/21/2013

Amended by Ord. [2016-44](#) on 9/15/2016

Amended by Ord. [2017-59](#) on 11/9/2017

Amended by Ord. [2018-27](#) on 5/31/2018

15-2.3-7 Development On Steep Slopes

Development on Steep Slopes must be environmentally sensitive to hillside Areas, carefully planned to mitigate adverse effects on neighboring land and Improvements, and consistent with the Design Guidelines for Park City's Historic Districts and Historic Sites, and Chapter 5.

For the purpose of measuring Slope, the measurement shall include a minimum horizontal distance of fifteen feet (15') measured perpendicular to the contour lines on the certified topographic survey. The measurement shall quantify the steepest Slope within the Building Footprint and any Access driveway.

A. ~~CONDITIONAL USE~~ Steep Slope Determination

1. A Steep Slope Conditional Use permit or Administrative Conditional Use Permit is required for construction of any Structure with a Building Footprint in excess of two hundred square feet (200 sq. ft.) if said Building Footprint is located on or projecting over an existing Slope of thirty percent (30%) or greater.
2. A Steep Slope Conditional Use permit or Administrative Conditional Use Permit is required for construction of any addition to an existing Structure, when the Building Footprint of the addition is in excess of two hundred square feet (200 sq. ft.), if the Building Footprint of the addition is located on or projecting over an existing Slope of thirty percent (30%) or greater.
3. A Steep Slope Conditional Use permit or Administrative Conditional Use Permit is required for any Access driveway located on or projecting over an existing Slope of (30%) or greater.

B. Permits Required.

1. On Lots with 3,750 square feet or less, an Administrative Conditional Use Permit shall be processed by the Planning Department.
2. On Lots greater than 3,750 square feet, a Conditional Use Permit is required. The Planning Department shall review all Steep Slope Conditional Use permit Applications and forward a recommendation to the Planning Commission.

~~C. For the purpose of measuring Slope, the measurement shall include a minimum horizontal distance of fifteen feet (15') measured perpendicular to the contour lines on~~

~~the certified topographic survey. The measurement shall quantify the steepest Slope within the Building Footprint and any Access driveway.~~

D. **Conditional Use Permit Criteria**

~~The Planning Department shall review all Steep Slope Conditional Use permit Applications and forward a recommendation to the Planning Commission.~~ The Planning Commission may review Steep Slope Conditional Use permit Applications as Consent Calendar items. Steep Slope Conditional Use permit Applications shall be subject to the following criteria:

1. **LOCATION OF DEVELOPMENT.** Development is located and designed to reduce visual and environmental impacts of the Structure.
2. **VISUAL ANALYSIS.** The Applicant must provide the Planning Department with a visual analysis of the project from key Vantage Points:
 - a) To determine potential impacts of the proposed Access, and Building mass and design; and
 - b) To identify the potential for Screening, Slope stabilization, erosion mitigation, vegetation protection, and other design opportunities.
3. **ACCESS.** Access points and driveways must be designed to minimize Grading of the natural topography and to reduce overall Building scale. ~~Common driveways~~ Shared Driveways and Parking Areas, and side Access to garages are strongly encouraged, where feasible.
4. **TERRACING.** The project may include terraced retaining Structures if necessary to regain Natural Grade.
5. **BUILDING LOCATION.** Buildings, Access, and infrastructure must be located to minimize cut and fill that would alter the perceived natural topography of the Site. The Site design and Building Footprint must coordinate with adjacent Properties to maximize opportunities for open Areas and preservation of natural vegetation, to minimize driveway and Parking Areas, and to provide variation of the Front Yard.
6. **BUILDING FORM AND SCALE.** Where Building masses orient against the Lot's existing contours, the Structures must be stepped with the Grade and broken into a series of individual smaller components that are Compatible with the District. Low profile Buildings that orient with existing contours are strongly encouraged. The garage must be subordinate in design to the main Building. In order to decrease the perceived bulk of the Main Building, the Planning Director and/or Planning Commission may require a garage separate from the main Structure or no garage.
7. **SETBACKS.** The Planning Department and/or Planning Commission may require an increase in one or more Setbacks to minimize the creation of a "wall

effect” along the Street front and/or the Rear Lot Line. The Setback variation will be a function of the Site constraints, proposed Building scale, and Setbacks on adjacent Structures.

8. **DWELLING VOLUME.** The maximum volume of any Structure is a function of the Lot size, Building Height, Setbacks, and provisions set forth in this Chapter. The Planning Department and/or Planning Commission may further limit the volume of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing Structures.
9. **BUILDING HEIGHT (STEEP SLOPE).** The Zone Height in the HR-2 District is twenty-seven feet (27') and is restricted as stated above in Section 15-2.3-6. The Planning Department and/or Planning Commission may require a reduction in Building Height for all, or portions, of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between the proposed Structure and the ~~historie~~ Historic character of the neighborhood's existing residential Structures.

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

Amended by Ord. [06-56](#) on 7/27/2006

Amended by Ord. [09-10](#) on 3/5/2009

Amended by Ord. [10-14](#) on 4/15/2010

Amended by Ord. [15-35](#) on 10/12/2015

Amended by Ord. [2016-44](#) on 9/15/2016

15-2.3-8 Special Requirements For Master Planned Developments And Conditional Use Permits In Sub-Zone A

- A. **SUB-ZONE A.** Sub-Zone A consists of Lots in the HR-2 District that are west of Main Street, excluding those Lots within Block 13. (B) The following special requirements apply only to Lots in Sub-Zone A that are part of a Master Planned Development, a Conditional Use Permit, or a Plat Amendment that combines a Main Street, HCB zoned, Lot with an adjacent Park Avenue, HR-2 zoned, Lot or portion of a Lot, for the purpose of restoring an Historic Building and/or Structure, constructing an approved addition to an Historic Building and/or Structure, constructing a residential dwelling or Garage on Park Avenue, or expanding a Main Street Business into the HR-2 zoned Lot:

1. All Commercial Uses extending from Main Street into the HR-2 Zone are subject to the Conditional Use Permit review requirements of Section 15-1-10 and the Master Planned Development requirements of Section 15-6 if the development is part of a Master Planned Development. These Commercial Uses must be located below the Grade of Park Avenue projected across the HR-2 Lot and beneath the Main Floor of a residential Structure or Structures facing Park Avenue. Occupancy of the below Grade Floor Area is conditioned upon completion of the residential structure on the HR-2 Lot.

2. All Buildings within the HR-2 portion of the development must meet the minimum Side and Front Setbacks of the HR-2 District as stated in Section 15-2.3-4, unless the Planning Commission grants an exception to this requirement during the MPD review and the development is consistent with the MPD Section 15-6-5(C). Below Grade Structures, such as parking structures and Commercial Floor Area extending from Main Street beneath a residential Structure or Structures on Park Avenue may occupy Side Setbacks subject to Building and Fire Codes and trespass agreements.
3. All Buildings within the HR-2 portion of the development must meet the Building Height requirements of the HR-2 District as stated in Section 15-2.3-6.
4. Existing and new Structures fronting on Park Avenue may not contain Commercial Uses, except as permitted in Section 15-2.3-8 (B)(1).
5. A Floor Area Ratio of 4.0 shall be used to calculate the total Commercial Floor Area. Only the Lot Area within the HCB Lot may be used to calculate the Commercial Floor Area.
6. The number of residential units allowed on the HR-2 portion of the Development is limited by the Lot and Site Requirements of the HR-2 District as stated in Section 15-2.3-4.
7. All entrances and Access, including service and delivery, for the Commercial Use must be off of a Street or easement within the HCB District. The Commercial Structure must be designed to preclude any traffic generation on residential Streets, such as Park Avenue. Any emergency Access, as required by the Uniform Building Code (UBC), onto the HR-2 portion of the Property must be designed in such a manner as to absolutely prohibit non-emergency Use. Alarms shall be installed on all emergency doors that provide access to Park Avenue.
8. Commercial portions of a Structure extending from the HCB to the HR-2 District must be designed to minimize the Commercial character of the Building and Use and must mitigate all impacts on the adjacent Residential Uses. Impacts include such things as noise, odor and glare, intensity of activity, parking, signs, lighting, Access and aesthetics.
9. No loading docks, service yards, exterior mechanical equipment, exterior trash compounds, outdoor storage, ADA Access, or other similar Uses associated with the HCB Uses are allowed within the HR-2 portion of the Property, and all such Uses shall be screened for visual and noise impacts.
10. The Property Owner must donate a Preservation Easement to the City for any Historic Buildings and/or Structures included in the Development.

11. Any Historic **Buildings and/or** Structures included in the development shall be restored or rehabilitated according to the requirements of the LMC Chapter 11- Historic Preservation.
12. Any adjoining Historic **Buildings and/or** Structures under common ownership or control must be considered a part of the Property for review purposes of the Conditional Use permit and/or Master Planned Development.
13. The allowed Building Width of any Structure above Final Grade is up to forty (40) feet. Building Widths shall reflect the typical variation, pattern and Historic character of the surrounding residential neighborhood.
14. Residential Density Transfers between the HCB and HR-2 Zoning Districts are not permitted. A portion of the Gross Floor Area generated by the Floor Area Ratio of the HCB Zoning District and applied only to Lot Area in the HCB Zone, may be located in the HR-2 Zone as allowed by this Section.
15. Maximum allowed Building Footprint for the HR-2 Lot is subject to Section 15-6-5(B).

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

Amended by Ord. [10-14](#) on 4/15/2010

Amended by Ord. [2018-43](#) on 7/19/2018

15-2.3-9 Special Requirements For Sub-Zone B

- A. Sub Zone B consists of Lots in the HR-2 District that are located in the following Areas:
 1. East of Main Street, including Properties fronting on Main Street, Swede Alley, and Grant Avenue; and
 2. West of Main Street within Block 13 and fronting on Main Street.
- B. The following special requirements apply only to those Commercial Uses as listed in Section 15-2.3-2 for Sub Zone B:
 1. These Commercial Uses are allowed as a Conditional Use permit review requirements in Section 15-1-10.
 2. New additions and alterations to Historic **Buildings and/or** Structures must not destroy the Architectural Detail of the Structure. The new work must be Compatible with the massing, size, scale, and architectural features to protect the Historic integrity of the Property and its environment. New additions shall be subordinate to the existing Structure.
 3. Adaptive reuse of residential Historic **Buildings and/or** Structures for commercial Uses may impose only minimal changes to the defining Architectural Detail.

4. New Construction must be residential in character and comply with the Design Guidelines for Park City's Historic Districts and Historic Sites for residential construction and all Lot and Site requirements of Section 15-2.3-4.
5. Parking must be provided on-Site in accordance with this Code or Off-Site by paying the HCB "in lieu fee" multiplied by the parking obligation.
6. The Historic Building and/or Structure shall be restored or rehabilitated according to the requirements of LMC Chapter 4 as a condition precedent to approval of the Conditional Use permit.
7. Any adjoining Historic Buildings and/or Structures, under common ownership or control must be considered a part of the Property for review purposes of the Conditional Use permit.
8. The Property Owner must donate a Preservation Easement to the City for the Historic Buildings and/or Structure as a condition precedent to approval of the Conditional Use permit.

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

15-2.3-10 Service Access

Service Areas must be properly Screened. The loading and unloading of goods must take place entirely on the Site. Loading areas must be Screened from general public view. All loading areas shall be shown on the plans prepared for Conditional Use Permit and/or architectural review.

15-2.3-1311 Mechanical Service

No free standing mechanical equipment is allowed in the HR-2 zone with the exception of individual residential mechanical units serving Single family and Duplex Dwelling units within the HR-2 District, subject to the Lot and Site Requirements of Section 15-2.3-4. The Planning Department will review all Development Applications to assure that all Mechanical equipment attached to or on the roofs of Buildings is Screened so that it is not open to view and does not exceed the allowable decibel levels of the City's Noise Ordinance from nearby residential Properties.

Mechanical equipment in the HR-2 zone must be Screened to minimize noise infiltration to adjoining Properties and to mitigate visual impacts on nearby Properties and general public view. All mechanical equipment must be shown on the plans prepared for Conditional Use Permit and/or architectural review by the Planning, Engineering, and Building Departments.

All Structures must provide a means of storing refuse generated by the Structure's occupants. All refuse storage facilities must be shown on the plans prepared for Conditional Use Permit and/or architectural review. Refuse storage must be Screened, enclosed, and properly ventilated so that a nuisance is not created by odors or sanitation problems.

~~The loading and unloading of goods must take place entirely on the Site. Loading areas must be Screened from general public view. All loading areas shall be shown on the plans prepared for Conditional Use Permit and/or architectural review.~~

HISTORY

~~Adopted by Ord. 00-51 on 9/21/2000~~

~~Amended by Ord. 06-56 on 7/27/2006~~

~~Amended by Ord. 10-14 on 4/15/2010~~

~~Amended by Ord. 2016-44 on 9/15/2016~~

15-2.3-12 Criteria For Bed And Breakfast Inns

A Bed and Breakfast Inn is a Conditional Use. No Conditional Use permit may be issued unless the following criteria are met:

- A. The Use is in a Historic Building and/or Structure or addition thereto.
- B. The Applicant will make every attempt to rehabilitate the Historic portion of the Structure.
- C. The Structure has at least two (2) rentable rooms. The maximum number of rooms will be determined by the Applicant's ability to mitigate neighborhood impacts.
- D. The size and configuration of the rooms are Compatible with the Historic character of the Building and neighborhood.
- E. The rooms are available for Nightly Rental only.
- F. An Owner/manager is living on-Site, or in Historic Buildings and/or Structures there must be twenty-four (24) hour on-Site management and check-in.
- G. Food service is for the benefit of overnight guests only.
- H. No Kitchen is permitted within rental room(s).
- I. Parking on-Site is required at a rate of one (1) space per rentable room. If no on-Site parking is possible, the Applicant must provide parking in close proximity to the inn. The Planning Commission may waive the parking requirement for Historic Buildings and/or Structures, if the Applicant proves that:
 1. no on-Site parking is possible without compromising the Historic Buildings and/or Structures or Site, including removal of existing Significant Vegetation, and all alternatives for proximate parking have been explored and exhausted; and
 2. the Structure is not economically feasible to restore or maintain without the adaptive Use.
- J. The Use complies with Section 15-1-10, Conditional Use review.

HISTORY

~~Adopted by Ord. 00-51 on 9/21/2000~~

15-2.3-~~1013~~ Parking Regulations

- A. Tandem Parking is allowed in the Historic District.
- B. ~~Common driveways are~~ One (1) private or Shared Driveway is allowed along shared Side or Rear Lot Lines to provide Access to Parking in the rear of the Main Building or below Grade if both Properties are deed restricted to allow for the perpetual Use of the shared drive.
- C. Common Parking Structures are allowed as a Conditional Use where it facilitates:

1. the Development of individual Buildings that more closely conform to the scale of Historic **Buildings and/or** Structures in the District; and
 2. the reduction, mitigation or elimination of garage doors at the Street edge.
- D. A common Parking Structure may occupy below Grade Side Setbacks between participating Developments if the Structure maintains all Setbacks above Grade. Common Parking Structures **requiring a Conditional Use Permit** are subject to a Conditional Use review, Section 15-1-10.
- E. Driveways between Structures are allowed in order to eliminate garage doors facing the Street, to remove cars from on-Street Parking, and to reduce paved Areas, provided the driveway leads to an approved Garage or Parking Area.
- F. Turning radii are subject to review by the City Engineer as to function and design.
- G. See Section 15-3 Off Street Parking for additional parking requirements.
- H. Parking Areas with five (5) or more spaces within Subzone A shall be accessed from a Street other than Park Avenue if the Parking Area also serves HCB Uses, and such Parking Areas shall be below the Grade of Park Avenue and beneath residential structures facing and fronting on Park Avenue.

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

Amended by Ord. [06-56](#) on 7/27/2006

Amended by Ord. [09-10](#) on 3/5/2009

Amended by Ord. [10-14](#) on 4/15/2010

Amended by Ord. [2018-43](#) on 7/19/2018

15-2.3-~~11~~14 Architectural Review

Prior to issuance of a Building Permit for any Conditional or Allowed Use, the Planning Department shall review the proposed plans for compliance with the Design Guidelines for Historic Districts and Historic Sites, Historic Preservation LMC Chapter 15-11, and Architectural Review LMC Chapter 15-5.

Appeals of departmental actions on compliance with the Design Guidelines for Historic Districts and Historic Sites, LMC Chapter 15-11, and LMC Chapter 15-5 are heard by the Board of Adjustment as outlined in 15-1-18 of the Code.

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

Amended by Ord. [06-56](#) on 7/27/2006

Amended by Ord. [09-10](#) on 3/5/2009

Amended by Ord. [09-23](#) on 7/9/2009

Amended by Ord. [10-14](#) on 4/15/2010

Amended by Ord. [15-35](#) on 10/12/2015

15-2.3-13 Mechanical Service

~~No free-standing mechanical equipment is allowed in the HR-2 zone with the exception of individual residential mechanical units serving Single family and Duplex Dwelling units within~~

~~the HR-2 District, subject to the Lot and Site Requirements of Section 15-2.3-4. The Planning Department will review all Development Applications to assure that all Mechanical equipment attached to or on the roofs of Buildings is Screened so that it is not open to view and does not exceed the allowable decibel levels of the City's Noise Ordinance from nearby residential Properties.~~

~~Mechanical equipment in the HR-2 zone must be Screened to minimize noise infiltration to adjoining Properties and to mitigate visual impacts on nearby Properties and general public view. All mechanical equipment must be shown on the plans prepared for Conditional Use Permit and/or architectural review.~~

~~All Structures must provide a means of storing refuse generated by the Structure's occupants. All refuse storage facilities must be shown on the plans prepared for Conditional Use Permit and/or architectural review. Refuse storage must be Screened, enclosed, and properly ventilated so that a nuisance is not created by odors or sanitation problems.~~

~~The loading and unloading of goods must take place entirely on the Site. Loading areas must be Screened from general public view. All loading areas shall be shown on the plans prepared for Conditional Use Permit and/or architectural review.~~

HISTORY

~~Adopted by Ord. 00-51 on 9/21/2000~~

~~Amended by Ord. 06-56 on 7/27/2006~~

~~Amended by Ord. 10-14 on 4/15/2010~~

~~Amended by Ord. 2016-44 on 9/15/2016~~

15-2.3-14 Goods And Uses To Be Within Enclosed Building

~~A. **OUTDOOR DISPLAY OF GOODS PROHIBITED**. Unless expressly allowed as an Allowed or Conditional Use, all goods, including food, beverage and cigarette vending machines, must be within a completely enclosed Structure. New construction of enclosures for the storage of goods shall not have windows and/or other fenestration that exceeds a wall to window ratio of thirty percent (30%). This section does not preclude temporary sales in conjunction with a Master Festival License, sidewalk sale, or seasonal plant sale. See Section 15-2.3-14(B)(3) for outdoor display of bicycles, kayaks, and canoes.~~

~~B. **OUTDOOR USES PROHIBITED/EXCEPTIONS**. The following outdoor Uses may be allowed by the Planning Department upon the issuance of an Administrative Permit. The Applicant must submit the required application, pay all applicable fees, and provide all required materials and plans. Appeals of Departmental actions are heard by the Planning Commission. These Commercial outdoor Uses are not allowed within Subzone A.~~

~~1. **OUTDOOR DINING**. Outdoor Dining is subject to the following criteria:~~

- ~~a. The proposed outdoor dining is located within Sub-Zone B only, and is associated with an approved Restaurant, Café, or Deli Use.~~

- ~~b. The proposed seating Area is located on private Property or leased public Property and does not diminish parking or landscaping.~~
- ~~c. The proposed seating Area does not impede pedestrian circulation.~~
- ~~d. The proposed seating Area does not impede emergency Access or circulation.~~
- ~~e. The proposed furniture is Compatible with the Streetscape.~~
- ~~f. No music or noise in excess of the City Noise Ordinance, Title 6.~~
- ~~g. No Use after 10:00 p.m.~~
- ~~h. No net increase in the Restaurant's seating capacity without adequate mitigation of the increased parking demand.~~

~~2. **OUTDOOR GRILLS/BEVERAGE SERVICE STATIONS.** Commercial Outdoor grills and/or beverage service stations are subject to the following criteria:~~

- ~~a. The Use is located within Sub-Zone B only.~~
- ~~b. The Use is on private Property or leased public Property and does not diminish parking or landscaping.~~
- ~~c. The Use is only for the sale of food or beverages in a form suited for immediate consumption.~~
- ~~d. The Use is Compatible with the neighborhood.~~
- ~~e. The proposed service station does not impede pedestrian circulation.~~
- ~~f. The proposed service station does not impede emergency Access or circulation.~~
- ~~g. Design of the service station is Compatible with adjacent Buildings and Streetscape.~~
- ~~h. No violation of the City Noise Ordinance, Title 6.~~
- ~~i. Compliance with the City Sign Code, Title 12.~~

~~3. **COMMERCIAL OUTDOOR STORAGE AND DISPLAY OF BICYCLES, KAYAKS, MOTORIZED SCOOTERS, AND CANOES.** Outdoor storage and display of bicycles, kayaks, motorized scooters, and canoes for Commercial purposes is subject to the following criteria:~~

- ~~a. Located within the Sub-Zone B only.~~
- ~~b. The Area of the proposed bicycle, kayak, motorized scooters, and canoe storage or display is on private Property and not in Areas of required parking or landscaped planting beds.~~
- ~~c. Bicycles, kayaks, and canoes may be hung on Buildings if sufficient Site Area is not available, provided the display does not impact or alter the architectural integrity or character of the Structure.~~
- ~~d. No more than a total of three (3) pieces of equipment may be displayed.~~
- ~~e. Outdoor display is allowed only during Business hours.~~
- ~~f. Additional outdoor storage Areas may be considered for rental bicycles or motorized scooters provided there are no or only minimal impacts on~~

~~landscaped Areas, Parking Spaces, and pedestrian and emergency circulation.~~

~~4. **OUTDOOR EVENTS AND MUSIC.** Located in Sub-Zone B only. Outdoor events and music require an Administrative Conditional Use permit. The Use must also comply with Section 15-1-10, Conditional Use review. The Applicant must submit a Site plan and written description of the event, addressing the following:~~

- ~~a. Notification of adjacent Property Owners.~~
- ~~b. No violation of the City Noise Ordinance, Title 6.~~
- ~~c. Impacts on adjacent Residential Uses.~~
- ~~d. Proposed plans for music, lighting, Structures, electrical, signs, etc.~~
- ~~e. Parking demand and impacts on neighboring Properties.~~
- ~~f. Duration and hours of operation.~~
- ~~g. Impacts on emergency Access and circulation.~~

~~5. **DISPLAY OF MERCHANDISE.** Display of outdoor merchandise is subject to the following criteria:~~

- ~~a. The display is immediately available for purchase at the Business displaying the item.~~
- ~~b. The merchandise is displayed on private Property directly in front of or appurtenant to the Business which displays it, so long as the private Area is in an alcove, recess, patio, or similar location that provides a physical separation from the public sidewalk. Allowed in Subzone B only. No item of merchandise may be displayed on publicly owned Property including any sidewalk or prescriptive Right-of-Way regardless if the Property Line extends into the public sidewalk. An item of merchandise may be displayed on commonly owned Property; however, written permission for the display of the merchandise must be obtained from the Owner's association.~~
- ~~c. The display is prohibited from being permanently affixed to any Building. Temporary fixtures may not be affixed to any Historic Building in a manner that compromises the Historic integrity or Façade Easement of the Building as determined by the Planning Director.~~
- ~~d. The display does not diminish parking or landscaping.~~
- ~~e. The Use does not violate the Summit County Health Code, the Fire Code, or International Building Code. The display does not impede pedestrian circulation, sidewalks, emergency Access, or circulation. At minimum, forty-four inches (44") of clear and unobstructed Access to all fire hydrants, egress and Access points must be maintained. Merchandise may not be placed so as to block visibility of or Access to any adjacent Property.~~
- ~~f. The merchandise must be removed if it becomes a hazard due to wind or weather conditions, or if it is in a state of disrepair, as determined by either the Planning Director or Building Official.~~

- ~~g. The display shall not create a hazard to the public due to moving parts, sharp edges, or extension into public Rights of Way, including sidewalks, or pedestrian and vehicular Areas; nor shall the display restrict vision at intersections.~~
- ~~h. No inflatable devices other than decorative balloons smaller than eighteen inches (18") in diameter are permitted. Balloon height may not exceed the finished floor elevation of the second floor of the Building.~~
- ~~i. No additional signs are allowed. A sales tag, four square inches (4 sq. in.) or smaller may appear on each display item, as well as an informational plaque or associated artwork not to exceed twelve square inches (12 sq. in.). The proposed display shall be in compliance with the City Sign Code, Municipal Code Title 12, the City's licensing Code, Municipal Code Title 4, and all other requisite City codes.~~

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

Amended by Ord. [05-49](#) on 8/4/2005

Amended by Ord. [06-56](#) on 7/27/2006

Amended by Ord. [10-14](#) on 4/15/2010

15-2.3-15 Vegetation Protection

The Property Owner must protect Significant Vegetation during any Development activity. Significant Vegetation includes large trees six inches (6") in diameter or greater measured four and one-half feet (4½') above the ground, groves of smaller trees, or clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more measured at the drip line.

Development plans must show all Significant Vegetation within twenty feet (20') of a proposed Development. The Property Owner must demonstrate the health and viability of all large trees through a certified arborist. The Planning Director shall determine the Limits of Disturbance and may require mitigation for loss of Significant Vegetation consistent with Landscape Criteria in LMC Chapter 5.

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

Amended by Ord. [06-56](#) on 7/27/2006

Amended by Ord. [10-14](#) on 4/15/2010

15-2.3-16 Signs

Signs are allowed in the HR-2 District as provided in the Park City Sign Code, Title 12.

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

15-2.3-17 Related Provisions

- Fences and Walls. LMC Chapter 15-4-2.

- Accessory Apartment. LMC Chapter 15-4-7.
- Satellite Receiving Antenna. LMC Chapter 15-4-13.
- Telecommunication Facility. LMC Chapter 15-4-14.
- Parking. LMC Chapter 15-3.
- Landscaping. Title 14; LMC Chapter 15-3-3(D) and 15-5.
- Lighting. LMC Chapters 15-3-3(C), 15-5-5(I).
- Historic Preservation. LMC Chapter 15-11.
- Park City Sign Code. Title 12.
- Architectural Review. LMC Chapter 15-11.
- Snow Storage. LMC Chapter 15-3-3(E).
- Parking Ratio Requirements. Section 15-3-6.

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

Amended by Ord. [06-56](#) on 7/27/2006

Amended by Ord. [10-14](#) on 4/15/2010

Exhibit 4 – LMC § 15-2.4 Historic Residential-Medium Density (HRM)

15-2.4 Historic Residential-Medium Density (HRM) District

15-2.4-1 Purpose

15-2.4-2 Uses

15-2.4-3 Conditional Use Permit Review

15-2.4-4 Lot And Site Requirements

~~15-2.4-5 Special Requirements For Multi-Unit Dwellings~~

15-2.4-65 Existing Historic Buildings and/or Structures

15-2.4-76 Building Height

~~15-2.4-57 Special Requirements For Multi-Unit Dwellings~~

~~15-2.4-8 Parking Regulations~~

15-2.4-98 Sullivan Road Access

~~15-2.4-129 Outdoor Events And Music~~

~~15-2.4-110 Criteria For Bed And Breakfast Inns~~

~~15-2.4-811 Parking Regulations~~

15-2.4-1012 Architectural Review

~~15-2.4-11 Criteria For Bed And Breakfast Inns~~

~~15-2.4-12 Outdoor Events And Music~~

15-2.4-13 Vegetation Protection

15-2.4-14 Signs

15-2.4-15 Related Provisions

15-2.4-1 Purpose

The purpose of the Historic Residential Medium Density (HRM) District is to:

- A. allow continuation of permanent residential and transient housing in original residential Areas of Park City,
- B. encourage new Development along an important corridor that is Compatible with Historic Buildings and/or Structures in the surrounding Area,
- C. encourage the rehabilitation of existing Historic Buildings and/or Structures,
- D. encourage Development that provides a transition in Use and scale between the Historic District and the resort Developments,
- E. encourage Affordable Housing,
- F. encourage Development which minimizes the number of new driveways Accessing existing thoroughfares and minimizes the visibility of Parking Areas, and
- G. establish specific criteria for the review of Neighborhood Commercial Uses in Historic Buildings and/or Structures along Park Avenue.

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

15-2.4-2 Uses

Uses in the HRM District are limited to the following:

A. ALLOWED USES.

1. Single Family Dwelling
2. Duplex Dwelling
3. Secondary Living Quarters
4. Lockout Unit¹
5. Accessory Apartment²
6. Nightly Rental³
7. Home Occupation
8. Child Care, In-Home Babysitting
9. Child Care, Family⁴
10. Child Care, Family Group⁴
11. Accessory Building and Use
12. Conservation Activity
13. Agriculture
14. Parking Area or Structure with four (4) or fewer spaces

B. CONDITIONAL USES.

1. Triplex Dwelling
2. Multi-Unit Dwelling
3. Group Care Facility
4. Child Care Center⁴
5. Public and Quasi-Public Institution, Church, and School
6. Essential Municipal and Public Utility Use, Facility Service, and Structure
7. Telecommunication Antenna⁵
8. Satellite Dish, greater than thirty-nine inches (39") in diameter⁶
9. Bed and Breakfast Inn⁷
10. Boarding House, Hostel⁷
11. Hotel, Minor⁷
12. Office, General⁸
13. Retail and Service Commercial, Minor⁸
14. Retail and Service Commercial, personal improvement⁸
15. Neighborhood Market, without gasoline sales⁸
16. Cafe, Deli⁸
17. Café, Outdoor Dining⁹
18. Parking Area or Structure with five (5) or more spaces
19. Temporary Improvement¹⁰
20. Recreation Facility, Public
21. Recreation Facility, Private
22. Outdoor Events¹⁰
23. Fences greater than six feet (6') in height from Final Grade¹⁰

- C. **PROHIBITED USES.** Any Use not listed above as an Allowed or Conditional Use is a prohibited Use.

¹Nightly rental of Lockout Units requires a Conditional Use permit.

²See LMC Chapter 15-4-7, Supplemental Regulations for Accessory Apartments.

³Nightly Rentals do not include the Use of dwellings for Commercial Uses.

⁴See LMC Chapter 15-4-9 for Child Care Regulations

⁵See LMC Chapter 15-4-14, Supplemental Regulations for Telecommunications Facilities

⁶See LMC Chapter 15-4-13, Supplemental Regulations for Satellite Receiving Antennas

⁷Allowed only in Historic Buildings and/or Structures or historically Compatible Structures

⁸Allowed only in Historic Buildings and/or Structures

⁹Requires an Administrative Conditional Use permit. Allowed in association with a Café or Deli

¹⁰Requires an Administrative or Administrative Conditional Use permit, see Section 15-4

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

Amended by Ord. 06-69 on 10/19/2006

Amended by Ord. 09-10 on 3/5/2009

Amended by Ord. 15-35 on 10/12/2015

15-2.4-3 Conditional Use Permit Review

The Planning ~~Director~~ Commission shall review any Conditional Use permit (CUP) Application in the HRM District ~~and shall forward a recommendation to the Planning Commission regarding compliance with the Design Guidelines for Park City's Historic Districts and Historic Sites and Chapter 5. The Planning Commission shall review the Application~~ according to Conditional Use permit criteria set forth in Section 15-1-10. As well as the following:

- A. Consistent with the Design Guidelines for Park City's Historic Districts and Historic Sites.
- B. The Applicant may not alter the Historic Building and/or Structure to minimize the residential character of the Building.
- C. Dedication of a Facade Preservation Easement for Historic Buildings and/or Structures is required to assure preservation of the Historic Building and/or Structure ~~is required and the Historic fabric of the surrounding neighborhood.~~
- D. New Buildings and additions must be in scale and Compatible with the mass, height, width, and Historic character of the surrounding residential neighborhood and existing Historic Buildings and/or Structures in the neighborhood. Larger Building masses should be located to rear of the Structure to minimize the perceived mass from the Street.
- E. Parking requirements of Section 15-3 shall be met. The Planning Commission may waive parking requirements for Historic Buildings and/or Structures.

The Planning Commission may allow on-Street parallel parking adjacent to the Front Yard to count as parking for Historic Buildings and/or Structures, if the Applicant can

document that the on-Street Parking will not impact adjacent Uses or create traffic circulation hazards. A traffic study, prepared by a registered Engineer, may be required.

- F. All Yards must be designed and maintained in a residential manner. Existing mature landscaping shall be preserved wherever possible. The Use of native plants and trees is strongly encouraged.
- G. **Required** Fencing and Screening between commercial and Residential Uses is required along common Property Lines.
- H. All utility equipment and service Areas must be fully Screened to prevent visual and noise impacts on adjacent Properties and on pedestrians.

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

Amended by Ord. [06-69](#) on 10/19/2006

Amended by Ord. [12-37](#) on 12/20/2012

Amended by Ord. [15-35](#) on 10/12/2015

15-2.4-4 Lot And Site Requirements

Except as may otherwise be provided in this Code, no Building permit shall be issued for a Lot unless such Lot has Area, width, and depth as required, and Frontage on a private or Public Street shown on the Streets Master Plan or on a private easement connecting the Lot to a Street shown on the Streets Master Plan.

All Development **activity** must comply with the following **minimum Lot and Site requirements**:

- A. **LOT SIZE**. Minimum Lot Areas for Residential Uses are as follows:

Single Family Dwelling	1,875 sq. ft.
Duplex Dwelling	3,750 sq. ft.
Triplex Dwelling	4,687 sq. ft.
Four-plex Dwelling	5,625 sq. ft.

- B. Minimum Lot Area for all other Uses shall be determined by the Planning Commission during the Conditional Use review.

Developments consisting of more than four (4) Dwelling Units require a Lot Area at least equal to 5,625 square feet plus an additional 1,000 square feet per each additional Dwelling Unit over four (4) units. All Setback, height, parking, Open Space, and architectural requirements must be met. See Section 15-2.4-3, Conditional Use Permit

Review.

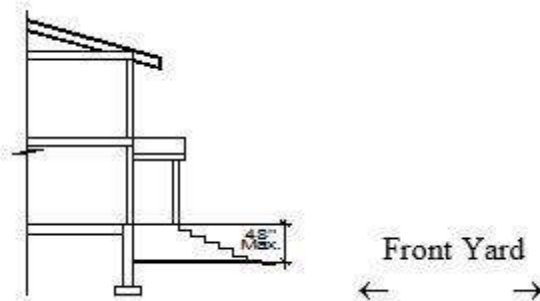
- C. **LOT WIDTH.** The minimum width of a Lot is 37.50 feet, measured fifteen feet (15') from the Front Lot Line. Existing platted Lots of record, with a minimum width of at least twenty five feet (25'), are considered legal Lots in terms of Lot Width. In the case of unusual Lot configurations, Lot Width measures shall be determined by the Planning Director.

D. **FRONT SETBACK.**

1. The minimum Front Setback for Single-Family, Duplex Dwellings, and Accessory Buildings is fifteen feet (15'). If the Lot depth is seventy five feet (75') or less, then the minimum Front Setback is ten feet (10').
2. New Front Facing Garages for Single Family and Duplex Dwellings must be at least twenty feet (20') from the Front Lot Line.
3. See Section 15-2.4-7 for special requirements for Triplexes and Multi-Unit Dwellings.

- E. **FRONT SETBACK EXCEPTIONS.** The Front Setback must be open and free of any Structure except:

1. Fences, walls, and retaining walls not more than four feet (4') in height, or as permitted in Section 15-4-2. On Corner Lots, Fences more than three (3') in height are prohibited within twenty-five feet (25') of the intersection, at back of curb.
2. Uncovered steps leading to the Main Building; provided the steps are not more than four feet (4') in height from Final Grade, not including any required handrail, and do not cause any danger or hazard to traffic by obstructing the view of a Street or intersection.



3. Decks, porches, and Bay Windows, not more than ten feet (10') wide, and projecting not more than three feet (3') into the Front Setback.
4. Roof overhangs, eaves, and cornices projecting not more than three feet (3') into the Front Setback.

5. Sidewalks, patios, and pathways.
6. Driveways leading to a garage or Parking Area. No portion of a Front Yard except for approved driveways and patios, allowed Parking Areas, and sidewalks may be Hard-Surfaced or graveled.

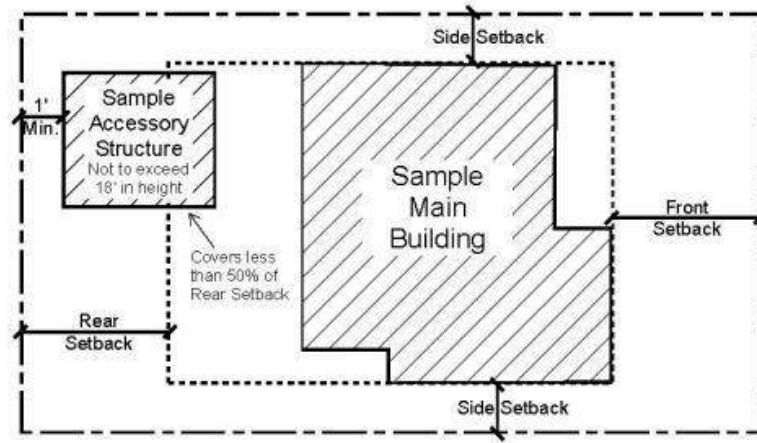
F. **REAR SETBACK.**

1. The minimum Rear Setback is ten feet (10') for all Main Buildings, and one foot (1') for detached Accessory Buildings.
2. See Section 15-2.4-7, Special Requirements for Multi-Unit Dwellings.

G. **REAR SETBACK EXCEPTIONS.** The Rear Setback must be open and free of any Structure except:

1. Bay Windows not more than ten feet (10') wide, and projecting not more than two feet (2') into the Rear Setback.
2. Chimneys not more than five feet (5') wide, and projecting not more than two feet (2') into the Rear Setback.
3. Window wells not exceeding the minimum International Residential Code (IRC) or International Building Code (IBC) requirements for egress or light wells may extend not more than four feet (4') into the Rear Setback. Should egress requirements be met within the building pad, no Rear Setback exception is permitted.
4. Roof overhangs and eaves projecting not more than three feet (3') into the Rear Setback.
5. Window sills, belt courses, cornices, trim, and other ornamental features projecting not more than six inches (6") beyond the ~~window or~~ main Structure to which they are attached.
6. Detached Accessory Buildings, not more than eighteen feet (18') in height, and including any free-standing Solar Energy Systems, located a minimum of five feet (5') behind the front façade of the Main Building, and maintaining a minimum Rear Setback of one foot (1'). Such Structure must not cover over fifty percent

(50%) of the Rear Setback. See the following illustration:

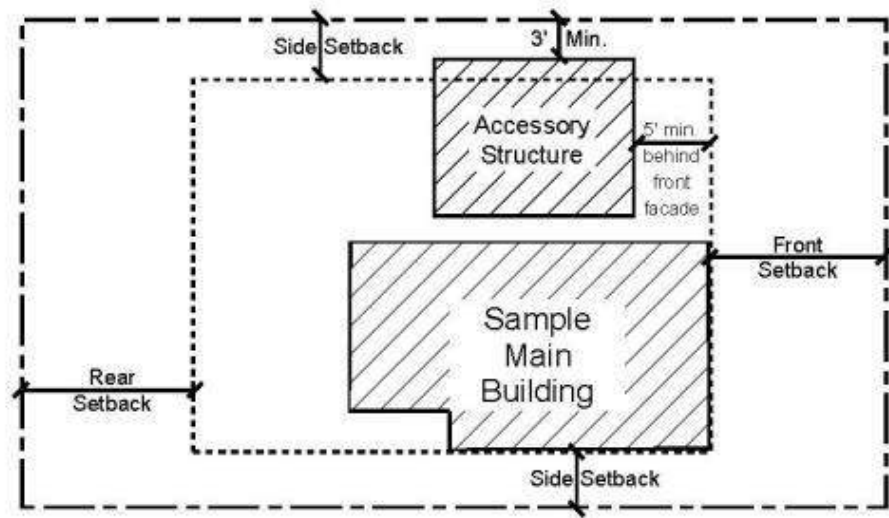


7. A Hard-Surfaced Parking Area subject to the same location requirements as a detached Accessory Building.
8. Mechanical equipment (which must be screened), hot tubs, or similar Structures, located at least three feet (3') from the Rear Lot Line.
9. Fences, walls, and retaining walls not ~~over~~ more than six feet (6') in height, or as permitted in Section 15-4-2.
10. Patios, decks, pathways, steps, and similar Structures not more than thirty inches (30") above Final Grade, located at least one foot (1') from the Rear Lot Line.
11. One (1) private or Shared Driveway leading to a garage or approved Parking Area. See Section 15-2.4-11 Parking Regulations for additional requirements.

H. **SIDE SETBACK.**

1. The minimum Side Setback for any Single Family, Duplex Dwelling or Accessory Building is five feet (5').
2. The minimum Side Setback for Lots twenty-five feet (25') wide or less is three feet (3').
3. On Corner Lots, the Side Yard that faces a Street or platted Right-of-Way is considered a Front Yard, and the minimum Side Setback that faces a side Street or platted Right-of-Way is ten feet (10') for both Main and Accessory Buildings. A three foot (3') Side Setback along the platted Right-of-Way is allowed when the Lot Width is less than 37.5 feet; no Side Setback exceptions shall be utilized when the Setback is three feet (3') along the Right-of-Way.

4. A Side Setback between connected Structures is not required where Structures are designed with a common wall on a Property Line, each Structure is located on an individual Lot, the Lots are burdened with a party wall agreement in a form approved by the City Attorney and Chief Building Official, all applicable Building and Fire Code requirements are met, and the Use is an Allowed or Conditional Use in the Zoning District.
 - a. Exterior Side Setbacks shall be based on the required minimum Side Setback for each Lot; however the Planning Commission may consider increasing exterior Side Setbacks during Conditional Use Permit review to mitigate potential impacts on adjacent Property. Side Setback exceptions continue to apply.
 - b. The longest dimension of a Building joined at the Property Line may not exceed one hundred feet (100').
5. ~~The minimum Side Setback for a detached Accessory Building, not greater than eighteen feet (18') in height, including any free-standing Solar Energy Systems, located at least five feet (5') behind the front facade of the Main Building, is three feet (3'). See the following illustration:~~



6. ~~On Corner Lots, the minimum Side Yard that faces a Street is ten feet (10') for both Main and Accessory Buildings.~~

7. See Section 15-2.4-7 special requirements for Multi-Unit Dwellings.

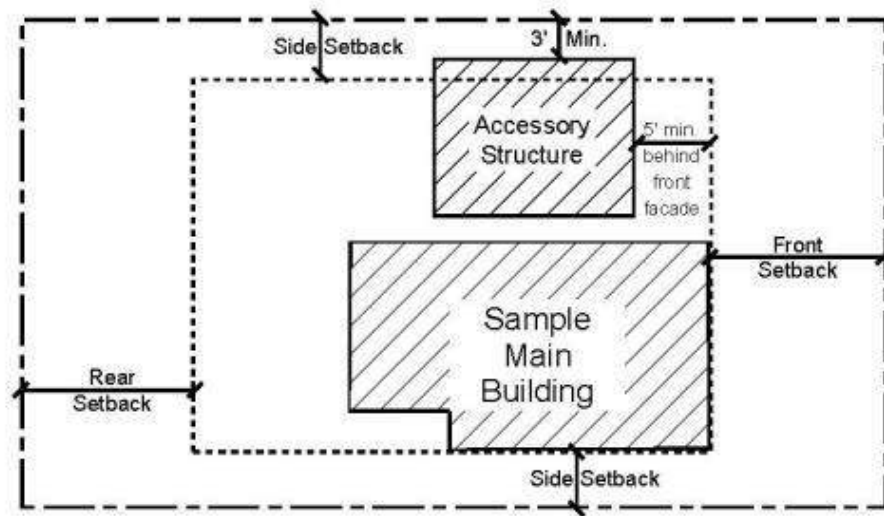
I. **SIDE SETBACK EXCEPTIONS.** The Side Setback must be open and free of any Structure except:

1. Bay Windows not more than ten feet (10') wide, and projecting not more than two feet (2') into the Side Setback. ⁺Only permitted on Lots with a Side Setback of

five feet (5') or greater.

2. Chimneys not more than five feet (5') wide, and projecting not more than two feet (2') into the Side Setback. ⁺Only permitted on Lots with a Side Setback of five feet (5') or greater.
3. Window wells ~~s and light wells~~ not exceeding the minimum International Residential Code (IRC) or International Building Code (IBC) requirements for egress projecting may extend not more than four feet (4') into the Side Setback. ⁺Only permitted on Lots with a Side Setback of five feet (5') or greater. Should egress requirements be met within the building pad, no Rear Setback exception is permitted.
4. ~~Roof overhangs and eaves projecting not more than two feet (2') into the Side Setback.~~ ⁺Only permitted on Lots with a Side Setback of five feet (5') or greater.
5. Window sills, belt courses, cornices, trim, and other ornamental features projecting not more than six inches (6") beyond the ~~window or~~ main Structure to which they are attached.
6. Patios, decks, pathways, steps, and similar Structures not more than thirty inches (30") in height above Final Grade, located at least one foot (1') from the Side Lot Line.
7. Fences, walls and retaining walls not more than six feet (6') in height, or as permitted in Section 15-4-2.
8. One (1) private or Shared Driveways leading to a garage or approved Parking Area. See Section 15-2.4-11 Parking Regulations for additional requirements.
9. Pathways and steps connecting to a City staircase or pathway.
10. ~~The minimum Side Setback for a detached Accessory Building, not greater than eighteen feet (18') in height, Detached Accessory Buildings, not more than eighteen feet (18') in height, and including any free-standing Solar Energy Systems, located at least five feet (5') behind the front facade~~ Front Façade of the Main Building, maintaining a minimum Side Setback of is three feet (3'). See the

following illustration:



11. Mechanical equipment (which must be screened), hot tubs, or similar Structures, located at least three feet (3') from the Side Lot Line.

- J. **SNOW RELEASE**. Site plans and Building design must resolve snow release issues to the satisfaction of the Chief Building Official.
- K. **CLEAR VIEW OF INTERSECTION**. No visual obstruction in excess of two feet (2') in height above road Grade shall be placed on any Corner Lot within the Site Distance Triangle. A reasonable number of trees may be allowed, if pruned high enough to permit automobile drivers an unobstructed view. This provision must not require changes in the Natural Grade on the Site.

[†]~~Applies only to Lots with a minimum Side Setback of five feet (5').~~

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

Amended by Ord. [06-69](#) on 10/19/2006

Amended by Ord. [09-10](#) on 3/5/2009

Amended by Ord. [15-35](#) on 10/12/2015

Amended by Ord. [2016-44](#) on 9/15/2016

Amended by Ord. [2018-27](#) on 5/31/2018

Amended by Ord. [2018-43](#) on 7/19/2018

15-2.4.5 Special Requirements For Multi-Unit Dwellings

- A. ~~**FRONT SETBACK**. The Front Setback for any Triplex, or Multi-Unit Dwelling is twenty (20') feet. All new Front Facing Garages shall be a minimum of twenty-five feet~~

~~(25') from the Front Property Line. All Yards fronting any Street are considered Front Yards for the purposes of determining required Setbacks. See Section 15-2.4-4(D), Front Setback Exceptions.~~

~~B. **REAR SETBACK.** The Rear Setback for a Triplex or Multi-Unit Dwelling is ten feet (10'). See Section 15-2.4-4(F), Rear Setback Exceptions.~~

~~C. **SIDE SETBACK.** The Side Setback for any Triplex, or Multi-Unit Dwelling is ten feet (10'). See Section 15-2.4-4(H), Side Setback Exceptions.~~

~~D. **OPEN SPACE.** The Applicant must provide Open Space equal to at least sixty percent (60%) of the total Site for all Triplex and Multi-Unit Dwellings. If reviewed as a Master Planned Development, then the Open Space requirements of Section 15-6-5 (D) shall apply. Parking is prohibited within the Open Space. See Section 15-15 Open Space. In cases of redevelopment of existing historic sites on the Historic Sites Inventory and containing at least fifty percent (50%) deed restricted affordable housing, the minimum open space requirement shall be thirty percent (30%).~~

HISTORY

~~Adopted by Ord. 00-51 on 9/21/2000~~

~~Amended by Ord. 09-10 on 3/5/2009~~

~~Amended by Ord. 12-37 on 12/20/2012~~

~~Amended by Ord. 13-42 on 10/17/2013~~

~~Amended by Ord. 2018-43 on 7/19/2018~~

15-2.4-65 Existing Historic Building and/or Structures

Historic Buildings and/or Structures that do not comply with Building Footprint, Building Height, Building Setbacks, Off-Street parking, and driveway location standards are valid Non-Complying Structures. Additions to Historic Buildings and/or Structures are exempt from Off-Street parking requirements provided the addition does not create a Lockout Unit or an Accessory Apartment. Additions must comply with Building Setbacks, Building Footprint, driveway location standards and Building Height.

A. **EXCEPTION.** ~~For additions to Historic Buildings and new construction on sites listed on the Historic Sites Inventory and in In~~ order to achieve new construction consistent with the Historic District Design Guidelines, the Planning Commission may grant an exception to the Building Setback and driveway location standards for additions to Historic Buildings, including detached single car Garages:

1. Upon approval of a Conditional Use permit, and
2. When the scale of the addition and/or driveway is Compatible with the Historic Building and/or Structure, and
3. When the addition complies with all other provisions of this Chapter, and
4. When the addition complies with the adopted Building and Fire Codes, and
5. When the addition complies with the Design Guidelines for Historic Districts and Sites.

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

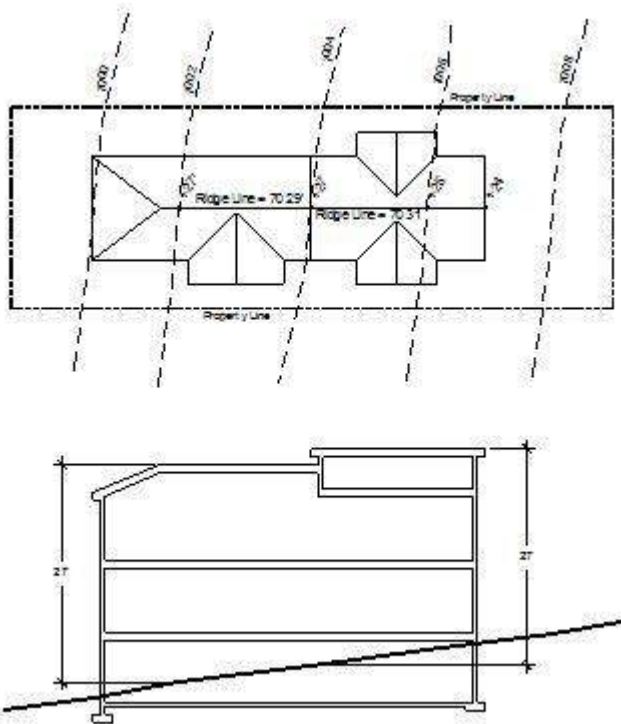
Amended by Ord. [06-69](#) on 10/19/2006

Amended by Ord. [13-42](#) on 10/17/2013

Amended by Ord. [2016-44](#) on 9/15/2016

15-2.4-76 Building Height

No Structure shall be erected to a height greater than twenty-seven feet (27') from Existing Grade. This is the Zone Height. Final Grade must be within four vertical feet (4') of Existing Grade, except for the placement of approved window wells, emergency egress, and a garage entrance.



- A. **BUILDING HEIGHT EXCEPTIONS.** The following height exceptions apply:
1. Antennas, chimney, flues, vents, and similar Structures may extend up to five feet (5') above the highest point of the Building to comply with International Building Code (IBC) requirements.
 2. Water towers, mechanical equipment, and Solar Energy Systems, when enclosed or Screened, may extend up to five feet (5') above the height of the Building. See LMC 15-5-5(G)(7)(a).
 3. Church spires, bell towers, and like architectural features as allowed under the Historic District Design Guidelines, may extend up to fifty percent (50%) above the Zone Height, but may not contain Habitable Space above the Zone Height. Such exception requires approval by the Planning Director.

4. To accommodate a roof form consistent with the Historic District Design Guidelines for Park City's Historic Districts and Historic Sites, the Planning Director may grant additional Building Height provided that no more than twenty percent (20%) of the roof ridge line exceeds the Zone Height requirements and complies with height exception criteria in 15-2.2-6(B)(10).
5. Elevator Penthouses may extend up to eight feet (8') above the Zone Height.

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

Amended by Ord. 06-69 on 10/19/2006

Amended by Ord. 09-10 on 3/5/2009

Amended by Ord. 15-35 on 10/12/2015

Amended by Ord. 2018-27 on 5/31/2018

15-2.4-57 Special Requirements For Multi-Unit Dwellings

- A. **FRONT SETBACK.** The Front Setback for any Triplex, or Multi-Unit Dwelling is twenty (20') feet. All new Front-Facing Garages shall be a minimum of twenty-five feet (25') from the Front Property Line. All Yards fronting any Street are considered Front Yards for the purposes of determining required Setbacks. See Section 15-2.4-4(D), Front Setback Exceptions.
- B. **REAR SETBACK.** The Rear Setback for a Triplex or Multi-Unit Dwelling is ten feet (10'). See Section 15-2.4-4(F), Rear Setback Exceptions.
- C. **SIDE SETBACK.** The Side Setback for any Triplex, or Multi-Unit Dwelling is ten feet (10'). See Section 15-2.4-4(H), Side Setback Exceptions.
- D. **OPEN SPACE.** The Applicant must provide Open Space equal to at least sixty percent (60%) of the total Site for all Triplex and Multi-Unit Dwellings. If reviewed as a Master Planned Development, then the Open Space requirements of Section 15-6-5 (D) shall apply. Parking is prohibited within the Open Space. See Section 15-15 Open Space. In cases of redevelopment of existing historic sites on the Historic Sites Inventory and containing at least fifty percent (50%) deed restricted affordable housing, the minimum open space requirement shall be thirty percent (30%).

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

Amended by Ord. 09-10 on 3/5/2009

Amended by Ord. 12-37 on 12/20/2012

Amended by Ord. 13-42 on 10/17/2013

Amended by Ord. 2018-43 on 7/19/2018

15-2.4-8 Parking Regulations

- A. ~~Tandem Parking is allowed in the Historic District.~~

- ~~B. Common driveways are allowed along shared Side Yard Property Lines to provide Access to Parking in the rear of the Main Building or below Grade if both Properties are deed restricted to allow for the perpetual Use of the shared drive.~~
- ~~C. Common Parking Structures are allowed as a Conditional Use permit where it facilities:
 - ~~1. the Development of individual Buildings that more closely conform to the scale of Historic Structures in the District; and~~
 - ~~2. the reduction, mitigation or elimination of garage doors at the Street edge.~~~~
- ~~D. A common Parking Structure may occupy below Grade Side Yards between participating Developments if the Structure maintains all Setbacks above Grade. Common Parking Structures requiring a Conditional Use permit are subject to a Conditional Use review, Section 15-1-10.~~
- ~~E. Driveways between Structures are allowed in order to eliminate garage doors facing the Street, to remove cars from on Street parking, and to reduce paved Areas, provided the driveway leads to an approved Garage or Parking Area.~~
- ~~F. Turning radii are subject to review by the City Engineer as to function and design.~~
- ~~G. See Section 15-3 Off Street Parking for additional parking requirements.~~

HISTORY

Adopted by Ord. ~~00-51~~ on 9/21/2000

Amended by Ord. ~~06-69~~ on 10/19/2006

Amended by Ord. ~~09-10~~ on 3/5/2009

15-2.4-98 Sullivan Road Access

The Planning Commission may issue a Conditional Use permit (CUP) for Limited Access on Sullivan Road (“Driveway”). “Limited Access” allowed includes, but shall not be limited to: An additional curb cut for an adjoining residential or commercial project; paving or otherwise improving existing Access; increased vehicular connections from Sullivan Road to Park Avenue; and any other City action that otherwise increases vehicular traffic on the designated Area.

- A. **CRITERIA FOR CONDITIONAL USE REVIEW FOR LIMITED ACCESS.**
Limited Access is allowed only when an Applicant proves the project has positive elements furthering reasonable planning objectives, such as increased Transferred Development Right (TDR) Open Space or Historic preservation in excess of that required in the zone.
- B. **NEIGHBORHOOD MANDATORY ELEMENTS CRITERIA.** The Planning Commission shall review and evaluate the following criteria for all projects along Sullivan Road and Eastern Avenue:
 - 1. **UTILITY CONSIDERATIONS.** Utility extensions from Park Avenue are preferred, which provide the least disturbance to the City Park and the public as a whole.
 - 2. **ENHANCED SITE PLAN CONSIDERATIONS.** These review criteria apply to both Sullivan Road and Park Avenue Street fronts:
 - a. Variation in Front Yard and Building Setbacks to orient porches and windows onto Street fronts.

- b. Increased Front Setbacks.
- c. Increased snow storage.
- d. Increased Transferred Development Right (TDR) Open Space, and/or preservation of significant landscape elements.
- e. Elimination of Multi-Unit or Triplex Dwellings.
- f. Minimized Access to Sullivan Road.
- g. Decreased Density.

3. **INCORPORATION OF PEDESTRIAN AND LANDSCAPE IMPROVEMENTS ALONG PARK AVENUE, SULLIVAN ROAD, AND EASTERN AVENUE.** Plans must save, preserve, or enhance pedestrian connections and landscape elements along the Streetscape, within the Development Site, and between Park Avenue and Sullivan Road.

4. **PARKING MITIGATION.** Plans that keep the Front Setbacks clear of parking and minimize parking impacts near intensive Uses on Sullivan Road are positive elements of any Site plan.

C. **AFFORDABLE HOUSING APPLICABILITY.** When the Development consists of fifty percent (50%) or more deed restricted Affordable Housing Units, per the City's most current Affordable Housing Resolution, Section 15-2-4-9(B) above does not apply.

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

Amended by Ord. [06-69](#) on 10/19/2006

Amended by Ord. [13-42](#) on 10/17/2013

Amended by Ord. [2018-43](#) on 7/19/2018

15-2.4-129 Outdoor Events And Music

Outdoor events and music require an Administrative Conditional Use permit. The Use must comply with Section 15-1-10, Conditional Use Review. The Applicant must submit a Site plan and written description of the event, addressing the following:

- A. Notification of adjacent Property Owners.
- B. No violation of the City Noise Ordinance, Title 6.
- C. Impacts on adjacent Residential Uses.
- D. Proposed plans for music, lighting, Structures, electrical, signs, etc.
- E. Parking demand and impacts on neighboring Properties.
- F. Duration and hours of operation.
- G. Impacts on emergency Access and circulation.

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

15-2.4-110 Criteria For Bed And Breakfast Inns

A Bed and Breakfast Inn is a Conditional Use subject to an Administrative Conditional Use permit. No Conditional Use permit may be issued unless the following criteria are met:

- A. The Use is in a Historic Building and/or Structure, addition thereto, or a historically Compatible Structure.
- B. The Applicant will make every attempt to rehabilitate the Historic portion of the Structure.
- C. The Structure has at least two (2) rentable rooms. The maximum number of rooms will be determined by the Applicant's ability to mitigate neighborhood impacts.
- D. In a Historic Building and/or Structure, the size and configuration of the rooms are Compatible with the Historic character of the Building and neighborhood.
- E. The rooms are available for Nightly Rental only.
- F. An Owner/manager is living on-Site, or in Historic Buildings and/or Structures there must be twenty-four (24) hour on-Site management and check-in.
- G. Food service is for the benefit of overnight guests only.
- H. No Kitchen is permitted within rental room(s).
- I. Parking on-Site is required at a rate of one (1) space per rentable room. If no on-Site parking is possible, the Applicant must provide parking in close proximity to the Bed and Breakfast Inn. The Planning Director may waive the parking requirement for Historic Buildings and/or Structures if the Applicant proves that:
 - 1. no on-Site parking is possible without compromising the Historic Buildings and/or Structure or Site, including removal of existing Significant Vegetation and all alternatives for proximate parking have been explored and exhausted; and
 - 2. the Structure is not economically feasible to restore or maintain without the adaptive Use.
- J. The Use complies with Section 15-1-10, Conditional Use review.

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

Amended by Ord. 06-69 on 10/19/2006

15-2.4-811 Parking Regulations

- A. Tandem Parking is allowed in the Historic District.
- B. ~~Common driveways are~~ One (1) private or Shared Driveway is allowed along shared Side or Rear ~~Yard Property~~ Lot Lines to provide Access to Parking in the rear of the Main Building or below Grade if both Properties are deed restricted to allow for the perpetual Use of the shared drive.
- C. Common Parking Structures are allowed as a Conditional Use permit where it facilities:
 - 1. the Development of individual Buildings that more closely conform to the scale of Historic Buildings and/or Structures in the District; and
 - 2. the reduction, mitigation or elimination of garage doors at the Street edge.
- D. A common Parking Structure may occupy below Grade Side Yards between participating Developments if the Structure maintains all Setbacks above Grade. Common Parking Structures requiring a Conditional Use permit are subject to a Conditional Use review, Section 15-1-10.

- E. Driveways between Structures are allowed in order to eliminate garage doors facing the Street, to remove cars from on-Street parking, and to reduce paved Areas, provided the driveway leads to an approved Garage or Parking Area.
- F. Turning radii are subject to review by the City Engineer as to function and design.
- G. See Section 15-3 Off Street Parking for additional parking requirements.

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

Amended by Ord. 06-69 on 10/19/2006

Amended by Ord. 09-10 on 3/5/2009

15-2.4-1012 Architectural Review

Prior to issuance of a Building Permit for any Conditional or Allowed Use, the Planning Department shall review the proposed plans for compliance with the Design Guidelines for Historic Districts and Historic Sites, Historic Preservation LMC Chapter 15-11, and Architectural Review LMC Chapter 15-5.

Appeals of departmental actions on compliance with the Design Guidelines for Historic Districts and Historic Sites, LMC Chapter 15-11, and LMC Chapter 5-5 are heard by the Board of Adjustment as outlined in Section 15-1-18 of the Code.

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

Amended by Ord. 06-69 on 10/19/2006

Amended by Ord. 09-23 on 7/9/2009

Amended by Ord. 15-53 on 12/17/2015

15-2.4-11 Criteria For Bed And Breakfast Inns

~~A Bed and Breakfast Inn is a Conditional Use subject to an Administrative Conditional Use permit. No Conditional Use permit may be issued unless the following criteria are met:~~

- ~~K. The Use is in a Historic Structure, addition thereto, or a historically Compatible Structure.~~
- ~~L. The Applicant will make every attempt to rehabilitate the Historic portion of the Structure.~~
- ~~M. The Structure has at least two (2) rentable rooms. The maximum number of rooms will be determined by the Applicant's ability to mitigate neighborhood impacts.~~
- ~~N. In a Historic Structure, the size and configuration of the rooms are Compatible with the Historic character of the Building and neighborhood.~~
- ~~O. The rooms are available for Nightly Rental only.~~
- ~~P. An Owner/manager is living on Site, or in Historic Structures there must be twenty four (24) hour on Site management and check in.~~
- ~~Q. Food service is for the benefit of overnight guests only.~~
- ~~R. No Kitchen is permitted within rental room(s).~~
- ~~S. Parking on Site is required at a rate of one (1) space per rentable room. If no on Site parking is possible, the Applicant must provide parking in close proximity to the Bed and~~

~~Breakfast Inn. The Planning Director may waive the parking requirement for Historic Structures if the Applicant proves that:~~

- ~~1. no on-Site parking is possible without compromising the Historic Structure or Site, including removal of existing Significant Vegetation and all alternatives for proximate parking have been explored and exhausted; and~~
- ~~2. the Structure is not economically feasible to restore or maintain without the adaptive Use.~~

~~T. The Use complies with Section 15-1-10, Conditional Use review.~~

HISTORY

~~Adopted by Ord. 00-51 on 9/21/2000~~

~~Amended by Ord. 06-69 on 10/19/2006~~

15-2.4-12 Outdoor Events And Music

~~Outdoor events and music require an Administrative Conditional Use permit. The Use must comply with Section 15-1-10, Conditional Use Review. The Applicant must submit a Site plan and written description of the event, addressing the following:~~

- ~~H. Notification of adjacent Property Owners.~~
- ~~I. No violation of the City Noise Ordinance, Title 6.~~
- ~~J. Impacts on adjacent Residential Uses.~~
- ~~K. Proposed plans for music, lighting, Structures, electrical, signs, etc.~~
- ~~L. Parking demand and impacts on neighboring Properties.~~
- ~~M. Duration and hours of operation.~~
- ~~N. Impacts on emergency Access and circulation.~~

HISTORY

~~Adopted by Ord. 00-51 on 9/21/2000~~

15-2.4-13 Vegetation Protection

The Property Owner must protect Significant Vegetation during any Development activity. Significant Vegetation includes large trees six inches (6") in diameter or greater measured four and one-half feet (4 ½') above the ground, groves of small trees, or clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more measured at the drip line.

Development plans must show all Significant Vegetation within twenty feet (20') of a proposed Development. The Property Owner must demonstrate the health and viability of all large trees through a certified arborist. The Planning Director shall determine the Limits of Disturbance and may require mitigation for loss of Significant Vegetation consistent with Landscape Criteria in LMC Chapter 15-3-3 and Title 14.

HISTORY

~~Adopted by Ord. 00-51 on 9/21/2000~~

~~Amended by Ord. 06-69 on 10/19/2006~~

15-2.4-14 Signs

Signs are allowed in the HRM District as provided in the Park City Sign Code, Title 12.

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

15-2.4-15 Related Provisions

- Fences and Walls. LMC Chapter 15-4-2.
- Accessory Apartment. LMC Chapter 15-4-7.
- Satellite Receiving Antenna. LMC Chapter 15-5-13.
- Telecommunication Facility. LMC Chapter 15-5-14.
- Parking. LMC Chapter 15-3.
- Landscaping. Title 14; LMC Chapter 15-3.3(D).
- Lighting. LMC Chapters 15-3-3(C), 15-5-5(I).
- Historic Preservation Board. LMC Chapter 15-11.
- Park City Sign Code. Title 12.
- Architectural Review. LMC Chapter 15-5.
- Snow Storage. LMC Chapter 15-3.3(E).
- Parking Ratio Requirements. LMC Chapter 15-3-6.

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

Exhibit 5 – LMC § 15-2.5 Historic Recreation Commercial (HRC)

15-2.5 Historic Recreation Commercial (HRC) District

15-2.5-1 Purpose

15-2.5-2 Uses

15-2.5-3 Lot And Site Requirements

~~15-2.5-4 Access~~

~~15-2.5-5 Building Height~~

15-2.5-64 Existing Historic Buildings and/or Structures

15-2.5-5 Building Height

~~15-2.5-106 Heber Avenue Sub-Zone~~

~~15-2.5-47 Access~~

~~15-2.5-98 Service Access~~ Access, Service, and Delivery

~~15-2.5-7 Architectural Review~~

~~15-2.5-89 Mechanical Service~~

~~15-2.5-10 Heber Avenue Sub-Zone~~

~~15-2.5-1210 Criteria For Bed And Breakfast Inns~~

15-2.5-11 Parking Regulations

~~15-2.5-13 Goods And Uses To Be Within Enclosed Building~~

~~15-2.5-712 Architectural Review~~

15-2.5-1413 Vegetation Protection

15-2.5-1514 Signs

15-2.5-1615 Related Provisions

15-2.5-1 Purpose

The purpose of the Historic Recreation Commercial (HRC) District is to:

- A. maintain and enhance characteristics of Historic Streetscape elements such as yards, trees, vegetation, and porches,
- B. encourage pedestrian oriented, pedestrian-scale Development,
- C. minimize visual impacts of automobiles and parking,
- D. preserve and enhance landscaping and public spaces adjacent to Streets and thoroughfares,
- E. provide a transition in scale and land Uses between the HR-1 and HCB Districts that retains the character of Historic Buildings in the Area,
- F. provide a moderate Density bed base at the Town Lift,
- G. allow for limited retail and Commercial Uses consistent with resort bed base and the needs of the local community,
- H. encourage preservation and rehabilitation of Historic Buildings and resources.
- I. maintain and enhance the long term viability of the downtown core as a destination for residents and tourists by ensuring a Business mix that encourages a high level of vitality, public Access, vibrancy, activity, and public/resort-related attractions.

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

Amended by Ord. [07-55](#) on 8/30/2007

15-2.5-2 Uses

Uses in the HRC are limited to the following:

A. ALLOWED USES.¹⁰

1. Single Family Dwelling⁵
2. Duplex Dwelling⁵
3. Secondary Living Quarters⁵
4. Lockout Unit^{1,5}
5. Accessory Apartment^{2,5}
6. Nightly Rental⁵
7. Home Occupation⁵
8. Child Care, In-Home Babysitting
9. Child Care, Family³
10. Child Care, Family Group³
11. Child Care Center³
12. Accessory Building and Use
13. Conservation Activity
14. Agriculture
15. Bed and Breakfast Inn^{4,5}
16. Boarding House, Hostel⁵
17. Hotel, Minor, fewer than 16 rooms⁵
18. Office, General⁵
19. Parking Area or Structure, with four (4) or fewer spaces⁵

B. CONDITIONAL USES.^{9, 10}

1. Triplex Dwelling⁵
2. Multi-Unit Dwelling⁵
3. Guest House, on Lots one acre⁵
4. Group Care Facility⁵
5. Public and Quasi-Public Institution, Church, School
6. Essential Municipal Public Utility Use, Facility, Service and Structure
7. Telecommunication Antenna⁶
8. Satellite Dish, greater than thirty-nine inches (39") in diameter⁷
9. Plant and Nursery stock products and sales
10. Hotel, Major⁵
11. Timeshare Projects and Conversions⁵
12. Private Residence Club Project and Conversion^{4,5}
13. Office, Intensive⁵
14. Office and Clinic, Medical⁵
15. Financial Institution, without drive-up window⁸
16. Commercial Retail and Service, Minor⁸
17. Commercial Retail and Service, personal improvement⁸
18. Neighborhood Convenience Commercial, without gasoline sales

19. Café or Deli⁸
20. Restaurant, General⁸
21. Restaurant and café, Outdoor Dining⁴
22. Outdoor Events and Uses⁴
23. Bar
24. Parking Area or Structure, with five (5) or more spaces⁵
25. Temporary Improvement⁴
26. Passenger Tramway Station and Ski Base Facility
27. Ski Tow, Ski Lift, Ski Run, and Ski Bridge
28. Recreation Facility, Commercial, Public, and Private
29. Entertainment Facility, Indoor
30. Fences greater than six feet (6') in height from Final Grade⁴
31. Private Residence Club, Off-Site⁵
32. Private Event Facility⁵
33. Special Events⁴

C. **PROHIBITED USES.** Unless otherwise allowed herein, any Use not listed above as an Allowed or Conditional Use is a prohibited Use.

¹Nightly rental of Lockout Units requires a Conditional Use permit

²See LMC Chapter 15-4, Supplementary Regulations for Accessory Apartments

³See LMC Chapter 15-4-9 for Child Care Regulations

⁴Requires an Administrative or Administrative Conditional Use permit, see Section 15-4.

⁵Prohibited in HRC Zoned Storefront Property adjacent to Main Street, Heber Avenue and Park Avenue, excluding those HRC Zoned Properties on the west side of Park Avenue and also excluding those HRC Zoned Properties with the following addresses: 702 Main Street, 710 Main Street, 738 Main Street (for the plaza side storefronts), 780 Main Street, 804 Main Street (for the plaza side storefronts), 875 Main Street, 890 Main Street, 900 Main Street, and 820 Park Avenue. Hotel rooms shall not be located within Storefront Property; however access, circulation, and lobby areas are permitted within Storefront Property.

⁶See LMC Chapter 15-4-14, Supplemental Regulations For Telecommunication Facilities

⁷See LMC Chapter 15-4-13, Supplemental Regulations For Satellite Receiving Antennas

⁸If Gross Floor Area is less than 2,000 sq. ft., the Use shall be considered an Allowed Use

⁹No community locations are defined by Utah Code 32-B-1-102 (Alcoholic Beverage Control Act) are permitted within 200 feet of Main Street unless a variance is permitted for an outlet, as defined by Utah Code 32B-1-202, to obtain a liquor license.

¹⁰Within the HRC Zoning District, no more than seven (7) Conventional Chain Businesses are permitted in Storefront Properties.

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

Amended by Ord. 04-39 on 3/18/2004

Amended by Ord. 06-69 on 10/19/2006

Amended by Ord. 07-55 on 8/30/2007

Amended by Ord. 09-10 on 3/5/2009

Amended by Ord. 12-37 on 12/20/2012

Amended by Ord. 16-02 on 1/7/2016

Amended by Ord. 2017-45 on 8/17/2017

15-2.5-3 Lot And Site Requirements

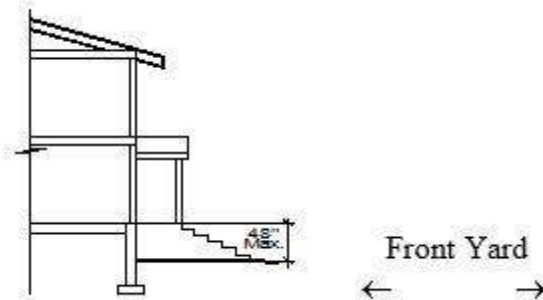
Except as may otherwise be provided in this Code, no Building Permit shall be issued for a Lot unless such Lot has the Area, width, and depth as required, and Frontage on a Street shown as a private or Public Street on the Streets Master Plan, or on a private easement connecting the Lot to a Street shown on the Streets Master Plan.

All Development activity must comply with the following minimum Lot and Site requirements:

A. **FRONT SETBACK**. The minimum Front Setback is ten feet (10').

B. **FRONT SETBACK EXCEPTIONS**. The Front Setback must be open and free of any Structure except:

1. Fences, walls, and retaining walls not more than four feet (4') in height, or as permitted in Section 15-4-2. On Corner Lots, Fences more than three feet (3') in height are prohibited within twenty five feet (25') of the intersection at back of curb.
2. Uncovered steps leading to the Main Building; provided the steps are not more than four feet (4') in height from Final Grade, not including any required handrail, and do not cause danger or hazard to traffic by obstructing the view of the Street or intersection.

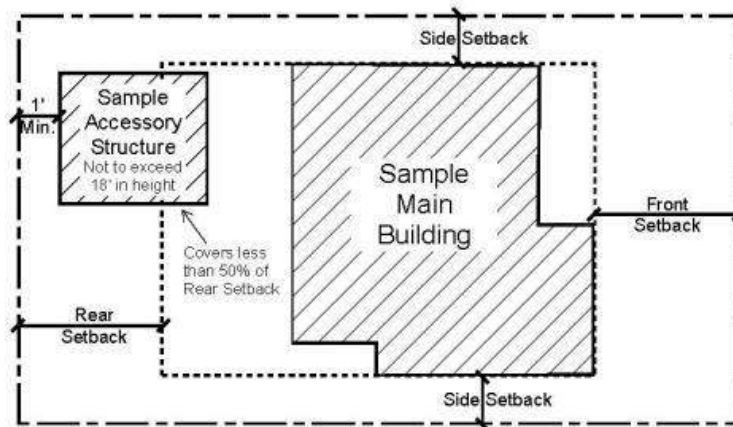


3. Decks, porches, and Bay Windows, not more than ten feet (10') wide, and projecting not more than three feet (3') into the Front Setback.
4. Roof overhangs, eaves, and cornices, projecting not more than three feet (3') into the Front Setback.
5. Sidewalks, patios, and pathways.
6. Driveways leading to a garage or Parking Area. No portion of a Front Yard, except for approved driveways, allowed Parking Areas, patios, and sidewalks may be Hard-Surfaced or graveled.

C. **REAR SETBACK**. The minimum Rear Setback is ten feet (10').

D. **REAR SETBACK EXCEPTIONS.** The Rear Setback must be open and free of any Structure except:

1. Bay Windows not more than ten feet (10') wide, and projecting not more than two feet (2') into the Rear Setback.
2. Chimneys not more than five feet (5') wide, and projecting not more than two feet (2') into the Rear Setback.
3. Window wells not exceeding the minimum International Residential Code (IRC) or International Building Code (IBC) requirements for egress or light wells may extend ~~ing~~ not more than four feet (4') into the Rear Setback. Should egress requirements be met within the building pad, no Rear Setback exception is permitted.
4. Roof overhangs and eaves projecting not more than two feet (2') into the Rear Setback.
5. Window sills, belt courses, cornices, trim, exterior siding, or other ornamental features projecting not more than six inches (6") beyond the ~~window or~~ main Structure to which it is attached.
6. Detached Accessory Buildings, not more than eighteen feet (18') in height, and including any free-standing Solar Energy Systems, located a minimum of five feet (5') behind the ~~front facade~~ Front Façade of the Main Building, and maintaining a minimum Rear Setback of one foot (1'). Such Structure must not cover over fifty percent (50%) of the Rear Setback. See the following illustration:



7. A Hard-Surfaced Parking Areas ~~s~~ subject to the same location requirements as a detached Accessory Building.

8. ~~Screened in~~ Mechanical equipment (which must be screened), hot tubs, and similar Structures, located at least five feet (5') from the Rear Lot Line.
9. Fences, walls, and retaining walls not more than six feet (6') in height, or as permitted in Section 15-4-2.
10. Patios, decks, steps, pathways, and similar Structures not more than thirty inches (30") above Final Grade, located at least five feet (5') from the Rear Lot Line.
11. One (1) private or Shared Driveway leading to a garage or approved Parking Area. See Section 15-2.5-11 Parking Regulations for additional requirements.

E. SIDE SETBACK.

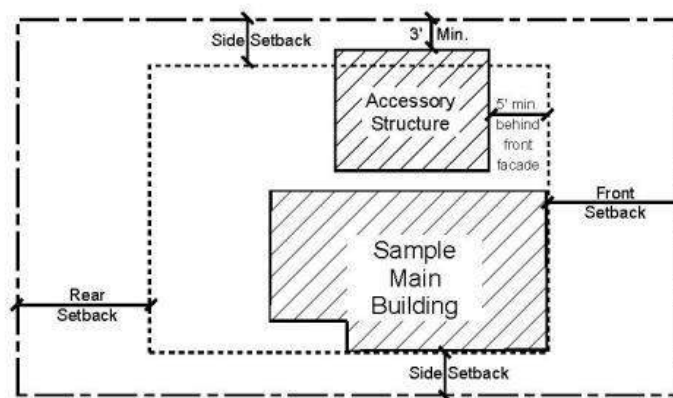
1. The minimum Side Setback is five feet (5').
2. On Corner Lots, the ~~Side Yard that faces a Street or platted Right-of-Way is considered a Front Yard, and the~~ minimum Side Setback that faces a side Street or platted Right-of-Way is ten feet (10') for both Main and Accessory Buildings. A three foot (3') Side Setback along the platted Right-of-Way is allowed when the Lot Width is less than 37.5 feet; no Side Setback exceptions shall be utilized when the Setback is three feet (3') along the Right-of-Way.
3. A Side Setback between connected Structures is not required where Structures are designed with a common wall on a Property Line, each Structure is located on an individual Lot, the Lots are burdened with a party wall agreement in a form approved by the City Attorney and Chief Building Official, all applicable Building and Fire Code requirements are met, and the Use is an Allowed or Conditional Use in the Zoning District.
 - a. Exterior Side Yards shall be based on the minimum required Side Yard for each Lot; however the Planning Commission may consider increasing exterior Side Yards during Conditional Use Permit review to mitigate potential impacts on adjacent Property. Side Yard exceptions continue to apply.

F. SIDE SETBACK EXCEPTIONS. The Side Setback must be open and free of any Structure except:

1. Bay Windows, not more than ten feet (10') wide, and projecting not more than two feet (2') into the Side Setback.
2. Chimneys not more than five feet (5') wide, and projecting not more than two feet (2') into the Side Setback.
3. Window wells not exceeding the minimum International Residential Code (IRC) or International Building Code (IBC) requirements for egress ~~or light wells~~ may extend ~~ing~~ not more than four feet (4') into the Side Setback. Should egress

requirements be met within the building pad, no Side Setback exception is permitted.

4. Roof overhangs and eaves projecting not more than two feet (2') into the Side Setback.
5. Window sills, belt courses, cornices, trim, exterior siding, and other ornamental features, projecting not more than six inches (6") beyond the ~~window or~~ main Structure to which it is attached.
- ~~6. Roof overhangs and eaves projecting not more than two feet (2') into the Side Setback.~~
7. Patios, decks, pathways, steps, and similar Structures not more than thirty inches (30") in height from Final Grade, ~~provided there is~~ located at least a one foot (1') ~~Setback to~~ from the Side Lot Line.
8. Fences, walls and retaining walls not more than six feet (6'), or as permitted in Section 15-4-2.
9. One (1) private or Shared Driveways leading to a garage or approved Parking Area. See Section 15-2.5-11 Parking Regulations for additional requirements.
10. Pathways and steps connecting to a City stairway or pathway.
11. Detached Accessory Buildings, not more than eighteen feet (18') in height, and including any free-standing Solar Energy Systems, located a minimum of five feet (5') behind the ~~front facade~~ Front Façade of the Main Building, maintaining a minimum Side Setback of three feet (3'). See the following illustration:



12. A covered arcade between projects provided that the highest point of the arcade is not more than fifteen feet (15') above the elevation of the walk.

13. Mechanical equipment (which must be screened), hot tubs, or similar Structures, located at least three feet (3') from the Side Lot Line.

G. **FLOOR AREA RATIO.** In all projects within the HRC Zone:

1. **STRUCTURES BUILT AFTER OCTOBER 1, 1985.** Except in the Heber Avenue Sub-Zone Area, non-residential Uses are subject to a Floor Area Ratio to restrict the scope of non-residential Use within the District. For Properties located east of Park Avenue, the Floor Area Ratio for non-residential Uses is 1. For Properties located on the west side of Park Avenue, the Floor Area Ratio for non-residential Uses is 0.7.
2. **STRUCTURES BUILT PRIOR TO OCTOBER 1, 1985.** Structures existing as of October 1, 1985 are not subject to the Floor Area Ratio, and may be used in their entirety for non-residential Uses as provided in this ordinance.

H. **SNOW RELEASE.** Site plans and Building designs must resolve snow release issues to the satisfaction of the Chief Building Official.

I. **CLEAR VIEW OF INTERSECTION.** No visual obstruction in excess of two feet (2') in height above road Grade shall be placed on any Corner Lot within the Site Distance Triangle. A reasonable number of trees may be allowed, if pruned high enough to permit automobile drivers an unobstructed view. This provision must not require changes in the Natural Grade on the Site.

J. **VERTICAL ZONING.** For HRC Zoned Storefront Property adjacent to Main Street, Heber Avenue, and Park Avenue, excluding those HRC Zoned Properties on the west side of Park Avenue and also excluding those HRC Zoned Properties with the following addresses: 702 Main Street, 710 Main Street, 738 Main Street (for the plaza side Storefronts), 780 Main Street, 804 Main Street (for the plaza side Storefronts), 875 Main Street, 890 Main Street, 900 Main Street, and 820 Park Avenue, new Construction and Construction adding Floor Area to a Building or Lot, shall have a minimum of seventy-five-percent (75%) of the width of the Building facade as Storefront Property.

K. **STOREFRONT ENHANCEMENT ZONING.** The maximum width of any Storefront Property Facade abutting Main Street or Heber Avenue shall be fifty-feet (50'). Storefront Property Facades in the Historic portion of structures listed on the Historic Sites Inventory which exceed fifty-feet (50') in width are valid Non-Complying Structures. A Storefront Property Facade shall have a storefront entrance door for pedestrian access.

If the Historic storefront entrance, located in the Historic portion of a structure listed on the Historic Sites Inventory, is more than eight feet (8') above the grade of the adjacent Main Street and/or Heber Avenue, then the First Story in the Historic portion of the Historic Building and/or sStructure located adjacent to Main Street and/or Heber Avenue shall not be calculated in the maximum Storefront Property Facade width.

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

Amended by Ord. [06-69](#) on 10/19/2006

Amended by Ord. [09-10](#) on 3/5/2009

Amended by Ord. [16-02](#) on 1/7/2016

Amended by Ord. [2016-44](#) on 9/15/2016

Amended by Ord. [2017-09](#) on 4/27/2017

Amended by Ord. [2018-27](#) on 5/31/2018

Amended by Ord. [2018-43](#) on 7/19/2018

15-2.5-4 Access

~~A. **VEHICULAR ACCESS.** A Project may have only one vehicular Access from Park Avenue, Main Street, Heber Avenue, Swede Alley, or Deer Valley Drive, unless an additional Access is approved by the Planning Commission.~~

~~B. **PEDESTRIAN ACCESS.** An Applicant must build, and if necessary, dedicate a Sidewalk on all Street Frontages.~~

HISTORY

~~Adopted by Ord. [00-51](#) on 9/21/2000~~

15-2.5-5 Building Height

~~No Structure shall be erected to a height greater than thirty-two feet (32') from Existing Grade. This is the Zone Height.~~

~~A. **BUILDING HEIGHT EXCEPTIONS.** The following height exceptions apply:~~

- ~~1. Gable, hip, and similar pitched roofs may extend up to five feet (5') above the Zone Height, if the roof pitch is 4:12 or greater.~~
- ~~2. Antennas, chimneys, flues, vents, and similar Structures, may extend up to five feet (5') above the highest point of the Building to comply with International Building Code (IBC) requirements.~~
- ~~3. Water towers, mechanical equipment, and Solar Energy Systems, when enclosed or Screened, may extend up to five feet (5') above the height of the Building. See LMC 15-5-5(G)(7)(a).~~
- ~~4. Church spires, bell towers, and like architectural features subject to the Historic District Design Guidelines, may extend up to fifty percent (50%) above the Zone Height, but may not contain Habitable Space above the Zone Height. Such exception requires approval by the Planning Director.~~
- ~~5. An Elevator Penthouse may extend up to eight feet (8') above the Zone Height.~~
- ~~6. To accommodate a roof form consistent with the Historic District Design Guidelines, the Planning Director may grant additional Building Height provided that no more than twenty percent (20%) of the roof ridge line exceeds the height requirement and complies with height exception criteria in Section 15-2.2-6(B)(10).~~

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

Amended by Ord. 06-69 on 10/19/2006

Amended by Ord. 07-55 on 8/30/2007

Amended by Ord. 09-10 on 3/5/2009

Amended by Ord. 2018-27 on 5/31/2018

15-2.5-64 Existing Historic Buildings and/or Structures

Historic Buildings and/or Structures that do not comply with Building Height, Building Setbacks, Off-Street parking, and driveway location standards are valid Non-Complying Structures. Additions to Historic Buildings and/or Structures are exempt from Off-Street parking requirements provided the addition does not create a Lockout Unit or an Accessory Apartment. Additions must comply with Building Setbacks, Building Footprint, driveway location standards, and Building hHeight.

- A. **EXCEPTION.** In order to achieve new construction consistent with the Historic District Design Guidelines, the Planning ~~Director~~ Commission may grant an exception to the Building Setbacks and driveway location standards for additions to Historic Buildings, including detached single car Garages:

1. Upon approval of a Conditional Use Permit, and
2. When the scale of the addition and/or driveway is Compatible with the Historic Buildings and/or Structure, and
3. When the addition complies with all other provisions of this Chapter, and
4. When the addition complies with the adopted Building and Fire Codes, and
5. When the addition complies with the Design Guidelines for Historic Districts and Sites.

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

Amended by Ord. 06-69 on 10/19/2006

Amended by Ord. 2016-44 on 9/15/2016

15-2.5-5 Building Height

No Structure shall be erected to a height greater than thirty-two feet (32') from Existing Grade. This is the Zone Height. Final Grade must be within four vertical feet (4') of Existing Grade, except for the placement of approved window wells, emergency egress, and a garage entrance.

- A. **BUILDING HEIGHT EXCEPTIONS.** The following height exceptions apply:
1. Gable, hip, and similar pitched roofs may extend up to five feet (5') above the Zone Height, if the roof pitch is 4:12 or greater.
 2. Antennas, chimneys, flues, vents, and similar Structures, may extend up to five feet (5') above the highest point of the Building to comply with International Building Code (IBC) requirements.

3. Water towers, mechanical equipment, and Solar Energy Systems, when enclosed or Screened, may extend up to five feet (5') above the height of the Building. See LMC 15-5-5(G)(7)(a).
4. Church spires, bell towers, and like architectural features subject to the Historic District Design Guidelines, may extend up to fifty percent (50%) above the Zone Height, but may not contain Habitable Space above the Zone Height. Such exception requires approval by the Planning Director.
5. An Elevator Penthouse may extend up to eight feet (8') above the Zone Height.
6. To accommodate a roof form consistent with the Historic District Design Guidelines, the Planning Director may grant additional Building Height provided that no more than twenty percent (20%) of the roof ridge line exceeds the Zone height requirements and complies with height exception criteria in Section 15-2.2-6(B)(10).
7. An Elevator Penthouse may extend up to eight feet (8') above the Zone Height.

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

Amended by Ord. 06-69 on 10/19/2006

Amended by Ord. 07-55 on 8/30/2007

Amended by Ord. 09-10 on 3/5/2009

Amended by Ord. 2018-27 on 5/31/2018

15-2.5-106 Heber Avenue Sub-Zone

Properties fronting on the north side of Heber Avenue, and east of Park Avenue, are included in the Heber Avenue Sub-Zone for a depth of 150 feet (150') from the Street Right-of-Way. Within the Heber Avenue Sub-Zone, all of the Site Development standards and land Use limitations of the HRC District apply, except:

- A. The Allowed Uses within the sub-zones are identical to the Allowed Uses in the HCB District.
- B. The Conditional Uses within the sub-zone are identical to the Conditional Uses in the HCB District.
- C. The Floor Area Ratio limitation of the HRC District does not apply.

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

15-2.5-47 Access

- A. **VEHICULAR ACCESS.** A Project may have only one vehicular Access from Park Avenue, Main Street, Heber Avenue, Swede Alley, or Deer Valley Drive, unless an additional Access is approved by the Planning Commission.
- B. **PEDESTRIAN ACCESS.** An Applicant must build, and if necessary, dedicate a Sidewalk on all Street Frontages.

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

15-2.5-98 Service Access Access, Service, and Delivery

Service areas must be properly Screened. The loading and unloading of goods must take place entirely on the Site. Loading areas must be Screened from general public view. All loading areas shall be shown on the plans prepared for Conditional Use Permit and architectural review.

All Structures must provide a means of storing refuse generated by the Structure's occupants. All refuse storage facilities must be shown on the plans prepared for Conditional Use Permit and architectural review by the Planning, Engineering, and Building Departments. Refuse storage must be Screened, enclosed, and properly ventilated. The Planning Department will approve or reject the location, Screening and painting of such equipment as part of the architectural review process.

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

Amended by Ord. 2016-44 on 9/15/2016

15-2.5-7 Architectural Review

~~Prior to issuance of a Building Permit for any Conditional or Allowed Use, the Planning Department shall review the proposed plans for compliance with the Design Guidelines for historic Districts and Historic Sites, Historic Preservation LMC Chapter 15-11, and Architectural Review LMC Chapter 15-5.~~

~~Appeals of departmental actions on compliance with the Design Guidelines for Historic Districts and Historic Sites, LMC Chapter 15-11, and LMC Chapter 15-5 are heard by the Board of Adjustment as outlined in Section 15-1-18 of the Code.~~

HISTORY

~~*Adopted by Ord. 00-51 on 9/21/2000*~~

~~*Amended by Ord. 06-69 on 10/19/2006*~~

~~*Amended by Ord. 09-23 on 7/9/2009*~~

~~*Amended by Ord. 15-53 on 12/17/2015*~~

15-2.5-89 Mechanical Service

All exterior mechanical equipment must be Screened to minimize noise infiltration to adjoining Properties and to mitigate eliminate visual impacts on nearby Properties, including those Properties located above the roof tops of Structures in the HRC District, and general public view.

All mechanical equipment must be shown on the plans prepared for Conditional Use Permit and/or architectural review by the Planning, Engineering, and Building Departments. The Planning Department will approve or reject the location, Screening and painting of such equipment as part of the architectural review process.

~~All Structures must provide a means of storing refuse generated by the Structure's occupants. All refuse storage facilities must be shown on the plans prepared for Conditional Use Permit and architectural review. Refuse storage must be Screened, enclosed, and properly ventilated.~~

~~HISTORY~~

~~Adopted by Ord. 00-51 on 9/21/2000~~

~~Amended by Ord. 06-69 on 10/19/2006~~

~~Amended by Ord. 2016-44 on 9/15/2016~~

15-2.5-10 Heber Avenue Sub-Zone

~~Properties fronting on the north side of Heber Avenue, and east of Park Avenue, are included in the Heber Avenue Sub-Zone for a depth of 150 feet (150') from the Street Right-of-Way. Within the Heber Avenue Sub-Zone, all of the Site Development standards and land Use limitations of the HRC District apply, except:~~

- ~~A. The Allowed Uses within the sub-zones are identical to the Allowed Uses in the HCB District.~~
- ~~B. The Conditional Uses within the sub-zone are identical to the Conditional Uses in the HCB District.~~
- ~~C. The Floor Area Ratio limitation of the HRC District does not apply.~~

~~HISTORY~~

~~Adopted by Ord. 00-51 on 9/21/2000~~

15-2.5-1210 Criteria For Bed And Breakfast Inns

~~A Bed and Breakfast Inn is an Allowed Use subject to an Administrative Conditional Use permit. No Administrative Conditional Use permit may be issued unless the following criteria are met:~~

- ~~A. The Use is in a Historic Building and/or Structure or addition thereto, or a historically Compatible Structure.~~
- ~~B. The Applicant will make every attempt to rehabilitate the Historic portion of the Structure.~~
- ~~C. The Structure has at least two (2) rentable rooms. The maximum number of rooms will be determined by the Applicant's ability to mitigate neighborhood impacts.~~
- ~~D. In Historic Buildings and/or Structures, the size and configuration of the rooms are Compatible with the Historic character of the Building and neighborhood.~~
- ~~E. The rooms are available for Nightly Rental only.~~
- ~~F. An Owner/manager is living on-Site, or in Historic Buildings and/or Structures there must be twenty-four (24) hour on-Site management and check-in.~~
- ~~G. Food service is for the benefit of overnight guests only.~~
- ~~H. No Kitchen is permitted within rental room(s).~~
- ~~I. Parking on-Site is required at a rate of one (1) space per rentable room. The Planning Director may waive the parking requirement for Historic Buildings and/or Structures if the Applicant proves that:~~
 - ~~1. no on-Site parking is possible without compromising the Historic Building and/or Structure or Site, including removal of existing Significant Vegetation, and all alternatives for proximate parking have been explored and exhausted; and~~

2. the Structure is not economically feasible to restore or maintain without the adaptive Use.
- J. The Use complies with Section 15-1-10, Conditional Use review.

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

Amended by Ord. 06-69 on 10/19/2006

15-2.5-11 Parking Regulations

- A. Tandem Parking is allowed in the Historic District.
- B. ~~Common driveways are~~ One (1) private or Shared Driveway is allowed along shared Side Yard Property Lot Lines to provide Access to parking in the rear of the Main Building, or below Grade, if both Properties are deed restricted to allow for the perpetual use of the shared drive.
- C. Common Parking Structures are allowed where such a grouping facilitates:
 1. the Development of individual Buildings that more closely conform to the scale of Historic Buildings and/or Structures in the District; and
 2. the reduction, mitigation, or elimination of garage doors at the Street edge.
- D. A common Parking Structure may occupy below Grade Side Setbacks between participating Developments if the Structure maintains all Setbacks above Grade. Common Parking Structures requiring a Conditional Use Permit are subject to a Conditional Use Review, Section 15-1-10.
- E. Driveways between Structures are allowed to eliminate garage doors facing the Street, to remove cars from on-Street parking, and to reduce paved Areas, provided the driveway leads to an approved garage or Parking Area.
- F. Turning radii are subject to review by the City Engineer as to function and design.
- G. See Section 15-3 Off Street Parking for additional parking requirements.

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

Amended by Ord. 06-69 on 10/19/2006

Amended by Ord. 09-10 on 3/5/2009

Amended by Ord. 2018-43 on 7/19/2018

Amended by Ord. 09-10 on 3/5/2009

Amended by Ord. 2018-43 on 7/19/2018

15-2.5-13 Goods And Uses To Be Within Enclosed Building

- A. ~~**OUTDOOR DISPLAY OF GOODS PROHIBITED.** Unless expressly allowed as an Allowed or Conditional Use, or allowed with an Administrative Permit, all goods, including food, beverage and cigarette vending machines, must be within a completely enclosed Structure. New construction of enclosures for the storage of goods shall not have windows and/or other fenestration that exceeds a wall-to-window ratio of thirty percent (30%). This section does not preclude temporary sales in conjunction with a Master Festival License, sidewalk sale, or seasonal plant sale. See Section 15-2.5-13(B)(3) for outdoor display of bicycles, kayaks, and canoes.~~

~~B. **OUTDOOR USES PROHIBITED/EXCEPTIONS.** The following outdoor uses may be allowed by the Planning Department upon the issuance of an Administrative Conditional Use permit or an Administrative Permit as described herein. The Applicant must submit the required Application, pay all applicable fees, and provide all required materials and plans. Appeals of Departmental Actions are heard by the Planning Commission.~~

~~1. **OUTDOOR DINING.** Outdoor dining requires an Administrative Conditional Use Permit and is subject to the following criteria:~~

- ~~a. The proposed seating Area is located on private Property or leased public Property and does not diminish parking or landscaping.~~
- ~~b. The proposed seating Area does not impede pedestrian circulation.~~
- ~~c. The proposed seating Area does not impede emergency Access or circulation.~~
- ~~d. The proposed furniture is Compatible with the Streetscape.~~
- ~~e. No music or noise is in excess of the City Noise Ordinance, Title 6.~~
- ~~f. No Use after 10:00 p.m.~~
- ~~g. Review of the Restaurant's seating capacity to determine appropriate mitigation measures in the event of increased parking demand.~~

~~2. **OUTDOOR GRILLS/BEVERAGE SERVICE STATIONS.** Outdoor grills and/or beverage service stations require an Administrative Conditional Use permit and are subject to the following criteria:~~

- ~~a. The Use is on private Property or leased public Property and does not diminish parking or landscaping.~~
- ~~b. The Use is only for the sale of food or beverages in a form suited for immediate consumption.~~
- ~~c. The Use is Compatible with the neighborhood.~~
- ~~d. The proposed service station does not impede pedestrian circulation.~~
- ~~e. The proposed service station does not impede emergency Access or circulation.~~
- ~~f. Design of the service station is Compatible with the adjacent Building and Streetscape.~~
- ~~g. No violation of the City Noise Ordinance, Title 6.~~
- ~~h. Compliance with the City Sign Code, Title 12.~~

~~3. **OUTDOOR STORAGE AND DISPLAY OF BICYCLES, KAYAKS, MOTORIZED SCOOTERS, AND CANOES.** Outdoor storage and display of bicycles, kayaks, motorized scooters, and canoes, requires an Administrative Permit subject to the following criteria:~~

- ~~a. The Area of the proposed bicycle, kayak, motorized scooters, or canoe storage or display is on private Property and not in Areas of required parking or landscaped planting beds.~~
- ~~b. Bicycles, kayaks, and canoes may be hung on a Historic Structure if sufficient Site Area is not available, provided the display does not impact of alter the architectural integrity or character of the Structure.~~

- ~~c. No more than a total of fifteen (15) pieces of equipment may be displayed.~~
- ~~d. Outdoor display is only allowed during Business hours.~~
- ~~e. Additional outdoor storage Areas may be considered for rental bicycles or motorized scooters, provided there are no or only minimal impacts on landscaped Areas, Parking Spaces, and pedestrian and emergency circulation.~~

~~4. **OUTDOOR EVENTS AND MUSIC.** Outdoor events and music require an Administrative Conditional Use permit. The Use must also comply with Section 15-1-10, Conditional Use review. The Applicant must submit a Site plan and written description of the event, addressing the following:~~

- ~~a. Notification of adjacent Property Owners.~~
- ~~b. No violation of the City Noise Ordinance, Title 6.~~
- ~~c. Impact on adjacent residential Uses.~~
- ~~d. Proposed plans for music, lighting, Structures, electrical, sign, etc.~~
- ~~e. Parking demand and impacts on neighboring Properties.~~
- ~~f. Duration and hours of operation.~~
- ~~g. Impacts on emergency Access and circulation.~~

~~5. **DISPLAY OF MERCHANDISE.** Display of outdoor merchandise is subject to an Administrative Permit subject to the following criteria:~~

- ~~a. The display is immediately available for purchase at the Business displaying the item.~~
- ~~b. The merchandise is displayed on private property directly in front of or appurtenant to the Business which displays it, so long as the private Area is in an alcove, recess, patio, or similar location that provides a physical separation from the public sidewalk. No item of merchandise may be displayed on publicly owned Property including any sidewalk or prescriptive Right of Way regardless if the property Line extends into the public sidewalk. An item of merchandise may be displayed on commonly owned Property; however, written permission for the display of the merchandise must be obtained from the Owner's association.~~
- ~~c. The display is prohibited from being permanently affixed to any building. Temporary fixtures may not be affixed to any Historic Building in a manner that compromises the Historic integrity or Façade Easement of the Building as determined by the Planning Director.~~
- ~~d. the display does not diminish parking or landscaping.~~
- ~~e. The Use does not violate the Summit County Health Code, the Fire Code, or International Building Code. The display does not impede pedestrian circulation, sidewalks, emergency Access, or circulation. At minimum, forty-four inches (44") of clear and unobstructed Access to all fire hydrants, egress and Access points must be maintained. Merchandise may not be placed so as to block visibility of or Access to any adjacent Property.~~

- ~~f. The merchandise must be removed if it becomes a hazard due to wind or weather conditions, or if it is in a state of disrepair, as determined by either the Planning Director or Building Official.~~
- ~~g. The display shall not create a hazard to the public due to moving parts, sharp edges, or extension into public Rights of Way, including sidewalks, or pedestrian and vehicular Areas; nor shall the display restrict vision at intersections.~~
- ~~h. No inflatable devices other than decorative balloons smaller than eighteen inches (18") in diameter are permitted. Balloon height may not exceed the finished floor elevation of the second floor of the Building.~~
- ~~i. No additional signs are allowed. A sales tag, four (4) square inches or smaller may appear on each display item, as well as an informational plaque or associated artwork not to exceed twelve square inches (12 sq. in.) The proposed display shall be in compliance with the City Sign Code, Municipal Code Title 12, the City's Licensing Code, Municipal Code Title 4, and all other requisite City codes.~~

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

Amended by Ord. 05-49 on 8/4/2005

Amended by Ord. 06-69 on 10/19/2006

Amended by Ord. 09-10 on 3/5/2009

15-2.5-712 Architectural Review

Prior to issuance of a Building Permit for any Conditional or Allowed Use, the Planning Department shall review the proposed plans for compliance with the Design Guidelines for historic Districts and Historic Sites, Historic Preservation LMC Chapter 15-11, and Architectural Review LMC Chapter 15-5.

Appeals of departmental actions on compliance with the Design Guidelines for Historic Districts and Historic Sites, LMC Chapter 15-11, and LMC Chapter 15-5 are heard by the Board of Adjustment as outlined in Section 15-1-18 of the Code.

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

Amended by Ord. 06-69 on 10/19/2006

Amended by Ord. 09-23 on 7/9/2009

Amended by Ord. 15-53 on 12/17/2015

15-2.5-1413 Vegetation Protection

The Property Owner must protect Significant Vegetation during any Development activity. Significant Vegetation includes large trees six inches (6") in diameter or greater measured four and one-half feet (4 ½') above the ground, groves of small trees, or clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more measured at the drip line.

Development plans must show all Significant Vegetation within twenty feet (20') of a proposed Development. The Property Owner must demonstrate the health and viability of all large trees through a certified arborist. The Planning Director shall determine the Limits of Disturbance and may require mitigation for loss of Significant Vegetation consistent with Landscape Criteria in LMC Chapter 15-3-3 and Title 14.

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

Amended by Ord. [06-69](#) on 10/19/2006

15-2.5-~~1514~~ Signs

Signs are allowed in the HRC District as provided in the Park City Sign Code, Title 12.

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

15-2.5-~~1615~~ Related Provisions

- Fences and Walls. LMC Chapter 15-4-2.
- Accessory Apartment. LMC Chapter 15-4-7.
- Satellite Receiving Antenna. LMC Chapter 15-4-13.
- Telecommunication Facility. LMC Chapter 15-4-14.
- Parking. LMC Chapter 15-3.
- Landscaping. Title 14; LMC Chapter 15-3-3(D).
- Lighting. LMC Chapters 15-3-3(C), 15-5-5(I).
- Historic Preservation Board. LMC Chapter 15-11.
- Park City Sign Code. Title 12.
- Architectural Review. LMC Chapter 15-5.
- Snow Storage. LMC Chapter 15-3-3(E).
- Parking Ratio Requirements. LMC Chapter 15-3-6.

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

Exhibit 6 – LMC § 15-2.6 Historic Commercial Business (HCB)

15-2.6 Historic Commercial Business (HCB) District

15-2.6-1 Purpose

15-2.6-2 Uses

15-2.6-3 Lot And Site Requirements

15-2.6-4 Existing Historic Building and/or Structures

15-2.6-5 Maximum Building Volume And Height

15-2.6-46 Floor Area Ratio

15-2.6-6 Architectural Review

15-2.6-7 Swede Alley Development Criteria

15-2.6-8 Canopy And Awning

15-2.6-149 Access, Service And Delivery

15-2.6-9 Parking Regulations

15-2.6-10 Mechanical Service

15-2.6-11 Access, Service And Delivery

15-2.6-12 Goods And Uses To Be Within Enclosed Building

15-2.6-1311 Criteria For Bed And Breakfast Inns

15-2.6-912 Parking Regulations

15-2.6-613 Architectural Review

15-2.6-14 Vegetation Protection

15-2.6-15 Signs

15-2.6-16 Related Provisions

15-2.6-1 Purpose

The purpose of the Historic Commercial Business (HCB) District is to:

- A. preserve the cultural heritage of the City's original Business, governmental and residential center,
- B. allow the Use of land for retail, commercial, residential, recreational, and institutional purposes to enhance and foster the economic and cultural vitality of the City,
- C. facilitate the continuation of the visual character, scale, and Streetscape of the original Park City Historical District,
- D. encourage the preservation of Historic Buildings and/or Structures within the district,
- E. encourage pedestrian-oriented, pedestrian-scale Development,
- F. minimize the impacts of new Development on parking constraints of Old Town,
- G. minimize the impacts of commercial Uses and business activities including parking, Access, deliveries, service, mechanical equipment, and traffic, on surrounding residential neighborhoods,
- H. minimize visual impacts of automobiles and parking on Historic Buildings and Streetscapes, and
- I. support Development on Swede Alley which maintains existing parking and service/delivery operations while providing Areas for public plazas and spaces.

- J. maintain and enhance the long term viability of the downtown core as a destination for residents and tourists by ensuring a Business mix that encourages a high level of vitality, public Access, vibrancy, activity, and public/resort-related attractions.

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

Amended by Ord. 07-55 on 8/30/2007

15-2.6-2 Uses

Uses in the Historic Commercial Business (HCB) District are limited to the following:

A. **ALLOWED USES.**¹¹

1. Single Family Dwelling¹
2. Multi-Unit Dwelling¹
3. Secondary Living Quarters¹
4. Lockout Unit^{1,2}
5. Accessory Apartment^{1,3}
6. Nightly Rental⁴
7. Home Occupation¹
8. Child Care, In-Home Babysitting¹
9. Child Care, Family^{1,5}
10. Child Care, Family Group^{1,5}
11. Child Care Center^{1,5}
12. Accessory Building and Use¹
13. Conservation Activity
14. Agriculture
15. Bed and Breakfast Inn^{1,6}
16. Boarding House, Hostel¹
17. Hotel, Minor, fewer than 16 rooms¹
18. Office, General¹
19. Office, Moderate Intensive¹
20. Office and Clinic, Medical¹
21. Financial Institution, without drive-up window
22. Commercial Retail and Service, Minor
23. Commercial Retail and Service, personal improvement
24. Commercial Neighborhood Convenience, without gasoline sales
25. Restaurant, Cafe or Deli
26. Restaurant, General
27. Bar
28. Parking Lot, Public or Private with four (4) or fewer spaces
29. Entertainment Facility, Indoor
30. Salt Lake City 2002 Winter Olympic Games Legacy Displays⁷
31. Temporary Winter Balcony Enclosures

B. **CONDITIONAL USES.**^{10, 11}

1. Group Care Facility¹
2. Public and Quasi-Public Institution, Church, School

3. Essential Municipal Public Utility Use, Facility, Service, and Structure
4. Telecommunication Antenna⁸
5. Satellite Dish, greater than thirty-nine inches (39") in diameter⁹
6. Plant and Nursery stock products and sales
7. Hotel, Major¹
8. Timeshare Projects and Conversions¹
9. Timeshare Sales Office, Off-Site within an enclosed Building¹
10. Private Residence Club Project and Conversion^{1,6}
11. Commercial Retail and Service, Major
12. Office, Intensive¹
13. Restaurant, Outdoor Dining⁶
14. Outdoor Events and Uses⁶
15. Hospital, Limited Care Facility¹
16. Parking Area or Structure for five (5) or more cars¹
17. Temporary Improvement⁶
18. Passenger Tramway Station and Ski Base Facility
19. Ski Tow, Ski Lift, Ski Run, and Ski Bridge
20. Recreation Facility, Public or Private
21. Recreation Facility, Commercial
22. Fences greater than six feet (6') in height from Final Grade⁶
23. Private Residence Club, Off-Site¹
24. Special Events⁶
25. Private Event Facility¹

C. **PROHIBITED USES.** Any Use not listed above as an Allowed or Conditional Use is a prohibited Use.

¹Prohibited in HCB Zoned Storefront Property adjacent to Main Street, Heber Avenue, Grant Avenue, and Swede Alley. Hotel rooms shall not be located within Storefront Property; however access, circulation and lobby areas are permitted within Storefront Property.

²Nightly Rental of Lock Units requires a Conditional Use permit

³See LMC Chapter 15-4, Supplementary Regulations for Accessory Apartments

⁴Nightly Rental of residential dwellings does not include the Use of dwellings for Commercial Uses

⁵See LMC Chapter 15-4-9 for Child Care Regulations

⁶Requires an Administrative or Administrative Conditional Use permit

⁷Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed on the original Property set forth in the services Agreement and/or Master Festival License. Requires an Administrative Permit.

⁸See LMC Chapter 15-4-14, Supplemental Regulations for Telecommunication Facilities

⁹See LMC Chapter 15-4-13, Supplemental Regulations for Satellite Receiving Antennas

¹⁰No community locations as defined by Utah Code 32B-1-102 (Alcoholic Beverage Control Act) are permitted within 200 feet of Main Street unless a variance is permitted for an outlet, as defined by Utah Code 32B-1-202, to obtain a liquor license.

¹¹Within the HCB Zoning District, no more than seventeen (17) Conventional Chain Businesses are permitted in Storefront Properties.

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

Amended by Ord. [02-38](#) on 9/12/2002

Amended by Ord. [04-39](#) on 3/18/2004

Amended by Ord. [06-69](#) on 10/19/2006

Amended by Ord. [07-55](#) on 8/30/2007

Amended by Ord. [09-10](#) on 3/5/2009

Amended by Ord. [12-37](#) on 12/20/2012

Amended by Ord. [16-01](#) on 1/7/2016

Amended by Ord. [16-02](#) on 1/7/2016

Amended by Ord. [2017-45](#) on 8/17/2017

15-2.6-3 Lot And Site Requirements

Except as may otherwise be provided in this Code, no Building Permit will be issued for a Lot unless such Lot has the Area, width, and depth as required, and Frontage on a Street shown as a private or Public Street on the Streets Master Plan, or on private easement connecting the Lot to a Street shown on the Streets Master Plan.

All Development [activity](#) must comply with the following [minimum Lot and Site requirements](#):

- A. **LOT SIZE**. The minimum Lot Area is 1250 square feet. ~~The minimum Lot Width is twenty-five feet (25') and Minimum Lot Depth is fifty feet (50').~~
- B. **LOT WIDTH**. ~~The minimum Lot Width is twenty-five feet (25') and Minimum Lot Depth is fifty feet (50').~~
- C. **FRONT, REAR AND SIDE SETBACKS**. There are no minimum required Front, Rear, or Side Setback dimensions in the HCB District.
- D. **SIDEWALK PROVISION**. Buildings must be located so as to provide an unobstructed sidewalk at least nine feet (9') wide on both Main Street and Swede Alley. The sidewalk width is measured from the front face of curb to the front of the Building. The alignment of new Building fronts with adjacent Historic fronts is encouraged. A narrower sidewalk may result from the alignment of Building fronts. The Planning and Engineering Departments may grant an exception to the minimum sidewalk width to facilitate such alignment.
- E. **BALCONIES AND TEMPORARY WINTER BALCONY ENCLOSURES**.
 - 1. No Balcony may be erected, enlarged, or altered over a public pedestrian Right-of-Way without the advance approval of the City Council. Balcony supports may not exceed eighteen inches (18") square and are allowed no closer than thirty-six inches (36") from the front face of the curb. Balconies must provide vertical clearance of not less than ten feet (10') from the sidewalk and may not be enclosed permanently. With reasonable notice, the City may require a Balcony be removed from City Property without compensating the Building Owner.

2. Temporary Winter Balcony Enclosures may only be permitted on existing balconies which are on structures which are not on the Historic Sites Inventory. Temporary Winter Balcony Enclosures are only permitted from November 15th through April 30th on balconies facing Main Street.
- F. **INSURANCE REQUIRED.** No Balcony projecting over City Property may be erected, re-erected, located or relocated, or enlarged or structurally modified without first receiving approval of the City Council and submitting a certificate of insurance or a continuous bond protecting the Owner and the City against all claims for personal injuries and/or Property damage in the standard amount determined by City Council. Park City Municipal Corporation must be named in the certificate of insurance as an additional insured. A thirty (30) day obligation to provide written notice to Park City Municipal Corporation of cancellation or expiration must be included in the insurance certificate.
- G. **CLEAR VIEW OF INTERSECTION.** No visual obstruction in excess of two feet (2') in height above road Grade shall be placed on any Corner Lot within the Site Distance Triangle. A reasonable number of trees may be allowed, if pruned high enough to permit automobile drivers an unobstructed view. This provision must not require changes in the Natural Grade on the Site.
- H. **VERTICAL ZONING.** For HCB Zoned Storefront Property adjacent to Main Street and Heber Avenue, new Construction and Construction adding Floor Area to a Building or Lot shall have a minimum of seventy-five percent (75%) of the width of the Building façade as Storefront Property.
- I. **STOREFRONT ENHANCEMENT ZONING.** The maximum width of any Storefront Property Facade abutting Main Street or Heber Avenue shall be fifty-feet (50'). Storefront Property Facades in the Historic portion of structures listed on the Historic Sites Inventory which exceed fifty-feet (50') in width are valid Non-Complying Structures. A Storefront Property Facade shall have a storefront entrance door for pedestrian access.

If the Historic storefront entrance, located in the Historic portion of a structure listed on the Historic Sites Inventory, is more than eight feet (8') above the grade of the adjacent Main Street and/or Heber Avenue, then the First Story in the Historic portion of the Historic Building and/or sStructure located adjacent to Main Street and/or Heber Avenue shall not be calculated in the maximum Storefront Property Facade width.

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

Amended by Ord. [06-69](#) on 10/19/2006

Amended by Ord. [16-01](#) on 1/7/2016

Amended by Ord. [16-02](#) on 1/7/2016

Amended by Ord. [2017-09](#) on 4/27/2017

Amended by Ord. [2018-43](#) on 7/19/2018

15-2.6-4 Existing Historic Buildings and/or Structures

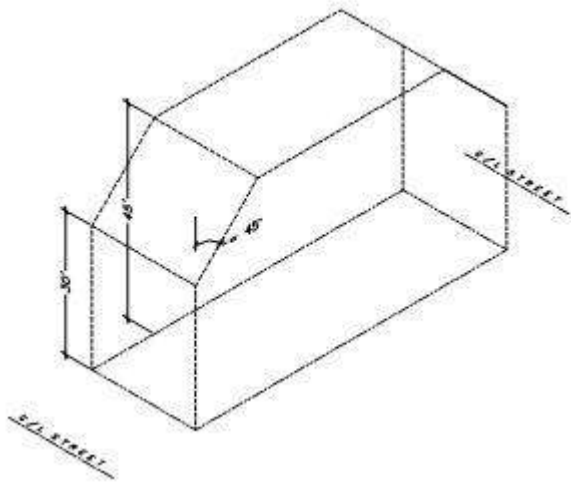
Historic Buildings and/or Structures that do not comply with Building Footprint, Building Height, Building Setbacks, Off-Street parking, and driveway location standards are valid Non-Complying Structures. Additions must comply with Building Setbacks, Building Footprint, driveway location standards and Building Height.

A. **EXCEPTION.** In order to achieve new construction consistent with the Historic District Design Guidelines, the Planning Commission may grant an exception to the Building Setback and driveway location standards for additions to Historic Buildings, including detached single car Garages:

1. Upon approval of a Conditional Use permit, and
2. When the scale of the addition and/or driveway is Compatible with the Historic Building and/or Structure, and
3. When the addition complies with all other provisions of this Chapter, and
4. When the addition complies with the adopted Building and Fire Codes, and
5. When the addition complies with the Design Guidelines for Historic Districts and Sites.

15-2.6-5 Maximum Building Volume And Height

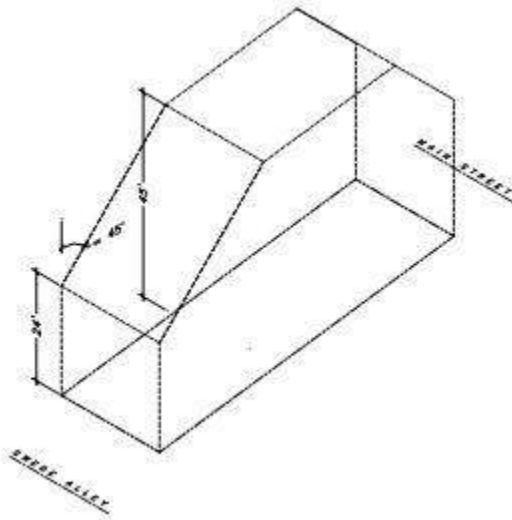
A. The maximum Building volume for each Lot is defined by a plane that rises vertically at the Front Lot Line to a height of thirty feet (30') measured above the average Natural Grade and then proceeds at a forty-five degree (45°) angle toward the rear of the Property until it intersects with a point forty-five feet (45') above the Natural Grade and connects with the rear portion of the bulk plane.



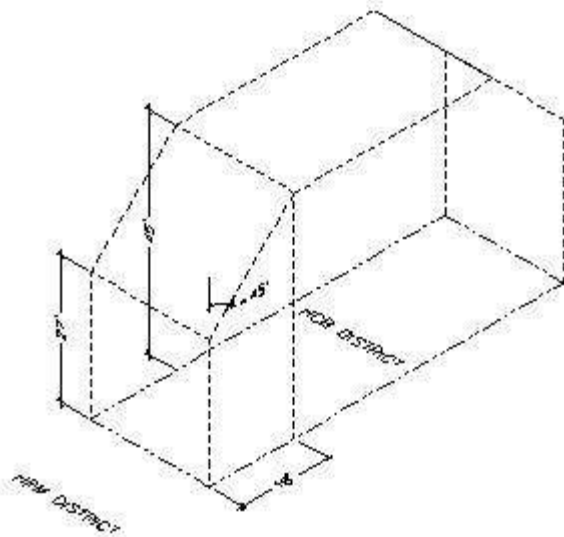
B. The rear portion of the bulk plane for each Lot that does not abut Swede Alley is defined by the plane that rises vertically at the Rear Property Line to a height of thirty feet (30') measured above the average Natural Grade and then proceeds at a forty-five degree (45°) angle toward the Front Lot Line until it intersects with a point forty-five feet (45') above the Natural Grade of the Building Site. No part of a Building shall be erected to a height greater than forty-five feet (45'), measured from Natural Grade at the Building Site. This provision must not be construed to encourage solid roofing to following the forty-five

degree (45°) back plane.

- C. For Lots abutting Swede Alley, the rear portion of the bulk plane is defined by a plane that rises vertically at the Rear Property Line to a height of twenty-four feet (24') measured above the average Natural Grade and then proceeds at a forty-five degree (45°) angle toward the Front Lot Line until it intersects with a point forty-five feet (45') above the Natural Grade. This provision must not be construed to encourage solid roofing to follow the forty-five degree (45°) back plane.



- D. Wherever the HCB District abuts a residential Zoning District, the abutting portion of the bulk plane is defined by a plane that rises vertically at the abutting Lot Line to a height matching the maximum height of the abutting Zone, measured from Existing Grade, and then proceeds at a forty-five degree (45°) angle toward the opposite Lot Line until it intersects with a point forty-five feet (45') above Existing Grade.



- E. The Zone Height for the HCB District shall correspond to the maximum height of the Building plane as described in Section 15-2.6-5(A) through (D).

F. MAXIMUM BUILDING VOLUME AND BUILDING HEIGHT EXCEPTIONS.

The following exceptions apply:

1. A gable, hip, gambrel or similarly pitched roof may extend up to five feet (5') above the Zone Height.
2. Antennas, chimneys, flues, vents, and similar Structures may extend up to five feet (5') above the highest point of the Building to comply with International Building Code (IBC) requirements.
3. Water towers, mechanical equipment, and Solar Energy Systems, when enclosed or Screened, may extend up to five feet (5') above the height of the Building. See LMC 15-5-5(G)(7)(a).
4. Church spires, bell towers, and like architectural features, subject to the Historic District Design Guidelines, may extend up to fifty percent (50%) above the Zone Height, but may not contain Habitable Space above the Zone Height. Such exception requires approval by the Planning Director.
5. Elevator Penthouses may extend up to eight feet (8') above the Zone Height.
6. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays, including Olympic way-finding towers, are permitted to a height of sixty-five feet (65').

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

Amended by Ord. [03-38](#) on 7/17/2003

Amended by Ord. [06-69](#) on 10/19/2006

Amended by Ord. [2018-27](#) on 5/31/2018

Amended by Ord. [2018-43](#) on 7/19/2018

15-2.6-46 Floor Area Ratio

To encourage variety in Building Height, a floor Area to ground Area ratio must be used to calculate maximum buildable Area. The maximum Floor Area Ratio (FAR) is 4.0 measured as: total floor Area divided by Lot Area equals 4.0. Note that this is the potential maximum floor Area, and is not always achievable. Buildings of lesser floor Area are encouraged. See Section 15-2.6-12 Parking Regulations, for parking implications for Buildings that exceed 1.5 FAR.

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

15-2.6-6 Architectural Review

~~Prior to issuance of a Building Permit for any Conditional or Allowed Use, the Planning Department shall review the proposed plans for compliance with the Design Guidelines for Historic Districts and Historic Sites, Historic Preservation LMC Chapter 15-11, and Architectural Review LMC Chapter 15-5.~~

~~Appeals of departmental actions on compliance with the Design Guidelines for Historic Districts and Historic Sites, LMC Chapter 15-11, and LMC Chapter 15-5 are heard by the Board of Adjustment as outlined in Section 15-1-18 of the Code.~~

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

Amended by Ord. 06-69 on 10/19/2006

Amended by Ord. 09-23 on 7/9/2009

Amended by Ord. 15-53 on 12/17/2015

15-2.6-7 Swede Alley Development Criteria

In addition to the standards set forth in this Chapter, all Development abutting Swede Alley must comply with the following criteria:

- A. Structures must step down toward Swede Alley at an angle of forty-five degrees (45B) to a maximum height of twenty-four feet (24') at the edge of the Swede Alley Right-of-Way. A variety of one and two-Story facades are encouraged. Designs that create a strong indoor/outdoor connection at the ground level are strongly encouraged.
- B. Entrances must be pedestrian-scaled and defined with porches, awnings and other similar elements as described in the Park City Historic District Design Guidelines. Entrances must make provisions for shared public and service Access whenever possible. When Main Street additions extend to Swede Alley, the materials and colors of the new construction must be designed to coordinate with the existing Structure.
- C. Structures must continue the existing stair-step facade rhythm along Swede Alley. No more than sixty feet (60') of a Swede Alley facade may have the same height or Setback. On facades greater than sixty feet (60') wide, Structures must provide a variety of Building Setbacks, height, and Building form. Setbacks in the facades and stepping upper stories, decks, and Balconies are strongly encouraged. Uniform height and Setbacks are discouraged.
- D. Provisions for public Open Space, open courtyards, and landscaping are strongly encouraged.
- E. Pedestrian connections from Swede Alley to Main Street are encouraged whenever possible. Open and landscaped pedestrian connections are favored.
- F. Swede Alley facades must be simple, utilitarian, and subordinate in character to Main Street facades. While facades should be capped, details should be simple. Ornate details typically found on Main Street facades are prohibited. The Applicant must incorporate a mix of materials, accent trim and door treatments to provide architectural interest. Materials must be similar in character, color, texture and scale to those found on Main Street. Exposed concrete, large Areas of stucco and unfinished materials are prohibited.
- G. Window display Areas are allowed. However, the Swede Alley window Area must be subordinate in design to the Main Street window Area.
- H. Service Areas and service equipment must be Screened. Utility boxes must be painted to blend with the adjacent Structures. Group trash containers must be Screened.

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

15-2.6-8 Canopy And Awning

- A. **APPROVAL**. No awning or Canopy may be erected, enlarged, or altered over the Main Street sidewalk without the written advance approval by the City Engineer. An awning or Canopy attached to a Building may extend over the public pedestrian Right-of-Way and project a maximum of thirty-six inches (36") from the face of a Building. An awning or Canopy must provide vertical clearance of no less than eight feet (8') from the sidewalk. With reasonable notice, the City may require that an awning or Canopy be removed from over City Right-of Way without compensating the Building Owner.
- B. **INSURANCE REQUIRED**. No awning or Canopy projecting over City Property may be erected, re-erected, located or relocated, or enlarged or modified structurally, without a certificate of insurance or a continuous bond protecting the Owner and City against all claims for personal injuries and/or Property damage in the standard amount determined by City Council. Park City Municipal Corporation must be named in the certificate of insurance as an additional insured. A thirty (30) day obligation to provide written notice to Park City Municipal Corporation of cancellation or expiration must be included in the insurance certificate.

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

15-2.6-149 Access, Service And Delivery

All Access for commercial Businesses and facilities shall be located within the HCB District. Emergency Access to the HR-1 and HR-2 Districts may be allowed by the Planning Director, with review by the Chief Building Official, but such emergency exits shall be designed in such a manner as to prohibit non-emergency Use. The primary Access to parking facilities for commercial Uses shall not be from residential districts, such as HR-1 and HR-2.

All Structures must provide a means of storing refuse generated by the Structure's occupants. The refuse storage must be on-Site and accessible only from Main Street, for Structures on the west side of Main Street, or from either Main Street or Swede Alley, for Structures on the east side of Main Street. Non-Main Street Properties within the zone must provide service Access from the rear of the Structure. Refuse storage must be fully enclosed and properly ventilated.

Refuse shall be stored in containers made of durable metallic or plastic materials with a close-fitting lid. Refuse containers shall not be set out for collection earlier than 10:00 PM on the day prior to collection, and must be removed no later than 10:00 AM on the day of collection. Refuse containers set out for collection shall be placed on or directly in front of the Owner's Property, and shall not be placed in the street, sidewalk, or other public Right-of-Way in any manner that will interfere with vehicular or pedestrian traffic. Except when set out for collection pursuant to this Section, refuse containers shall be placed in a location fully Screened from view from the public Rights-of-Way via Fencing and/or walls. Public trash receptacles set in the Right-of-Way by the City for Use by the public are exempt from this regulation.

All service and delivery for businesses on the west side of Main Street must be made within the HCB Zone, and shall not be made from the upper Park Avenue residential districts (HR-1 and HR-2).

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

Amended by Ord. 01-28 on 7/12/2001

Amended by Ord. 06-69 on 10/19/2006

15-2.6-9 Parking Regulations

~~New construction must provide Off-Street parking. The parking must be on-Site or paid by fee in lieu of on-Site parking set by Resolution equal to the parking obligation multiplied by the per space parking fee/in-lieu fee. The parking obligation is as follows:—~~

~~A. **RESIDENTIAL USE.** See Parking Requirements shown in Chapter 3.~~

~~B. **NON-RESIDENTIAL USE.** Non-Residential Uses must provide parking at the rate of six (6) spaces per 1,000 square feet of Building Area, not including bathrooms, and mechanical and storage spaces¹. Churches, Auditoriums, Assembly Halls and Indoor Entertainment Businesses generate a parking obligation shown in Chapter 15-3.—
Fully enclosed Parking Spaces and associated maneuvering spaces are not included in the Floor Area.—~~

~~C. **GENERAL PARKING REGULATIONS.** Property Owners may not install a driveway across the Main Street sidewalk to meet on-Site parking requirements without a variance and an obligation to reconstruct adjacent portions of the Main Street sidewalk to render the driveway crossing ADA accessible and convenient to pedestrians as possible. The sidewalk reconstruction must include lighting and landscaping.~~

~~An Applicant may appeal the staff's measurement of Floor Area to determine the parking requirement to the Board of Appeals in accordance with the International Building Code.~~

~~The Planning Commission may recommend to the City Council that new additions to Historic Structures be exempt from a portion of or all parking requirements where the preservation of the Historic Structure has been guaranteed to the satisfaction of the City.—~~

~~D. **PRE-1984 PARKING EXCEPTION.** Lots, which were current in their assessment to the Main Street Parking Special Improvement District as of January 1, 1984, are exempt from the parking obligation for a Floor Area Ratio (FAR) of 1.5. Buildings that are larger than 1.5 FAR are Non-Conforming Buildings for Off-Street parking purposes.—~~

~~To claim the parking exemption for the 1.5 FAR, the Owner must establish payment in full to the Main Street Parking Special Improvement District prior to January 1, 1984.—~~

~~Additions or remodels to Non-Conforming Churches, Auditoriums, Assembly Halls and Indoor Entertainment Businesses, that reduce the net parking demand must not prompt an~~

~~additional Off-Street parking obligation.~~

~~E.—See Section 15-3 Off-Street Parking for additional parking requirements.~~

~~¹Mechanical and storage spaces must be in accordance with IBC requirements in order to be subtracted from the Building Area; it is the intent of this Code that closets and shelves in occupied spaces are included in the Area measured for the parking requirement. For Condominium Units, the Building Area is the total Area of the Unit.~~

HISTORY

~~Adopted by Ord. 00-51 on 9/21/2000~~

~~Amended by Ord. 06-69 on 10/19/2006~~

~~Amended by Ord. 09-10 on 3/5/2009~~

15-2.6-10 Mechanical Service

All exterior mechanical equipment must be Screened to minimize noise infiltration to adjoining Properties and to eliminate visual impacts on nearby Properties, including those Properties located above the roof tops of Structures in the HCB District, and general Public view.

All mechanical equipment must be shown on the plans prepared for Conditional Use Permit and/or architectural review by the Planning, Engineering, and Building Departments. The Planning Department will approve or reject the location, Screening and painting of such equipment as part of the architectural review process.

HISTORY

~~Adopted by Ord. 00-51 on 9/21/2000~~

~~Amended by Ord. 06-69 on 10/19/2006~~

15-2.6-11 Access, Service And Delivery

~~All Access for commercial Businesses and facilities shall be located within the HCB District. Emergency Access to the HR-1 and HR-2 Districts may be allowed by the Planning Director, with review by the Chief Building Official, but such emergency exits shall be designed in such a manner as to prohibit non-emergency Use. The primary Access to parking facilities for commercial Uses shall not be from residential districts, such as HR-1 and HR-2.~~

~~All Structures must provide a means of storing refuse generated by the Structure's occupants. The refuse storage must be on-Site and accessible only from Main Street, for Structures on the west side of Main Street, or from either Main Street or Swede Alley, for Structures on the east side of Main Street. Non-Main Street Properties within the zone must provide service Access from the rear of the Structure. Refuse storage must be fully enclosed and properly ventilated.~~

~~Refuse shall be stored in containers made of durable metallic or plastic materials with a close-fitting lid. Refuse containers shall not be set out for collection earlier than 10:00 PM on the day prior to collection, and must be removed no later than 10:00 AM on the day of collection. Refuse containers set out for collection shall be placed on or directly in front of the Owner's Property,~~

~~and shall not be placed in the street, sidewalk, or other public Right-of-Way in any manner that will interfere with vehicular or pedestrian traffic. Except when set out for collection pursuant to this Section, refuse containers shall be placed in a location fully Screened from view from the public Rights-of-Way via Fencing and/or walls. Public trash receptacles set in the Right-of-Way by the City for Use by the public are exempt from this regulation.~~

~~All service and delivery for businesses on the west side of Main Street must be made within the HCB-Zone, and shall not be made from the upper Park Avenue residential districts (HR-1 and HR-2).~~

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

Amended by Ord. 01-28 on 7/12/2001

Amended by Ord. 06-69 on 10/19/2006

15-2.6-12 Goods And Uses To Be Within Enclosed Building

~~A. **OUTDOOR DISPLAY OF GOODS PROHIBITED.** Unless expressly allowed as an Allowed or Conditional Use, or allowed with an Administrative Permit, all goods, including food, beverage and cigarette vending machines must be within a completely enclosed Structure. New construction of enclosures for the storage of goods shall not have windows and/or other fenestration, which exceeds a wall-to-window ratio of thirty percent (30%). This section does not preclude temporary sales in conjunction with a Master Festival License, sidewalk sale, or seasonal plant sale. See Section 15-2.6-12(B)(3) for outdoor display of bicycles, kayaks, and canoes.~~

~~B. **OUTDOOR USES PROHIBITED/EXCEPTIONS.** The following outdoor Uses may be allowed by the Planning Department upon the issuance of an Administrative Conditional Use permit or an Administrative Permit as described herein. The Applicant must submit the required application, pay all applicable fees, and provide all required materials and plans. Appeals of departmental actions are heard by the Planning Commission.~~

- ~~1. **OUTDOOR DINING.** Outdoor dining requires an Administrative Conditional Use permit and is subject to the following criteria:~~
 - ~~a. The proposed seating Area is located on private Property or leased public Property and does not diminish parking or landscaping.~~
 - ~~b. The proposed seating Area does not impede pedestrian circulation.~~
 - ~~c. The proposed seating Area does not impede emergency Access or circulation.~~
 - ~~d. The proposed furniture is Compatible with the Streetscape.~~
 - ~~e. No music or noise is in excess of the City Noise Ordinance, Title 6.~~
 - ~~f. No Use after 10:00 p.m.~~
 - ~~g. Review of the Restaurant's seating capacity to determine appropriate mitigation measures in the event of increased parking demand.~~

- ~~2. **OUTDOOR GRILLS/BEVERAGE SERVICE STATIONS.** Outdoor grills and/or beverage service stations require an Administrative Permit and are subject to the following criteria:~~
- ~~a. The Use is on private Property or leased public Property, and does not diminish parking or landscaping.~~
 - ~~b. The Use is only for the sale of food or beverages in a form suited for immediate consumption.~~
 - ~~c. The Use is Compatible with the neighborhood.~~
 - ~~d. The proposed service station does not impede pedestrian circulation.~~
 - ~~e. The proposed service station does not impede emergency Access or circulation.~~
 - ~~f. Design of the service station is Compatible with the adjacent Buildings and Streetscape.~~
 - ~~g. No violation of the City Noise Ordinance, Title 6.~~
 - ~~h. Compliance with the City Sign Code, Title 12.~~
- ~~3. **OUTDOOR STORAGE AND DISPLAY OF BICYCLES, KAYAKS, MOTORIZED SCOOTERS, AND CANOES.** Outdoor storage and display of bicycles, kayaks, motorized scooters, and canoes requires an Administrative Permit and is subject to the following criteria:~~
- ~~a. The Area of the proposed bicycle, kayak, motorized scooters, and canoe storage or display is on private Property and not in Areas of required parking or landscaped planting beds.~~
 - ~~b. Bicycles, kayaks, and canoes may be hung on Buildings if sufficient Site Area is not available, provided the display does not impact or alter the architectural integrity or character of the Structure.~~
 - ~~c. No more than a total of fifteen (15) pieces of equipment may be displayed.~~
 - ~~d. Outdoor display is only allowed during Business hours.~~
 - ~~e. Additional outdoor bicycle storage Areas may be considered for rental bicycles provided there are no or only minimal impacts on landscaped Areas, parking spaces, and pedestrian and emergency circulation.~~
- ~~4. **OUTDOOR EVENTS AND MUSIC.** Outdoor events and music require an Administrative Permit. The Use must also comply with Section 15-1-10, Conditional Use review. The Applicant must submit a Site plan and written description of the event, addressing the following:~~
- ~~a. Notification of adjacent Property Owners.~~
 - ~~b. No violation of the City Noise Ordinance, Title 6.~~
 - ~~c. Impacts on adjacent Residential Uses.~~
 - ~~d. Proposed plans for music, lighting, structures, electrical, signs, etc.~~
 - ~~e. Parking demand and impacts on neighboring Properties.~~
 - ~~f. Duration and hours of operation.~~
 - ~~g. Impacts on emergency Access and circulation.~~
- ~~5. **DISPLAY OF MERCHANDISE.** Display of outdoor merchandise requires an Administrative Permit and is subject to the following criteria:~~

- ~~a. The display is immediately available for purchase at the Business displaying the item.~~
- ~~b. The merchandise is displayed on private Property directly in front of or appurtenant to the Business which displays it, so long as the private Area is in an alcove, recess, patio, or similar location that provides a physical separation from the public sidewalk. No item of merchandise may be displayed on publicly owned Property including any sidewalk or prescriptive Right of Way regardless if the Property Line extends into the public sidewalk. An item of merchandise may be displayed on commonly owned Property; however, written permission for the display of the merchandise must be obtained from the Owner's association.~~
- ~~c. The display is prohibited from being permanently affixed to any Building. Temporary fixtures may not be affixed to any Historic Building in a manner that compromises the Historic integrity or Façade Easement of the Building as determined by the Planning Director.~~
- ~~d. The display does not diminish parking or landscaping.~~
- ~~e. The Use does not violate the Summit County health Code, the Fire Code, or International Building Code. The display does not impede pedestrian circulation, sidewalks, emergency Access, or circulation. At minimum, forty-four inches (44") of clear and unobstructed Access to all fire hydrants, egress and Access points must be maintained. Merchandise may not be placed so as to block visibility of or Access to any adjacent Property.~~
- ~~f. The merchandise must be removed if it becomes a hazard due to wind or weather conditions, or if it is in a state of disrepair, as determined by either the Planning Director or Building Official.~~
- ~~g. The display shall not create a hazard to the public due to moving parts, sharp edges, or extension into public Rights of Way, including sidewalks, or pedestrian and vehicular Areas; nor shall the display restrict vision at intersections.~~
- ~~h. No inflatable devices other than decorative balloons smaller than eighteen inches (18") in diameter are permitted. Balloon height may not exceed the finished floor elevation of the second floor of the Building.~~
- ~~i. No additional signs are allowed. A sales tag, four square inches (4 sq. in.) or smaller may appear on each display item, as well as an informational plaque or associated artwork not to exceed twelve square inches (12 sq. in.). The proposed display shall be in compliance with the City Sign Code, Municipal Code Title 12, the City's Licensing Code, Municipal Code Title 4, and all other requisite City codes.~~

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

Amended by Ord. 05-49 on 8/4/2005

Amended by Ord. 06-69 on 10/19/2006

Amended by Ord. 09-10 on 3/5/2009

15-2.6-1311 Criteria For Bed And Breakfast Inns

A Bed and Breakfast Inn is an Allowed Use subject to an Administrative Conditional Use Permit. No permit may be issued unless the following criteria are met:

- A. The Use is in a Historic Building and/or Structure or addition thereto, or a Historically Compatible Structure.
- B. The Applicant will make every attempt to rehabilitate the Historic portion of the Structure.
- C. The Structure has at least two (2) rentable rooms. The maximum number of rooms will be determined by the Applicant's ability to mitigate neighborhood impacts.
- D. In Historic Buildings and/or Structures, the size and configuration of the rooms are Compatible with the Historic character of the Building and neighborhood.
- E. The rooms are available for Nightly Rental only.
- F. An Owner/manager is living on-Site, or in Historic Buildings and/or Structures there must be twenty-four (24) hour on-Site management and check-in.
- G. Food service is for the benefit of overnight guests only.
- H. No Kitchen is permitted within rental room(s).
- I. Parking on-Site is required at a rate of one (1) space per rentable room. The Planning Director may waive the parking requirement for Historic Buildings and/or Structures if the Applicant proves that:
 - 1. no on-Site parking is possible without compromising the Historic Building and/or Structure or Site, including removal of existing Significant Vegetation, and all alternatives for proximate parking have been explored and exhausted; and
 - 2. the Structure is not economically feasible to restore or maintain without the adaptive Use.
- J. The Use complies with Section 15-1-10, Conditional Use review.

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

Amended by Ord. 06-69 on 10/19/2006

15-2.6-912 Parking Regulations

New construction must provide Off-Street parking. The parking must be on-Site or paid by fee in lieu of on-Site parking set by Resolution equal to the parking obligation multiplied by the per space parking fee/in-lieu fee. The parking obligation is as follows:

- A. **RESIDENTIAL USE.** See Parking Requirements shown in Chapter 3.
- B. **NON-RESIDENTIAL USE.** Non-Residential Uses must provide parking at the rate of six (6) spaces per 1,000 square feet of Building Area, not including bathrooms, and mechanical and storage spaces¹. Churches, Auditoriums, Assembly Halls and Indoor Entertainment Businesses generate a parking obligation shown in Chapter 15-3. Fully enclosed Parking Spaces and associated maneuvering spaces are not included in the Floor Area.
- C. **GENERAL PARKING REGULATIONS.** Property Owners may not install a driveway across the Main Street sidewalk to meet on-Site parking requirements without a variance and an obligation to reconstruct adjacent portions of the Main Street sidewalk to render

the driveway crossing ADA accessible and convenient to pedestrians as possible. The sidewalk reconstruction must include lighting and landscaping.

An Applicant may appeal the staff's measurement of Floor Area to determine the parking requirement to the Board of Appeals in accordance with the International Building Code.

The Planning Commission may recommend to the City Council that new additions to Historic Buildings and/or Structures be exempt from a portion of or all parking requirements where the preservation of the Historic Building and/or Structure has been guaranteed to the satisfaction of the City.

- D. **PRE 1984 PARKING EXCEPTION.** Lots, which were current in their assessment to the Main Street Parking Special Improvement District as of January 1, 1984, are exempt from the parking obligation for a Floor Area Ratio (FAR) of 1.5. Buildings that are larger than 1.5 FAR are Non-Conforming Buildings for Off-Street parking purposes.

To claim the parking exemption for the 1.5 FAR, the Owner must establish payment in full to the Main Street Parking Special Improvement District prior to January 1, 1984.

Additions or remodels to Non-Conforming Churches, Auditoriums, Assembly Halls and Indoor Entertainment Businesses, that reduce the net parking demand must not prompt an additional Off-Street parking obligation.

- E. See Section 15-3 Off Street Parking for additional parking requirements.

¹Mechanical and storage spaces must be in accordance with IBC requirements in order to be subtracted from the Building Area; it is the intent of this Code that closets and shelves in occupied spaces are included in the Area measured for the parking requirement. For Condominium Units, the Building Area is the total Area of the Unit.

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

Amended by Ord. 06-69 on 10/19/2006

Amended by Ord. 09-10 on 3/5/2009

15-2.6-613 Architectural Review

Prior to issuance of a Building Permit for any Conditional or Allowed Use, the Planning Department shall review the proposed plans for compliance with the Design Guidelines for Historic Districts and Historic Sites, Historic Preservation LMC Chapter 15-11, and Architectural Review LMC Chapter 15-5.

Appeals of departmental actions on compliance with the Design Guidelines for Historic Districts and Historic Sites, LMC Chapter 15-11, and LMC Chapter 15-5 are heard by the Board of Adjustment as outlined in Section 15-1-18 of the Code.

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

Amended by Ord. 06-69 on 10/19/2006

Amended by Ord. 09-23 on 7/9/2009

Amended by Ord. 15-53 on 12/17/2015

15-2.6-14 Vegetation Protection

The Property Owner must protect Significant Vegetation during any Development activity. Significant Vegetation includes large trees six inches (6") in diameter or greater measured four and one-half feet (4½') above the ground, groves of smaller trees, or clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more measured at the drip line.

Development plans must show all Significant Vegetation within twenty feet (20') of a proposed Development. The Property Owner must demonstrate the health and viability of all large trees through a certified arborist. The Planning Director shall determine the Limits of Disturbance and may require mitigation for loss of Significant Vegetation consistent with landscape criteria in LMC Chapter 15-3-3(D) and Title 14.

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

Amended by Ord. 06-69 on 10/19/2006

15-2.6-15 Signs

Signs are allowed in the HCB District as provided in the Park City Sign Code, Title 12.

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

15-2.6-16 Related Provisions

- Fences and Walls. LMC Chapter 15-4-2.
- Accessory Apartment. LMC Chapter 15-4-7.
- Satellite Receiving Antenna. LMC Chapter 15-4-13.
- Telecommunication Facility. LMC Chapter 15-4-14.
- Parking. LMC Chapter 15-3.
- Landscaping. Title 14; LMC Chapter 15-3-3(D).
- Lighting. LMC Chapters 15-3-3(C), 15-5-5(I).
- Historic Preservation Board. LMC Chapter 15-11.
- Park City Sign Code. Title 12.
- Architectural Review. LMC Chapter 15-5.
- Snow Storage. LMC Chapter 15-3-3(E).
- Parking Ratio Requirements. LMC Chapter 15-3-6.
- Passenger Tramways and Ski Base Facilities. LMC Chapter 15-4-18.

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

Exhibit 7 – LMC § 15-4 Supplemental Regulations

15-4 Supplemental Regulations

[15-4-1 Purpose](#)

[15-4-2 Fences And Retaining Walls](#)

[15-4-3 Home Occupation](#)

[15-4-4 Secondary Living Quarters](#)

[15-4-5 Lockout Units](#)

[15-4-6 Guest Houses](#)

[15-4-7 Accessory Apartments](#)

[15-4-8 Group Care Facilities](#)

[15-4-9 Child Care And Child Care Facilities](#)

[15-4-10 Timeshare Projects](#)

[15-4-11 Timeshare Conversion](#)

[15-4-12 Condominium Conversion](#)

[15-4-13 Placement Of Satellite Receiving Antennas](#)

[15-4-14 Telecommunication Facilities](#)

[15-4-15 Outdoor Display Of Works Of Art On City-Owned Property](#)

[15-4-16 Temporary Structures, Tents, And Vendors](#)

[15-4-17 Setback Requirements For Unusual Lot Configurations](#)

[15-4-18 Passenger Tramways And Ski Base Facilities](#)

[15-4-19 Review Criteria For Vehicle Control Gates](#)

[15-4-20 Special Events And Temporary Change Of Occupancy Permits](#)

[15-4-21 Goods and Uses To Be Within Enclosed Building](#)

15-2.5-1315-4-21 Goods And Uses To Be Within Enclosed Building

- A. **OUTDOOR DISPLAY OF GOODS PROHIBITED.** Unless expressly allowed as an Allowed or Conditional Use, or allowed with an Administrative Permit, all goods, including food, beverage, and cigarette-vending machines, and last mile parcel pick-up stations must be within a completely enclosed Structure. New construction of enclosures for the storage of goods shall not have windows and/or other fenestration that exceeds a wall-to-window ratio of thirty percent (30%). This section does not preclude temporary sales in conjunction with a Master Festival License, sidewalk sale, or seasonal plant sale. See Section 15-2.5-1311(B)(3) for outdoor display of bicycles, kayaks, and canoes.
- B. **OUTDOOR USES PROHIBITED/EXCEPTIONS.** The following outdoor uses may be allowed by the Planning Department upon the issuance of an Administrative Conditional Use permit Permit, or an Administrative Permit, or Conditional Use Permit as described herein, pursuant to the Zoning in which the Use is located. The Applicant must submit the required Application application, pay all applicable fees, and provide all required materials and plans. Appeals of Departmental Actions are heard by the

Planning Commission.

1. **OUTDOOR DINING.** Outdoor dining may requires an Administrative Conditional Use Permit, Administrative Permit, or Conditional Use Permit, pursuant to the Zoning in which the Use is located, and is subject to the following criteria:
 - a. The proposed seating Area is located on private Property or leased public Property and does not diminish parking or landscaping.
 - b. The proposed seating Area does not impede pedestrian circulation.
 - c. The proposed seating Area does not impede emergency Access or circulation.
 - d. The proposed furniture is Compatible with the Streetscape.
 - e. No music or noise is in excess of the City Noise Ordinance, Title 6.
 - f. No Use after 10:00 p.m.
 - g. Review of the Restaurant's seating capacity to determine appropriate mitigation measures in the event of increased parking demand.
2. **OUTDOOR GRILLS/BEVERAGE SERVICE STATIONS.** Commercial Outdoor grills and/or beverage service stations may require an Administrative Conditional Use ~~permit~~ Permit, Administrative Permit, or Conditional Use Permit, pursuant to the Zoning in which the Use is located, and are subject to the following criteria:
 - a. The Use is on private Property or leased public Property and does not diminish parking or landscaping.
 - b. The Use is only for the sale of food or beverages in a form suited for immediate consumption.
 - c. The Use is Compatible with the neighborhood.
 - d. The proposed service station does not impede pedestrian circulation.
 - e. The proposed service station does not impede emergency Access or circulation.
 - f. Design of the service station is Compatible with the adjacent Buildings and Streetscape.
 - g. No violation of the City Noise Ordinance, Title 6.
 - h. Compliance with the City Sign Code, Title 12.
3. **COMMERCIAL OUTDOOR STORAGE AND DISPLAY OF BICYCLES, KAYAKS, MOTORIZED SCOOTERS, AND CANOES.** Outdoor storage and display of bicycles, kayaks, motorized scooters, ~~and~~ canoes, and similar items for Commercial purposes may; requires an Administrative Conditional Use Permit, Administrative Permit, or Conditional Use Permit, pursuant to the Zoning in which the Use is located, and is subject to the following criteria:
 - a. The Area of the proposed bicycle, kayak, motorized scooters, ~~or~~ canoes, or similar items storage or display is on private Property and not in Areas of required parking or landscaped planting beds.
 - b. Bicycles, kayaks, ~~and~~ canoes, and similar items may be hung on a Historic Structure Building if sufficient Site Area is not available, provided the

- display does not impact or alter the architectural integrity or character of the Structure.
 - c. No more than a total of fifteen (15) pieces of equipment may be displayed.
 - d. Outdoor display is only allowed during Business hours.
 - e. Additional outdoor storage Areas may be considered for rental bicycles, ~~or~~ motorized scooters, or similar items provided there are no or only minimal impacts on landscaped Areas, Parking Spaces, and pedestrian and emergency circulation.
4. **OUTDOOR EVENTS AND MUSIC.** Outdoor events and music require an ~~Administrative~~ Conditional Use permit Permit, pursuant to the Zoning in which the Use is located. The Use must also comply with Section 15-1-10, Conditional Use review. The Applicant must submit a Site plan and written description of the event, addressing the following:
- a. Notification of adjacent Property Owners.
 - b. No violation of the City Noise Ordinance, Title 6.
 - c. Impact on adjacent ~~residential~~ Residential Uses.
 - d. Proposed plans for music, lighting, Structures, electrical, signs, etc.
 - e. Parking demand and impacts on neighboring Properties.
 - f. Duration and hours of operation.
 - g. Impacts on emergency Access and circulation.
5. **DISPLAY OF MERCHANDISE.** Display of outdoor merchandise is ~~subject to~~ requires an Administrative Conditional Use Permit, Administrative Permit, or Conditional Use Permit, pursuant to the Zoning in which the Use is located, and is subject to the following criteria:
- a. The display is immediately available for purchase at the Business displaying the item.
 - b. The merchandise is displayed on private property directly in front of or appurtenant to the Business which displays it, so long as the private Area is in an alcove, recess, patio, or similar location that provides a physical separation from the public sidewalk. No item of merchandise may be displayed on publicly owned Property including any sidewalk or prescriptive Right-of-Way regardless if the property Line extends into the public sidewalk. An item of merchandise may be displayed on commonly owned Property; however, written permission for the display of the merchandise must be obtained from the Owner's association.
 - c. The display is prohibited from being permanently affixed to any ~~Building~~ Building. Temporary fixtures may not be affixed to any Historic Building in a manner that compromises the Historic integrity or Façade Easement of the Building as determined by the Planning Director.
 - d. ~~The~~ display does not diminish parking or landscaping.
 - e. The Use does not violate the Summit County Health Code, the Fire Code, or International Building Code. The display does not impede pedestrian circulation, sidewalks, emergency Access, or circulation. At minimum, forty-four inches (44") of clear and unobstructed Access to all fire

hydrants, egress and Access points must be maintained. Merchandise may not be placed so as to block visibility of or Access to any adjacent Property.

- f. The merchandise must be removed if it becomes a hazard due to wind or weather conditions, or if it is in a state of disrepair, as determined by either the Planning Director or Building Official.
- g. The display shall not create a hazard to the public due to moving parts, sharp edges, or extension into public Rights-of-Way, including sidewalks, or pedestrian and vehicular Areas; nor shall the display restrict vision at intersections.
- h. No inflatable devices other than decorative balloons smaller than eighteen inches (18") in diameter are permitted. Balloon height may not exceed the finished floor elevation of the second floor of the Building.
- i. No additional signs are allowed. A sales tag, four (4) square inches or smaller may appear on each display item, as well as an informational plaque or associated artwork not to exceed twelve (12) square inches (12 sq. in.). The proposed display shall be in compliance with the City Sign Code, Municipal Code Title 12, the City's Licensing Code, Municipal Code Title 4, and all other requisite City codes.

Exhibit 8 – LMC § 15-5-5 Architectural Design Guidelines

15-5-5 Architectural Design Guidelines

- A. **PROHIBITED ARCHITECTURAL STYLES AND MOTIFS.** The following architectural styles and motifs are prohibited in Park City because these styles and motifs have a strong connection or association with other regions:
1. A-frame Structures;
 2. Geodesic dome Structures;
 3. Mediterranean motifs;
 4. Tudor or mock Tudor, half timbering;
 5. Swiss chalets;
 6. Highly ornate Victorian;
 7. Rustic frontier;
 8. Colonial;
 9. Nouveau-Chateau, French Provincial, Fairy Tale or Castle. Tower features and turrets may be allowed if roofs are not conical and if the roof line is integrated into the main Structure. Round exterior walls are permitted but not as semi-detached round rooms, i.e., a round room may not exceed 270 degrees;
 10. New Structures designed to imitate Historic Buildings and/or Structures built in Park City or elsewhere, unless the project complies with the Historic District Architectural Guidelines.
 11. Exemption. The above provisions addressing Tudor, Victorian, and colonial styles and tower elements shall not apply in the Prospector Park Subdivision.
- B. **PROHIBITED SIDING MATERIALS.** The following siding, fascia, and soffit materials are prohibited because they have proved to be unsuitable for Use in Park City due to the extreme climate, or because their appearance is such that the values of adjoining or abutting Properties are adversely affected:
1. Thick shake shingles;
 2. Ceramic tiles;
 3. Slump bloc, weeping mortar;
 4. Plastic or vinyl siding;
 5. Used brick;
 6. Synthetic stone products such as simulated stone or brick, cultured stone or brick, pre-cast stone or concrete imbedded with stone fragments;
 7. Lava rock, clinkers;
 8. Asphalt siding;
 9. Plywood siding, except that plywood may be approved by the Planning Director if utilized as a base for board and batten siding;
 10. Aluminum and vinyl siding is or similar materials derived from petroleum, are generally not considered ~~an~~ appropriate materials. The Planning Director may, however, consider requests for the Use of aluminum and vinyl siding. The design of the Structure shall be consistent with the Park City Design Guidelines. The Applicant will be required to bring a sample of the type and color of siding to be approved by the Planning Director. When aluminum siding is approved by the

Planning Director, it shall have a minimum thickness of .019 inches; ~~and~~ shall be backed or insulated with a minimum of 3/8 inch fiberboard of polystyrene foam; and shall have a Solar Reflective Index (SRI) value of 35 or less.

11. Exemption. Aluminum and vinyl siding, including soffits and fascia, and synthetic stone products may be permitted upon approval by the Planning Director, on Structures when such Structures are located in Areas predominately developed with Structures utilizing the same type of materials, such as in Prospector Village, Park Meadows and Prospector Park Subdivisions. Existing Buildings with synthetic stone products and aluminum or vinyl siding may be re-sided or repaired using synthetic stone products and aluminum or vinyl siding with specific approval by the Planning Director.

The Applicant is required to bring a sample of the material and description of the application method of the requested siding and/or synthetic stone to be approved by the Planning Director and an exhibit documenting siding materials found in the surrounding neighborhood.

- C. **DESIGN ORNAMENTATION.** Architectural design in Park City has historically been simple. Highly ornate Buildings are inconsistent with the architectural patterns of the community, and due to the close proximity of one Development to another, inconsistent ornamentation may become unsightly and detract from Property values.

To add architectural interest to Buildings, special ornamental siding materials may be used, provided that no more than twenty five percent (25%) of any facade of the Building is covered with ornamental siding. Examples of ornamental siding provided for information purposes only and not as a limitation, are as follows:

1. Fish scale cut shingles;
2. Half-timbered stucco;
3. Match-sticked wood or other inlays.

- D. **NUMBER OF EXTERIOR WALL MATERIALS.** Different exterior siding materials add interest to a Building, and to the community as a whole, however, the Use of too many exterior materials, like excessive ornamentation, detracts from the values of adjoining Properties. Exterior walls of any Building may be sided with up to three (3) different materials per Building, but no more than three (3) materials may appear on any one (1) wall, including ornamental siding. Trim shall not be counted as a siding material, but ornamentation is counted as a siding material. If trim covers more than ten percent (10%) of a side of the Building, it shall be counted as a siding material on that side.

- E. **ROOFING MATERIALS.** Because of the steep Grade changes within Park City, and the fact that residents and visitors are frequently in a position to look down on the City from the adjoining mountains, the appearance of roofs in Park City is of more significance than in other communities. Some roof types do not perform well in Park City's harsh climate. In addition, the Area's dry climate creates a high potential for wild land fires which makes the Use of wood roofs unsafe in some Areas. For these reasons, the following roof types are prohibited in Park City:

1. Untreated aluminum or metal, except that copper may be used;
2. Reflective materials. If approved, metal roofing shall not have a Solar Reflective Index (SRI) rating greater than 35;
3. Roof colors shall be neutral and earth-tone. Brightly colored roofing such as bright red, blue, yellow, green, white or similar colors are highly visible.
Exception: Green is allowed if it is determined that its hue, color, chroma and other attributes of color are similar to other earth tone colors currently approved in Park City. In no case shall the color be determined to be bright or highly reflective or towards the yellow tones of the color spectrum;
4. Wood shingles, including fire retardant, prohibited only in wild land interface zones. Wood roofs may be allowed on additions to existing Structures with wood roofs, only upon specific approval of the Chief Building Official. In addition, wood roofing may be allowed on later phases, which continue the specific design of existing projects and where the original phase has wood roofing.
Existing non-conforming Structures must comply with this section when the Structure's roof is replaced;
5. Except on Historic renovations or reconstructions with adequate documentation, roof ornamentation such as scroll work, finials, and bead-and-dowel work are prohibited.

F. **ROOF SHAPES.** The following roof shapes are prohibited in Park City as the dominant roof form because they either do not perform well in the harsh climate, or tend to detract from the value of adjoining Property. As minor roof elements, the following shapes may be allowed if approved by the Planning Director:

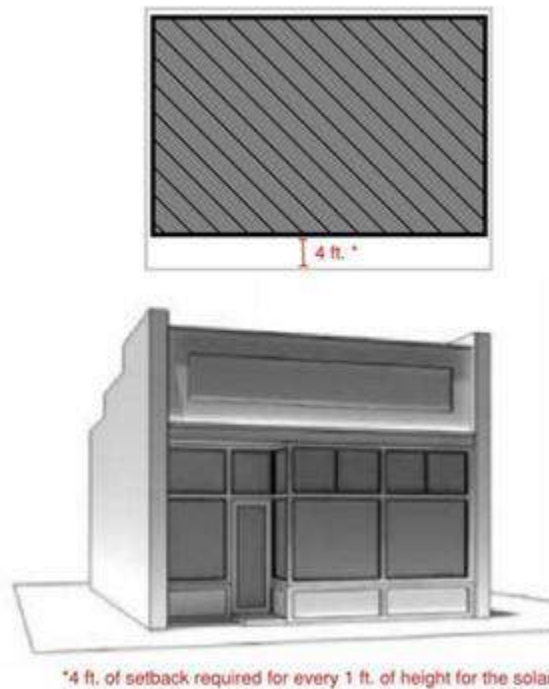
1. Mansard or fake mansard roofs;
2. Gambrel roofs;
3. Curvilinear roofs;
4. Domed roofs;
5. Geodesic domes;
6. Conical roofs, greater than 270 degrees around;
7. A-frame or modified A-frame roofs.

Mechanical equipment on roofs must be hidden with a visual barrier so it is not readily visible from nearby Properties.

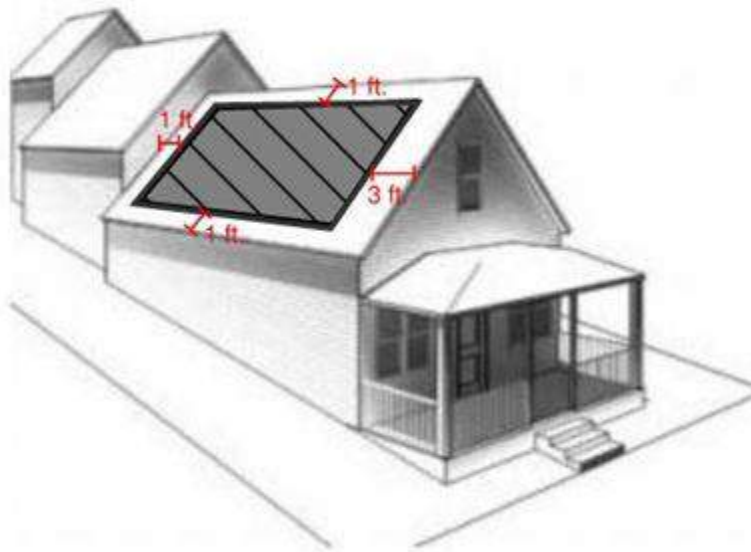
G. **SOLAR ENERGY SYSTEMS. Any solar energy system shall be designed as follows:**

1. Solar Energy Systems shall be designed so as to be incorporated in the roof plan or architectural features of the structure to the best extent possible. Solar Energy Systems shall generally be mounted flush to the roof plane. In instances where due to the existing roof angle the panel needs to be angled from the roof plane for optimum solar gain, alternative designs may be considered upon review of a visual analysis and mitigation of visual impacts from surrounding properties.
2. Solar panels, solar devices, and Solar Energy Systems and mounting equipment shall use non-reflective finishes such as an anodized finish.
3. Solar energy systems in the Historic Districts are subject to the Design Guidelines for Historic Districts and Historic Sites and shall also meet the following:

- a. On a Flat Roof, the Solar Energy System shall be mounted flush to the roof or on racks. When this is not possible, the Solar Energy System shall extend no more than five Feet (5') above the highest point of the roof. Solar Energy Systems shall be screened from view of the primary right-of-way by:
- (1) An existing parapet along the street-facing facade that is as tall as the tallest part of the Solar Energy System; or
 - (2) Setting the Solar Energy System back from the edge of the roof facing the primary right-of-way at least four feet (4') for each one foot (1') of Solar Energy System height (including any necessary racks).



- b. Solar Energy Systems are permitted on pitched roofs facing a rear or side lot line that is not visible from the right-of-way. The Solar Energy System shall be mounted flush on the pitched roof, with the system no more than one foot (1') from the surface of the roof at any point. Solar Energy Systems shall be screened from view of the primary right-of-way in the following ways:
- (1) The Solar Energy System shall be located at least one foot (1') from the ridgeline of the pitched roof.
 - (2) The Solar Energy System shall be located at least three feet (3') from the edge of the roof facing a right-of-way and one foot (1') from the edge of the roof facing the rear property line.
 - (3) The Solar Energy System shall be located at least one foot (1') from the eave of the roof.
 - (4) The Solar Energy System shall not alter the slope of the roof.



- c. Solar shingles and Propanel-type/standing seam integrated products may be appropriate on roof surfaces visible from the primary right-of-way in the Historic Districts when it can be shown that they are sized similar to conventional asphalt shingles or metal roofing. They shall be similar in color to roofing materials in the Historic Districts and shall possess an anti-reflective top coating, such as Tempered Glass Tefzel Glazing or titanium dioxide. All metal surfaces shall have a matte finish.
- d. Freestanding Solar Energy Systems shall meet all the setback requirements of an Accessory Building as outlined in the Historic zoning districts. They shall be installed in locations that minimize visibility from the public right-of-way. These systems shall be screened from the public right-of-way with materials such as fencing or vegetation of suitable scale for the Historic District.
- e. Exceptions to the location and height of the Solar Energy System above the roof are subject to Planning Director approval based on a determination that:
 - (1) A professional experienced in energy-efficient construction has conducted an energy audit and the building has optimized its energy efficiency through other means; and
 - (2) The location of the Solar Energy System does not detract from the ~~historic~~-Historic character of the site and/or the Historic District (by making the Solar Energy System a character-defining element of the building); and
 - (3) The application has demonstrated that the proposed plan will result in a net positive generation of 105% or greater.

H. **SKYLIGHTS.** Any skylight, or other translucent roof material which allows the transmission of light from the interior of the Building to the exterior, shall be designed as follows:

1. Skylights shall be limited to no more than twenty-five percent (25%) of the total roof Area;
 2. The skylight design shall facilitate the Use of natural light into the Building and any light emitted or reflected from the skylight shall be shielded from adjacent Properties;
 3. The skylight feature shall not be the highest point of the Structure; and
 4. The skylight feature shall be designed to fit as flush as possible with the roof. Skylights shall generally extend no more than two feet (2') above the roof plane.
 5. Skylights in the Historic Districts are subject to the Design Guidelines for Historic Districts and Historic Sites.
- I. **WINDOW TREATMENTS.** Windows other than rectangular windows may be used as accents and trim, but arched, rounded, or Bay Windows as the primary window treatment are prohibited. Untreated aluminum and untreated metal window frames are prohibited. Small pane colonial style windows are not allowed. Untreated aluminum, untreated metal, vinyl, and other similar window frames are generally not considered appropriate in the Historic Districts (HRL, HR-1, HR-2, HRM, HRC, HCB), and on any site designated as Historic outside of the Historic Districts. The Planning Director may, however, consider requests for the Use of these materials. The design of the Structure shall be consistent with the Park City Design Guidelines. The Applicant will be required to bring a sample of the type and color of the material to be approved by the Planning Director.
- J. **LIGHTING.**
1. **PURPOSE.** The functional objectives in providing exterior Area lighting are to illuminate Areas necessary for safe, comfortable and energy efficient Use. The number of fixtures shall be limited to provide for safe entry and egress and for sign and Business identification. Illumination of new Building features for architectural enhancement is prohibited. Historic Buildings and/or Structures may be illuminated under the terms prescribed in this Code. With the exception of Americans with Disabilities Act lighting requirements, the minimum lighting standards generally applied and recommended by the Illuminating Engineering Society of North America (IES), are observed by this Code.
 2. **CONFORMANCE WITH APPLICABLE CODES.** All outdoor electrically powered illuminating devices shall be installed in conformance with the provisions of this Code, the International Building Code, the Electrical Code, and the Sign Code under the appropriate permit and inspection. When discrepancies in these Codes exist, the most restrictive shall apply.
 3. **APPROVED MATERIALS AND METHODS OF CONSTRUCTION OR INSTALLATION/OPERATION.** The provisions of this Code are not intended to prevent the Use of any design, material or method of installation or operation not specifically prescribed by this Code, provided any such alternate has been approved. The Chief Building Official may approve any such proposed alternate providing he/she finds that:

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

4. SUBMISSION OF PLANS AND EVIDENCE OF COMPLIANCE WITH CODE.

- a. The Applicant for any permit required by any provisions of the laws of this jurisdiction in connection with proposed work involving outdoor lighting fixtures shall submit, as part of the Application for permit, evidence that the proposed lighting fixtures and Light Source will comply with this Code. The submission shall contain the following:
 - (1) Plans indicating the location on the premises, and the type of illumination devices, fixtures, lamps, supports, reflectors, and installation and electrical details;
 - (2) Description of illuminating devices, fixtures, lamps, supports, reflectors, and other devices. The description may include, but is not limited to, catalog cuts by manufacturers, and drawings, including section where required;
 - (3) Photometric data, such as that furnished by manufacturers or similar showing the angle of the cut off or light emission. A point by point light plan may also be required to determine the adequacy of lighting over the entire Site.
Additional information may be required elsewhere in the laws of this jurisdiction upon Application for the required permit.
- b. Lamp or Fixture Substitution. On commercial Structures if any outdoor light fixture or the type of Light Source therein is proposed to be changed after the permit has been issued, a change request must be submitted to the Planning Department for approval. Adequate information to assure compliance with this Code must be provided and the request must be received prior to substitution.

5. SHIELDING. All non-exempt outdoor lighting fixtures shall have shielding as required by Table 1 of this Chapter below.

- a. Historic District Shielding and Fixture Exemption. Fixtures in the HR-L, HR-1, HR-2, HCB, HRM, and HRC Zoning Districts that replicate a Historic fixture shall be permitted to be installed without partial shields with the approval of the Planning Director. All fixtures shall be filtered and refractors that direct the light downward shall be installed if the bulb is exposed.
Historic fixtures that are fifty (50) years or older and contribute to the architectural and cultural character of the Historic District, are exempt from these requirements.

Architectural features on Historic Buildings and/or Structures may be illuminated with fully shielded fixtures.

6. **WATTAGE/FIXTURE AND LIGHT SOURCE REQUIREMENTS.** Wattage, fixture and Light Source requirements as outlined in the following Table 1 apply to all zones throughout the City:

Table 1

Light Source	Fully Shielded	Partially Shielded	Watt (Maximum Per Fixture)
High Pressure Sodium ¹		x	50
Low Pressure Sodium		x	55
Metal Halide ²	x		1,500
L Voltage/Halogen ³		x	50
Compact Fluorescent		x	75

Other Sources: As approved by the Planning Director

Note: "x" indicates the required standard.

¹This is the standard Light Source for Park City and Summit County unless otherwise noted in a specific section. Fully shielded fixtures are preferred but not required with this Light Source. Other sources are only permitted as noted. Residential porch lights and exterior garage and post lights may utilize incandescent bulbs, provided that the bulbs are Shielded. Lighting for signs may use halogen bulbs, provided that they are Shielded and directed at the sign face. Wattages outlined are the maximum and can be decreased under the Building Permit review process depending on the number and location of the fixture on each project. In no case shall the levels be reduced to levels below the Illuminating Engineering Society (IES) minimum standards.

²Metal Halide sources shall be permitted only for recreational sport field or ski Area Uses and installed only in one hundred percent (100%) fully enclosed Luminaries. Metal Halide lights shall also be filtered.

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

7. **GAS STATION CANOPIES.** Gas station canopies may not exceed an average horizontal luminance level of eight (8) Foot Candles across the Site and the maximum point levels should not exceed fifteen (15) Foot Candles within the Area directly underneath the canopy.

8. **AREA LIGHTING - BUILDING CANOPY AND SOFFIT, WALL MOUNTED.** Area, stand alone or wall mounted fixtures shall not be mounted above eighteen feet (18') as measured from the top of the fixture to the adjacent Grade or horizontal plane being lit by the fixture. The horizontal luminance level along the sidewalk or Building Facade shall not exceed one (1) Horizontal Foot Candle with a uniformity ratio of 4:1.
9. **CONSTRUCTION SITES.** All commercial construction Sites shall submit a lighting plan as part of the Construction Mitigation Plan for the project prior to Building Permit issuance. Criteria for review shall include duration, number, location, height, Light Source, and hours of operation.
10. **LANDSCAPE LIGHTING.** The primary function of landscape lighting is to provide illumination for pathways, steps, and entrances to Buildings.
- a. **Pathway Lighting.** Two types of lights can be selected: Three foot (3') bollards with louvers and ten foot (10') pole mounted, down directed Luminaries. Bollard lights shall be low voltage. The intent of pathway lights is to provide pools of light to help direct pedestrians along the path, not to fully illuminate the path. Steps and path intersections should be illuminated for safety. The maximum Foot Candle permitted on the ground is one (1) Horizontal Foot Candle or less.
 - b. **Highlighting, Backlighting.** Only low voltage systems are permitted. Lights must be partially shielded and light must not be directly off the Property. A maximum Foot Candle permitted at ten feet (10') is 0.6 Horizontal Foot Candles from the Light Source. Up-lighting is prohibited.
 - c. **Moonlighting.** Low voltage systems may be placed in trees or on Buildings to give the effect of moonlight. Lights must be down-directed and partially shielded. A maximum Foot Candle permitted at ten feet (10') is 0.25 Horizontal Foot Candle from the Light Source. Up-lighting is prohibited.
11. **RECREATIONAL LIGHTING.** Because of their unique requirements for nighttime visibility and their limited hours of operation, baseball diamonds, playing fields, tennis courts and ski area runs may Use the Light Source permitted under Table 1 above with the following conditions and exceptions:
- a. The height of outdoor recreational posts shall not exceed seventy feet (70') above Natural Grade. The average Horizontal Foot Candle shall not exceed 3.6 across the Area boundary with a uniformity ratio of 4:1. Ski area lighting may require higher illumination levels in some instances. Those levels shall be reviewed and approved by the Planning Commission under the Conditional Use process outlined in the LMC.
 - b. All fixtures used for event lighting shall be fully shielded as defined in Section (4) herein, or be designed or provided with sharp, cutoff

capability, so as to minimize up-light, spill light and glare.

- c. Recreational lighting shall be turned off within thirty (30) minutes of the completion of the last game, practice, or event. In general, recreational lighting shall be turned off after 11:00 p.m., unless an exception is granted by the Planning Director for a specific event or as approved as part of a Master Festival license.

12. RESIDENTIAL LIGHTING.

- a. All exterior lights on porches, garage doors or entryways shall be shielded to prevent glare onto adjacent Property or public right of ways and light trespass in to the night sky. Lights shall be directed at walkways or entries and shall not be directed into the night sky.
- b. Compact fluorescent fixtures are the recommended Light Source. High pressure sodium and incandescent bulbs may be permitted, provided the wattage is low and the light is Shielded and down-directed.
- c. Bare bulb light fixtures such as flood or spotlights are not permitted.
- d. Lighting exterior Building features for architectural interest is prohibited.
- e. Security lighting shall be fully shielded and shall be set on a timer or motion detector. Infrared sensor spotlights are the recommended light type for security.
- f. Private sport court facilities shall Use fully shielded fixtures and shall not Use the lights past 11 p.m.

13. SEASONAL DISPLAY OF LIGHTS. Seasonal restrictions apply to the HCB, GC, LI and HRC zones. Residential Uses in the HR-1, HR-2, E, HRL, SF, RM, R-1, RDM, and RD zones are exempt from these requirements. Winter seasonal displays are permitted from the first of November to the 15th of April per the Park City Municipal Code.

Displays should be turned off at 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.

14. OUTDOOR DISPLAY LOTS. Any Light Source permitted by this Code may be used for lighting of outdoor display Lots such as, but not limited to, automobile sales or rental, recreational vehicle sales, Building material sales, and seasonal goods, provided all the following conditions are met:

- a. All fixtures shall be Fully Shielded as defined in LMC Chapter 15-15.
- b. The maximum horizontal illumination across the Site shall not exceed an average Foot Candle of two (2) across the Site with a uniformity ratio of 4:1.
- c. Display lighting shall be turned off within thirty (30) minutes of closing of the Business. Lighting used after 11 p.m. shall be security lighting. Security lighting shall be required to be motion sensitive not permanently

illuminated. Infrared sensor security lights are the only type of security light permitted.

15. **PROHIBITIONS.** The following light fixtures and Light Sources are prohibited: mercury vapor lamps, laser Light Sources, unshielded floodlights or spotlights, metal halide, except for recreational Uses, see Section (10), and searchlights.

16. **OTHER EXEMPTIONS.**

- a. Nonconformance. All other outdoor light fixtures lawfully installed prior to and operable on the effective date of the ordinance codified in this Chapter, including City owned or leased Street lights, are exempt from all requirements of this Code. On commercial projects, all such fixtures shall be brought into compliance with this Code upon any Application for any exterior Building Permit. On residential Structures, only new exterior fixtures on remodels or new additions must comply with this ordinance.
- b. Fossil Fuel Light. All outdoor light fixtures producing light directly by the combustion of natural gas or other fossil fuels are exempt from the requirements of this Code.
- c. Up-lighting. Up-lighting is permitted under the following conditions:
 - (1) The use of luminaires for up-lighting on any residentially or commercial zoned Lot or Property or within a City ROW or Open Space zone, is permitted only for City-funded or owned statues, public monuments, ground –mounted Public Art, or flags of the United States of America.
 - (2) All up-lighting shall be shielded and/or have beam-angle control and shall be aimed to limit the directed light to the illuminated object only.
 - (3) Up-lighting is permitted thirty (30) minutes before sunset and until 11:00 p.m.; or, one hour after the close of location based on normal hours of operations, whichever is later.

17. **TEMPORARY EXEMPTION.**

- a. Requests. Any Person may submit a written request to the Planning Director for a temporary exemption. A temporary exemption request shall contain the following information:
 - (1) Specific exemption or exemption request;
 - (2) Type and Use of outdoor light fixtures involved;
 - (3) Duration of time for requested exemption;
 - (4) Total wattage;
 - (5) Proposed location on Site;
 - (6) Description of event or reason for need of exemption; and
 - (7) Other data as deemed necessary to adequately review and made a determination on the request.

- b. Approval; Duration. The Planning Department shall have ten (10) Business days from the date of a complete submission of the temporary request to act, in writing, on the request. The Planning Department shall approve the request if it finds that the exemption is necessary for public safety, security or other public necessity and the exemption does not materially subvert the purpose of this Chapter. If approved, the exemption shall be valid for not more than thirty (30) days from the date of approval. The approval shall be renewable by the Planning Director upon consideration of all the circumstances and provided a finding of public safety or necessity is made, and no intent to circumvent the intent of this Chapter is present. Each such renewed exemption shall be valid for not more than thirty (30) days.
- c. Denial/Appeal. If the request for a temporary exemption is denied, the Person making the request, in writing, may appeal the decision to the Planning Commission within ten (10) days of the denial as provided for in LMC Chapter 15-1.

K. **TRASH AND RECYCLING ENCLOSURES.** In addition to County health standards, the following trash enclosure design standards shall apply:

1. Trash and storage Areas shall be Screened by landscaping, Fencing, berms or other devices integral to overall Site and Building design;
2. Trash and storage enclosures shall be designed and constructed of materials that are Compatible with the proposed or existing Building and with surrounding Structures. The enclosure's design, construction, and materials shall be substantial and consisting of masonry, steel, or other materials approved by the Planning and Building Department and capable of sustaining active use by residents and trash/recycling haulers. The design shall, if physically possible, include both a pedestrian door and a truck door or gate;
3. Trash and storage Areas shall be well maintained including prompt repair and replacement of damaged gates, Fences and plants;
4. Openings of trash enclosures shall be oriented away from public view or Screened with sturdy gates wide enough to allow easy Access for trash collection, where practical;
5. The consolidation of trash Areas between Businesses and the Use of modern disposal techniques is encouraged.
6. Exception. These standards shall not apply to existing Structures that have been built with zero Setbacks or when such enclosures would negatively impact Access, circulation, or snow removal efforts.

- L. **MECHANICAL EQUIPMENT.** All electrical service equipment and sub-panels and all mechanical equipment, including but not limited to, air conditioning, pool equipment, fans and vents, utility transformers, except those owned and maintained by public utility companies, and solar panels, shall be painted to match the surrounding wall color or painted or Screened to blend with the surrounding natural terrain. Roof mounted equipment and vents shall be painted to match the roof and/or adjacent wall color and shall be Screened or integrated into the design of the Structure. Minor exceptions to Setback requirements for Screened mechanical equipment may be approved by the Planning Director where the proposed location is the most logical location for the equipment and impacts from the equipment on neighboring properties, historic facades, and streetscapes can be mitigated and roof top mechanical placement and visual clutter is minimized.
- M. **PATIOS AND DRIVEWAYS.** A Building Permit is required for all non-bearing concrete flatwork, asphalt, and/or any Impervious Surface, regardless of size or area. This includes any repairs, alterations, modifications, and expansion of existing flatwork.
- N. **LANDSCAPING.** A complete landscape plan must be prepared for the limits of disturbance area for all Building Permit applications and Historic District Design Review projects for all exterior work that impacts existing vegetation within the limits of disturbance. The landscape plan shall utilize the concept of Xeriscaping for plant selection and location, irrigation, and mulching of all landscaped areas. The plan shall include foundation plantings and ground cover, in addition to landscaping for the remainder of the lot. The plan shall indicate the percentage of the lot that is landscaped and the percentage of the landscaping that is irrigated. The plan shall identify all existing Significant Vegetation.

Materials proposed for driveways, parking areas, patios, decks, and other hardscaped areas shall be identified on the plan. A list of plant materials indicating the botanical name, the common name, quantity, and container or caliper size and/or height shall be provided on the plan. Areas of mulch shall be identified on the plan. Approved mulches include natural organic plant based or recycled materials. Stone-based mulch is not permitted.

To the extent possible, existing Significant Vegetation shall be maintained on Site and protected during construction. When approved to be removed, based on a Site Specific plan, Conditional Use, Master Planned Development, or Historic District Design Review approval, the Significant Vegetation shall be replaced with equivalent landscaping in type and size. Multiple trees equivalent in caliper to the size of the removed Significant Vegetation may be considered instead of replacement in kind and size. Where landscaping does occur, it should consist primarily of native and drought tolerant species, drip irrigation, and all plantings shall be adequately mulched.

Irrigated lawn and turf areas are limited to a maximum percentage of the allowed Limits of Disturbance Area of a Lot or Property that is not covered by Buildings, Structures, or other Impervious paving, based on the size of the Lot or Property according to the

following table:

Lot Size	Maximum Turf or Lawn Area as a percentage of the allowed Limits of Disturbance Area of the Lot that is not covered by Buildings, Structures, or other Impervious paving
Greater than one (1) acre	25%
0.50 acres to one (1) acre	35%
0.10 acres to 0.49 acres	45%
Less than 0.10 acres	No limitation

Where rock and boulders are allowed and identified on the Landscape Plan, these shall be from local sources. All noxious weeds, as identified by Summit County, shall be removed from the Property in a manner acceptable to the City and Summit County, prior to issuance of Certificates of Occupancy.

HISTORY

Adopted by Ord. [02-07](#) on 5/23/2002

Amended by Ord. [06-56](#) on 7/27/2006

Amended by Ord. [11-05](#) on 1/27/2011

Amended by Ord. [12-37](#) on 12/20/2012

Amended by Ord. [2018-27](#) on 5/31/2018

Exhibit 9 – LMC § 15-15 Defined Terms

15-15 Defined Terms

Shared Driveway. A single access way that is privately owned and maintained and provides access to two (2) or more Structures or off-street parking areas, which are located on individual lots.

Solar Reflective Index. A measure of the solar reflectance and emissivity of materials that can be used as an indicator of how hot they are likely to become when solar radiation is incident on their surface. The lower the SRI, the hotter a material is likely to become in the sunshine.



DATE: December 12, 2018

TO HONORABLE PLANNING COMMISSION

The Transportation Planning Department is beginning the process of updating the City's Transportation Master Plan. In the past, two Planning Commissioners have volunteered to participate in the workshops and planning efforts for this document.

The Planning Commission members have special priorities and responsibilities outlined in Section 15-12-15(B)(1) of The Land Management Code:

"The Planning Commission shall have the primary responsibility to initiate and update the City General Plan, including planning for adequate Streets and utilities, parks, trails, recreation facilities, housing, and open space. The Commission shall consider long-range zoning and land use objectives, protection of Sensitive Lands, and shall conduct periodic review of existing plans to keep them current."

As the Planning Commission is responsible for initiating any updates to the City General Plan, taking part in the formation of the Transportation Master Plan is critical as the two plans impact one another and should be coordinated. The two Planning Commissioners' participation is intended as a means to keep the entire Planning Commission Board up to date on the progress and developments of this plan. They may request work sessions to discuss transportation matters relating to the Transportation Master Plan.

Planning Staff recommends that Planning Commission approve the following:

The appointment of Commissioners John Kenworthy and Mark Sletten to the Technical Advisory Committee for the Transportation Master Plan. They will represent the Planning Commission at large, and report back on any findings and progress of this plan.

Respectfully:

Liz Jackson, Planning Technician

Planning Commission Staff Report



Subject: Frandsen Plat Amendment
Author: Tippe Morlan, AICP, Planner II
Date: December 12, 2018
Type of Item: Legislative – Plat Amendment

Project Number:	PL-18-03978
Applicant:	Stephen and Hillary Frandsen
Location:	416 Ontario Avenue
Zoning:	Historic Residential (HR-1)
Adjacent Land Uses:	Residential – Single-family dwellings
Reason for Review:	Plat Amendments require Planning Commission review and City Council approval.

Proposal

The proposed Frandsen Plat Amendment seeks to combine an existing lot and a portion of a second lot into one lot of record at 416 Ontario Avenue. There is an existing non-historic single-family dwelling currently on the site, and the property consists of the entirety of Lot 4 and the south half of Lot 5 of Block 58 of the Park City Survey. The proposed plat amendment will create a lot of 2,812 square feet in size.

Summary Recommendations

Staff recommends the Planning Commission hold a public hearing for the Frandsen Plat Amendment located at 416 Ontario Avenue and consider forwarding a **positive** recommendation to the City Council based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Background

Circa 1904 – The house on this site was constructed in 1904 as indicated by the Summit County Recorder.

October 5, 2016 – The [Historic Preservation Board](#) denied a Determination of Significance for the existing house on this property. The Board found that the house located at 416 Ontario Avenue does not meet the criteria to be a Significant Site in Park City. The residential structure was also not listed on the 2009 Historic Sites Inventory.

October 9, 2018 – The City received a complete Plat Amendment application for the Frandsen Plat Amendment.

November 14, 2018 – This item was originally scheduled for the Planning Commission meeting on November 14th which was cancelled due to a lack of a quorum.

Purpose

The purpose of the HR-1 District can be found in [LMC Section 12-2.2-1](#).

Analysis

The purpose of this plat amendment is to combine two existing lots addressed at 416 Ontario Avenue into one lot of record. There is a one-and-a-half story wood frame modified pyramid house on this property originally constructed in 1904, although significant modifications and alterations have occurred since then. The house was deemed to be a non-contributory structure within the Historic District through a Determination of Significance in 2016.

The applicant has indicated that they would like to either remodel the house and build an addition or construct a new house on this property in the future. The proposed lot may not accommodate a duplex which requires a minimum lot size of 3,750 square feet. At 2,812 square feet in size, this lot can only accommodate a single-family dwelling. A Historic District Design Review will be required for any proposed construction on this lot.

Along the west side of the lot, there are several encroachments into the City Right-of-Way (ROW); a wood deck encroaches up to 8 feet into the ROW, a stairway encroaches up to 10 feet into the ROW, and a railroad retaining wall encroaches up to 12.5 feet into the ROW. Along this portion of Ontario Avenue, the grade is steep and road was built far from the property lines, by 10 to 15 feet in some cases. Many structures, like the existing stairway, were built to access Ontario Avenue as evident in Exhibit F - Site Photographs. Retaining walls were required to stabilize the residential structures as well. Removal of the encroachments or encroachment agreements with the City are required prior to approval of the plat as conditioned by Staff. Additionally, the existing on-street parking in the public Right-of-Way on Ontario Avenue in front of this property is public parking, and any signage the designates it as private must be removed.

HR-1 Requirements

The existing house is a legal non-complying structure on this lot since it was constructed before the existing lot requirements. Any additions must meet current requirements of the HR-1 zone. The proposed lot meets HR-1 requirements as follows:

	Required	Existing	HR-1 Compliance
Lot Size	1,875 SF	2,812 SF proposed	Yes
Lot Width	25 feet	37.5 feet proposed	Yes
Building Footprint	1,200.5 SF maximum	Approx. 985.2 SF	Yes
Building Height (from Existing Grade)	27 feet	Approx. 25 feet	Yes
Front Yard	10 feet	6.5 feet	No
Rear Yard	10 feet	30 feet	Yes

Side Yard	3 feet each	North: Approx. 6 feet South: Approx. 6 inches	Yes No
Parking	2 spaces	0 spaces	No

Any new construction, including additions, must meet all other HR-1 requirements, including interior building height, a required 10 foot horizontal step, and parking requirements. A Steep Slope Conditional Use Permit will be required for any construction in excess of 200 square feet on slopes greater than 30 percent.

Good Cause

Staff finds good cause for this plat amendment in that it will clean up the property lines at this location and will allow an addition or a new structure to be constructed at this address in the future, as allowed by the LMC and Historic District Design Guidelines. Public snow storage easements and encroachment agreements will be dedicated with the recorded plat.

Process

The approval of this plat amendment application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC §15-1-18. A Historic District Design Review application will need to be submitted for review by Planning Staff prior to issuance of building permits. A Steep Slope Conditional Use permit will be required if more than 200 square feet of any Building Footprint of any Structure is located on or projecting over an existing Slope of thirty percent (30%) or greater.

Department Review

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

Notice

On November 28, 2018, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record and the Utah Public Notice Website on November 24, 2018, according to requirements of the Land Management Code.

Public Input

No public input has been received at the time of this report.

Alternatives

- The Planning Commission may forward positive recommendation to the City Council for the Frandsen Plat Amendment as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council for the Frandsen Plat Amendment and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on the Frandsen Plat Amendment.

Significant Impacts

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

Consequences of not taking recommended action

The subject property would remain as two separate lots and any future structure would respect existing property lines.

Summary Recommendation

Staff recommends the Planning Commission hold a public hearing for the Frandsen Plat Amendment and consider forwarding a positive recommendation to the City Council based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Exhibits

Exhibit A – Draft Ordinance with Proposed Plat (Attachment 1)

Exhibit B – Survey

Exhibit C – Existing Plat

Exhibit D – Applicant's Project Description

Exhibit E – Aerial Photographs

Exhibit F – Site Photographs

Ordinance No. 2018-XX

AN ORDINANCE APPROVING THE FRANDSEN PLAT AMENDMENT LOCATED AT 416 ONTARIO AVENUE, PARK CITY, UTAH.

WHEREAS, the owner of the property located at 416 Ontario Avenue has petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on November 28, 2018, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on November 24, 2018, proper legal notice was published according to requirements of the Land Management Code and courtesy letters were sent to surrounding property owners; and

WHEREAS, the Planning Commission held a public hearing on December 12, 2018, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on December 12, 2018, forwarded a _____ recommendation to the City Council; and,

WHEREAS, on January 8, 2019, the City Council held a public hearing to receive input on the plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Frandsen Plat Amendment located at 416 Ontario Avenue.

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

SECTION 1. APPROVAL. The Frandsen Plat Amendment, as shown in Attachment 1, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 416 Ontario Avenue.
2. The property consists of the entirety of Lot 4 and the south half of Lot 5 of Block 58 of the Park City Survey.
3. The property is within the Historic Residential-1 (HR-1) Zoning District.
4. There is an existing non-historic single-family dwelling currently on the site.
5. The house on site was originally constructed in 1904.

6. On October 5, 2016, the Historic Preservation Board denied a Determination of Significance for the house on this property.
7. On October 9, 2018, the City received a complete Plat Amendment application for the Frandsen Plat Amendment.
8. A Historic District Design Review will be required for any proposed construction on this lot.
9. Along the west side of the lot, a wood deck encroaches up to 8 feet into the ROW.
10. Along the west side of the lot, a stairway encroaches up to 10 feet into the ROW.
11. Along the west side of the lot, a railroad retaining wall encroaches up to 12.5 feet into the ROW.
12. The existing house is a legal non-complying structure on this lot since it was constructed before the existing lot requirements.
13. The proposed lot is 2,812 square feet in size.
14. The proposed lot meets the minimum lot size of 1,875 square feet.
15. The proposed lot is 37.5 feet wide and meets the minimum lot width of 25 feet.
16. The maximum allowed Building Footprint is 1,200.5 square feet.
17. The existing Building Footprint is approximately 985.2 square feet.
18. The maximum Building Height is 27 feet from Existing Grade. The existing structure is approximately 25 feet from Existing Grade.
19. The front Setback is 6.5 feet and does not comply with the 10 feet requirement.
20. The rear Setback is 30 feet and complies with the 10 feet requirement.
21. The north side Setback is 6 feet, and complies with the 3 feet requirement and the south side Setback is approximately 6 inches which does not comply with the 3 feet requirement.
22. A Steep Slope Conditional Use Permit will be required for any construction in excess of 200 square feet on slopes greater than 30 percent.
23. A Historic District Design Review application is required for any new construction proposed at the existing site.

Conclusions of Law:

1. There is good cause for this Plat Amendment.
2. The Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding lot combinations.
3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
4. Approval of the Plat Amendment, 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 Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration and an extension is granted by the City Council.

3. Residential fire sprinklers will be required for all new construction per requirements of the Chief Building Official.
4. A 10 foot wide public snow storage easement will be required along Ontario Avenue.
5. The site has a wooden deck, stairway, and railroad retaining wall located in the City Right-of-Way (ROW) along Ontario Avenue. The applicant shall either remove the wooden deck, stairway, and railroad retaining wall located on the City ROW along Ontario Avenue or work with the City Engineer to assure that these improvements are authorized in the form of an ROW encroachment agreement.
6. Nothing in this approval of the Plat Amendment grants or dedicates or approves the ROW encroachment area for parking for exclusive use of the applicant. On-site parking must be provided for all new construction.
7. Compliance with off-street parking requirements is required prior to the issuance of any building permit for an addition or new construction.

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

PASSED AND ADOPTED this 8th day of January, 2019.

PARK CITY MUNICIPAL CORPORATION

MAYOR

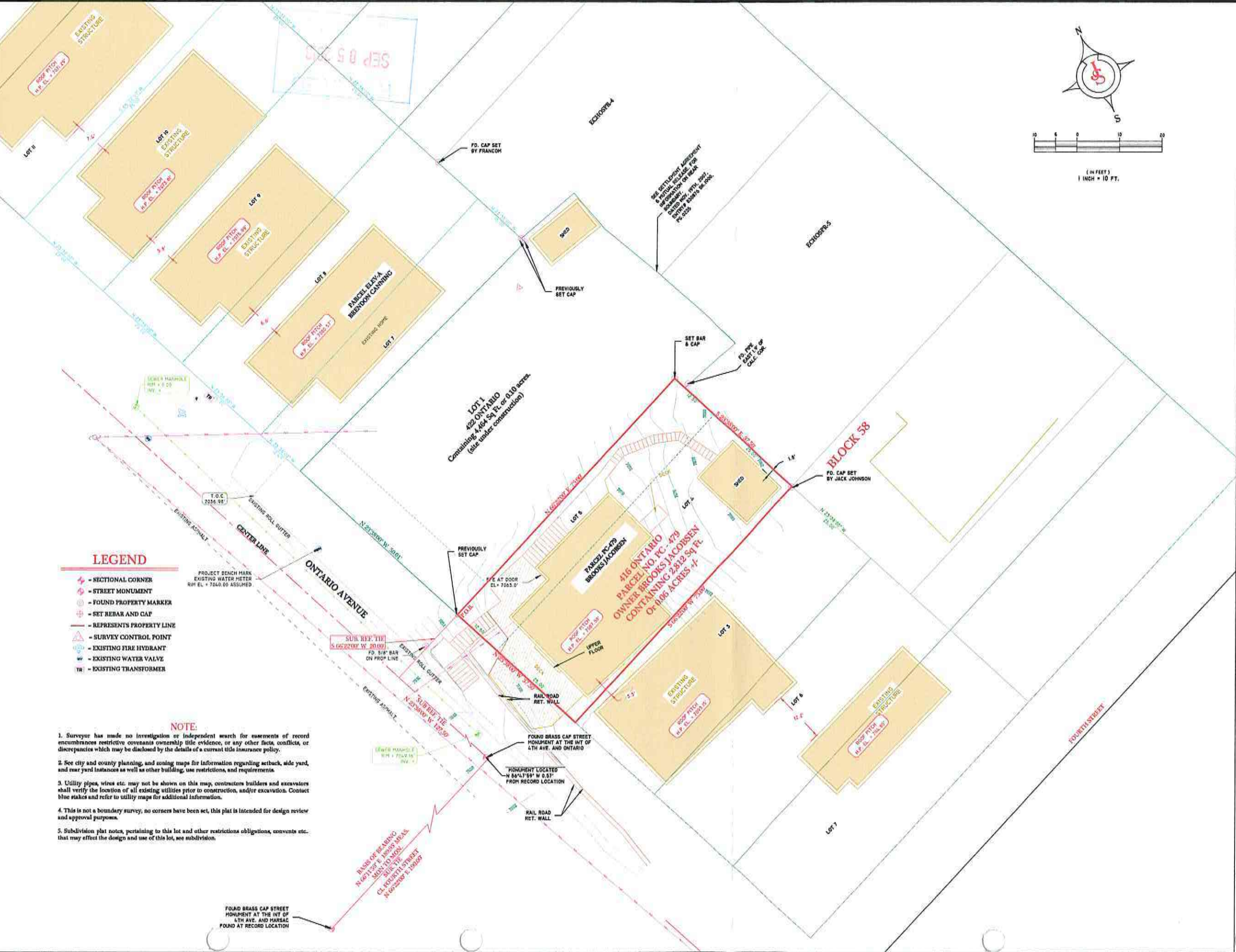
ATTEST:

City Recorder

APPROVED AS TO FORM:

City Attorney

Attachment 1 – Proposed Plat



DRAWING TITLE

RECORD OF SURVEY

CLIENT CONTACT

BILL MAMMON
1-435-649-8868
mammenarch2@cs.com

A PARCEL OF LAND LYING WITHIN THE
SOUTHEAST 1/4 OF SECTION 16, TOWNSHIP 2
SOUTH, RANGE 4 EAST, SALT LAKE BASE AND
MERIDIAN

PROPERTY DESCRIPTION

PARCEL 1:
The South one-half of Lot 5 and all of Lot 4, BLOCK 58, PARK CITY SURVEY, according to the official plat there of file and of record in the Summit County Recorder's Office.

More particularly Described as follows:
A parcel of land located within Block 58, Park City Survey more particularly described as follows:
Beginning at a point that is located on the Easterly Right of Way of Ontario Avenue said point lies North 66°22'00" East a distance of 100.00 feet & North 23°38'00" West a distance of 127.50 feet & South 66°22'00" West a distance of 20.00 feet from a brass cap street monument located on Main Avenue and 4th Avenue.
Running North 66°22'00" East, a distance of 75.00 feet to the Westerly bounds of Echo Spur Subdivision Entry # 1000356 thence along said subdivision; thence South 23°38'00" West, a distance of 37.50 feet; thence South 23°38'00" West, a distance of 75.00 feet; thence North 66°22'00" West, a distance of 37.50 feet to the point of beginning.
Containing 2,812 square feet or 0.06 acres, more or less. 1 lot subdivision

SURVEYOR'S NARRATIVE

This survey was performed at the request of William Mammon, for the purpose to locate boundaries in relation to existing improvements and a consolidation of parcels into a single lot V.I.A. a Subdivision plat.

The basis of bearing was derived from the found street monuments along Fourth Street of the Park City Town Site Survey, and utilized on this survey as North 66°11'50" East as shown on the Echo Spur Subdivision, which closely coincides with area Survey staking. Note: There are several surveys recorded in the area which call a record Bearing Bases of 66°22'00" which after careful review of field measurements it has been concluded that the bearing base of 66°22'00" was not used in the position of area survey staking.

SURVEYOR'S CERTIFICATE

I, R. Shane Johanson, do hereby certify that I am a Professional Land Surveyor, holding certificate No. 7075114, as prescribed under the laws of the State of Utah, and that I have made a survey of the described tract of land as shown on this plat and that this survey retraces lot lines and may have adjusted said lot lines to coincide with found evidence and other interpolations based from ground measurements and found records. Furthermore I recognize that other unrecorded rights of ownership or lines of possession may exist, I do not imply to certify any of those rights, unless agreed upon by the appropriate parties.

REVISIONS:

REV #	DESCRIPTION	DATE

JOHANSON
PROFESSIONAL LAND SURVEYORS

SURVEY • DESIGN • SETTING • PLANNING
SURVEYING

P.O. BOX 10411
SALT LAKE CITY, UTAH 84110
Shane Johanson P.L.S. 01-1413-2541

COPYRIGHT

This drawing is and at all times remains the exclusive property of Johanson Surveying shall not be used with out complete authorization and written support.

STAMP

PROJECT NO.
5-18-042

DATE
4-30-2018

DRAWN BY: NATHAN BSEID O.S.P. III
CKED BY: SHANE R. JOHANSON P.L.S.

SHEET NUMBER
SHEET-001

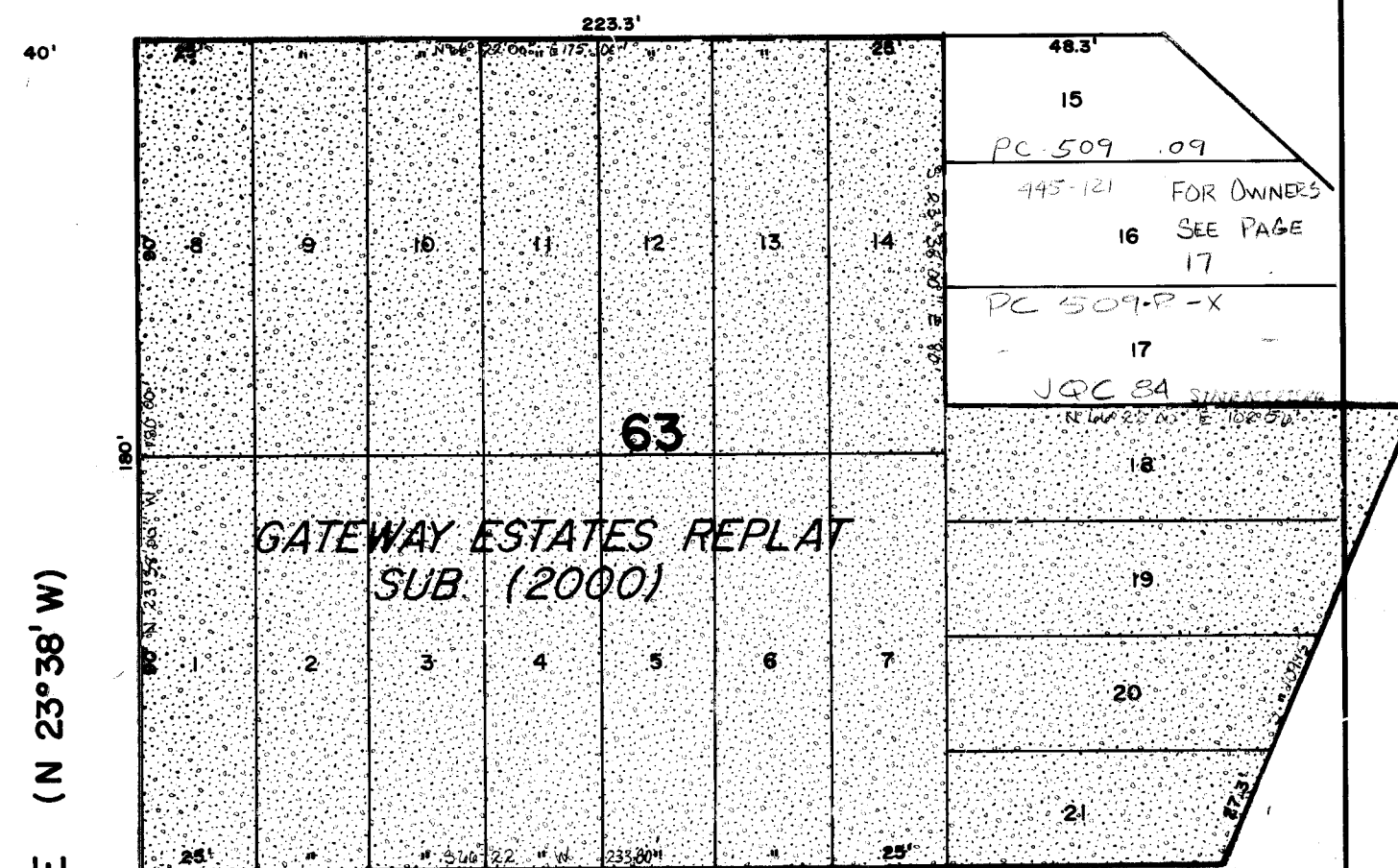
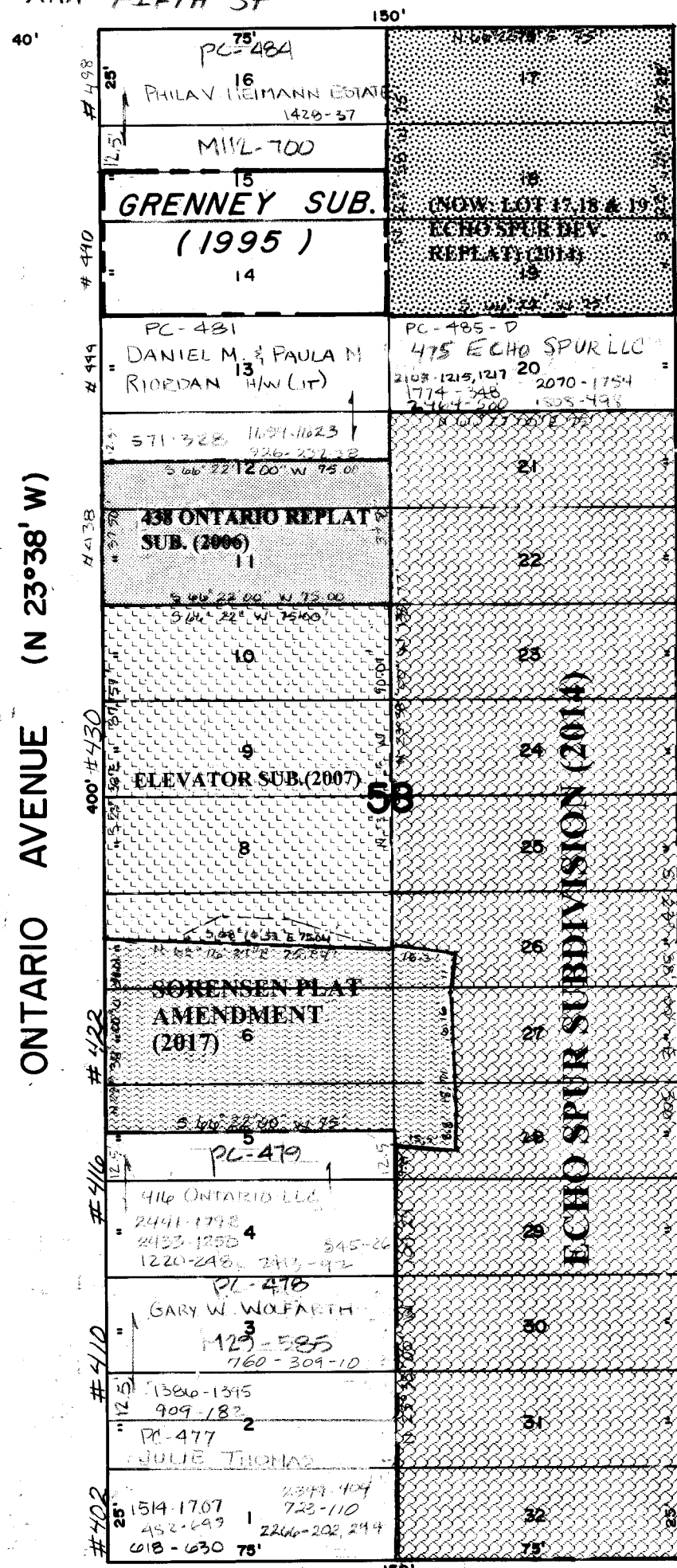
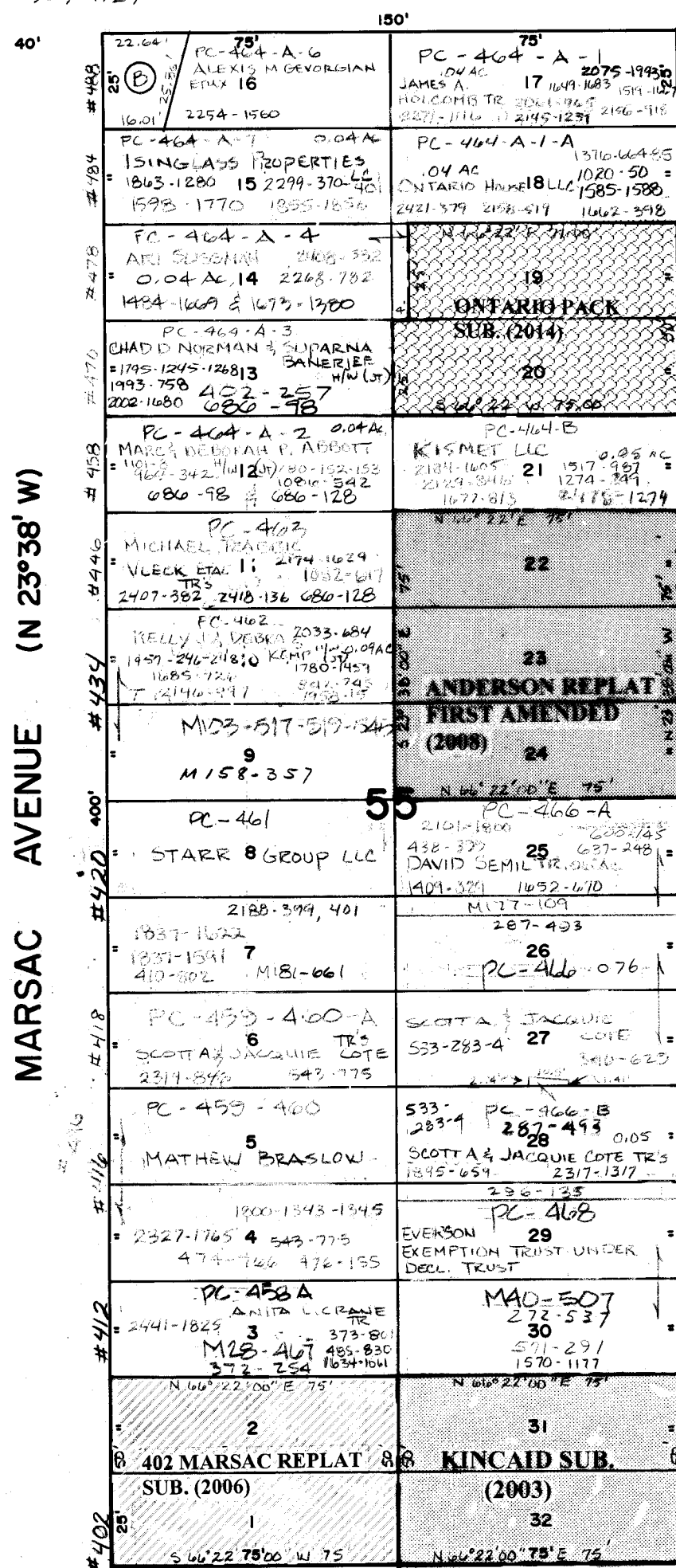
PARK CITY — BLOCKS 55,58,62,63,SECTION 16,T2S R4E, S.L.B. &M.

57

NOTE: # REFERS TO STREET ADDRESS

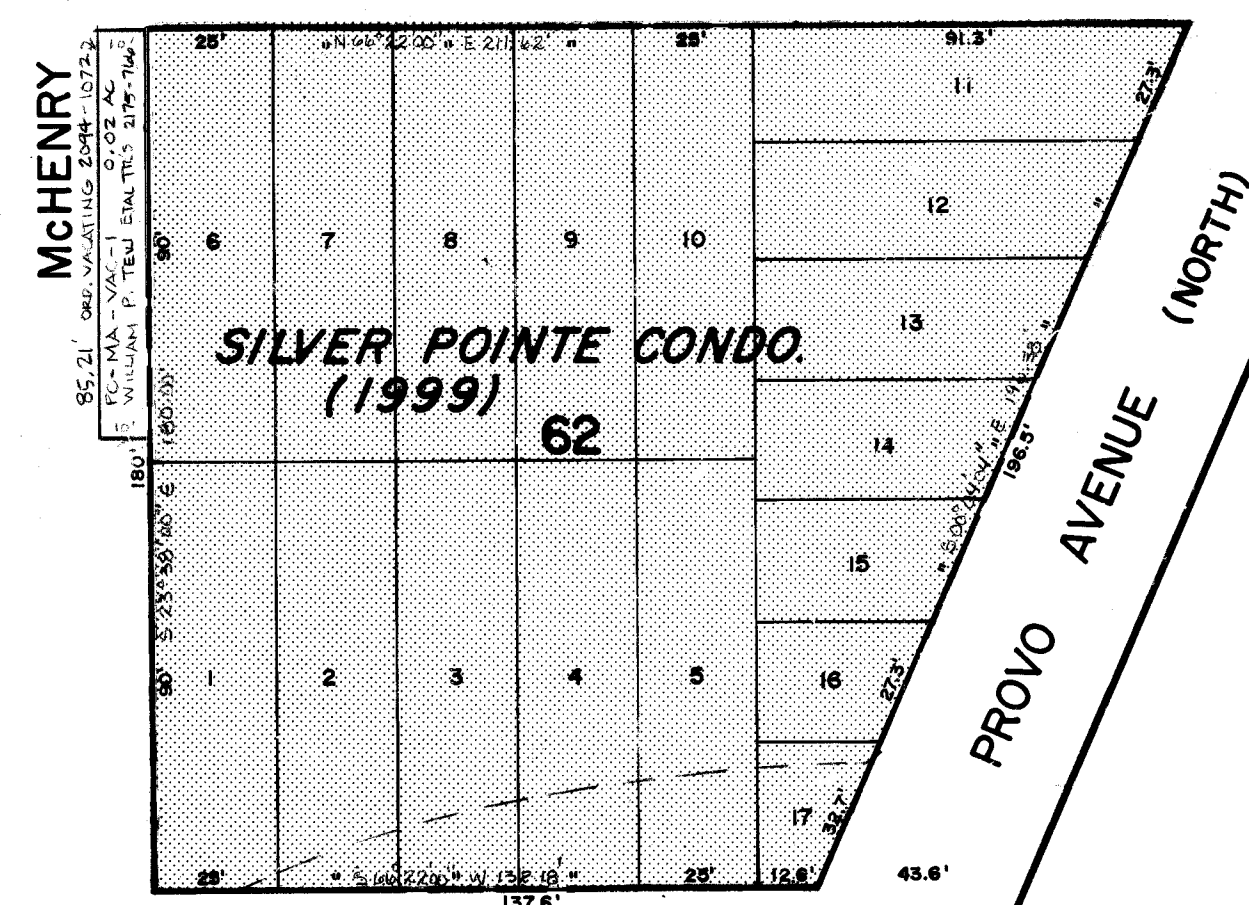
① PC-464-A-6-X
U.D.O.T.
O.O.I.A.C.
2309-1729

THIRD STREET (N 66°22' E)
AKA - FIFTH ST



AVENUE (N 23° 38' W)

SWIFT STREET (N 66°22' E)



McHENRY

FOURTH STREET (N 66°22' E)

(A) PC-485-JKL (SEE ABOVE)
JAMES HAMILTON EASTER
0.02 AC
2005-485
2057-836
2302-426
50

59

61

Approved		REVISIONS - DATE AND INITIAL (In Pencil)				
Utah State Tax Comm		Sept 5 79	8/16			
Date	By					

SUMMIT COUNTY, UTAH

SCALE	
ONE INCH	40 FEET
BOOK	PAGE

415 Ontario
Park City, UT 84060

Statement of Project Description:

The existing property is described in city records as Parcel PC-479. The legal description is:

"The South one-half of Lot 5 and all of Lot 4, Block 58, Park City Survey; according to the official plat thereof file and recorded in the Summit County Recorder's Office."

The current owners' would like to either make an addition and remodel or new construction in the future and want the property to be re-platted so that work may proceed.

Included in this application are:

1. The completed application.
2. This written statement.
3. A receipt for the review fee.
4. (1) 24 x 36 survey of record.
5. (1) 24 x 36 proposed plat
6. (4) photos of the existing property taken from roughly the 4 sides of the lot.
7. (1) photo taken from across the valley looking east at the property
(2) current aerial photos; (1) tight in showing the surrounding neighbors and
(1) showing the surrounding properties.
8. No addition presentations currently submitted.
9. (1) set of 11x17 of the survey and proposed plat amendment.
10. The property is NOT within a condominium.
11. Current Title Report dated Aug. 27, 2018.
12. There is no current plat
13. There is no condominium association
14. There is a list of all the owners within 300 feet with Parcel Numbers
15. Stamped, addressed #10 size Business envelopes for the property owners within 300 ft excluding Park City Municipal Corp.





SEP 05 2013



SEP 05 2010



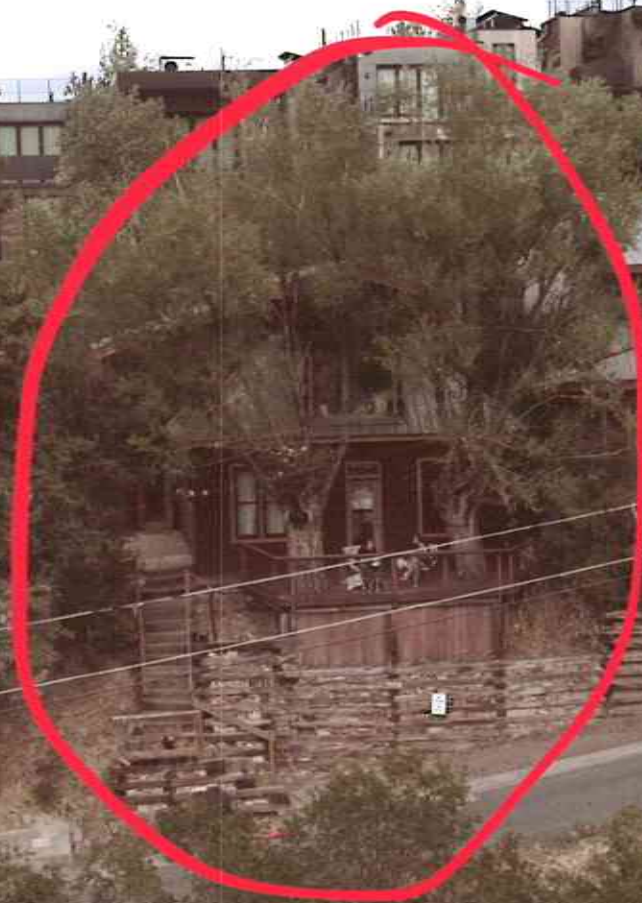




374

SEP 05 2013

SEP 05 2011



Planning Commission Staff Report



PLANNING DEPARTMENT

Subject: Residences at the Tower – Lodge
Building #1 and addition to the Tower Club
Author: Kirsten Whetstone, MS, AICP - Senior Planner
Date: December 12, 2018
Type of Item: Administrative – Conditional Use Permit (CUP) for a multi-unit residential building and addition to the private Tower Club at Empire Pass

Project Number:	PL-18-03984
Applicant:	Storied Deer Valley, LLC- Rich Wagner
Location:	8680 Empire Club Drive
Zoning:	Residential Development (RD) as part of the Flagstaff Annexation and Master Planned Development (MPD) and the Village at Empire Pass MPD (VEP MPD)
Adjacent Land Uses:	Deer Valley Resort, condominiums, townhouses, vacant development parcels of the Village at Empire Pass Pod A and open space
Reason for Review:	Conditional Use Permits (CUPs) require a public hearing and final approval by the Planning Commission.

Summary Recommendations

Staff recommends the Planning Commission conduct a public hearing and consider approving the request for a Conditional Use Permit (CUP) for a multi-unit residential building, police substation and an expansion of the private Empire Club building located at 8680 Empire Club Drive pursuant to findings of fact, conclusions of law, and conditions of approval provided herein for the Commission's consideration.

Proposal

This is a request for approval of the Residences at the Tower Conditional Use Permit for 14 multi-family residential units (42,453 sf) utilizing 21.227 unit equivalents (UE), one ADA unit (737 sf) and one 737 sf deed restricted employee housing unit (EHU), a 509 sf police substation, and an expansion of the private Talisker Club located at 8680 Empire Club Drive. The property is located within the Residential Development (RD) zoning district on a 1.53 acre lot, Lot 9 of the First Amended Village at Empire Pass Phase 1 Subdivision and is known as Building #1 of the Village at Empire Pass Master Planned Development (VEP MPD), approved by the Planning Commission on July 28, 2004, ([Exhibit J link to VEP MPD approval](#)).

The building is currently known as the Talisker Club. The approved CUP was called the Tower Club CUP consistent with a previous name change from Empire Club to Tower Club, during approval of the Phase II CUP for the residential units. It was also known as the Alpine Club. This **current proposal represents a reduction in density and size by 11 units and 25,000 sf (12.58 UE) from the previously approved Phase II CUP.**

The application consists of a project description and volumetric analysis, site plan, floor plans, elevations, landscape plan, photos of the site, and existing subdivision plat (**Exhibits A- G**). Civil plans (existing conditions survey, utility, grading, demolition plans, storm water, etc.) (**Exhibit H**) and a construction mitigation plan (**Exhibit I**) were also submitted. The Design Review Board for Empire Pass provided review and comments on the design (**Exhibit N**). An application for the Residences at the Tower Condominiums is under concurrent review.

Background / Timeline

June 24, 1999 – City 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. The Agreement was amended in **March of 2007** and includes 14 technical reports associated with the Empire Pass development area. See [Exhibit L- Flagstaff Development Agreement](#) and **Exhibit M - Technical Reports**).

July 28, 2004 – Planning Commission approved the Village at Empire Pass Master Planned Development. The purpose of the VEP MPD was to establish unit mix and density for the Mountain Village as well as addressing overall project infrastructure throughout the Annexation Area. The VEP MPD established building volumetric diagrams, including specific height exceptions, density and development location and requires CUP approval for the Lodge buildings prior to building permit issuance for construction. The 2007 Amended Agreement, 14 technical reports, the Land Management Code and the Village at Empire Pass MPD, form standards by which this CUP is reviewed. [Exhibit J – Village at Empire Pass MPD \(VEP MPD\) approval.](#)

September 30, 2004 – City Council approved the Village at Empire Pass Phase 1 Subdivision that platted the east side lots of the Village at Empire Pass (**Exhibit G**). Proposal is located on Lot 9.

April 13, 2005 – Planning Commission approved the Tower Club Phase I CUP for approximately 8,880 square feet consisting of 2,264 sf of MPD Resort Support Commercial (private dining, kitchen, small store), and 6,616 sf of residential and resort accessory uses (ski lockers, recreation amenities, meeting room, kids club, circulation, storage, mechanical, as well as outdoor amenities such as pool, hot tubs, etc. The Club was constructed in **2005 and 2006**.

February 13, 2008 – Planning Commission approved the Tower Club Phase II CUP for residential units on Lot 9. The approval for 25 units totaling 67,625 sf (33.81 UE) and one (1) ADA unit was granted an extension to July 1, 2010, by Planning Commission on **March 11, 2009**. A building permit for Phase II was not issued and the CUP expired. **This current CUP proposal represents a reduction in density and size by 11 units and 25,000 sf (12.58 UE).**

January 6, 2011 – City Council approved an amendment to the VEP Phase 1 Subdivision amending Lot 9 to address access, parking, and trail easements. The amended plat was recorded on **January 4, 2012 (Exhibit G)**.

December 14, 2016 – Planning Commission approved an amendment to the Tower Club Phase I CUP to allow an expansion of the private dining area, outdoor patio and residential accessory uses. The CUP expanded the existing Tower Club dining area by 1,115 sf and providing approximately 1,000 sf of locker rooms in the basement area below a new extended patio. Indoor dining was expanded to 92 seats and the MPD Resort Support Commercial use was increased from 2,264 sf to 3,379 sf. Construction of the expansion was completed in **2018**. The CUP expansion increased the MPD Resort Support Commercial on Lot 9 to 3,379 sf. The current building consists of approximately 10,995 sf of total floor area.

November 9, 2017 – City Council approved a second amendment to the VEP Phase 1 Subdivision combining Lots 1 and 2 into Lot A of the Second Amended Village at Empire Phase 1. The amended plat was recorded on April 10, 2018 and is the location of the Larkspur Townhomes 6 condominium plat approved by City Council on November 29, 2018.

October 9, 2018 - the City received a complete application for the Residences at the Tower Condominium plat and CUP (see this packet for the plat report).

Purpose

The purpose of the Residential Development (RD) Zoning District can be found in [LMC Section 15-2.13-1](#).

Land Management Code (LMC) and VEP MPD Analysis

The proposal complies with LMC lot and site requirements of the RD Zoning District and the VEP MPD as described below.

Analysis

Zoning of the property is Residential Development (RD), subject to the VEP MPD. LMC lot and site requirements of the RD District and the VEP MPD are described below.

	RD District and/or VEP MPD
Lot Size	No minimum lot size. Lot 9 is approximately 1.53 acres (66,711 sf).
Front yard setbacks LMC setback exceptions apply.	Minimum 25 feet to front facing garage, 20 feet to building. Proposed front setback is 20' and 25' (garage is 25'). <u>Complies.</u>
Rear yard setbacks LMC setback exceptions apply.	Minimum 15 feet rear setbacks. Proposed minimum rear setback is 75'. <u>Complies.</u>
Side yard setbacks LMC setback exceptions apply.	Minimum 12 feet side setbacks. Proposed minimum setback is 12'. <u>Complies.</u>

Building Height Zone allows 28 feet (33 feet for pitched roof 4:12 or greater). Village MPD Volumetric and Height Exception allows up to 86 feet above existing natural grade as follows: 20% of the building is permitted to reach max height of 74' (north end), 55% may reach 86' (central portion) and 25% (south end) may reach max height of 74'.	Proposed building does not exceed 86' in height with 20% (north) at or less than 74', and 55% at or less than 86', and 25% (south) is less than 74'. The plat is consistent with the VEP MPD building heights and volumetric as described herein. <u>Complies.</u>
Parking The <u>Flagstaff Transit and Parking Management Plan</u> approved with the MPD <u>requires</u> a 25% reduction in parking from what would be normally required by the LMC and the Empire Pass HOA is required to provide shuttle services for the private Talisker Club.	Per LMC, based on unit sizes, 29 spaces are required for the 14 units, one ADA and one EHU. With the 25% reduction, 22 spaces are required. The underground parking structure has 22 spaces (including 1 ADA). There are 3 surface spaces along Village Way, 2 to be reserved as required for the police substation and one for service and delivery. Each unit is assigned one space as limited common and the remaining spaces are common. <u>Complies.</u>
Architectural Design All construction is subject to Village at Empire Pass Design Review Board (DRB) approval and LMC Chapter 15-5 Architectural Design Guidelines with final review conducted at the time of the Building Permit.	The addition matches the architectural character and materials of the existing building and complies with the Village MPD regarding architectural character, articulation, volumetric and height. A report and letter from the DRB was provided on October 26, 2018 (Exhibit N) from their review on October 12th. The applicant has amended the design to address DRB and staff concerns. The glass railings were replaced with metal railings to match existing buildings, low roof and stone were added to the east façade, window details were added to the larger east facing windows, and stone and roof elements were added to north elevation. <u>Complies.</u>
Residential Units Previous CUP approval on this Lot was 25 units totaling 67,625 sf (33.81 UE). The current CUP represents a reduction in density and size by 11 units and 25,000 sf (12.58 UE). (See below for residential density Summary)	14 market rate multi-family units are proposed, ranging in area from 1,806 sf to 4,229 sf (total of 42,453 sf) (21.227 UE). Deed restricted unit (Unit 3) is 737 sf. ADA unit (Unit 2) is 737 sf. Total all residential is 43,927 sf. Market rate multifamily unit sizes (sf) are as follows: Unit 1- 3,014 Unit 4- 2,403 Unit 5- 3,010 Unit 6- 2,403 Unit 7- 2,195 Unit 8- 1,810 Unit 9- 1,806 Unit 10- 2,132 Unit 11- 4,229 Unit 12- 4,166 Unit 13- 4,229 Unit 14- 4,166 Unit 15- 3,624 Unit 16- 3,266 <u>Complies.</u>

MPD Resort Support Commercial 75,000 sf allowed. <u>Allocated by CUP or plat</u> Montage Spa- 35,000 sf Montage retail, restaurants/kitchens, bar, etc. -28,059 sf Grand Lodge- 1,275 sf Tower Club dining/kitchen/store- 3,379 sf <u>Remaining (prior to this application)</u> 7,287 sf	Existing- as approved with the Amended Tower Club CUP- 3,379 sf (kitchen, dining, convenience store) Proposed expansion- 2,424 sf (kitchen, dining, spa) Total ,including this CUP expansion: 5,803 sf Sufficient MPD Resort Support Commercial exists for the proposed private club expansion and 4,863 sf will remain if this expansion is approved. <u>Complies.</u>
Residential and Club Accessory uses (Guest amenities)	Common residential and club accessory uses are provided on levels one and two, including storage areas, locker rooms, fitness and recreation, kids club, lounge/après/meeting room, ski prep area, lobby, and other areas for the use by club, residents and guests. No UE are required for these uses. Total accessory area is approximately 14,021 sf. <u>Complies.</u>
Density Summary The Development Agreement approved the Mountain Village (Pods A, B1 and B2) for a maximum of 785 UE (550 multifamily units) and 16 single family units. A maximum of 60 PUD style units were approved as part of the overall multi-family units. To date 509 multi-family units (757.28 UE) have been approved, platted and/or built within the Mountain Village. Constructed Lodge buildings include Shooting Star, Silver Strike, Flagstaff, Arrow Leaf A and B, One Empire Pass and Grand Lodge. Empire Residences are under construction.	This CUP proposes the following: Residential- 14 market rate multi-family units (42,453 sf (21.227 UE), 1 ADA and 1 EHU = 43,927 sf total residential. There is sufficient remaining density for the proposed residential density. (See Exhibit K- Density Summary). <u>Complies.</u>
Affordable Housing Amended Development Agreement requires a total of 118.9 AUE (Affordable Unit Equivalents) where 1 AUE is 800 sf. This Lodge Building was assigned 0.75 AUE (600 sf) per the Developer. Off-mountain housing has been satisfied. On-mountain housing required is 24.725 AUE and is partially complete with 16.675 AUE built and 8.05 AUE remain to be built. These remaining AUE are assigned to Buildings 1, 3, 4 and B2 East.	One 737 sf deed restricted affordable unit, or EHU, is provided within the building consisting of 0.921 AUE. This unit is platted as common area and will be available at the same time the other units in the building are available, upon issuance of a certificate of occupancy for the entire building, and conditions of approval. Staff recommends conditions that the deed restriction outline and resolve any issues or concerns regarding maintaining affordability of the unit and include language that limits the HOA dues related to the deed restricted employee housing unit (EHU) in order to ensure the Unit remains affordable. The CCRs shall reflect a lower par-value to reflect the reduced cost of the unit (or exempt the unit from HOA fees) to ensure that the unit doesn't lose its affordability due to HOA fees. <u>Complies.</u>

Analysis of Conditional Use Criteria

Conditional Uses are subject to review according to the following criteria set forth in the LMC 15-1-10(E). Staff's analysis is in *italics*.

(1) Size and location of the Site;

Empire Residences consists of a single multi-story building with 14 residential units, ranging in area from 1,806 sf to 4,229 sf (total of 42,453 sf) (21.227 UE). Deed restricted unit is 737 sf. ADA unit is 737 sf. Total all residential is 43,927 sf. Total building area is 85,812 sf (88,149 sf gross). Subject property is Lot 9 of the First Amended Village at Empire Pass Phase One Subdivision, located south of the Shooting Star and One Empire Pass buildings, adjacent to the Silver Strike lift and ski run. The lot consists of approximately 1.53 acres (66,711 sf).

*The site slopes steeply up from Village Way and is level with and slopes away from Empire Club Drive and gradually along the adjacent ski run. The design proposes a single level underground parking structure with access off Village Way, with five and six levels of residential units. The size and location of the site comply with parameters of the MPD. No setback exceptions are requested. **No unmitigated impacts.***

(2) Traffic considerations including capacity of the existing Streets in the Area;

*The site is accessed from Village Way and Empire Club Drive; private roads that connect to Marsac Avenue, a public Right-of-Way. A traffic management plan was approved as part of the Technical Reports for the Flagstaff Annexation and Development Agreement to reduce overall traffic generated from the development. Parking has been reduced by 25%. A final Construction Mitigation Plan is required at the time of Building Permit issuance in compliance with Technical Report #15- CMP. The Construction Mitigation Plan shall address truck routing, hauling of excavated materials, construction staging and parking, as well as all standard conditions to mitigate impacts of construction in a residential area. The Development Agreement requires excavated materials to remain within the Annexation Area. **No unmitigated impacts, as conditioned.***

(3) Utility capacity;

*Sewer, electric, gas, water and phone service is available at the site. A final storm water plan, as well as final utility and grading plans, is required prior to issuance of a building permit. Applicant will need to verify that capacity still exists in the detention pond below this property and will need to maintain run-off sufficient to support the existing tree stands. All above ground utility infrastructure (transformers, ground sleeves, telephone boxes, cable boxes, etc.) are to be located on the property. Staff recommends a condition of approval related to the location of dry facilities on the property to ensure that the location of transformers and other utility infrastructure on the property is shown and these items can be adequately screened. Showing dry utilities on the final plans allows verification from utility companies that the location shown on the plans is viable for their installation. **No unmitigated impacts, as conditioned.***

(4) Emergency vehicle Access;

Primary emergency access is from Village Way as well as Empire Club Drive that winds

through the Village area with two access points onto Marsac Avenue. Village Way intersects both Empire Club Drive and Marsac Avenue providing multiple routes for emergency access. **No unmitigated impacts.**

(5) Location and amount of off-Street parking;

The Transit and Parking Management Plan approved with the MPD and Flagstaff Development requires a 25% reduction in parking from what would be normally required by the LMC. A total of twenty-nine (29) spaces are required for the 14 units, the EHU and the ADA unit. The 25% reduction rounds to a required 22 spaces. The underground parking structure has 22 spaces. Additionally, 3 surface spaces are provided along Village Way, 2 for the police substation and 1 for short term service and delivery. **No unmitigated impacts.**

(6) Internal vehicular and pedestrian circulation system;

Access to the project is from Empire Club Drive and Village Way, which are private streets. A drop-off area is located in the front of the building at the existing private club entrance as well as along Village Way. The primary residential entrance is on the south side adjacent to the club entrance. The pedestrian path system is consistent with the Village Master Plan of Trails with connections to surrounding property, the Club, surrounding trails, and to the shuttle stop area. **No unmitigated impacts.**

(7) Fencing, Screening, and landscaping to separate the Use from adjoining Uses;

A final landscape plan that is consistent with the plan reviewed with this CUP is required as a condition precedent to building permit issuance. Landscaping and irrigation are proposed to be water efficient, utilizing drought tolerant plantings, limited turf area, and drip irrigation. **No unmitigated impacts.**

(8) Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots;

This building is one of nine multi-story Lodge buildings master planned to be grouped within Pod A and oriented along the Silver Strike lift and ski run and central to the Mountain Village. A majority of the mass, bulk, height and density of the Flagstaff Development is located within these 4, 5 and 6 story buildings.

To the west, there are four existing buildings of a similar size, height, and volumetric (One Empire Pass, Silver Strike, Arrow Leaf A and Arrow Leaf B, Flagstaff). On the adjacent lot to the north there is an existing building (Shooting Star) of similar massing. To the north of Shooting Star is Building 3, Empire Residences, which was recently approved with similar mass, bulk and height.

The existing Tower Club building is primarily 1 and 2 stories with an architectural tower element that is approximately 24' taller than the highest existing building ridge. Existing Larkspur townhouse units are located to the east and south of the proposed building. These townhouse units are two and three stories with heights not exceeding 33' from existing grade. On the south side, the Larkspur units are primarily oriented across from the one story club building. On the east side, a Larkspur Townhouse building consisting of three attached units is located across Village Way from the proposed building and

further down Village Way a second Larkspur Townhouse tri-plex is located across from Shooting Star.

The proposed building contains 6 levels of residential units within the new portion to be constructed east of (and connecting to) the existing two story Talisker Club building. Four (4) levels of residential units are visible on the south elevation, with 6 levels visible on the east and north elevations and 3 and 4 levels visible on the west.

The south and west elevation masses are broken up by the existing 2 story club building and tower element they are constructed behind. A portion of the north elevation massing is broken up with a one story element that ties the building to the open space plaza and recreation uses of the club building. The sixth story on the north façade steps back approximately 30' from the face. The applicant revised the north elevation to break up the vertical plane by incorporating additional stonework on the lower floors.

The upper two stories of the east façade step back approximately 14' from the face and the northern and southern units on the east façade exhibit horizontal and vertical stepping and articulation. The maximum building height is located in the central section stepped back from eastern façade by 35-40'. The front setback from the street is greater than the required minimum 20' for the central portion of the front (east) façade.

Visually, there are one, two, four and six stories, in addition to the parking level, as the building is viewed from surrounding vantage points. The mass of the building steps down as the lot slopes down to the north. The building is articulated both horizontally and vertically with low shed roofs and extended balconies on the lower stories providing a sense of pedestrian scale at the street. Building articulation and massing are consistent with previously approved Lodge buildings and the approved VEP MPD building heights and volumetrics. The applicant revised the original plans to address the DRB and staff concerns regarding articulation and architectural details of the north and east elevations to further mitigate the difference in mass and scale between this building and the Larkspur Townhouse buildings to the east. This difference in mass and scale is reflective of the approved VEP MPD volumetric.

The following heights are permitted by the MPD volumetric: 20% of the building was permitted to reach 74' above existing grade (north end), 55% of the building to reach 86' above existing grade, and 25% of the building (south end) to reach 74' above existing grade. Staff reviewed the proposed building for compliance with the MPD volumetric and maximum building height allowed and finds that the building complies with the maximum allowable building height. Proposed building has 50% of the building at 86' or less, 25% (south) is less than 74', and 20% (north) is at or less than 74'. Staff finds that the building complies with the required building height Volumetrics. **No unmitigated impacts.**

(9) Usable Open Space:

Both passive and active Open Space is provided in excess of 88% within the overall Flagstaff Annexation and Development boundary. The individual lots were not required

to provide open space. Due to the private club located on Lot 9, the CUP includes a large outdoor area for active and passive recreation. **No unmitigated impacts.**

(10) Signs and lighting:

*Signs and lighting are conditioned to conform with the Park City codes and the Flagstaff Mountain Resort Design Guidelines with final review at the time of the building permit and prior to certificate of occupancy. All exterior signs require a separate sign permit approved by the Planning Department. Any sign shown on the plans is for illustration only and does not indicate approval. Any proposed street lights must be approved by the City Engineer (LED, 48 watt, 2700 K in a style consistent with Park City street lights) and if installed, will be privately maintained. **No unmitigated impacts.***

(11) Physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing:

In the immediate area, there are five existing similarly sized multi-story residential condominium buildings (Silver Strike, Shooting Star, One Empire Pass, Flagstaff, and Arrow Leaf), as well as the two story Larkspur town homes and Paintbrush PUD style homes (single-family detached homes). The original master developer reviewed the design, volumetric and building heights and coordinated design elements for all phases of the project. All developments are required to have approval by the Flagstaff Architectural Design Review Board. The Design Review Board provided a letter from the review on October 12, 2018 (Exhibit N). The applicant revised the original plans to address the DRB and staff comments concerning the glass railings and additional architectural elements and articulation. Glass railings have been replaced with metal railings consistent with the existing building.

*Staff reviewed approvals for Silver Strike, Flagstaff, One Empire Pass and Empire Residences. In all cases these Lodge buildings were approved with areas of 6 residential levels (stories) in addition to a parking garage and roof envelope area. Prior approvals specifically indicate that residential uses may be incorporated into the roof envelope area and emphasize building articulation and maximum building heights for various portions of the building. Based on review of the MPD Volumetrics as well as prior Lodge building approvals within the Village, staff finds there has been a consistent interpretation of the MPD building height and Volumetrics. **No unmitigated impacts.***

(12) Noise, vibration, odors, steam, or other mechanical factors that might affect people and Property Off-Site:

*The building is both a residential building and a private club with outdoor uses (dining, pool, hot tubs, etc.). It is expected that there will be some noise impacts on neighboring residents. Mechanical equipment is proposed to be primarily below final grade and when at grade is proposed to be screened with landscaping and fencing. Any allowed roof top mechanical is proposed to be centrally located and screened. Staff recommends conditions of approval related to screening of exterior mechanical equipment and protrusions as well as requiring posted hours of operation for dining and outdoor recreation and amenity areas, such as pools and spas. **No unmitigated impacts.***

(13) Control of delivery and service vehicles, loading and unloading zones, and Screening of trash pickup Areas;

*Service and delivery is for residential and the resort support commercial component in the building. It is anticipated that laundry/maid service will be needed on a weekly basis throughout the Village. Trash enclosure is located within the parking structure at the garage entry. Existing parking spaces off Empire Club Drive will remain for loading and unloading and three additional spaces off Village Way will provide for police parking and for short term drop off and delivery. **No unmitigated impacts.***

(14) Expected Ownership and management of the project as primary residences, Condominiums, time interval Ownership, Nightly Rental, or commercial tenancies, how the form of Ownership affects taxing entities;

*The project will be platted as a condominium. Nightly rental is a permitted use within the RD zoning district. These units will primarily be second homes and it is unlikely that many will be full-time residences, although this possibility is not precluded. **No unmitigated impacts.***

(15) Within and adjoining the Site, impacts on Environmentally Sensitive Lands, Slope retention, and appropriateness of the proposed Structure to the topography of the Site.
*There are no Environmentally Sensitive Lands within or adjoining the site. The building is located on a flat to steeply sloping lot within the Pod A. The site is currently developed with a private club building and outdoor recreation amenities. There aspen trees and shrubs on the site that if removed will be mitigated with replacement trees and shrubs per the landscape plan. **No unmitigated impacts.***

(16) General Plan. *The application is subject to the restrictions and conditions of the Flagstaff Annexation and Development Agreement. In terms of the General Plan, this property was annexed, zoned, master planned and platted to be consistent with the goals and objectives of the Park City General Plan. The Conditional Use Permit is consistent with the Development Agreement and provides resort based lodging and guest amenities in close proximity to Deer Valley Resort, is an in-fill site with growth clustered and directed into an existing neighborhood "The Village" with existing utilities and amenities, provides on-site affordable housing and location for a police substation, has a reduced parking requirement to reduce traffic generation with clustered development in the Village, has shuttle service within the development and is in close proximity to Park City transit on Marsac Avenue, and does not impede surrounding open space or trails. **Consistent with applicable goals and objectives as outlined below:***

Small Town

- [Goal 1: Park City will protect undeveloped lands; discourage sprawl, and direct growth inward to strengthen existing neighborhoods.](#)
Objective 1A - 1D
- [Goal 3: Park City will encourage alternative modes of transportation on a regional and local scale to maintain our small-town character.](#)
Objective 3A – 3C

Natural Setting

- [Goal 4: Open Space: Conserve a connected healthy network of open space for continued access to and respect for the natural setting.](#)
Objective 4A - 4E

Sense of Community

- [Goal 8: Workforce Housing: Increase affordable housing opportunities and associated services for the work force of Park City.](#)
Objectives 8A - 8C

Process

Approval of this application by the Planning Commission constitutes Final Action that may be appealed following procedures found in Land Management Code § 15-1-18.

Department Review

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

Notice

On October 31st and November 28th, 2018, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was published in the Park Record and Utah Public Notice website on October 27th and November 28th, 2018.

Public Input

Staff received public input concerning compliance with the Flagstaff Development Agreement regarding historic preservation (Exhibit P). Staff is currently reviewing historic preservation work completed within the Flagstaff Development area to date, including 1) installation of interpretative signs, 2) re-vegetation of mine sites, 3) conservation easements on the open space parcels where mine sites are located, and 4) preservation work done on the structures listed in Technical Report #6 (see link to [Technical Reports](#)- Volume 1.5 of 2). There are no known historic sites or structures located on subject CUP property.

Staff intends to complete this research and will prepare findings and possible conditions of approval related to historic preservation as part of the pending Twisted Branch Subdivision application, as that applicant is a primary responsible party for the Flagstaff Development Agreement, along with the Master Association. Additional conversations with property owners of mine structures and mine sites (such as Deer Valley Resort and United Park City Mines) are needed as well.

Alternatives

- Planning Commission may approve the Residences at the Tower CUP as conditioned or amended, or
- Planning Commission may deny the Residences at the Tower CUP and direct staff to make Findings for this decision, or
- Planning Commission may continue this item to a future date.

Significant Impacts

There are no significant fiscal or environmental impacts of this application that have not been addressed by the Development Agreement and/or conditions of approval.

Recommendation

Staff recommends the Planning Commission conduct a public hearing and consider approving the request for a Conditional Use Permit (CUP) for a multi-unit residential building and an expansion of the private Empire Club building located at 8680 Empire Club Drive based on the following findings of fact, conclusions of law, and conditions of approval:

Findings of Fact:

1. The Residences at the Tower Conditional Use Permit (CUP) includes 14 private market rate multi-family residential units totaling 42,453 sf, utilizing 21.227 UE, as well as 1 ADA unit and 1 deed restricted affordable unit (EHU), a police sub-station, approximately 9,200 sf expansion of the private Talisker Club and underground parking.
2. The property is addressed at 8680 Empire Club Drive.
3. The CUP is proposed on Lot 9 of the First Amended Village at Empire Pass Phase I subdivision within Pod A of the Village at Empire Pass Master Planned Development (VEP MPD).
4. Lot 9 is located in the RD-MPD zoning district and contains 1.53 acres.
5. Lot 9 is currently partially developed with the private Talisker Club that includes a kitchen, dining, lounge and other indoor and outdoor amenities for members.
6. Access to the property is from Village Way and Empire Club Drive, which are both private streets.
7. The market rate multi-family residential units range in size from 1,806 sf to 4,229 sf with an average unit size of approximately 3,032 sf. The 737 sf ADA unit is required to be platted as common area. The 737 sf EHU is also proposed to be platted as common area.
8. A 509 sf police sub-station is proposed on the lower level as a requirement of the Emergency Response Plan Exhibit #7 of the Flagstaff Development Agreement. The police sub-station will be delivered to the City as a "white box" with two parking spaces.
9. The property is subject to the Flagstaff Mountain Annexation and Development Agreement (Amended Agreement) approved by City Council per Resolution No. 99-30 on June 24, 1999 and amended on March 2, 2007, as well as associated Technical Reports and the Village at Empire Pass MPD.
10. The Amended Agreement is the equivalent of a Large-Scale Master Plan and sets forth maximum project densities, location of densities, and developer-offered amenities for the annexation area.
11. The Amended Agreement specifies that a total of 87 acres, within three development pods (A, B1 and B2), of the 1,750 acres of annexation property may be developed for the Mountain Village. The Mountain Village is further constrained to a maximum density of 785 unit equivalents (UE) configured in no more than 550 dwelling units as multi-family, hotel, or PUD units, provided that the number of PUD units (such as

Belles, Paintbrush, Nakoma and Moon Shadow) does not exceed 60. PUD units are included in the totals for multi-family units.

12. To date, approximately 509 multi-family units (757.28 UE) (including 60 as PUD style units and the remaining as townhouse units and multi-family units within Lodge buildings) and 16 single family units have been approved, platted and/or built within Pods A, B1 and B2. This number includes the 70 units noted in the plat notes for the B2 East Subdivision, the Empire Residences CUP units currently under construction as Building 3, and the Moon Shadow Condominiums for 8 PUD style units pending plat recordation. This number also includes all Larkspur Townhome units, including Larkspur Townhomes 6 (3 units), which condominium plat is currently under review.
13. Constructed Lodge buildings include Shooting Star, One Empire Pass, Silver Strike, Flagstaff, Arrow Leaf A and B, Grand Lodge and Ironwood. Lodge buildings still to be approved within Pod A are: Building 1- Residences at the Tower (subject property) and Building 4. Empire Residences (Lodge Building 3) are under construction.
14. There is sufficient density remaining within Amended Agreement and VEP MPD for the proposed 14 multi-family units (21.227 UE).
15. Amended Agreement requires a total of 118.9 AUE (Affordable Unit Equivalents) where 1 AUE is 800 sf. A total of 94.175 off-mountain AUE and 24.725 on-mountain AUE are required. Off-mountain housing has been satisfied. On-mountain housing is partially complete with 16.675 AUE built and 8.05 AUE remaining. These remaining AUE are assigned to Lodge Buildings 1, 3, 4 and B2 East.
16. Lodge Building 1 was assigned 0.75 AUE (600 sf) per the Developer at time of sale.
17. The proposed affordable unit consists of 737 sf (0.921 AUE) (not including dedicated storage areas located separate from the unit) platted as common area and shall be deed restricted per requirements of the Housing Resolution prior to plat recordation.
18. On July 28, 2004, the Planning Commission approved a Master Planned Development for the Village at Empire Pass (VEP MPD) (Pods A and B1) within the Flagstaff Mountain Annexation and Development area for Lodge buildings grouped around the Silver Strike lift and ski runs, various townhouses making up a second tier of units, with PUD style detached units and single family lots on the perimeter. A common amenity building, known as the Tower Club, was central to the VEP MPD. A common mail area, indoor and outdoor recreation facilities, pedestrian connections and transportation pick-up/drop-off area were included. The VEP MPD also approved heights and Volumetrics for the Lodge buildings.
19. On September 30, 2004, the City Council approved the Village at Empire Pass Phase 1 Subdivision that platted the east side lots of the Village at Empire Pass.
20. On April 13, 2005, the Planning Commission approved the Tower Club Phase I CUP for approximately 8,880 square feet consisting of 2,264 sf of MPD Resort Support Commercial (private dining, kitchen, small convenience store), and 6,616 sf of residential and resort accessory uses (ski lockers, recreation amenities, meeting room, kids club, circulation, storage, mechanical, as well as outdoor amenities such as pool, hot tubs, etc.). The Club was constructed in 2005 and 2006.
21. On February 13, 2008, the Planning Commission approved the Tower Club Phase II CUP for residential units on Lot 9. The approval for 25 units totaling 67,625 sf (33.81 UE) and one (1) ADA unit was granted an extension to July 1, 2010, by the Planning Commission on March 11, 2009. A building permit for Phase II was not issued and

- the CUP expired. This current CUP proposal represents a reduction in density and size by 11 units and 25,000 sf (12.58 UE) from the 2008 approval.
22. On January 6, 2011, the City Council approved an amendment to the VEP Phase 1 Subdivision amending Lot 9 to address access, parking, and trail easements. The amended plat was recorded on January 4, 2012.
 23. On December 14, 2016, the Planning Commission approved an amendment to the Tower Club Phase I CUP to allow a 1,115 sf expansion of the private dining area, as well as expanded outdoor patio area, 1,000 sf of expanded basement area for accessory uses. The CUP expansion increased the MPD Resort Support Commercial on Lot 9 to 3,379 sf. Construction of the expansion was completed in 2018. The building is currently consists of approximately 10,995 sf.
 24. On October 9, 2018, the Planning Department received a complete application for a Condominium plat and a Conditional Use Permit for a fourteen (14) multi-family unit residential building to be located on Lot 9 of the First Amended Village at Empire Pass Phase One Subdivision.
 25. The property is subject to subdivision plat notes that require compliance with the Amended Flagstaff Annexation and Development Agreement, approval of a Conditional Use Permit for each Lodge building prior to issuance of a building permit, a declaration of condominium and a record of survey plat prior to individual sale of units, membership in the Empire Pass Master HOA, a 20' snow storage easement along the street frontages, water efficient landscaping, and various utility and maintenance provisions.
 26. The Amended Agreement allows a maximum of 75,000 sf of MPD Resort Support Commercial uses. Lot 9 currently is approved, with the Amended Tower Club CUP for 3,379 sf (kitchen, dining, small store) of MPD Resort Support Commercial Uses. Montage Resort was approved for 63,059 sf of MPD Resort Support Commercial and Grand Lodge for 1,275 sf.
 27. Total MPD Resort Support Commercial in this building with this CUP expansion is 5,803 sf (adding 2,424 sf of Resort Support Commercial uses).
 28. There is sufficient MPD Resort Support Commercial remaining for the proposed private club expansion and 4,863 sf will remain if this project is approved. This space is identified on the plat as part of the Club Unit. A table of the Resort Support Commercial space will be included on the plat.
 29. The Emergency Response Plan requires a police sub-state to be dedicated within the Empire Club building in Pod A. The Plan calls for a facility with 3 office spaces, approximately 12' by 12' each, with a combined square footage of not less than 500 sf, plus two reasonably proximate parking spaces. The unit is to be made available to Park City as an empty "white box" for no cost, and not subject to HOA dues or other assessments, as soon as occupancy permits are ready to be issued for the rest of the building and residential units. This space will be identified as a Commercial Unit specifically for the police substation that can be transferred to the City.
 30. Guest amenity areas (exercise and recreation areas, locker rooms, lobby and reception area, lounge/après ski, restrooms, etc.) are proposed on the first and second levels. Common accessory uses do not require use of UEs.
 31. The Transit and Parking Management Plan approved with the VEP MPD requires a 25% reduction in parking from what would normally be required by the LMC. Based

on unit sizes, twenty-nine (29) spaces would be required for the 14 units, affordable unit, and ADA unit. The 25% reduction rounds up to 22 spaces. The underground parking structure has 22 parking spaces. Two spaces are provided along Village Way for the police sub-station and 1 space is provided for short term pick-up and drop-off.

32. The maximum Building Height in the RD District is 28 feet (33 feet with a pitched roof). A height exception was approved with the Village at Empire Pass Master Plan Development. Specific volumetric diagrams were approved for each Building. For Building 1, 20% of the building (north side) was permitted to reach 74' above existing grade, 55% of the building (central) to reach 86' above existing grade, and 25% of the building (south side) to reach 74' above existing grade.
33. The proposed building does not exceed 86' in height with 20% (north) at or less than 74', and 55% at or less than 86', and 25% (south) is less than 74'. The building is consistent with the approved VEP MPD building heights and Volumetrics. All building heights will be verified at time of building permit review.
34. The building contains 6 levels of residential units within the new portion to be constructed east of the existing Club building. Four (4) levels of residential units are visible on the south elevation, with 6 levels are visible on the east and north elevations. The west elevation of the residential building is broken up by the 2 story club building and tower element. The north elevation is broken up with a one story element that ties the building to the open plaza and recreation uses of the club building. The maximum building height is located in the central section stepped back from eastern façade. There are visually one, two, four and six stories, in addition to the parking level, as one views the building from surrounding viewpoints. Building articulation and massing are consistent with previously approved Lodge buildings and the VE MPD volumetric.
35. The building complies with RD District zone setbacks maintaining a 20' front setback (25' to the garage door), 12' side setbacks and 15' rear setbacks. LMC exceptions to the setbacks are allowed as specified in LMC Section 15-2.13-3.
36. A Master Homeowners Association document and Maintenance Agreement for the Mountain Village were reviewed and approved by the City prior to issuance of initial building permits within the Mountain Village. This property is also subject to these documents, in addition to any declaration of condominium and CCRs recorded with the condominium plat.
37. Excavated soil will remain within the Flagstaff Annexation area unless an exception is approved by the City as allowed in the Amended Construction Mitigation Plan (Technical Report #15). A final Construction Mitigation Plan will be submitted with the building permit application to be approved by the Chief Building Official.
38. The property is part of a common development that exceeds one acre and thus has MS4 requirements to meet.
39. The Tower Club Phase I included a store as stated in the CUP approval condition, "The store will include a refrigerated case for milk, juice and sodas, and the shelves will have snacks commonly found in a convenience store". A small store is included within the Club building (at the ski valet); however, according to the applicant, it has not seen much success, even when opened to the general public as per a condition of Tower Club Phase II. The store remains open in winter months, but merchandise sold is primarily ski accessories (hats, goggles, gloves, lip balm, sun screen etc.),

kid's camp provisions, snacks and drinks, along with other soft goods. The previous CUP approval included a condition that the store be open to the public.

Conclusions of Law:

1. The CUP, as conditioned, is consistent with the Village at Empire Pass Master Planned Development and Flagstaff Mountain Resort Master Planned Development and Technical Reports and the Park City Land Management Code.
2. The proposed use, as conditioned, is compatible with the surrounding structures in use, scale, mass and circulation.
3. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval:

1. All standard conditions of approval apply to this Conditional Use Permit.
2. This Conditional Use Permit shall expire on December 12, 2019, if a building permit has not been issued prior to this date, unless an extension is requested in writing prior to expiration date and the extension is granted by the Planning Director.
3. The final building plans and construction details submitted with the building permit application shall substantially comply with the plans reviewed by the Planning Commission on December 12, 2018.
4. Final architectural design approval from the Empire Pass Design Review Board is a precedent to building permit issuance.
5. Materials and color samples and final design details shall be approved by staff prior to building permit issuance and shall be in substantial compliance with the elevations reviewed by the Planning Commission on December 12, 2018. Plans reviewed by the Planning Commission reflect revisions to replace glass railings with metal railings similar to existing buildings, additional stonework and roof elements added to the north elevation to break up the vertical plane, additional mullions added to the large east facing windows, and additional stone and architectural elements on the east façade.
6. All exterior lighting shall be shielded and down directed in compliance with the LMC and the Flagstaff Mountain Resort Design Guidelines. Final compliance with the City's Lighting Ordinance will be verified at the time of building permit plan review and prior to issuance of a certificate of occupancy.
7. Exterior signs require an approved sign permit prior to installation.
8. All exterior mechanical equipment shall be screened from public view with landscaping and/or fencing/grating materials. Exposed wall and roof top vents and protruding pipes and mechanical equipment shall be painted to match the adjacent wall or roof to minimize impacts on public view. Screening for noise reduction is required.
9. All utility facilities must be located on the property, unless specific easements have been provided on the recorded plat. A plan must be provided at the time of the building permit application showing all utility locations, including dry utilities. The applicant shall provide verification that the utility plan is viable and the utility boxes can be screened with landscaping and/or fencing.
10. An approved and recorded condominium plat is required prior to sale of individual units.

11. Final utility and grading plans, including storm water drainage plans, must be approved by the City Engineer prior to Building Permit issuance.
12. Affordable housing provided with this Conditional Use Permit shall comply with all requirements and stipulations of the Flagstaff Development Agreement prior to issuance of a certificate of occupancy for the building. The affordable unit (EHU) shall be indicated on the final condominium plat prior to recordation of such plat and shall be completed prior to issuance of a certificate of occupancy for the building.
13. A deed restriction for the EHU unit, acceptable to the City, shall be recorded with or prior to plat recordation. The deed restriction shall outline and resolve any issues or concerns regarding maintaining affordability of the unit.
14. The CCRs shall limit the HOA dues related to the deed restricted employee housing unit (EHU) in order to ensure the Unit remains affordable. The CCRs shall reflect a lower par-value to reflect the reduced cost of the unit (or exempt the unit from HOA fees) to ensure that the unit doesn't lose its affordability due to HOA fees.
15. The EHU and ADA units shall be available for occupancy at the same time as the entire building and when the market rate units are issued a certificate of occupancy.
16. Conditions of approval of the Village at Empire Pass MPD shall continue to apply.
17. Conditions of approval of the Flagstaff Annexation and Development Agreement and Technical Reports continue to apply, including the restrictions on solid wood burning fireplaces, removal of excavated materials, construction of pedestrian connections to the transit hub within the Village, reduced parking, provision of required ADA and affordable housing units, architectural design and building volumetric, and limits on residential density and Resort Support Commercial uses.
18. A Final Construction Mitigation Plan (CMP) shall be submitted for approval by the Planning, Building, and Engineering Departments prior to issuance of a building permit. The CMP shall indicate where and how excavated soils will be hauled and/or stored, hours of construction, truck routes, phasing and staging of construction, road closures, parking, lighting, and other items required by the Building Department and consistent with the Amended CMP Technical report.
19. Interior fire sprinklers are required for new construction and shall meet requirements of the Chief Building Official at the time of review of the building permit.
20. The property is located within a water source protection zone. All sewer construction must comply with State of Utah drinking water regulations.
21. All requirements and conditions of the Snyderville Basin Water Reclamation District shall be met prior to building permit issuance.
22. All requirements and conditions of the Park City Fire District regarding emergency egress, access, fire hydrants, etc. shall be met prior to building permit issuance.
23. The deed restricted unit shall be a minimum of 737 sf (0.921 AUE) as shown on the proposed condominium plat. One AUE is equivalent to 800 sf according to the Development Agreement.
24. The total MPD Resort Support Commercial area approved for this building, including the 2,424 sf approved with this CUP, is 5,803 sf and includes the kitchen, dining, lounge, store and spa. The store shall be open to the public, as previously conditioned.
25. This development is part of a common development that is greater than one acre. This development shall meet the MS4 storm water requirements. Prior to building permit issuance, the applicant shall verify that capacity exists in the existing

detention pond utilized by Pod A and shall demonstrate that sufficient run-off will remain on site to support existing tree stands within the Pod.

26. Development of this property is subject to the conditions of approval, plat notes, easements and restrictions of the recorded First Amended Village at Empire Pass Phase 1 Subdivision plat.
27. A note shall be included on the condominium plat prior to recordation stating that the police substation commercial unit is restricted as a police substation. In the event that the police substation is vacated by the City, the HOA may apply to amend the condominium plat and the CUP for common or limited area storage, mechanical or other similar uses. No commercial, non-police office or residential uses are allowed unless additional density/UEs is acquired and the addition of such density and change of use is approved by plat and CUP amendment.
28. Pool and outdoor amenity hours are limited to 7AM to 10PM and compliance with the Park City noise ordinance is required. A sign shall be provided at the pool and outdoor recreation and amenity areas stating these hours of use and referencing the noise ordinance.

Exhibits

- Exhibit A – Applicant's Project Description
- Exhibit B – Site Plan
- Exhibit C – Floor Plans
- Exhibit D – Architectural Elevations
- Exhibit E – Landscape Plans
- Exhibit F – Photographs
- Exhibit G – VEP Phase 1 Subdivision and First Amended Subdivision plats
- Exhibit H – Civil plans
- Exhibit I – Construction Mitigation Plan
- Exhibit J – [Village at Empire Pass MPD approval July 28, 2004](#) (including Volumetrics and Village Map)
- Exhibit K – Density Summary
- Exhibit L – [Development Agreement \(2007\)](#)
- Exhibit M – [Technical Reports \(link\)](#)
- Exhibit N – Design Review Board letter of preliminary review
- Exhibit O – Previous approvals action letters
- Exhibit P - Public input



September 25, 2018

To: Park City Planning Department
Attn: Kirsten Whetstone

Re: Residences at the Tower (Talisker, Building 1 of Empire Pass)
Supplementary CUP submittal information for volumetric analysis

Project Description

The proposed Residences at the Tower project is located on within Pod A of the Flagstaff Annexation and Development Area. The proposed project is consistent with the Village at Empire Pass Master Planned Development and Flagstaff Mountain Resort Master Planned Development, the Park City Land Management Code, and the General Plan.

This project will consist of 14 condominium units, 1 affordable unit, 1 ADA unit, additional club amenities, and an expansion to the existing Tower Club.

This project is similar in nature to the surrounding condominium lodge style buildings such as Shooting Star, Arrowleaf A&B, Grand Lodge, Silver Strike, One Empire Pass, and the recently approved Empire Residences.

Specifically, the Residences at the Tower is located on Lot 1 in the Village at Empire Pass and is consistent with the volumetrics per the approved 2007 Village at Empire Pass MPD. This project will be constructed similar to other surrounding condominium projects and will not emit unwarranted noise, dust, glare, pollutants, or odors.

At this time, there are no special issues that need to be mitigated.

MPD Compliance Description

- Whole ownership condominium units
 - Allowable Sellable SF = 43,510; 21.76 UE
 - Actual Sellable SF = 43,509; 21.75 UE
 - Allowable Multi-Family Units = 25
 - Actual Multi-Family Units = 14
- ADA Unit (767sf)
 - Required = 1
 - Actual = 1

- Deed-Restricted Affordable Unit
 - o 1 AUE = 800sf
 - o Required AUE = 644sf; .84 AUE
 - o Actual AUE = 767sf; .96 AUE
- New Club Amenities/Expansion
 - o Allowable Resort Support Commercial = 3,687sf
 - o Actual Resort Support Commercial = 3,521sf
 - Spa – Resort Support Commercial
 - 3,189sf
 - Kitchen Expansion – Resort Support Commercial
 - 332sf
 - Pool/3 soaking tubs
 - Fitness Expansion
 - Wildstar Kid’s Facility
 - Conference
 - Lounge
 - Club Office/Mech/Storage

Volumetric Description

The proposed Residences at the Tower project complies with MPD volumetric requirements as shown in the roof plan, elevations, and sections provided. For clarity the following information has been provided or added on the following plans;

- o Roof Plan
 - All proposed ridge heights labeled in addition to added existing grade elevations below for use in determining building height.
- o Elevations
 - All proposed ridge heights labeled in addition to description of 20% & 25% end ridge height steps at the ends of the building.
- o Sections
 - Building sections showing 74’ and 86’ offset of existing grade for reference in determining building height.

Please let me know if there is anything else I can provide for additional clarity. Thank you,

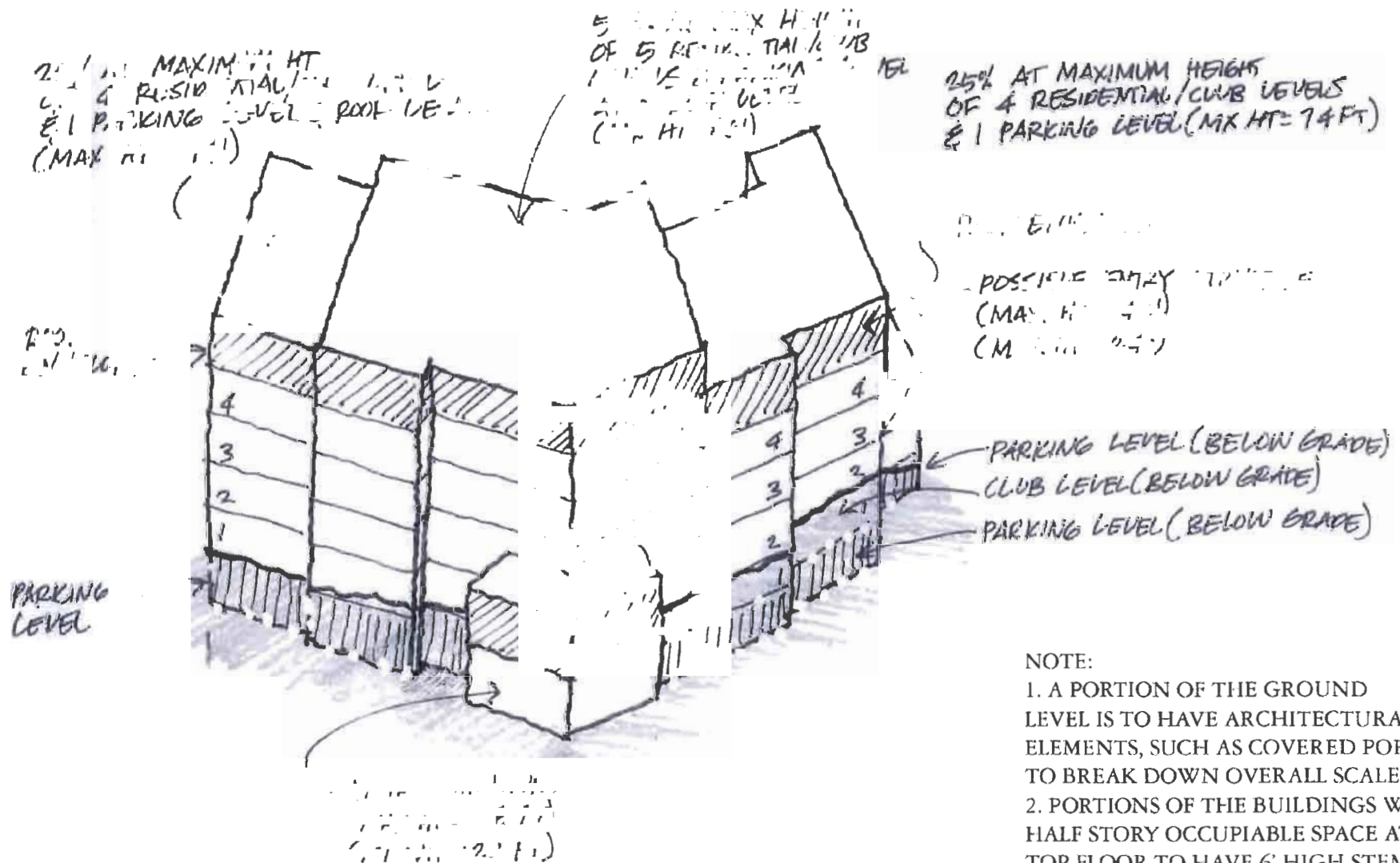
Brent Harris
Project Manager, Swaback

Alpine Club Volumetrics

(Building 1)

EXHIBIT A
VOLUMETRIC STUDY

Isometric View



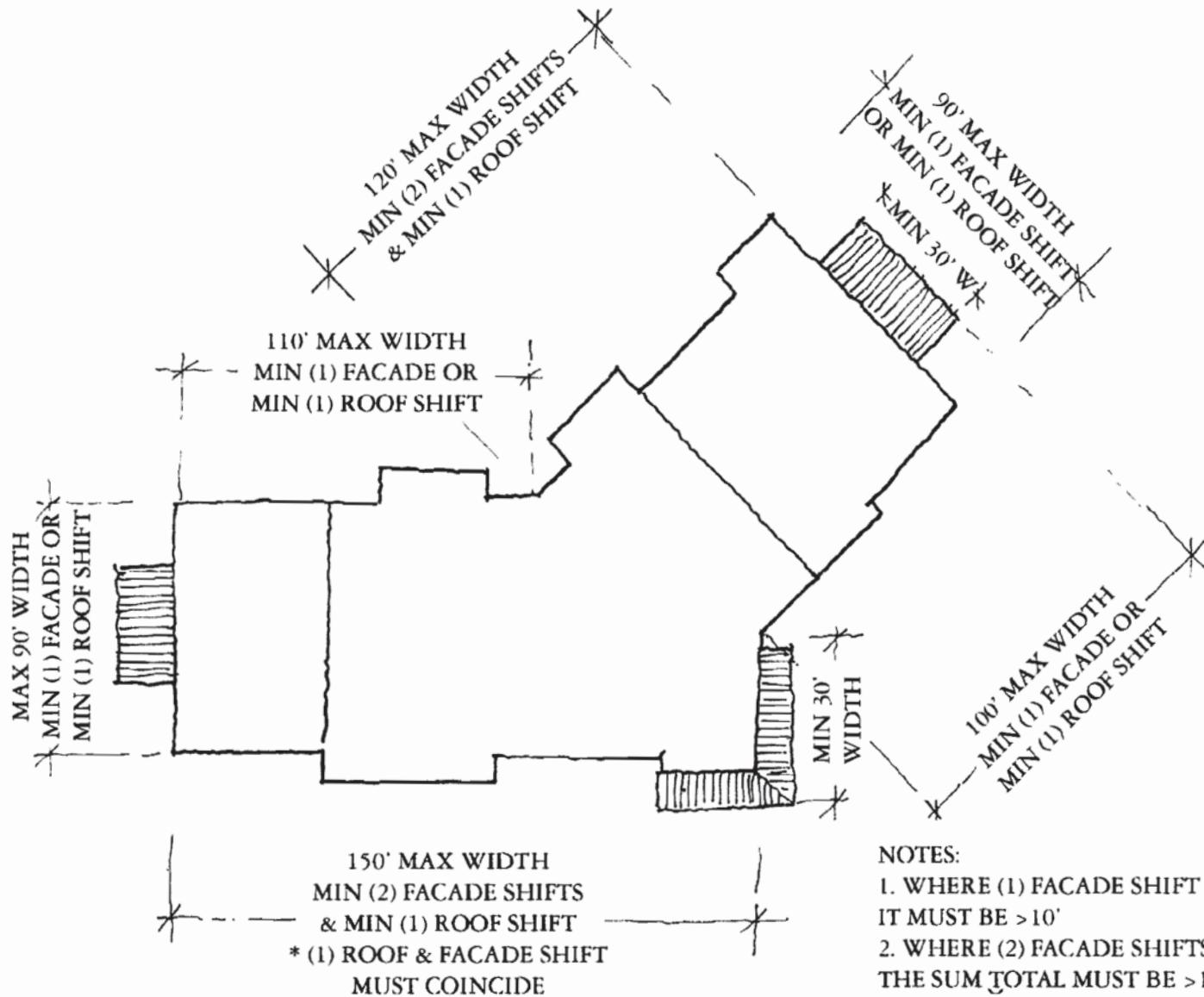
NOTE:

1. A PORTION OF THE GROUND LEVEL IS TO HAVE ARCHITECTURAL ELEMENTS, SUCH AS COVERED PORCHES, TO BREAK DOWN OVERALL SCALE
2. PORTIONS OF THE BUILDINGS WITH HALF STORY OCCUPIABLE SPACE AT THE TOP FLOOR TO HAVE 6' HIGH STEMWALL

JUNE 17, 2004

Alpine Club Volumetrics

Plan View



NOTES:

1. WHERE (1) FACADE SHIFT IS REQUIRED IT MUST BE > 10'
2. WHERE (2) FACADE SHIFTS ARE REQUIRED THE SUM TOTAL MUST BE > 16'
3. WHEN BUILDING LENGTH EXCEEDS 120' AT LEAST (1) FACADE AND (1) ROOF SHIFT MUST COINCIDE

JUNE 17, 2004



Master Plan

March 18, 2004





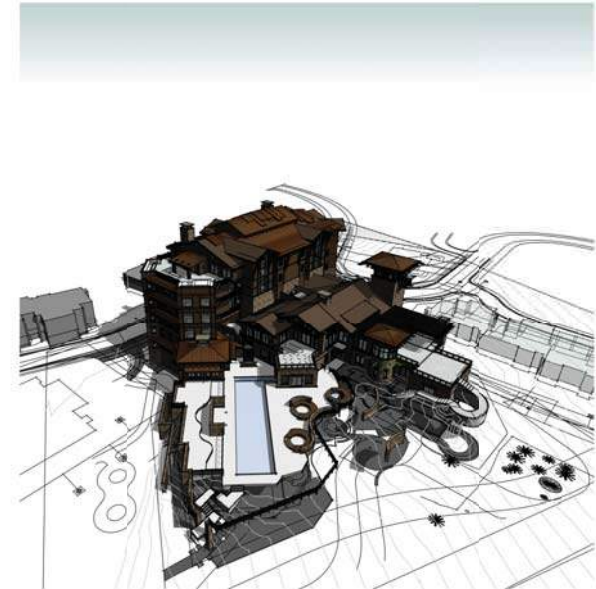
1 PERSPECTIVE 1
SCALE:



3 PERSPECTIVE 3
SCALE:



4 PERSPECTIVE 4
SCALE:



2 PERSPECTIVE 2
SCALE:



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NO.	DESCRIPTION	DATE
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RESIDENCES AT THE TOWER
8680 EMPIRE CLUB DRIVE
PARK CITY, UTAH 84090
PERSPECTIVE VIEWS

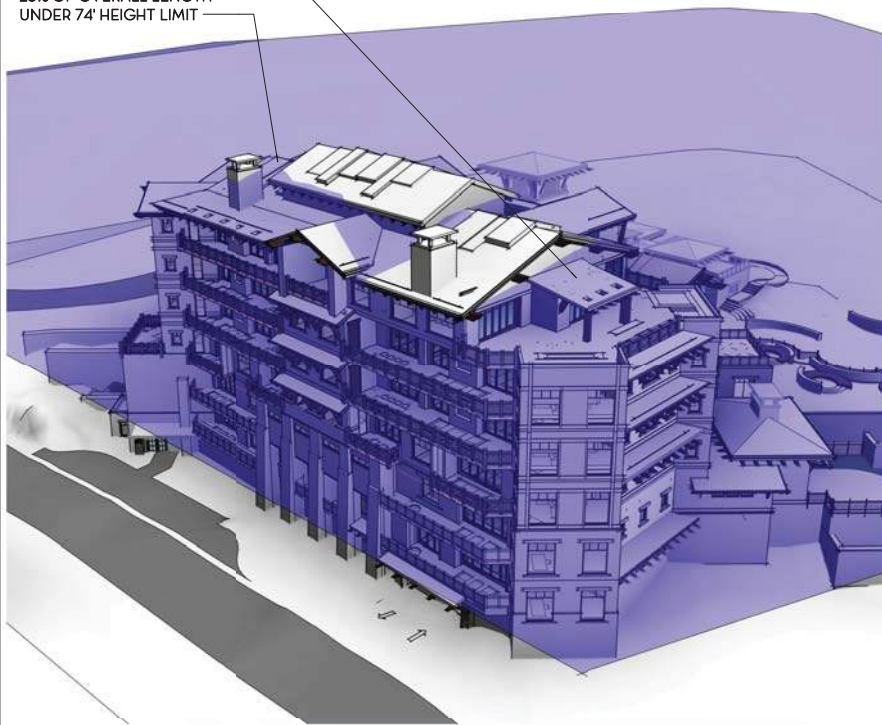
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SHEET	A-7.6

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20% OF OVERALL LENGTH
UNDER 74' HEIGHT LIMIT

25% OF OVERALL LENGTH
UNDER 74' HEIGHT LIMIT



① FOG STUDY 74'
SCALE

45% OF BUILDING HEIGHT TO BE
WITHIN 74' OF EXISTING GRADE.

EXISTING GRADE SHOWN OFFSET 74'



② FOG STUDY 86'
SCALE

55% OF BUILDING HEIGHT TO BE
WITHIN 86' OF EXISTING GRADE.

EXISTING GRADE SHOWN OFFSET 86'



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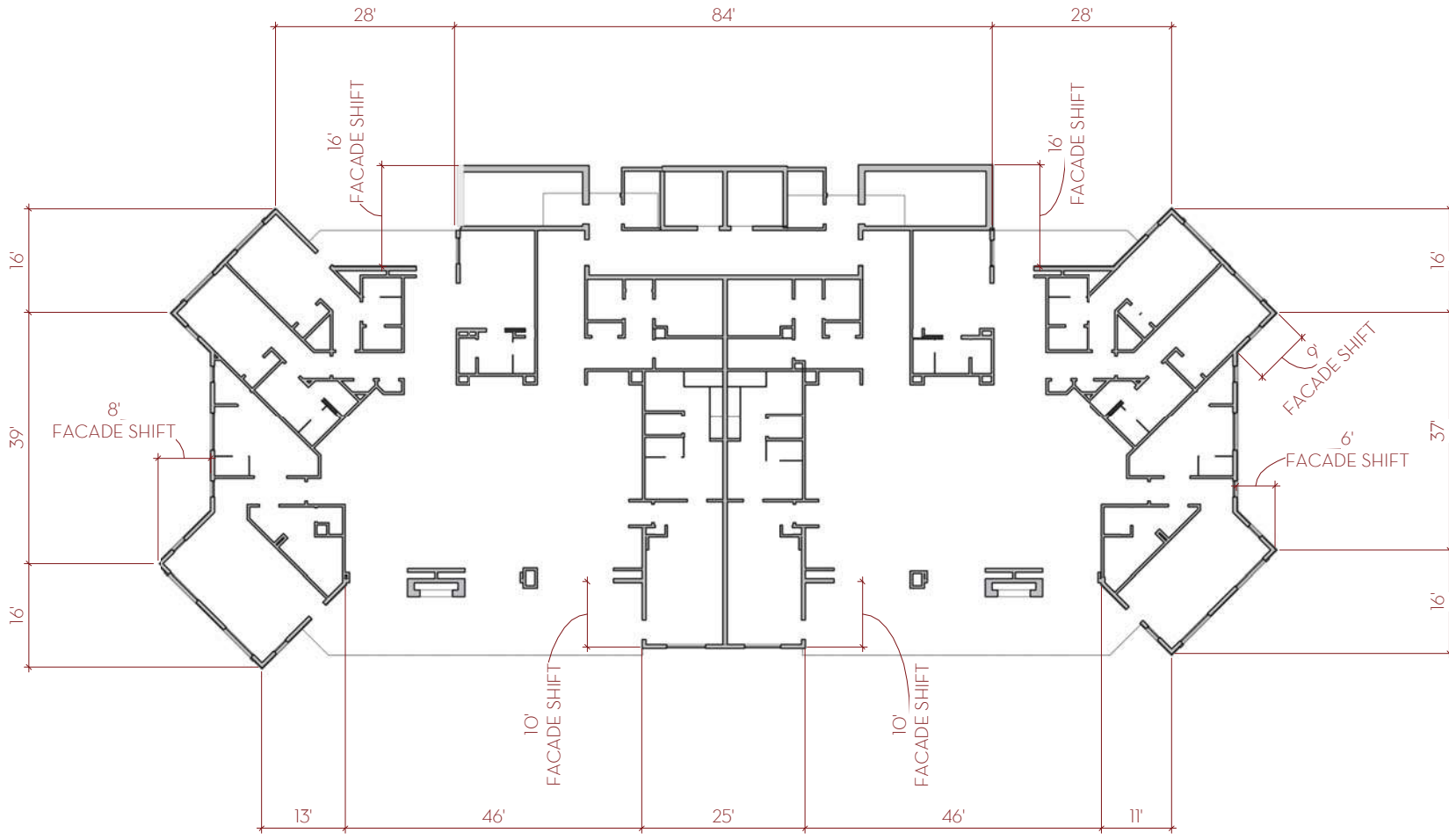
RESIDENCES AT THE TOWER

8680 EMPIRE CLUB DRIVE
PARK CITY, UTAH 84090

FOG STUDY

DRAWN	
CHECKED	
DATE	October 31, 2018
SCALE	
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SHEET	

A-7.8



1 TYPICAL FACADE SHIFT STUDY
SCALE: 1/8" = 1'-0"



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NO.	DESCRIPTION	DATE

RESIDENCES AT THE TOWER

8680 EMPIRE CLUB DRIVE
PARK CITY, UTAH 84090

FACADE SHIFT SUMMARY

DRAWN	CHECKED	DATE	October 31, 2018
		SCALE	1/8" = 1'-0"
		JOB NO.	0727
		SHEET	A-7.7

11/7/2018 4:50:13 PM

November 7, 2018

To: Park City Planning Department
Attn: Kirsten Whetstone

Re: Residences at the Tower (Talisker, Building 1 of Empire Pass)
Supplementary CUP submittal information regarding Conditional Use Criteria

Conditional Use Criteria

The following summarizes the conditional use criteria as outlined in the Planning Commission Staff Report and associated responses.

(1) Size and location of the Site;

No unmitigated impacts.

(2) Traffic considerations including capacity of the existing Streets in the Area;

No unmitigated impacts, as conditioned.

A final Construction Mitigation Plan will be provided at time of building permit issuance.

(3) Utility capacity;

No unmitigated impacts, as conditioned.

Final storm water, utility, and grading plans will be provided before permit issuance.

Visible dry utility facilities to be screened.

(4) Emergency vehicle access;

No unmitigated access.

(5) Location and amount of off-street parking;

No unmitigated impacts.

(6) Internal vehicular and pedestrian circulation system;

No unmitigated impacts.

(7) Fencing, screening, and landscaping to separate the use from adjoining uses;

No unmitigated impacts.

(8) Building mass, bulk, and orientation, and the location of Buildings on the Site, including orientation to Buildings on adjoining Lots;

Condition of additional articulation of the north elevation should be considered.

The north and south elevations have two 8' façade shifts at the angled corners of the building, with roof projections, exposed structure and battered stone bases at the lower levels. The north elevation also has a significant roof shift in recessing the upper roof approximately 25'.

The west elevation currently shows two 10' façade shifts and two 5' façade shifts. These occur at the stair towers which are provided with significant window elements. The north elevation has been provided with additional articulation at the area between these two stair elements. The east elevation currently shows two 12' façade shifts approximately 52' long, and several other façade shifts that vary between 8-12'.

Condition of additional low roof elements, tapered stone columns, or other design elements be considered on the east elevation to mitigate the difference in mass between this building and the Larkspur Townhouse building.

Tapered stone bases have been incorporated at the major building corners, column forms and building masses. This taper is ¼":12 to match tapered stone elements on the existing building. A low roof mass has been added to the garage entry with exposed structure detailing to match the existing building. An additional roof form has been added over the exterior door to the garage level. We will continue to look for opportunities to further integrate this building with the existing adjacent buildings.

(9) Usable open space;

No unmitigated impacts.

(10) Signs and lighting;

No unmitigated impacts.

(11) Physical design and compatibility with surrounding structures in mass, scale, style, design, and architectural detailing;

Staff recommends that the upper story glass railings be replaced with railings that are more architecturally compatible with the existing building and materials.

We agree with this recommendation and have removed the glass railings, replacing them with railings consistent with the existing building and craftsman detailing. No glass railings to be used on the project.

(12) Noise, vibration, odors, steam, or other mechanical factors that might affect people and property off-site;

No unmitigated impacts.

(13) Control of delivery and service vehicles, loading and unloading zones, and screening of trash pickup areas;

No unmitigated impacts.

(14) Expected Ownership and management of the property as primary residences, condominiums, time interval Ownership, Nightly Rental, or commercial tenancies, how the form of Ownership affects taxing entities;

No unmitigated impacts.

(15) Within and adjoining the Site, impacts on Environmentally Sensitive Lands, Slope retention, and appropriateness of the proposed Structure to the topography of the site;

No unmitigated impacts.

(16) General Plan;

Consistent.

Thank you for your consideration of our request for Conditional Use Permit approval.

Brent Harris

Project Manager, Swaback

EXHIBIT B



3500 E. McDowell Drive
Scottsdale, Arizona 85250
(480) 351-2700 www.swaback.com

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RESIDENCES AT THE TOWER
8600 EMPIRE CLUB DRIVE
DARK CITY, UTAH 84060
SITE PLAN

DRAWN	
CHECKED	
DATE	October 31, 2018
SCALE	As indicated
JOB NO.	0727
SHEET	A-1.1

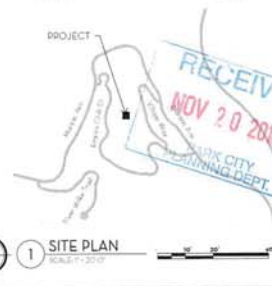
GENERAL PROJECT DESCRIPTION
ADDITION TO EXISTING TALISKER CLUB TOWER
• EXPANSION OF EXISTING DINING/STRESS AREAS
• ADDITION OF NEW CHILDREN'S PLAY AREA (NCESTAL)
• RENOVATION OF EXISTING POOL CONCEPT, DEMOLITION OF EXISTING POOL, CREATION OF NEW POOL AND MULTIPLE SWIMMING TUBS WITH RECONFIGURED HARDSCAPE AREA
• ADDITION OF NEW SPA AREA
ADDITION OF NEW RESIDENTIAL TOWERS
• SIX FLOORS OF UNITS OVER ONE FLOOR OF TRADING LOCATED AT BASEMENT
• NEW VERTICAL CIRCULATION STAIRS AND ELEVATORS

SITE INFORMATION
8600 EMPIRE CLUB DRIVE
PARK CITY, UTAH 84060
LOT 18 VILLAGE OF EMPIRE CLUB PHASE 1 SUBDIVISION (ORDINANCE 2004-01)
CLUBS
ZONING: RD-MD (ORDINANCE 2004-01)
FLAGSHIP MOUNTAIN ANNEXATION
WIND LOT 1 AMENDED (ORDINANCE 2004-01) (ORDINANCE 2004-01)
2018-20

GROSS BUILDING AREA SUMMARY

TOTAL EXISTING CLUB	10,279 SF
TOTAL NEW CLUB BUILDING	11,134 SF
TOTAL RESIDENTIAL TOWER DEVELOPMENT	66,954 SF
Grand Total	88,437 SF

LEVEL 0: PARKING	
PARKING, MECH, CIRCULATION	1,345 SF
POLICE STATION	524 SF
CIRCULATION	475 SF
	6,174 SF
LEVEL 1: BASEMENT	
UNIT 1	3,102 SF
UNIT 2	767 SF
UNIT 3	767 SF
UNIT 4	2,461 SF
OWNER STORAGE 1	1,461 SF
OWNER STORAGE 2	1,461 SF
RESIDENTIAL CIRCULATION	1,549 SF
EXISTING BASEMENT	1,195 SF
CLUB OFFICE, MECH, STORAGE	1,028 SF
CIRCULATION	617 SF
	12,877 SF
LEVEL 2: SPA & FITNESS	
UNIT 5	5,363 SF
UNIT 6	2,461 SF
STRESS EXHAUSTION	2,070 SF
WILDERNESS ROOM	942 SF
SPA	3,245 SF
RESIDENTIAL CIRCULATION	210 SF
EXISTING FITNESS	6,894 SF
CIRCULATION	1,055 SF
RESIDENTIAL CIRCULATION	174 SF
RESIDENTIAL CIRCULATION	884 SF
	20,819 SF
LEVEL 3: DINING & LOUNGE	
UNIT 7	2,240 SF
UNIT 8	1,877 SF
UNIT 9	1,877 SF
UNIT 10	1,077 SF
RESIDENTIAL CIRCULATION	1,077 SF
LOUNGE	750 SF
EXISTING DINING	4,165 SF
KITCHEN EXHAUSTION	852 SF
CONFERENCE	470 SF
LOBBY	1,045 SF
	16,003 SF
LEVEL 4: UNITS	
UNIT 11	4,313 SF
UNIT 12	4,239 SF
RESIDENTIAL CIRCULATION	1,070 SF
	9,622 SF
LEVEL 5: UNITS	
UNIT 13	4,313 SF
UNIT 14	4,239 SF
RESIDENTIAL CIRCULATION	1,070 SF
	9,622 SF
LEVEL 6: UNITS	
UNIT 15	5,167 SF
UNIT 16	5,167 SF
RESIDENTIAL CIRCULATION	1,070 SF
	11,404 SF
Grand Total	98,191 SF



1 SITE PLAN
SCALE: 1"=30'

KEYNOTES

- 01-001 PROPERTY LINE
- 01-002 SETBACK LINE
- 01-003 EXISTING WATERS LINE
- 02-001 EXISTING STORM SEWER LINE
- 02-002 EXISTING SANITARY SEWER LINE
- 02-003 EXISTING UNDERGROUND ELECTRICAL LINE
- 02-004 EXISTING TELEPHONE LINE
- 02-005 EXISTING GAS LINE
- 02-006 EXISTING UNDERGROUND DUCT
- 02-007 EXISTING CAUSEMENT
- 02-008 EXISTING FILL/POUND
- 02-009 EXISTING MANHOLE
- 02-010 EXISTING GRATE
- 02-011 EXISTING CONCRETE SIDEWALK
- 02-012 CONCRETE SIDEWALK

NET SALEABLE AREA

NAME	AREA	REMARKS (SQUARE FEET)
POLICE STATION	524 SF	15 SPACES
UNIT 1	3,102 SF	+2,000 +2 SPACES
UNIT 2	767 SF	0-1,000 +1 SPACE
UNIT 3	767 SF	0-1,000 +1 SPACE
UNIT 4	2,461 SF	+2,000 +2 SPACES
UNIT 5	5,363 SF	+2,000 +2 SPACES
UNIT 6	2,461 SF	+2,000 +2 SPACES
UNIT 7	2,240 SF	+2,000 +2 SPACES
UNIT 8	1,877 SF	800-1,000 +3 SPACES
UNIT 9	1,877 SF	800-1,000 +3 SPACES
UNIT 10	1,077 SF	+2,000 SF +2 SPACES
UNIT 11	4,313 SF	+2,000 SF +2 SPACES
UNIT 12	4,239 SF	+2,000 SF +2 SPACES
UNIT 13	4,313 SF	+2,000 SF +2 SPACES
UNIT 14	4,239 SF	+2,000 SF +2 SPACES
UNIT 15	5,167 SF	+2,000 SF +2 SPACES
UNIT 16	5,167 SF	+2,000 SF +2 SPACES

PROJECT TEAM

CLIENT
JEFF BUTTERWORTH, President
TALISKER CLUB (EMPIRE CLUB) TOWER
5200 3RD AVENUE

SIGN WARDEN Director of Development
TALISKER CLUB (EMPIRE CLUB) TOWER
5200 3RD AVENUE

ARCHITECT

JOHN SATLER, Project Architect
BENT HARRIS, PROJECT MANAGER
BRADLEY PATTERSON
7000 EAST MCDONALD DRIVE
SCOTTSDALE, ARIZONA 85250
(602) 587-2000

CIVIL ENGINEERING

MICHAEL CONNOR, P.E., AS
ALLIANCE ENGINEERING
PARK CITY, UT
435 MAIN STREET
435 MAIN STREET
435 MAIN STREET
P.O. BOX 1000
PARK CITY, UT 84060

MECHANICAL/PLUMBING

KEVIN DAVIS
K&N DESIGN & CONSTRUCTION, INC.
350 SOUTH 500 EAST
SALT LAKE CITY, UT
84143-1000

ELECTRICAL ENGINEERING

KYLE KLUG
P&N ELECTRICAL ENGINEERS
435 SOUTH 500 EAST
SALT LAKE CITY, UT
84143-1000

LANDSCAPE ARCHITECT

ALY BOSS
350 SOUTH 500 EAST
SALT LAKE CITY, UT
84143-1000



CONCEPTUAL RENDERING



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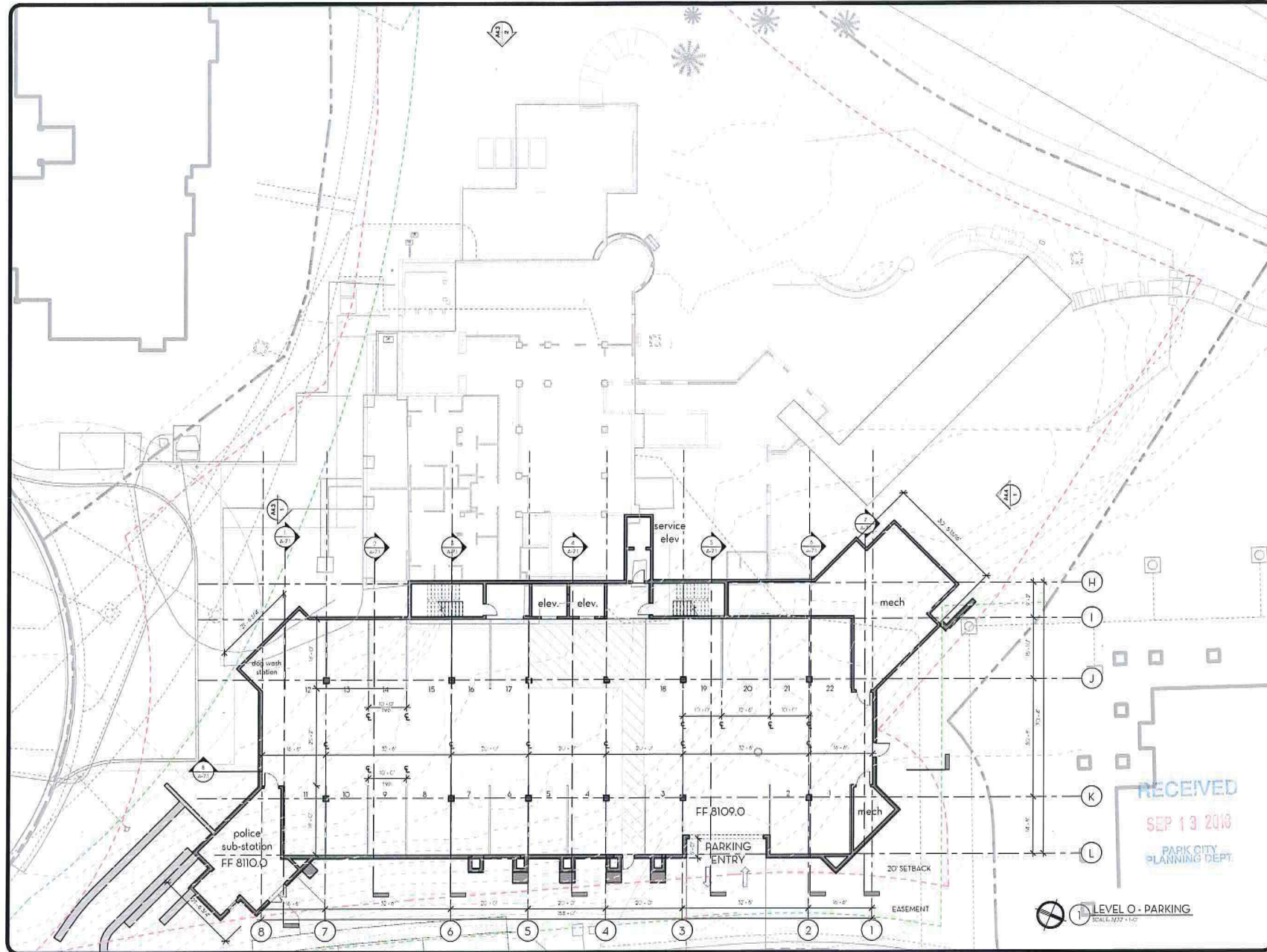
RESIDENCES AT THE TOWER
8680 EMPIRE CLUB DRIVE
PARK CITY, UTAH 84060
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FLOOR PLANS



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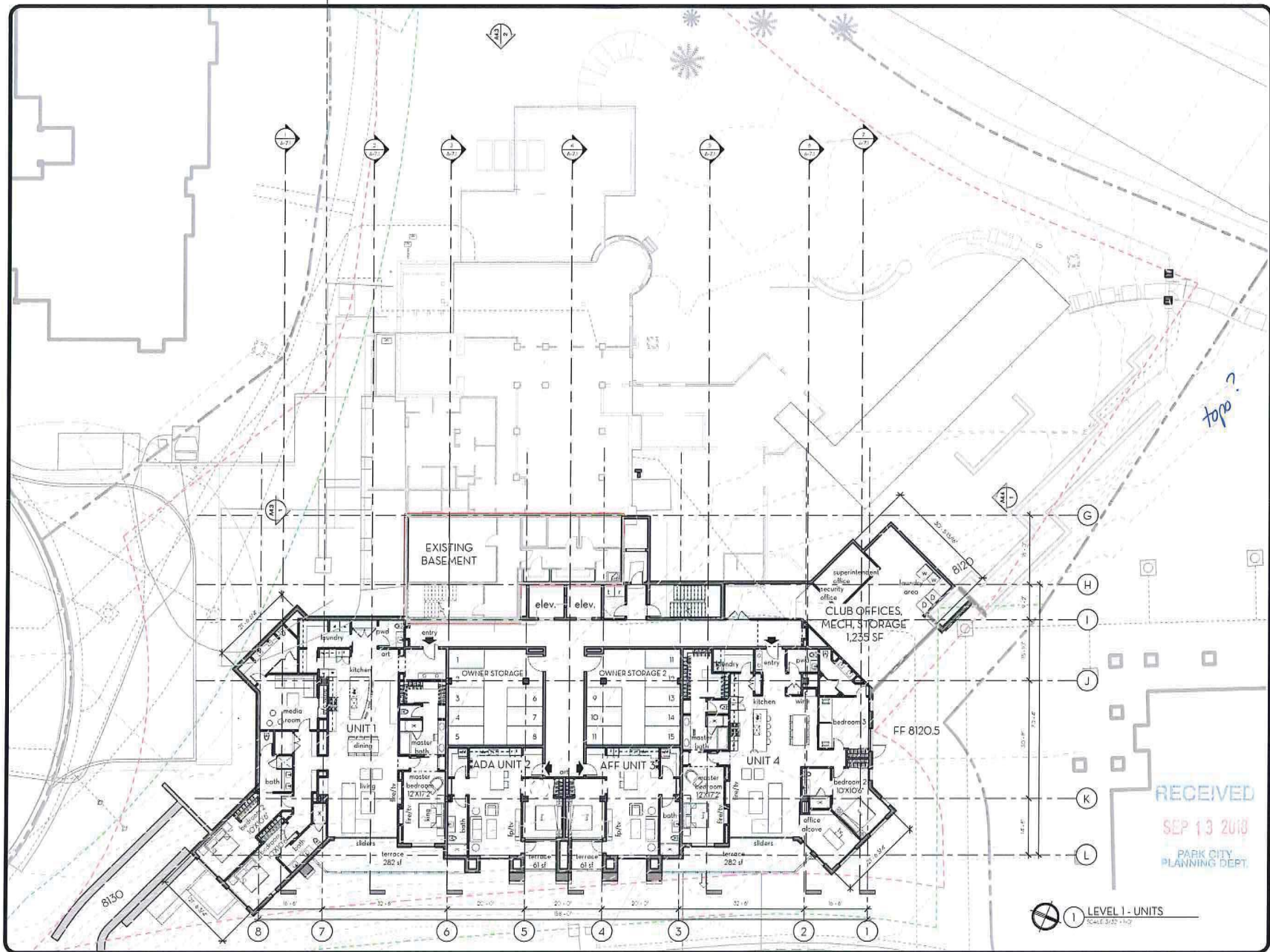
RESIDENCES AT THE TOWER
8880 EMPIRE CLUB DRIVE
PARK CITY, UTAH 84060
LEVEL O - PARKING

RECEIVED
SEP 13 2018
PARK CITY
PLANNING DEPT.

LEVEL O - PARKING
SCALE 3/32" = 1'-0"

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DATE: September 06, 2018	
SCALE: 3/32" = 1'-0"	
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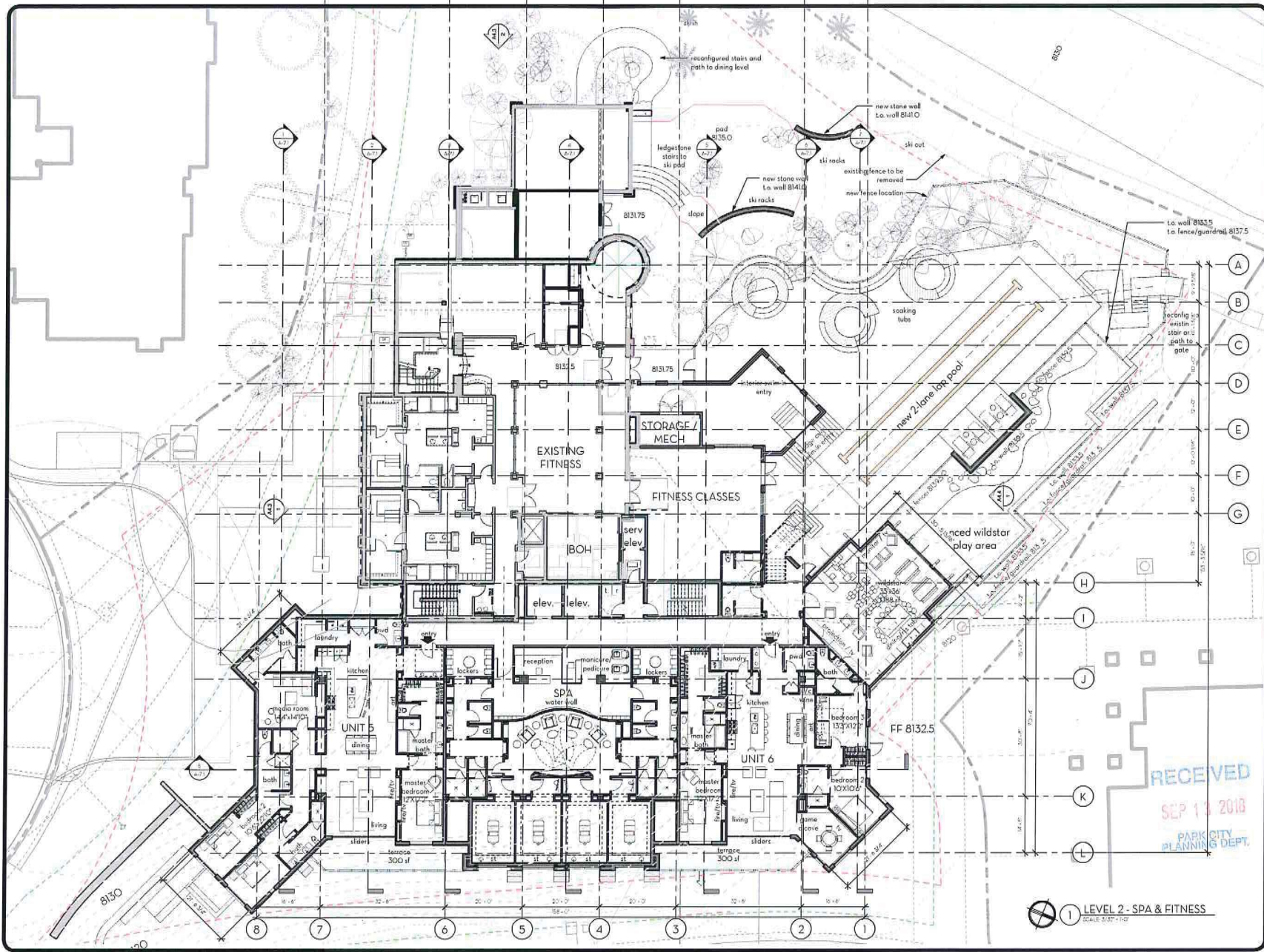
RESIDENCES AT THE TOWER
 8680 EMPIRE CLUB DRIVE
 PARK CITY, UTAH 84060
LEVEL 1 - UNITS

RECEIVED
 SEP 13 2018
 PARK CITY
 PLANNING DEPT.

LEVEL 1 - UNITS
 SCALE 3/32" = 1'-0"

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 SCALE: 3/32" = 1'-0"
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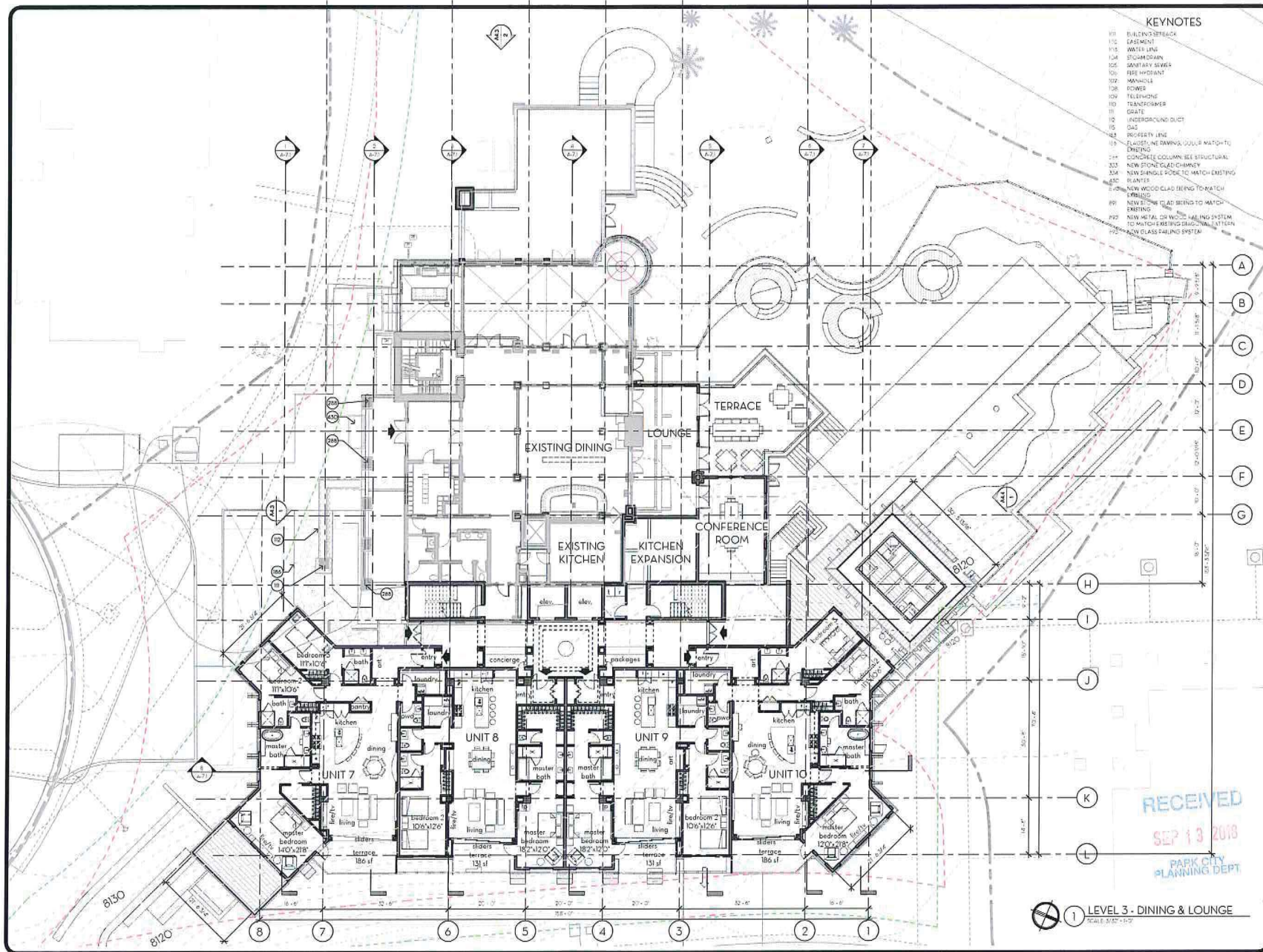
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NO.	DESCRIPTION	DATE

RESIDENCES AT THE TOWER
8680 EMPIRE CLUB DRIVE
PARK CITY, UTAH 84060
LEVEL 2 - SPA & FITNESS

DRAWN	CHECKED
DATE September 06, 2018	
SCALE 3/32" = 1'-0"	
JOB NO. BI 38854	
SHEET	A-2.3

LEVEL 2 - SPA & FITNESS
SCALE 3/32" = 1'-0"

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- KEYNOTES**
- 101 BALCONY TERRACE
 - 102 EASEMENT
 - 103 WATER LINE
 - 104 STORM DRAIN
 - 105 SEWAGE SERVICE
 - 106 FIRE HYDRANT
 - 107 MANHOLE
 - 108 POWER
 - 109 TELEPHONE
 - 110 TRANSFORMER
 - 111 GRATE
 - 112 UNDERGROUND DUCT
 - 113 GAS
 - 114 PROPERTY LINE
 - 115 PLANTING: NEW DAWGWOOD, DOUGLASS MATCH TO EXISTING
 - 116 CONCRETE COLUMN: SEE STRUCTURAL
 - 117 NEW STONE CLAD CHIMNEY
 - 118 NEW SINGLE PORT TO MATCH EXISTING PLANTER
 - 119 NEW WOOD CLAD: BEING TO MATCH EXISTING
 - 120 NEW STONE CLAD: BEING TO MATCH EXISTING
 - 121 NEW METAL OR WOOD RAILING SYSTEM TO MATCH EXISTING DRUGGAL ATTEN
 - 122 NEW GLASS RAILING SYSTEM



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RESIDENCES AT THE TOWER
8680 EMPIRE CLUB DRIVE
PARK CITY, UTAH 84060
LEVEL 3 - DINING & LOUNGE

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SEP 13 2018
PARK CITY
PLANNING DEPT.

LEVEL 3 - DINING & LOUNGE
SCALE: 3/8" = 1'-0"

DRAWN _____

CHECKED _____

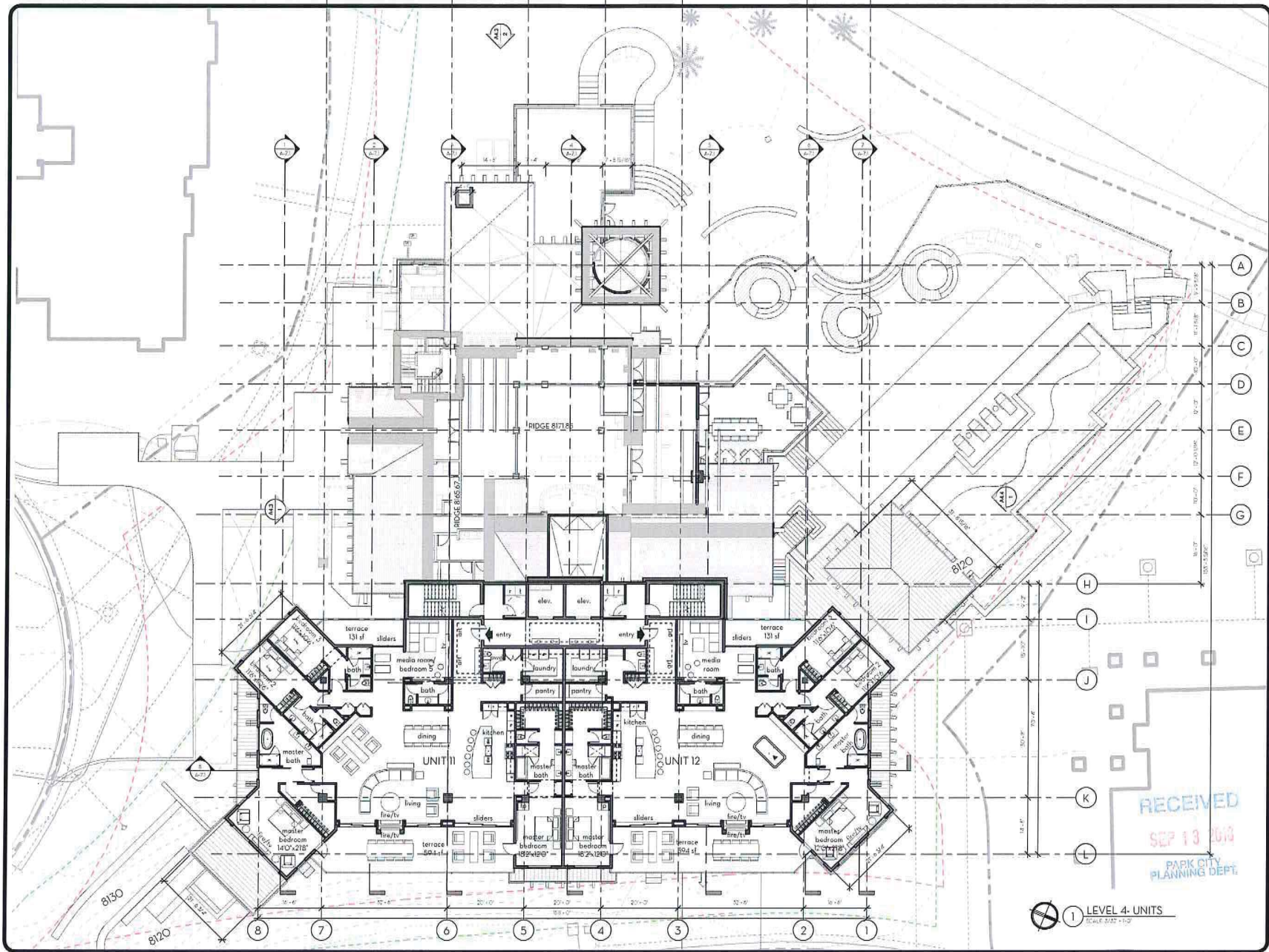
DATE September 06, 2018

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JOB NO. (B) 38854

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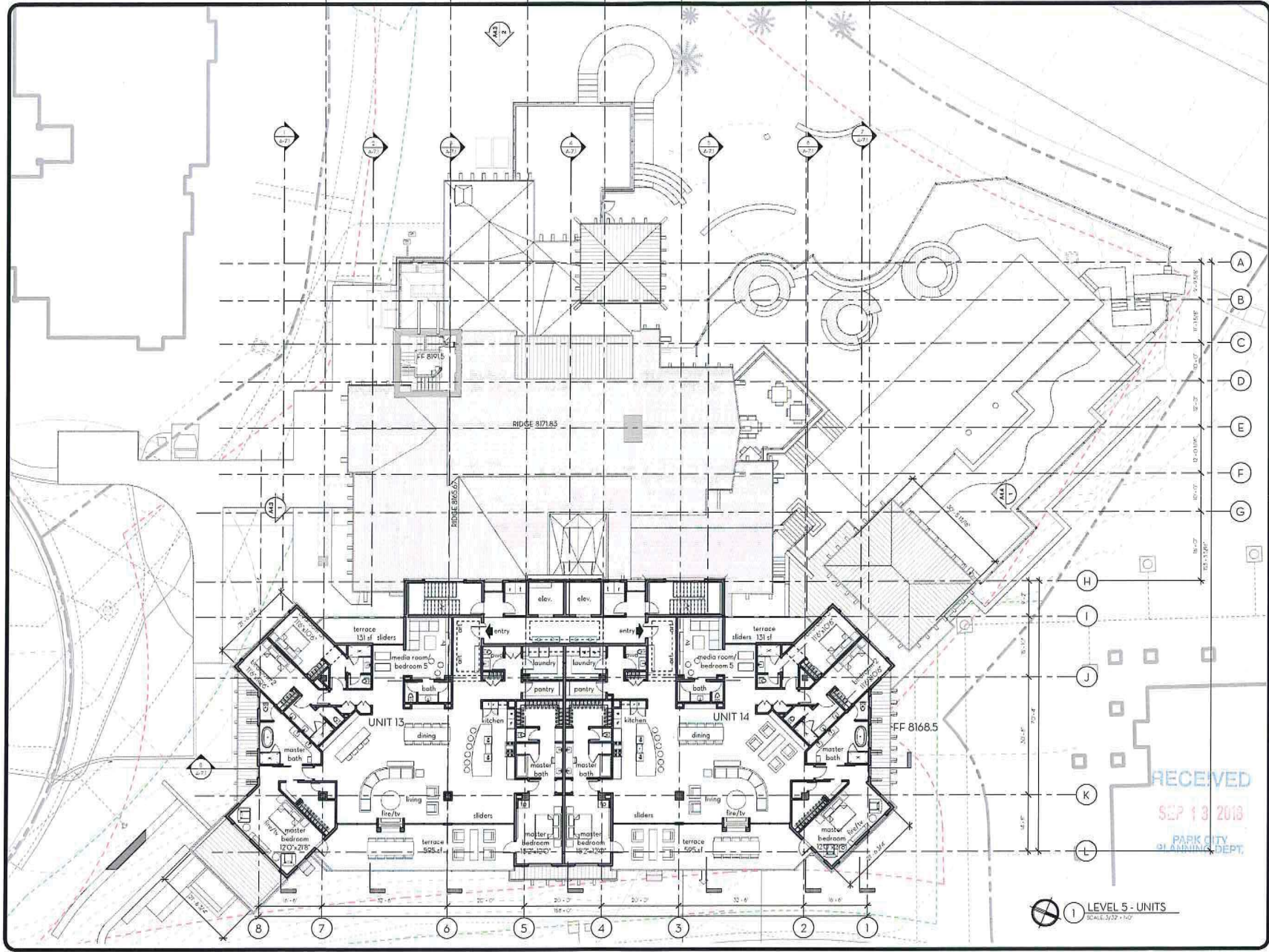
REVISIONS		
NO.	DESCRIPTION	DATE

RESIDENCES AT THE TOWER
8680 EMPIRE CLUB DRIVE
PARK CITY, UTAH 84060
LEVEL 4 - RESIDENTIAL UNITS

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DATE	September 06, 2018
SCALE	3/32" = 1'-0"
JOB NO.	101 38854
SHEET	A-2.5

9/12/2018 10:59:20 AM



PROJECT PHASE	
☐	CONSTRUCTION DOCUMENTS
☐	JURISDICTION REVIEW
☐	ISSUE FOR BID SET
☐	ISSUE FOR CONSTRUCTION

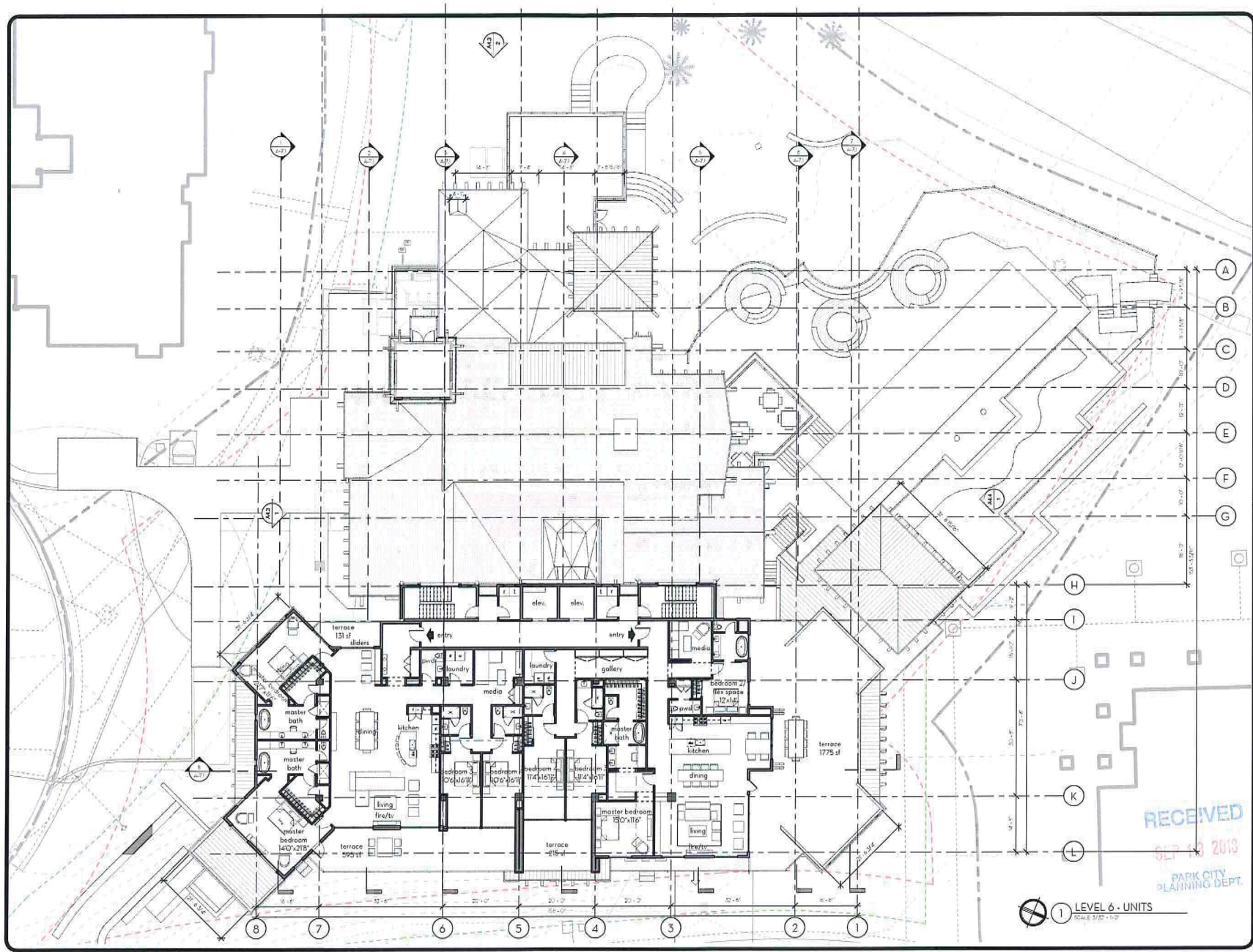
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RESIDENCES AT THE TOWER
 8660 EMPIRE CLUB DRIVE
 PARK CITY, UTAH 84060
LEVEL 5 - RESIDENTIAL UNITS

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DATE	September 06, 2018
SCALE	3/32" = 1'-0"
JOB NO.	(B) 38854
SHEET	A-2.6

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RESIDENCES AT THE TOWER
8680 EMPIRE CLUB DRIVE
PARK CITY, UTAH 84060
LEVEL 6 - RESIDENTIAL UNITS

DRAWN	
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DATE	September 06, 2018
SCALE	3/32" = 1'-0"
JOB NO.	181 38654
SHEET	A-2.7

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1 LEVEL 6 - UNITS
Scale 3/32" = 1'-0"

9/12/2018 10:39:54 AM

Roof Plan



SWABACK

Architect & Engineer
7500 E. McDowell Drive
Scottsdale, Arizona 85250
480.334.2500 www.swaback.com

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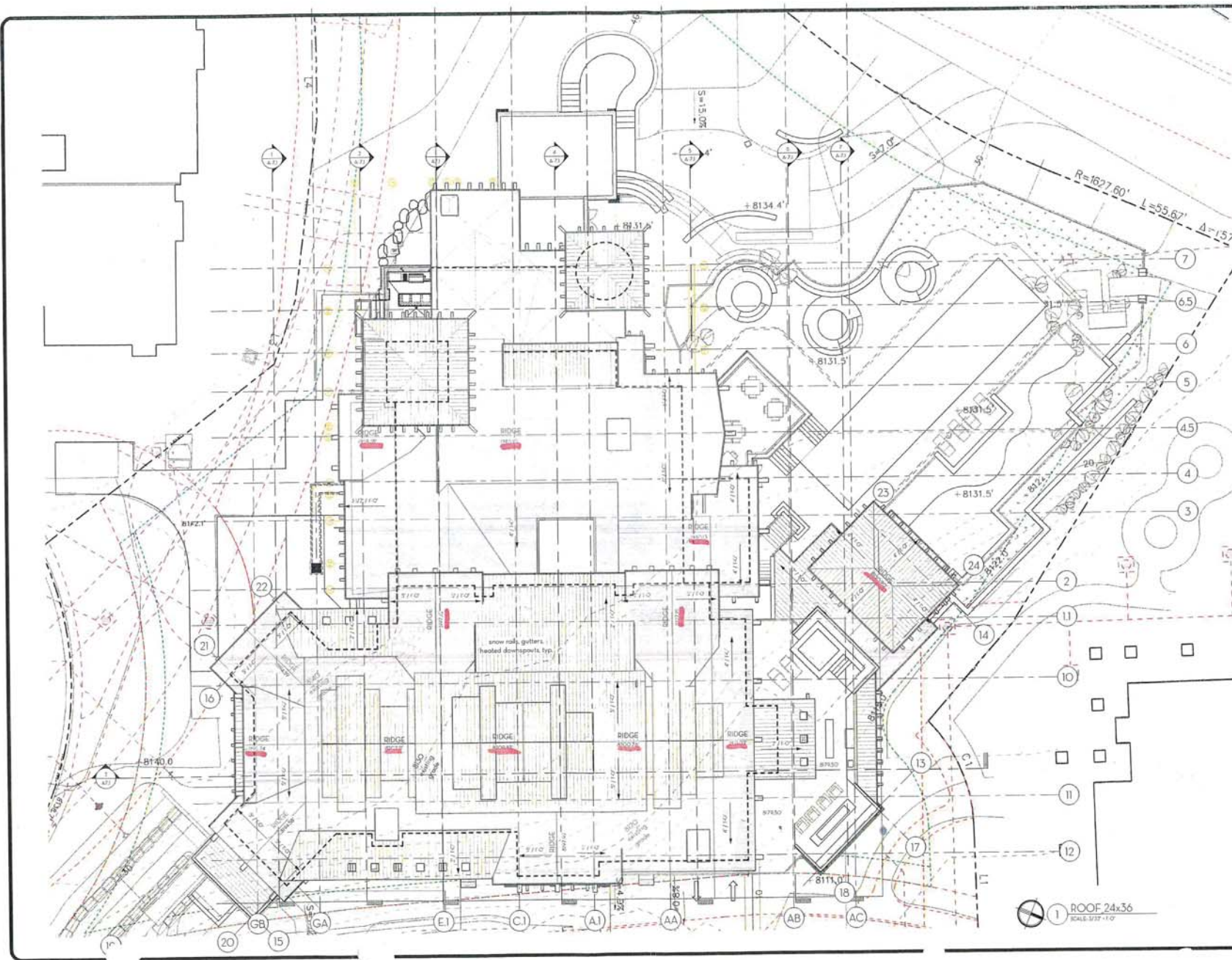
RESIDENCES AT THE TOWER

8660 EMPIRE CLUB DRIVE
PARK CITY, UTAH 84060

ROOF PLAN

DATE: September 19, 2018
SCALE: 3/32" = 1'-0"
JOB NO.: BI 38854
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9/25/2018 2:59:11 PM



1 ROOF 24x36
SCALE 3/32" = 1'-0"

EXHIBIT D- ELEVATIONS

KEYNOTES



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Architects + Planners
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Scottsdale, Arizona 85251
480.347.2000 | www.swaback.com

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1 SOUTH ELEVATION
SCALE: 3/32" = 1'-0"

** St
Reviewed
by Planning
Commiss on
11/14/18.*

MATERIAL LEGEND

- ☐ STONE VENEER TO MATCH EXISTING
- ☐ VERTICAL LAP SIDING
- ☐ SHINGLE SHAKE SIDING TO MATCH EXISTING
- ☐ METAL STANDING-SEAM ROOFING SYSTEM TO MATCH EXISTING
- ☐ WOOD SHAKE ROOFING SYSTEM TO MATCH EXISTING



2 WEST ELEVATION
SCALE: 3/32" = 1'-0"



RESIDENCES AT THE TOWER
8680 EMPIRE CLUB DRIVE
PARK CITY, UTAH 84060
ELEVATIONS

DRAWN	
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DATE	October 31, 2018
SCALE	3/32" = 1'-0"
JOB NO.	0727
SHEET	A-4.1

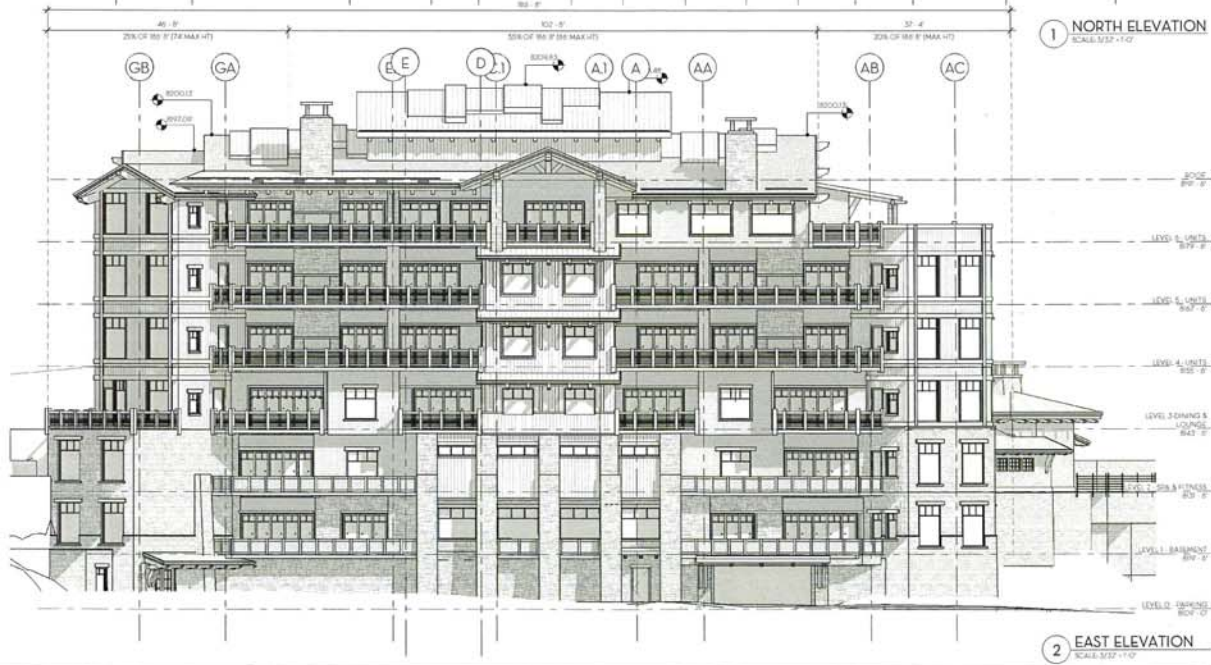
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**SWABACK**

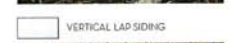
WABCO
Architects + Planners
7550 E. McDonald Drive
Scottsdale, Arizona 85250
850.367.2000 / www.wabco.com

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MATERIAL LEGEND



RESIDENCES AT THE TOWER

8680 EMPIRE CLUB DRIVE
PARK CITY, UTAH 84060
ELEVATIONS

DRAWN	
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DATE	October 31, 2018
SCALE	3/32" = 1'-0"
JOB NO.	0727
SHEET	A-4.2

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KEYNOTES



1 SOUTH ELEVATION
SCALE: 3/32" = 1'-0"



2 WEST ELEVATION
SCALE: 3/32" = 1'-0"

MATERIAL LEGEND

STONE VENEER TO MATCH EXISTING



VERTICAL LAP SIDING



SHINGLE SHAKE SIDING TO MATCH EXISTING



METAL STANDING-SEAM ROOFING SYSTEM TO MATCH EXISTING



WOOD SHAKE ROOFING SYSTEM TO MATCH EXISTING



PROJECT PHASE	
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RESIDENCES AT THE TOWER
8680 EMPIRE CLUB DRIVE
PARK CITY, UTAH 84000
COLOR ELEVATIONS

DRAWN BY	
CHECKED BY	
DATE	October 31, 2018
SCALE	3/32" = 1'-0"
JOB NO.	0727
REVISION	

A-4.3

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RESIDENCES AT THE TOWER
8660 EMMAIRE CLUB DRIVE
PARK CITY, UTAH 84060
COLOR ELEVATIONS

DRAWN	
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DATE	October 31, 2018
SCALE	3/32" = 1'-0"
JOB NO.	0727
SHEET	A-4.4

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KEYNOTES



1 NORTH ELEVATION
SCALE: 3/32" = 1'-0"

MATERIAL LEGEND

STONE VENEER TO MATCH EXISTING



VERTICAL LAP SIDING



SHINGLE SHAKE SIDING TO MATCH EXISTING



METAL STANDING-SEAM ROOFING SYSTEM TO MATCH EXISTING



WOOD SHAKE ROOFING SYSTEM TO MATCH EXISTING



2 EAST ELEVATION
SCALE: 3/32" = 1'-0"

Cross Sections



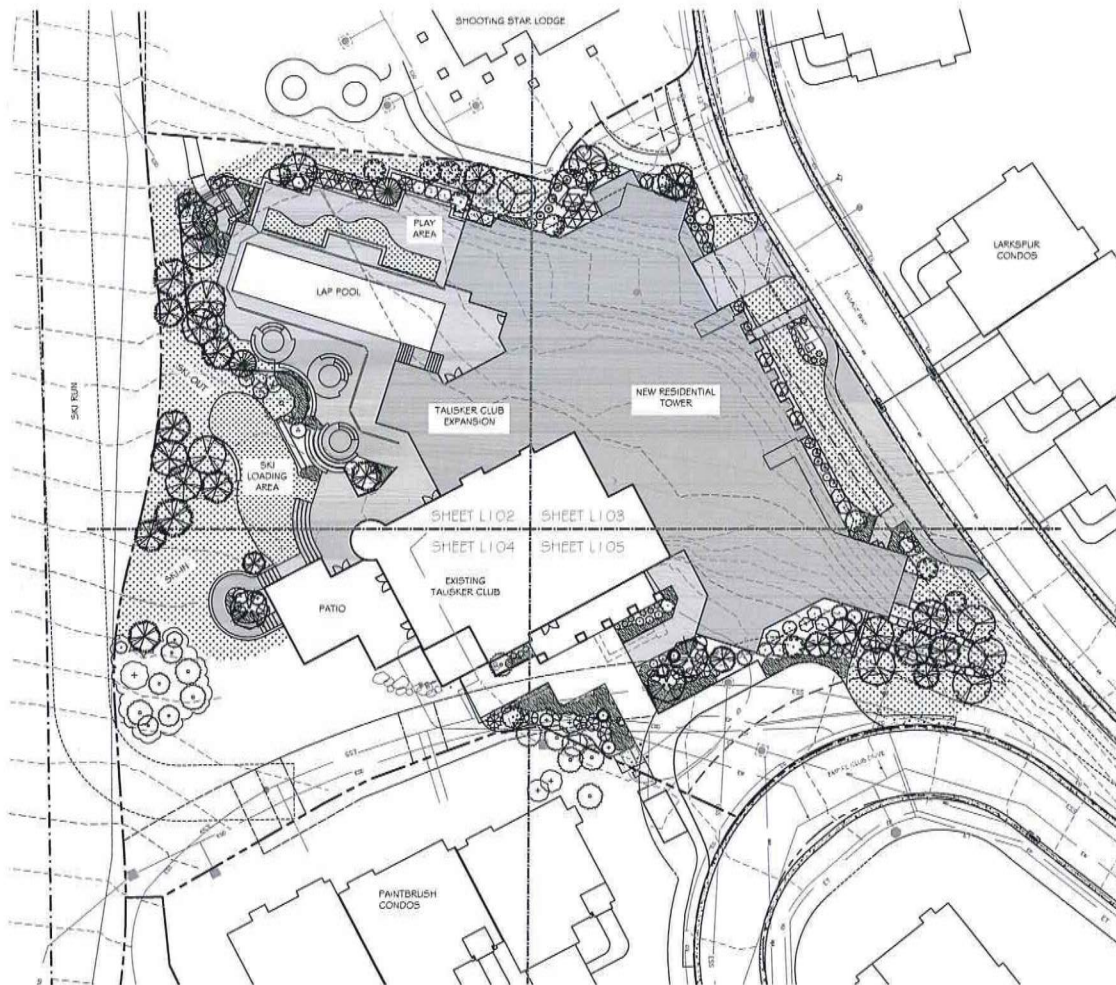
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RESIDENCES AT THE TOWER
 8680 EMPIRE CLUB DRIVE
 PARK CITY, UTAH 84090
BUILDING SECTIONS

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LEGEND

PROPOSED HARDSCAPE/PAVING-SEE ARCHITECTURAL AND CIVIL PLANS

PLANT SCHEDULE

TREES	QTY	BOTANICAL NAME / COMMON NAME	CONT	GAL	SIZE	NATURE SIZE	DROUGHT TOLERANT
	17	Abies lasiocarpa / Alpine Fir	D 4 B		8-14'	40"-50"	Yes
	6	Acer grandidentatum / Baldpate Maple	D 4 B		1.5'-2.0'	20-30	Yes
	2	Pinus aristata / Bristlecone Pine	D 4 B		5-6'	12-16'	Yes
	7	Populus tremuloides / Quaking Aspen	D 4 B		1.5'-2.0'	35'-45'	No
	6	Populus tremuloides / Quaking Aspen	D 4 B		Cump	35'-45'	No
SHRUBS	QTY	BOTANICAL NAME / COMMON NAME	SIZE	MATURE SIZE	DROUGHT TOLERANT		
	7	Aureoanthera anifolia / Serviceberry	5 gal	10-15'	No		
	4	Cornus alba 'Bairdii' / NM / Ivory Halo Dogwood	5 gal	4'-5'	No		
	6	Cornus sericea 'Flavescens' / Yellow Twig Dogwood	5 gal	6-8'	No		
	9	Cornus sericea 'Isatis' / Isatis Redosier Dogwood	5 gal	5'-6'	No		
	12	Cornus stolonifera 'Arcus Fire' / Arcus Fire Dogwood	5 gal	4'-5'	No		
	6	Juniperus communis 'Mondar' / Alpine Carpet Juniper	5 gal	8'	Yes		
	4	Juniperus horizontalis pumila Anders / Anders Juniper	5 gal	12-18"	Yes		
	3	Picea pungens 'Globoza' / Dwarf Globe Blue Spruce	5 gal	4'-5'	No		
	9	Pinus mugo 'Compacta' / Dwarf Mugo Pine	5 gal	3'-4'	No		
	4	Pinus aristata 'Grip-Low' / Grip-Low Fragrant Sumac	5 gal	2'-3'	Yes		
	5	Ribes alpinum / Alpine Currant	5 gal	4'-5'	No		
	12	Ribes alpinum 'Green Mound' / Green Mound Alpine Currant	5 gal	2'-3'	No		
	6	Rosa woodii / Mountain Rose	5 gal	5'-6'	Yes		
	6	Salix purpurea 'Itata' / Dwarf Arctic Willow	5 gal	6-8'	No		
	3	Sambucus racemosa 'SARBRIDA' / Lemery, Luce Elderberry	5 gal	4-6'	No		
	6	Spiraea japonica 'HCD92' / Double Play Double Spiraea	5 gal	2'-3'	No		
	7	Symphoricarpos albus / Common White Snowberry	5 gal	4'-5'	No		
GRASSES	QTY	BOTANICAL NAME / COMMON NAME	SIZE	MATURE SIZE	DROUGHT TOLERANT		
	17	Hierobothron sempervirens 'Blue Oaks' / Blue Oak Grass	1 gal				
PERENNIALS	QTY	BOTANICAL NAME/COMMON NAME	SIZE	MATURE SIZE	DROUGHT TOLERANT		
	105/7	Perennial Mix	5"				
	0	Existing Evergreen Tree-Approximate Location					
	+	Existing Deciduous Tree-Approximate Location					
OTHER	QTY	DESCRIPTION					
	24	Canyon Brown Boulders					
	1,680	Soil Lawn					
	9,365	Native Grass Seed Mix/Wildflowers					

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GENERAL NOTES

- 1) ALL LAWN AND PLANT BED AREAS SHALL HAVE PERMANENT UNDERGROUND IRRIGATION INSTALLED TO ENSURE A HEALTHY LANDSCAPE.
- 2) ALL TREES SHALL BE STAKED WITH WOOD STAKES (MIN OF 2 PER TREE). ANY TREE OR SHRUB PLANTED THAT IS NOT IN A LANDSCAPE BED SHALL HAVE A 3" DIA. 4" DEPTH ORGANIC MULCH RING AT THE BASE.
- 3) CONTRACTOR TO VERIFY LOCATION OF ALL UTILITIES PRIOR TO INSTALLATION, EXCAVATION, OR PLANTING OPERATIONS. ANY DAMAGE TO EXISTING UTILITIES ON SITE OR ADJACENT TO PROPERTY SHALL BE CONTRACTOR'S RESPONSIBILITY TO REMEDY.
- 4) TREES TO BE PLANTED SLIGHTLY HIGHER THAN GRADE AND WITH THE TREE COLLAR EXPOSED. THE HOLE EXCAVATED SHALL BE TWICE THE SIZE OF THE POT OR ROOT BALL OF THE TREE.
- 5) ALL PLANT MATERIAL IS TO BE HEALTHY SPECIMENS FREE FROM DISEASE OR DAMAGE.
- 6) ALL PLANTS SHALL BE GUARANTEED FOR ONE YEAR AFTER PROJECT COMPLETION.
- 7) ALL AREAS DISTURBED BY CONSTRUCTION ON SITE SHALL BE RE-GRADED, ROCK HOUNDED AND SEEDED AND/OR PLANTED AND MAINTAINED TO PREVENT WEED GROWTH. NATIVE SEED AREAS TO RECEIVE TEMPORARY IRRIGATION FOR 2 YEARS FOR SEED ESTABLISHMENT.
- 8) NO PLANT SUBSTITUTIONS WITHOUT WRITTEN APPROVAL FROM THE OWNER AND LANDSCAPE ARCHITECT.
- 9) CONTRACTOR TO VERIFY PLANT QUANTITIES. IF THERE IS A DISCREPANCY BETWEEN THE PLAN AND TABLE, THE PLAN SHALL DICTATE COUNT.
- 10) ALL LANDSCAPE BEDS SHALL BE MULCHED WITH 3-4" DEPTH OF ORGANIC WOOD MULCH, MATERIAL T.B.D.
- 11) ALL EDGING TO BE METAL (PRO-EDGE STEEL/ALUMINUM)
- 12) BOULDERS ARE TO HAVE 1/4 OF THEIR HEIGHT BURIED BELOW FINISHED GRADE FOR A NATURAL LOOK.
- 13) TREES ARE TO BE VARIOUS HEIGHTS AND SIZES FOR A NATURAL LOOK.
- 14) SEE CIVIL FOR PROPOSED GRADING



Project For:
Residences at the Tower
 8680 Empire Club Drive
 Park City, UT

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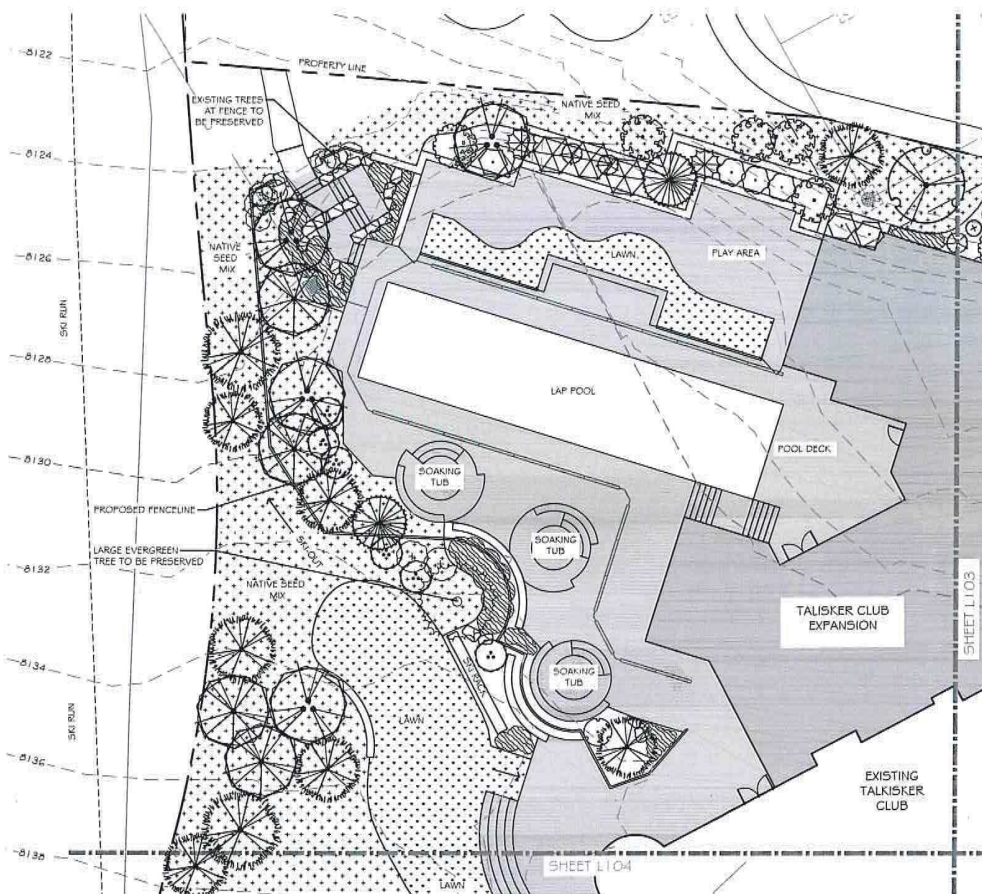
Date: 9/11/18
 Issue: CLUP Submittal



Overall
 Landscape
 Plan

SCALE: 1"=20'-0"

L101



PLANT SCHEDULE

TREES	QTY	BOTANICAL NAME / COMMON NAME	CONT	CAL	SIZE	MATURE SIZE	DROUGHT TOLERANT
	17	Abies balsamea / Alpine Fir	10" B		6-14'	40'-50'	Yes
	6	Acer grandidentatum / Dogtooth Maple	10" B	1.5'-2.0'		20-30'	Yes
	2	Pinus aristata / Bristlecone Pine	10" B		5-6'	12-16'	Yes
	7	Populus tremuloides / Quaking Aspen	10" B	1.5'-2.0'		35'-45'	No
	6	Populus tremuloides / Quaking Aspen	10" B	Clump		35'-45'	No
SHRUBS	QTY	BOTANICAL NAME / COMMON NAME	SIZE	MATURE SIZE	DROUGHT TOLERANT		
	7	Amelanchier alnifolia / Serviceberry	5 gal	10-15'	No		
	4	Cornus alba 'Bailhail' TM / Ivory Halo Dogwood	5 gal	4'-5'	No		
	6	Cornus sericea 'Flaccidissima' / Yellow Twig Dogwood	5 gal	6-8'	No		
	9	Cornus sericea 'Isatis' / Isatis Redosier Dogwood	5 gal	5'-6'	No		
	12	Cornus stolonifera 'Arctic Fire' / Arctic Fire Dogwood	5 gal	4'-5'	No		
	8	Juniperus communis 'Mopani' / Alpine Carpet Juniper	5 gal	8'	Yes		
	4	Juniperus horizontalis 'plumosa' 'Andorra' / Andorra Juniper	5 gal	12-18'	Yes		
	3	Picea pungens 'Globoosa' / Dwarf Globe Blue Spruce	5 gal	4'-5'	No		
	5	Pinus mugo 'Compacta' / Dwarf Mugo Pine	5 gal	3'-4'	No		
	4	Rhus aromatica 'Gro-Low' / Gro-Low Fragrant Sumac	5 gal	2'-3'	Yes		
	5	Ribes alpinum / Alpine Currant	5 gal	4'-5'	No		
	12	Ribes alpinum 'Green Mound' / Green Mound Alpine Currant	5 gal	2'-3'	No		
	6	Rosa woodsii / Mountain Rose	5 gal	5'-6'	Yes		
	6	Salix purpurea 'Hans' / Dwarf Arctic Willow	5 gal	6-8'	No		
	3	Sambucus racemosa 'SMH5824' / Lemon lace Elderberry	5 gal	4-6'	No		
	6	Spiraea japonica 'HIC312' / Double Play Doonee Spiraea	5 gal	2'-3'	No		
	7	Symphoricarpos albus / Common White Snowberry	5 gal	4'-5'	No		
GRASSES	QTY	BOTANICAL NAME / COMMON NAME	SIZE	MATURE SIZE	DROUGHT TOLERANT		
	17	Helictotrichon sempervirens 'Blue Oats' / Blue Oat Grass	1 gal				
PERENNIALS	QTY	BOTANICAL NAME / COMMON NAME					
	1007	Perennial Mix					
		Existing Evergreen Tree-Approximate Location					
		Existing Deciduous Tree-Approximate Location					
OTHER	QTY	DESCRIPTION					
	24	Calico Brown Boulders					
	1,650	Soil Lawn					
	9,365	Native Grass Seed Mix/Wildflowers					



Project For:
Residences at the Tower
 8680 Empire Club Drive
 Park City, UT



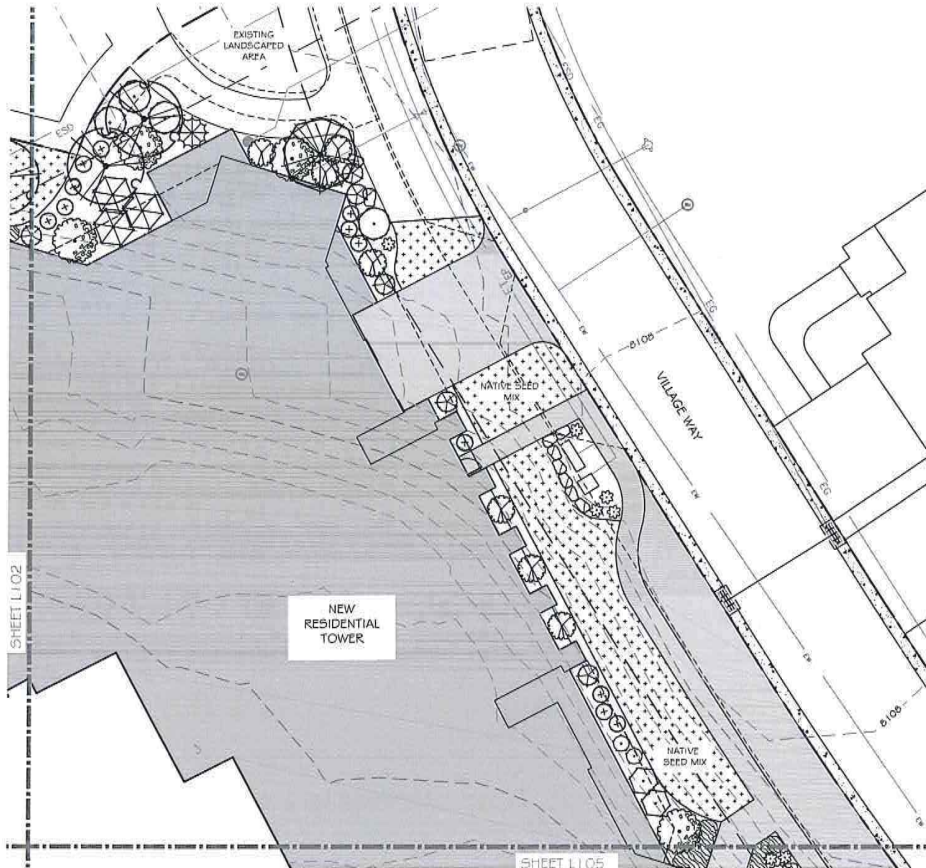
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Northwest
 Enlarged
 Landscape
 Plan

SCALE: 1"=10'-0"

L102



PLANT SCHEDULE

TREES	QTY	BOTANICAL NAME / COMMON NAME	CONT	CAL	SIZE	MATURE SIZE	DROUGHT TOLERANT
	17	Abies lasiocarpa / Alpine Fir	8 x 8		8-14'	40'-50'	Yes
	6	Acer grandidentatum / Bigtooth Maple	8 x 8	1.5'-2.0'		20-30'	Yes
	2	Pinus aristata / Brinkley Pine	8 x 8		5-6'	12-16'	Yes
	7	Populus tremuloides / Quaking Aspen	8 x 8	1.5'-2.0'		35'-45'	No
	8	Populus tremuloides / Quaking Aspen	8 x 8	Clump		35'-45'	No
SHRUBS	QTY	BOTANICAL NAME / COMMON NAME	SIZE	MATURE SIZE	DROUGHT TOLERANT		
	7	Amelanchier alnifolia / Serviceberry	5 gal	10-15'	No		
	4	Cornus alba 'Balthus' TM / Ivory White Dogwood	5 gal	4'-5'	No		
	6	Cornus sericea 'Flaviramea' / Yellow Twig Dogwood	5 gal	6-8'	No		
	9	Cornus sericea 'Isanti' / Isanti Redosier Dogwood	5 gal	5'-6'	No		
	12	Cornus stolonifera 'Arctic Fire' / Arctic Fire Dogwood	5 gal	4'-5'	No		
	8	Juniperus communis 'Mondar' / Alpine Carpet Juniper	5 gal	2'	Yes		
	4	Juniperus horizontalis pumosa 'Andorra' / Andorra Juniper	5 gal	12-18'	Yes		
	3	Picea pungens 'Globoza' / Dwarf Globe Blue Spruce	5 gal	4'-5'	No		
	5	Pinus mugo 'Compacta' / Dwarf Mugo Pine	5 gal	3'-4'	No		
	4	Rhus aromatica 'Gro-Low' / Gro-Low Fragrant Sumac	5 gal	2'-3'	Yes		
	5	Ribes alpinum / Alpine Currant	5 gal	4'-5'	No		
	12	Ribes alpinum 'Green Mound' / Green Mound Alpine Currant	5 gal	2'-3'	No		
	6	Rosa woodsii / Mountain Rose	5 gal	5'-6'	Yes		
	6	Sila purpurea 'Nana' / Dwarf Arctic Willow	5 gal	6-8'	No		
	3	Sambucus racemosa 'SMNSRDA' / Lemery lace Elderberry	5 gal	4-6'	No		
	8	Spiraea japonica 'HCRX2' / Double Flw. Double Spiraea	5 gal	2'-3'	No		
	7	Symphoricarpos albus / Common White Snowberry	5 gal	4'-5'	No		
GRASSES	QTY	BOTANICAL NAME / COMMON NAME	SIZE	MATURE SIZE	DROUGHT TOLERANT		
	17	Helictotrichon sempervirens 'Blue Oats' / Blue Oat Grass	1 gal				
PERENNIALS	QTY	BOTANICAL NAME / COMMON NAME					
	1057	Perennial Mix					
		Existing Evergreen Tree-Approximate Location					
		Existing Deciduous Tree-Approximate Location					
OTHER	QTY	DESCRIPTION					
	24	Canyon Brown Boulders					
	1,600	Soil Laid					
	2,345	Native Grass Seed Mix/Wildflowers					



3004 Troupe Road
Bellevue, Montana 59714
PH: 406.524.4338
alyia@redbarnmontana.com



TALISKER CLUB
EMPIRE PASS • TUNAYE

Project For:
Residences at the Tower
8680 Empire Club Drive
Park City, UT



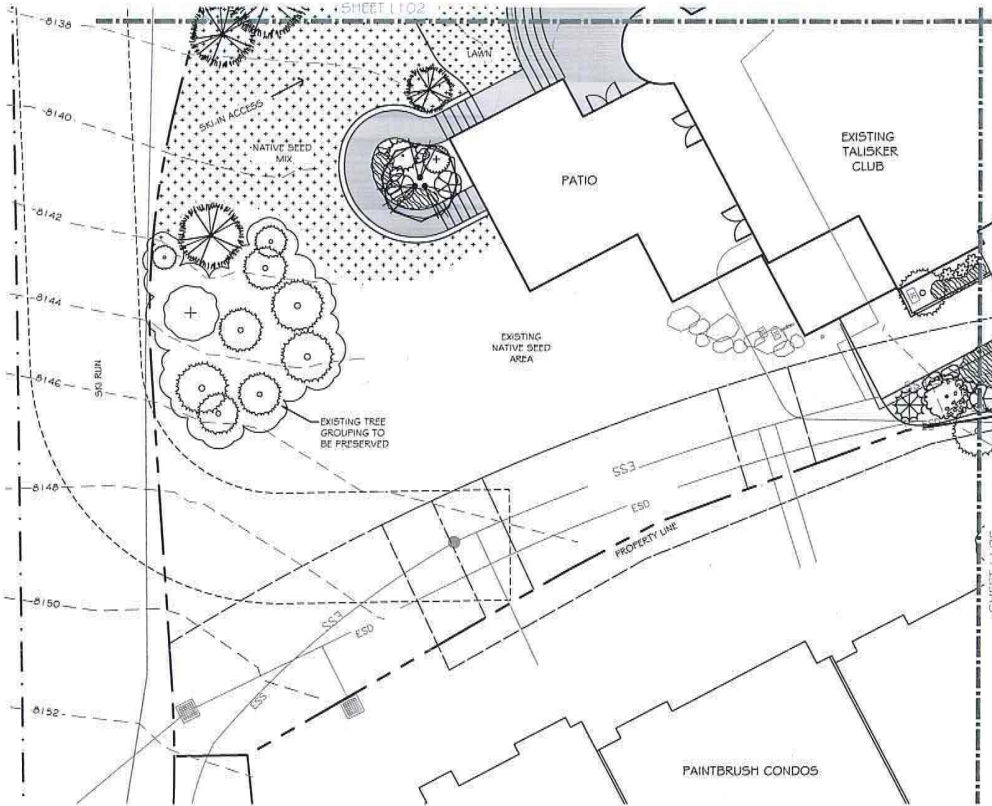
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Northeast
Enlarged
Landscape
Plan

SCALE: 1"=10'-0"

L103



PLANT SCHEDULE

TREES	QTY	BOTANICAL NAME / COMMON NAME	CONT	CAL	SIZE	MATURE SIZE	DROUGHT TOLERANT
	17	Abies balsamea / Alpine Fir	D & B		8'-14'	40'-50'	Yes
	6	Acer glaberrimum / Dogwood Maple	D & B	1.5'-2.0'		20'-30'	Yes
	2	Pinus aristata / Brainerd Pine	D & B		5'-6'	12'-16'	Yes
	7	Populus tremuloides / Quaking Aspen	D & B	1.5'-2.0'		35'-45'	No
	8	Populus tremuloides / Quaking Aspen	D & B	Clump		35'-45'	No
SHRUBS	QTY	BOTANICAL NAME / COMMON NAME	SIZE	MATURE SIZE	DROUGHT TOLERANT		
	7	Amelanchier alnifolia / Serviceberry	5 gal	10'-15'	No		
	4	Cornus alba 'Bailhala' TM / Honey Halo Dogwood	5 gal	4'-5'	No		
	2	Cornus sericea 'Flourishes' / Yellow Tug Dogwood	5 gal	6'-8'	No		
	9	Cornus sericea 'Hards' / Hards Reducer Dogwood	5 gal	5'-6'	No		
	12	Cornus stolonifera 'Arctic Fire' / Arctic Fire Dogwood	5 gal	4'-5'	No		
	8	Juniperus communis 'Minkley' / Alpine Carpet Juniper	5 gal	8'	Yes		
	4	Juniperus horizontalis 'Andorra' / Andorra Juniper	5 gal	12'-18'	Yes		
	3	Picea pungens 'Globea' / Dwarf Globe Blue Spruce	5 gal	4'-5'	No		
	5	Pinus mugo 'Compacta' / Dwarf Mugo Pine	5 gal	3'-4'	No		
	4	Rhus aromatica 'Grobloer' / Grobloer Fragrant Sumac	5 gal	2'-3'	Yes		
	9	Ribes alpinum / Alpine Currant	5 gal	4'-5'	No		
	12	Ribes alpinum 'Green Mound' / Green Mound Alpine Currant	5 gal	2'-3'	No		
	6	Rosa woodsii / Mountain Rose	5 gal	5'-6'	Yes		
	6	Salix purpurea 'Hana' / Dwarf Arctic Willow	5 gal	6'-8'	No		
	3	Sambucus racemosa 'SMISERD4' / Lemnery Lace Elderberry	5 gal	4'-6'	No		
	8	Spiraea japonica 'NCSR2' / Double Play Doone Spiraea	5 gal	2'-3'	No		
	7	Symphoricarpos albus / Common White Snowberry	5 gal	4'-5'	No		
GRASSES	QTY	BOTANICAL NAME / COMMON NAME	SIZE	MATURE SIZE	DROUGHT TOLERANT		
	17	Helictotrichon sempervirens 'Blue Oats' / Blue Oat Grass	1 gal				
PERENNIALS	QTY	BOTANICAL NAME / COMMON NAME	SIZE	MATURE SIZE	DROUGHT TOLERANT		
	1007	Perennial Mix	5 gal				
OTHER	QTY	DESCRIPTION					
	24	Calypso Brown Boulders					
	1.600	Seed Lawn					
	9.365	Native Grass Seed Mix/Mulch/Flowers					



Project For:
Residences at the Tower
 8680 Empire Club Drive
 Park City, UT



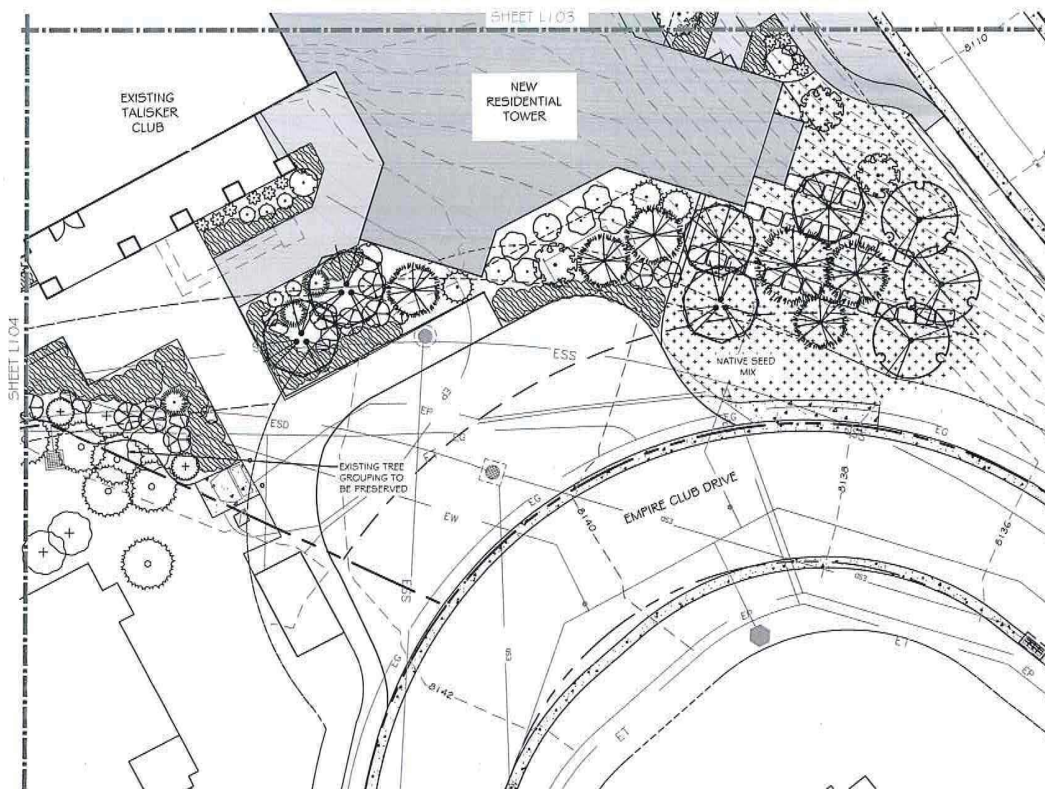
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Southwest
 Enlarged
 Landscape
 Plan

SCALE: 1"=10'-0"

L104



PLANT SCHEDULE

TREES	QTY	BOTANICAL NAME / COMMON NAME	CONT.	CAL.	SIZE	MATURE SIZE	DROUGHT TOLERANT
17	Albes lasiocarya / Alpine Fir	8 # 8		6-14	40'-50'	Yes	
6	Acer grandidentatum / Bigtooth Maple	8 # 8		1.5'-2.0'	20-30'	Yes	
2	Pinus aristata / Brinkley Pine	8 # 8		5-6"	12-16'	Yes	
7	Populus tremuloides / Quaking Aspen	8 # 8		1.5'-2.0'	35'-45'	No	
8	Populus tremuloides / Quaking Aspen	8 # 8	Clump		35'-45'	No	

SHRUBS	QTY	BOTANICAL NAME / COMMON NAME	SIZE	MATURE SIZE	DROUGHT TOLERANT
	7	Andromeda amabilis / Densberry	5 gal	10-15'	No
	4	Cornus alba 'Baillet' TM / Ivory Halo Dogwood	5 gal	4'-5'	No
	6	Cornus sericea 'Flouracea' / Yellow Twig Dogwood	5 gal	6-8'	No
	9	Cornus sericea 'Isanti' / Isanti Redosier Dogwood	5 gal	5'-6'	No
	12	Cornus stolonifera 'Arctic Fire' / Arctic Fire Dogwood	5 gal	4'-5'	No
	8	Juniperus communis 'Monday' / Alpine Carpet Juniper	5 gal	8'	Yes
	4	Juniperus horizontalis pumosa 'Andorra' / Andorra Juniper	5 gal	12-18'	Yes
	3	Picea pungens 'Globosa' / Dwarf Globe Blue Spruce	5 gal	4'-5'	No
	5	Pinus mugo 'Compacta' / Dwarf Mugo Pine	5 gal	3'-4'	No
	4	Rhus aromatica 'Gro-Low' / Gro-Low Fragrant Sumac	5 gal	2'-3'	Yes
	5	Ribes alpinum / Alpine Currant	5 gal	4'-5'	No
	12	Ribes alpinum 'Green Mount' / Green Mount Alpine Currant	5 gal	2'-3'	No
	6	Rosa woodsii / Mountain Rose	5 gal	5'-6'	Yes
	6	Salix purpurea 'Nana' / Dwarf Arctic Willow	5 gal	6-8'	No
	3	Sambucus racemosa 'SMNSRD4' / Lemony lace Elderberry	5 gal	4-6'	No
	8	Spiraea japonica 'HCSN2' / Double Play Double Spiraea	5 gal	2'-3'	No
	7	Symphoricarpos albus / Common White Snowberry	5 gal	4'-5'	No

GRASSES	QTY	BOTANICAL NAME / COMMON NAME	SIZE	MATURE SIZE	DROUGHT TOLERANT
17	Hierochloa sempervirens 'Blue Oats' / Blue Oat Grass	1 gal			

PERENNIALS	QTY	BOTANICAL NAME / COMMON NAME
1097 SF		Perennial Mix
0		Existing Evergreen Tree-Approximate Location
+		Existing Deciduous Tree-Approximate Location

OTHER	QTY	DESCRIPTION
24		Canyon Driven Boulders
1,600 SF		Soil Loan
9,365 SF		Native Grass Seed Mix/Wildflowers



30841 Troupe Road
Bellevue, Montana 59724
PH: 406.624.8338
alyssa@redbarnmontana.com



Project For:
Residences at the Tower
8680 Empire Club Drive
Park City, UT



Date: 9/15/18
Issue: CUP Submittal

RECEIVED
SEP 13 2018
PARK CITY
PLANNING DEPT.

Southeast
Enlarged
Landscape
Plan

SCALE: 1"=10'-0"

L105



Tower Club – looking Northeasterly



Tower Club – looking Southeasterly



Tower Club – looking Southwesterly



Tower Club – looking Northwesterly



Tower Club – looking Northwesterly



Tower Club – looking Northerly

SURVEYOR'S CERTIFICATE

I, John Demkowicz, do hereby certify that I am a Registered Land Surveyor and that I hold Certificate No. 154491, as prescribed under the laws of the State of Utah. I further certify that by the authority of the owners I have made a survey of the tract of land shown on this plat and described herein and subdivided said tract of land into lots, private rights-of-way, and easements to be hereafter known as THE VILLAGE AT EMPIRE PASS, PHASE I and that the same has been or will be correctly located on the ground as shown on this plat.

John Demkowicz

11-10-04
Date



BOUNDARY DESCRIPTIONS

PARCEL 1

A parcel of land located in the northeast quarter of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

[illegible]

Description contains 3.55 acres, more or less.

PARCEL 2

A parcel of land located in the north half of Section 28 and the southeast quarter of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

[illegible]

Description contains 7.65 acres, more or less.

THE VILLAGE AT EMPIRE PASS
PHASE 1

LOCATED IN SECTIONS 21 AND 28,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER
RECLAMATION DISTRICT STANDARDS ON THIS 11/5

DAY OF November, 2004 A.D.
BY B. A. [Signature]
S.B.W.R.D.

PLANNING COMMISSION

I FIND THIS PLAT TO BE IN
ACCORDANCE WITH INFORMATION ON
FILE IN MY OFFICE THIS 11TH
DAY OF November 2004 A.D.

BY James M. [Signature]
CHAIRMAN

ENGINEER'S CERTIFICATE

I FIND THIS PLAT TO BE IN
ACCORDANCE WITH INFORMATION ON
FILE IN MY OFFICE THIS 11TH
DAY OF November 2004 A.D.

BY Eric W. DeHaan PE
BARK CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS 15th
DAY OF November, 2004 A.D.

BY WEOH

CERTIFICATE OF ATTEST

I CERTIFY THIS RECORD OF SURVEY
MAP WAS APPROVED BY PARK CITY
COUNCIL THIS 27th DAY
OF January 1988.

BY Cindy L. Rieck
BANK WITH RECORD

COUNCIL APPROVAL AND ACCEPTANCE

APPROVAL AND ACCEPTANCE BY THE PARK CITY
COUNCIL THIS 30th DAY OF September,
2004 A.D.

BY *Dana Williams*
MAYOR

718A341 RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
AT THE REQUEST OF Park City Title
DATE 11-24-2004 TIME 11:26 BOOK — PAGE —
\$19.00 Daniel D. Bowen, Realtor

(435) 648-9467

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS



I, John Demkowicz, do hereby certify that I am a Registered Land Surveyor and that I hold Certificate No. 154491, as prescribed under the laws of the State of Utah. I further certify that by the authority of the owners I have made a survey of the tract of land shown on this plot and described herein and subdivided said tract of land into lots, private rights-of-way, and easements to be hereafter known as FIRST AMENDMENT, THE VILLAGE AT EMPIRE PASS, PHASE I, LOT 9 and that the same has been or will be correctly located on the ground as shown on this plot.

PARCEL 1

Lot 9, The Village at Empire Pass, Phase I, according to the official plat thereof, on file and of record in the office of the recorder, Summit County, Utah, recorded November 24, 2004, as Entry No. 718034.

beginning at a point that is North 88°02'44" East 244.47 feet along section line 2 and South 35.075 feet from the North Quarter corner of Section 28, Township 2 South, Range 10 East, Lot 1, the corner of the Village of Empire Pass, Phase 1, the right-of-way of Village Way and on the easterly boundary of Lot 8, The Village of Empire Pass, Phase 1, according to the official plat thereof on file and of record in the County of Garfield, State of Colorado, the following points and distances: from the point to the left having a radius of 186.50 feet, of which the radius point bears North 81°36'29" East; thence southerly along the arc of said curve 77.48 feet to a point which bears North 47°48'18" East 20.00 feet to the point of tangency; thence northwesterly along the arc of said curve 20.00 feet, of which the radius point bears South 57°48'18" West; said point being on the easterly boundary of Lot 9, the corner of the Village of Empire Pass, Phase 1, the right-of-way of said Village Way and on the northwesterly along the arc of said curve 20.18 feet through a central angle of 57°48'18"; thence West 48.80 feet to a point on a curve to the right having a radius of 105.12 feet through a central angle of 150°34'46"; thence North 60°34'46" East 28.18 feet to a point on a curve to the right having a radius of 105.12 feet, of which the radius point bears North 29°25'14" West; thence northwesterly along the arc of said curve 18.06 feet through a central angle of 68°56'17" to the point of beginning.

Parcel 1 & 2 contain 66,711 square feet.

PROPERTY ADDRESS:
7777 Village Way
Park City, Utah 84060
or
8680 Empire Club Drive
Park City, Utah 84060

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 78°37'02" E	33.75
L2	N 60°34'46" E	28.84
L3	S 32°11'42" E	13.53
L4	S 80°34'57" W	17.90
L5	S 89°39'51" W	47.21
L6	S 82°06'41" W	18.53
L7	S 89°37'48" W	13.15
L8	N 03°37'16" W	56.30
L9	N 13°47'14" E	20.30

CURVE	RADIUS	LENGTH	DEL. SA.
C1	40.00	30.36	43.29/19
C2	15.00	18.06	68.56/17
C3	186.50	77.46	23.68/12
C4	22.50	19.39	49.22/10
C5	8.00	17.96	128.36/26
C6	245.00	13.90	03.12/03
C7	155.00	48.00	17.44/32
C8	245.00	84.12	19.60/17
C9	1627.80	55.67	01.57/36

This First Amendment to the Village At Empire Pass Facility 1 Subdivision Plot is to be read only. This document was approved by the Village Board on November 14, 2004 as Ordinance No. 78832A. All information shown on said Sheets 1 & 2 shall remain of record and shall be subject to the provisions of the Village At Empire Pass Facility 1 Subdivision Plot.

- The Private Placing Easements shown hereon identify that portion of Amended Lot 9 that may be used for parking associated with the Shooting Star Condominium development located on Lot 8 and are otherwise permitted by the Village of Empire Pass.
- The Private Tract Easement shown hereon identifies that portion of Amended Lot 9 that may be used by all owners at the Village of Empire Pass and their guests and invitees.
- The maintenance of the private Lot 9 water system is the responsibility of the Lot 9 Village of Empire Pass Association.
- Village Way is a private road.
- The plot owner/owners do not approve any changes to the Conditional Use or Master Planned Development application for the Village At Empire Pass Facility 1 Subdivision Plot and shall continue to apply.
- This plan is subject to all of the conditions of Ordinance # 711-02, passed and adopted January 6, 2001.
- All conditions of approval of the Village At Empire Pass Development Agreement and the Village of Empire Pass Association shall remain in effect.

LOCATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

W/STRESS CORNER
REBAR W/ CAP

6' 0"

NE CORNER
SECTION 28, T2S, R4E, S4
SECTION 28, T2S, R4E, S4
SECTION 28, T2S, R4E, S4

UNITED PARK CITY MINES COMPANY, a Delaware corporation, the Owner of a portion of the tract of land described herein as First Amendment of THE VILLAGE AT EMPIRE PASS, PHASE I, Lot 9, hereby certifies that it has caused this First Amendment of Subdivision Plat consisting of one (1) sheet to be prepared, does hereby consent to the recordation of this First Amendment of Subdivision Plat, and does hereby dedicate as a public and private utility easement the 9.5 foot wide parcel of property situated along the southeast side of a portion of Village Way as shown herein.

IN WITNESS WHEREOF the undersigned has executed this certificate and dedication this 22nd day

of Dec. 2011

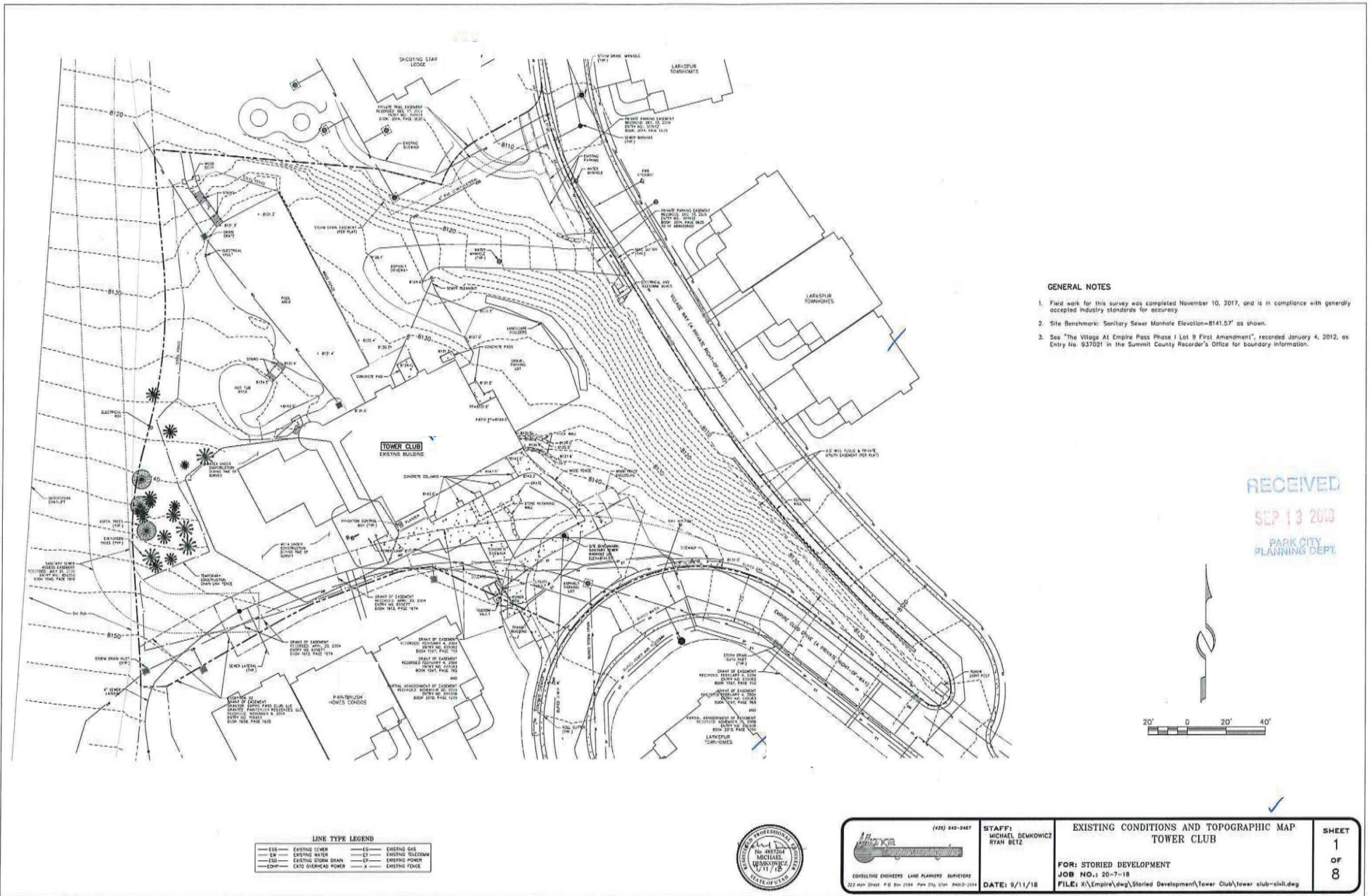
UNITED PARK CITY MINES COMPANY,
a Delaware corporation

By: 

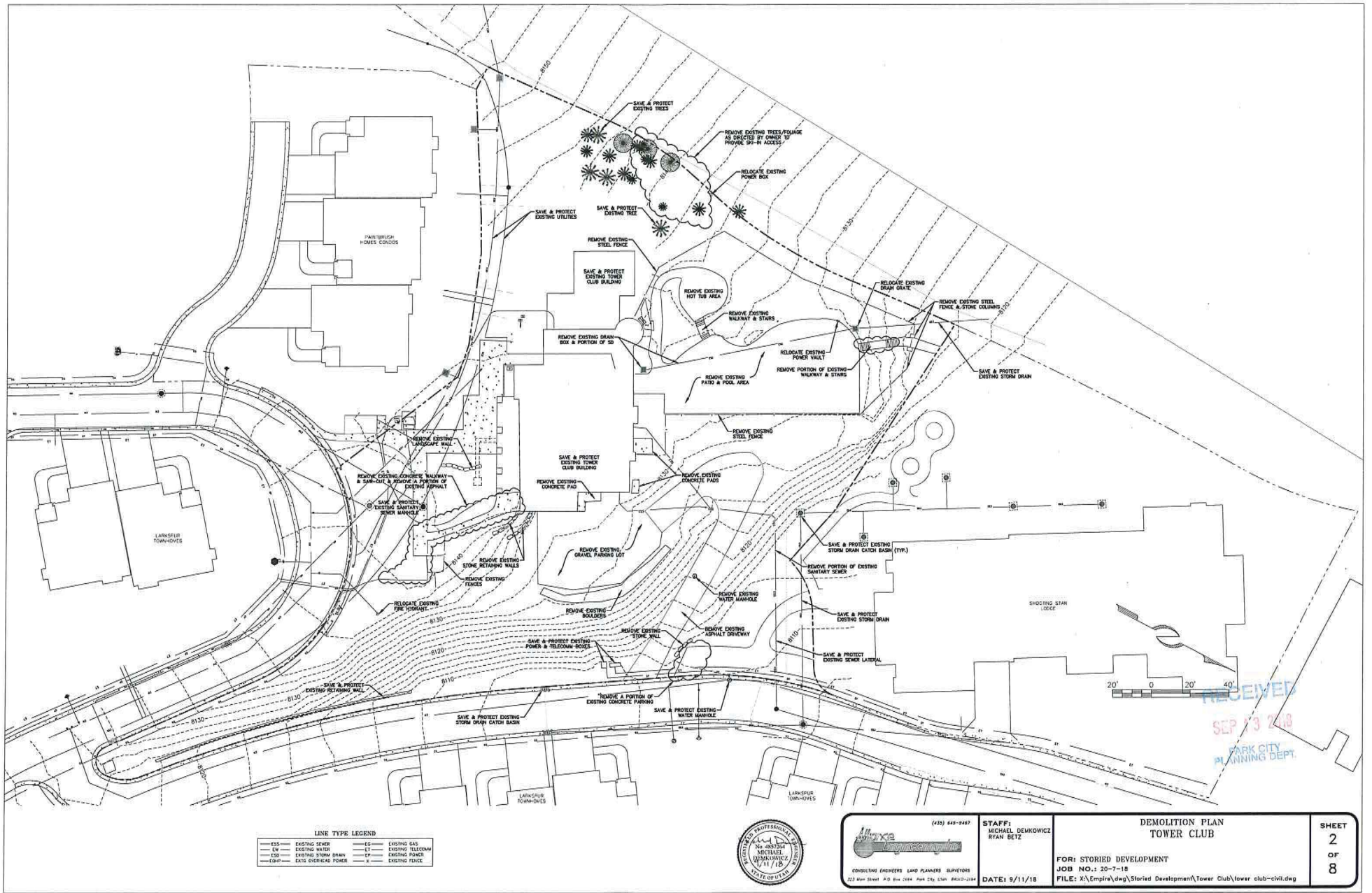
Name: KERRY C. GEE

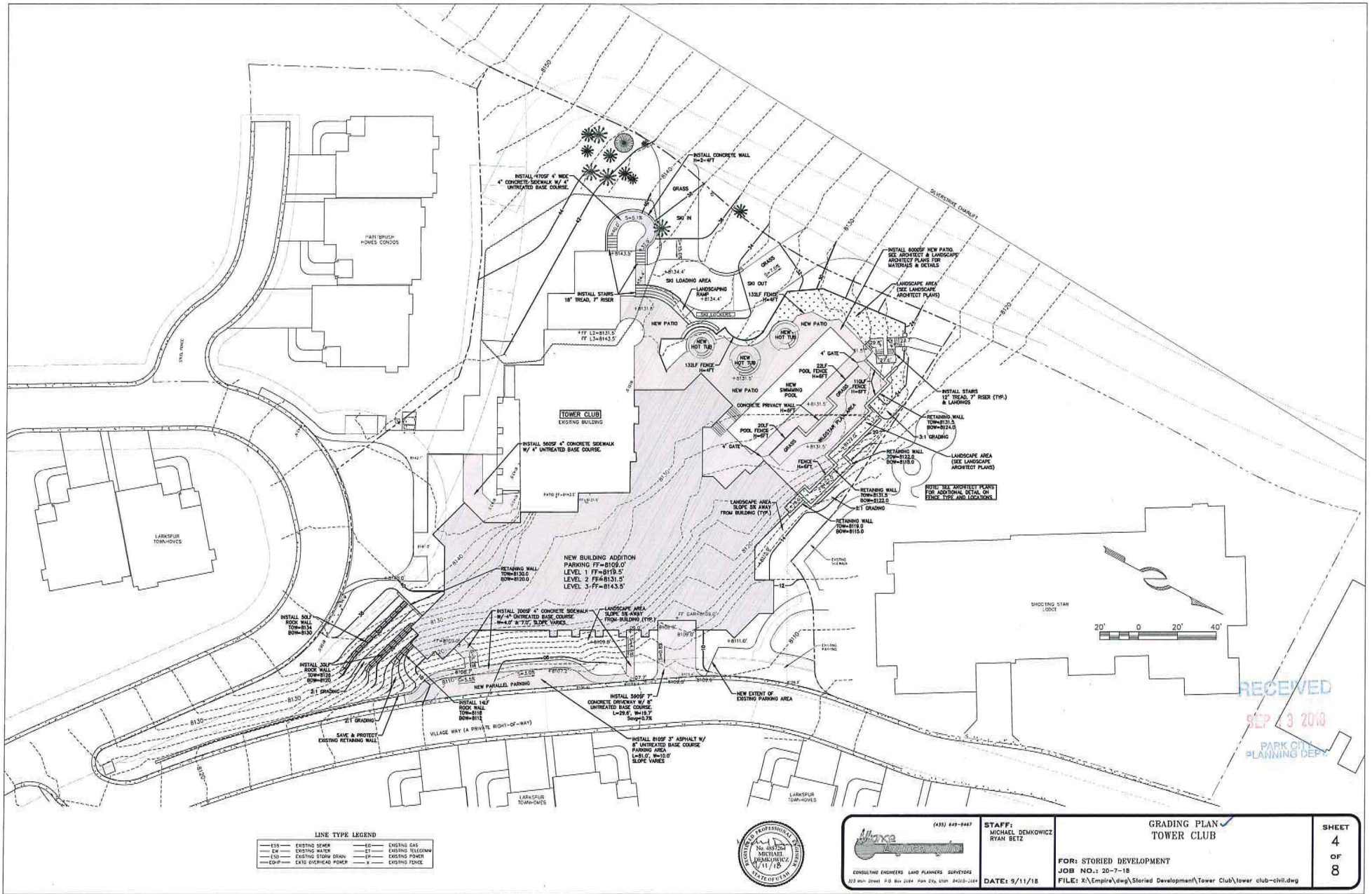
Title: VICE PRESIDENT

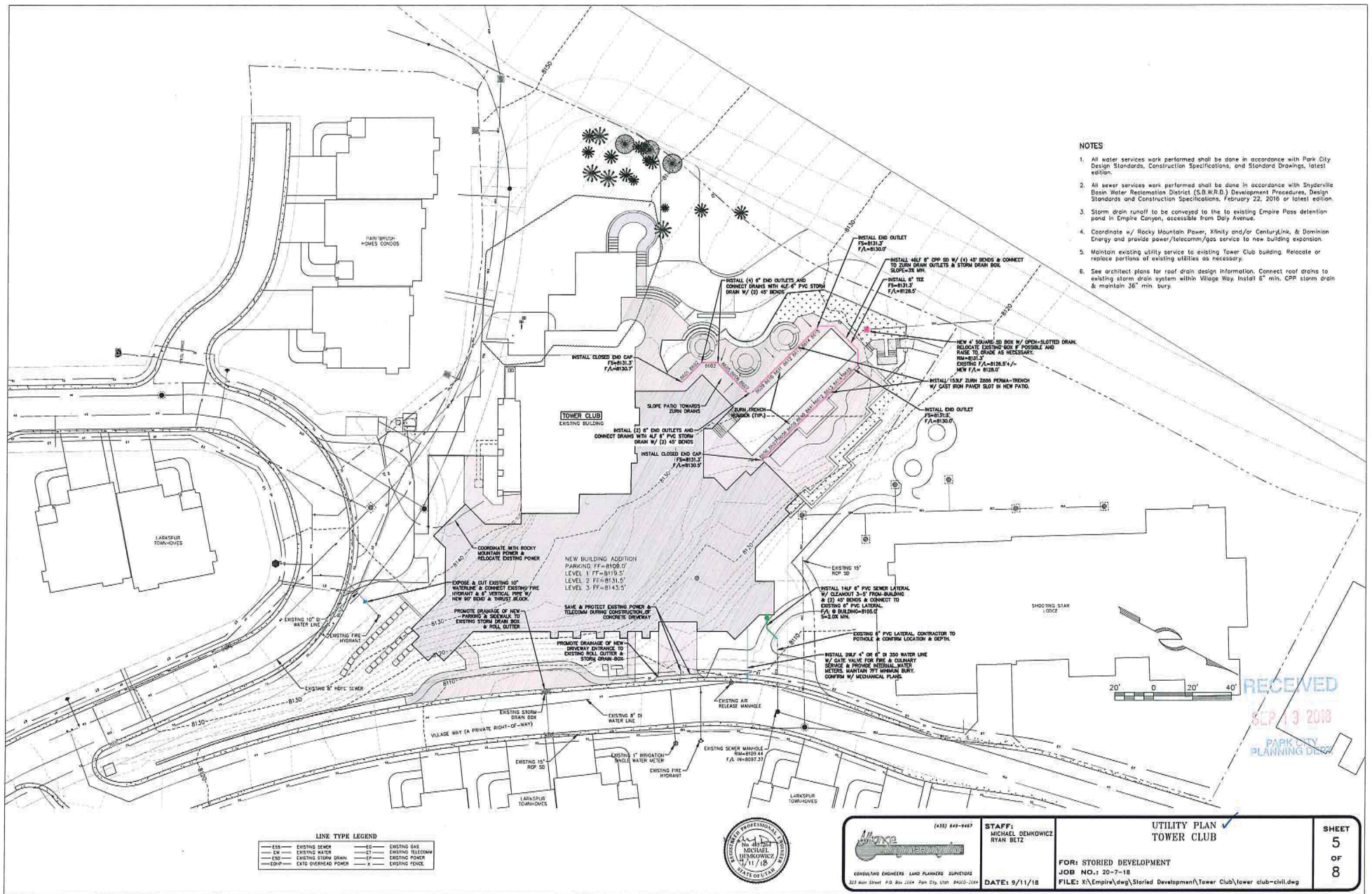
STATE OF Utah } ss.
COUNTY OF Summit
This instrument was acknowledged before me this 22nd day of December, 2011 by:
Kerry Gee the Vice President of United Park City Mines Corporation, a Delaware corporation.
Notary Public: Levi Ebert Printed Name: Teri Eastman
My commission expires April 10, 2012 Reading in: Summit County



(435) 640-9467 STAFF: MICHAEL DEMKOWICZ RYAN BELTZ CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 112 WEST 2000, P.O. BOX 2104, PARK CITY, UTAH 84302-2104	EXISTING CONDITIONS AND TOPOGRAPHIC MAP TOWER CLUB FOR: STORIED DEVELOPMENT JOB NO.: 20-7-18 FILE: K:\Empire\dwg\Storied Development\Tower Club\tower club-civil.dwg DATE: 9/11/18	SHEET 1 OF 8
---	--	---







NOTES

1. All water services work performed shall be done in accordance with Park City Design Standards, Construction Specifications, and Standard Drawings, latest edition.
2. All sewer services work performed shall be done in accordance with Snyderville Basin Water Reclamation District (S.B.W.R.D.) Development Procedures, Design Standards and Construction Specifications, February 22, 2016 or latest edition.
3. Storm drain runoff to be conveyed to the existing Empire Pass detention pond in Empire Canyon, accessible from Day Avenue.
4. Coordinate w/ Rocky Mountain Power, Xcelity and/or CenturyLink, & Dominion Energy and provide power/telecomm/gas service to new building expansion.
5. Maintain existing utility service to existing Tower Club building. Relocate or replace portions of existing utilities as necessary.
6. See architect plans for roof drain design information. Connect roof drains to existing storm drain system within Village Way. Install 6" min. CPP storm drain & maintain 36" min. bury.

LINE TYPE LEGEND

---	EXISTING SEWER	---	EXISTING GAS
---	EXISTING WATER	---	EXISTING TELECOMM
---	EXISTING STORM DRAIN	---	EXISTING POWER
---	EXISTING OVERHEAD POWER	---	EXISTING FENCE



(435) 649-9487

STAFF:
MICHAEL DENKOWICZ
RYAN BETZ

DATE: 9/11/18

UTILITY PLAN TOWER CLUB

FOR: STORIED DEVELOPMENT

JOB NO.: 20-7-18

FILE: X:\Empire\dwg\Storied Development\Tower Club\tower club-chil.dwg

SHEET
5
OF
8

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PARK CITY
PLANNING DEPT.



SHOOTING STAR
LOCUS

EXISTING 15" RCP SD

INSTALL 14" 6" PVC SENDER LATERAL W/ CLEANOUT 3'-0" FROM BUILDING

EXISTING 6" PVC LATERAL

EXISTING 4" PVC LATERAL CONTRACTOR TO POT-HOLE & CONFIRM LOCATION & DEPTH

INSTALL 2" 4" OR 6" DI 350 WATER LINE W/ GATE VALVE FOR FIRE & CULINARY SERVICE & PROVIDE INTERNAL WATER METERS MONITOR 7" MIN. BURY. CONFIRM W/ MECHANICAL PLANS

EXISTING AIR RELEASE MANHOLE

EXISTING 1" BRIGADION SINGLE WATER METER

EXISTING FIRE HYDRANT

EXISTING STORM DRAIN BOX

VILLAGE WAY (A PRIVATE RIGHT-OF-WAY)

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Construction Mitigation Plan

The Residences at the Tower

November 1, 2018

Project Location: 7777 Village Way, Park City, UT 84060

Building Permit#

Contractor: Big-D Construction

1389 Center Drive, Suite 360

Park City, UT 84098

Contact: Shawn Albretsen, Project Manager

Cell – 801.420.0333

Email – SAlbretsen@big-d.com

1. Hours of Operation:

Typical hours of construction operations are 7:00am to 6:00pm, Monday through Friday, 8:00am to 6:00pm on Saturday, and no work on Sundays. With this structure being primarily cast in place concrete, occasional longer work hours may be needed for critical concrete placements. Big-D Construction will notify the neighboring residents and Park City Building Department, if wanted, ahead of time of these concrete placement durations.

2. Parking:

There is limited onsite parking. This will be reserved for visitors and Big-D Construction project management personnel. All other construction workers shall park off site and be bused to and from the construction site. The worker parking location is TBD, but could be near the Mine Bench or Richardson Flat. The parking plan assumes there is no on street parking on Village Way or Empire Club Drive.

3. Deliveries:

Deliveries to the site will be only during construction operation hours. Typically, deliveries will be just-in-time for the materials to be incorporated into the ongoing construction progress.

4. Stockpiling and Staging:

Given the site location, access, and building footprint coverage of the site, there is limited area for stockpiling and staging materials. Materials will have to be delivered to the project just-in-time to incorporate into the construction work. This means and method is similar to building a multistory building in a downtown urban setting. It is Big-D Construction's responsibility to coordinate with subcontractors to minimize problems due to the limited staging and stockpiling areas.

5. Construction Phasing:

No construction phasing is planned. All construction is to complete in one continuous time period between April 2019 and December 2020.

6. Trash Management & Recycling:

The construction debris dumpster shall be located within the fenced construction boundary. Its remaining capacity will be monitored daily and the dumpster emptied on a regular basis to prevent over flowing and accumulation of debris around the construction site. If available, a construction debris service will be utilized that will sort the contents of each dumpster and recycle items such as paper, cardboard, wood, and metals.

7. Dust & Mud Control:

Access to the site is from one side of the project. This project frontage along Village Way is planned to be graveled entirely to help eliminate dirt and mud from being tracked on to the paved street. Streets will be monitored daily and cleaned as needed to keep them free of dirt and mud. The majority of excavation work will take place in the spring /early summer. This work is not expected to generate much dust. A water source will be available to keep dust down as needed.

8. Noise:

Noisy work shall be kept within the approved project work hours. Big-D Construction will have a decibel meter on site to monitor the noise level of construction activities. No radios will be allowed on the construction project.

9. Grading & Excavation:

The mass excavation for this project is over 10,000 cubic yards. This is one of the first construction activities. The planned haul route utilizes Marsac Avenue. Flagmen will be used as required at the intersection of Marsac Avenue and Village Way to help manage the truck traffic. The haul hours will be limited to between 7:00am and 6:00pm Monday through Friday and 8:00am to 6:00pm on Saturday. Excavated soils are to be taken to an approved dump site, location of to be finalized, but may be Hot Creek. All suitable soils to be re-used for backfill will be stockpiled on site as required.

10. Temporary Lighting:

Exterior construction lighting will be kept as minimal as possible. The lighting will be turned off as much as possible during non-work hours. Occasional temporary lighting will be needed for morning concrete placements. This lighting will be accomplished by using portable light plants that are set up only for a specific concrete placement, then moved off site. Temporary interior lighting will be used during construction work hours and turned off to leave a minimal amount of lighting for egress and emergency access.

11. Construction Sign:

A project information sign will be posted at the entrance to the construction site. It will comply with the size regulations and include: Big-D Construction Company, 1389 Center Drive, Suite 360 Park City, UT 801-420-0333, Emergency Contact: Shawn Albretsen. No other construction signs are planned.

12. Other issues:

Dogs or pets are not allowed on Big-D Construction projects. Firearms, alcohol, and drugs are prohibited as well. Visitors must check in at the construction project office and be authorized to be on site with the proper personal protective equipment (hard hat, safety vest, safety glasses, etc.).

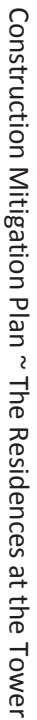
13. Soils Ordinance:

Big-D Construction will comply with the Soils Ordinance if the project site is considered within the ordinance boundary.

14. Erosion Control:

Big-D Construction is enlisting the services of Big-D Construction and Alliance to help draft and maintain a SWPPP and erosion control program throughout the project duration. This plan will be submitted prior to start of construction. Cut and fill areas and utility trenches will be backfilled and revegetated as soon as practical to help minimize erosion (Refer to SWPPP & CMP plan on next page).

TALISKER CLUB
EMPIRE PASS • TUHAYE



Flagstaff Annexation and Empire Pass Units and Unit Equivalents

As of 10.25.18 Reflects Empire Residences platted, Silver Strike amendment and (Larkspur Townhouse (3 units) , Moonshadow 8 PUD (31 UE), Tower Res (14 units) plats under review)

SINGLE FAMILY LOTS

POD	Single Family	Approved SF lots	Cert of Occupancy to date	Remaining lots to CO
A	Banner Wood-platted	6	4	2
B1	Northside-platted	10	10	0
D	Red Cloud-platted	30	11	19
Totals	(Single Family only)	46	25	21
Maximum SF Allowed by Flagstaff Development Agreement		46		
Remaining Units/UE to Plat		0		

MULTI-FAMILY UNITS

							SF Platted	PUD units	ADA		
POD	Multi-family	Units Approved/Proposed	UE Approved/Proposed	Units Platted or under review	UE Platted or under review	or under review	(SF/duplex use UE)	provided/r equired	CO UE's to date	CO Units to date	
A	Moon Shadow Condo 8 PUD on Lot 1 VEPN apprvd	8	31.00	8	31	62,000	8	0	0	0	
A	Lot 3 VEPN plat-(Bldg 3) (Empire Residences approved)	21	24.50	21	24.49	48,981	0	1	0	0	
A	Lot 2 VEPN plat-(Bldg 4) TBD	TBD	TBD				0	TBD	0	0	
A	Lot A VEMP1 3 townhomes condo plat to CC 11/29/18	3	5.75	3	5.75	11,500	0	0	0	0	
A	Tower Resid. (Bldg 1)- platted lot/CUP/Condo plat to PC 11/14/18	14	21.23	14	21.226	42,453	0	1	0	0	
A	Shooting Star-platted lot and condo (Bldg 2)	21	18.30	21	18.055	36,109	0	1	18.1	21	
A	One Empire Pass-platted lot and condo (Bldg 5)	27	32.80	27	32.513	65,026	0	1	32.8		
A	Silver Strike-platted lot and condo (Bldg 6) (subject to plat amend)	34	35.60	34	35.653	71,305	0	2	35.7	34	
A	Flagstaff -platted lot and condo (Bldg 7)	37	35.90	37	36.753	73,506	0	2	36.8	37	
A	Arrow Leaf A-platted lot and condo (Bldg 8)	28	24.50	28	23.229	46,458	0	2	23.3	28	
A	Arrow Leaf B- platted lot and condo (Bldg 9)	28	25.70	28	24.373	48,746	0	2	24.4	28	
A	Grand Lodge-platted lot and condo (Bldg H)	27	33.00	27	32.672	65,344	0	2	32.7	27	
A	Larkspur East Townhouses-all platted/condo (3 duplex = 6 PUD)	15	24.40	15	24.347	48,693	6	0	24.4	15	
A	Larkspur West Townhouses-all platted/condo	12	20.70	12	20.637	41,273	0	0	20.7	12	
A	Paintbrush PUDs- all platted /condo	12	31.90	12	31.538	63,076	12	0	32	12	
A	Belles PUDs- all platted/condo	17	45.00	17	45	90,000	17	0	37.85	16	
B1	Nakoma PUDs- all 17 are platted condo but 5 unbuilt	17	45.00	17	45	90,000	17	0	35	12	
B1	Ironwood- all platted/condo	24	37.40	23	36.972	73,944	0	1	37.1	23	
B2	B2 West Montage- 174 hotel rooms platted(apprvd 192)	hotel rooms	69.60	n/a (hotel rooms)	72.665		0		72.4	1	
B2	B2 West Montage condos- platted (apprvd 94)	94	114.00	84	109.335	218,669	0	5	109.3	84	
B2	B2 East- B2East Subdivision approved/No condo plat yet	70	81.00				0	TBD	0	0	
Totals (Multi-family (MF) only)		509	757.28	428	671.208	1,197,083	60	20	572.55	377	
Maximum (MF) Allowed by Flagstaff Development Agreement		550	785.00	550	785	n/a	60	n/a			
Remaining MF Units/UE (to be approved and/or platted)		41	27.72	122	113.792	n/a	0	n/a			
Units Platted (or plat under review)											
MF Totals by POD- apprvd/platted/proposed, includes PUDs, not SF lot		Units	UE								
A (includes unbuilt Empr Res, Larkspur, Moon Shadow, Tower Residential)		304	410.28	304							
B1		41	82.4	40							
B2 (plus 174 hotel rooms for units, hotels rooms included in UE)		164	264.60	84							
Totals Multi-family (MF)		509	757.28	428							
% of MF units total in Pods A, B1 and B2 that are in POD A (MPD requires minimum of 50%)		59.72%	71.03%								

PROJECT STATUS- Multi-family/PUD

<u>POD</u>	<u>Multi-family</u>	<u>Status</u>
A	Moonshadow PUD on Lot 1 VEPN 8 PUD style	Condo plat apprvd
A	Lot 3 VEPN plat-(Bldg 3) (Empire Residences approved)	Condo plat recorded
A	Lot 2 VEPN plat-(Bldg 4) TBD	Sub Plat recorded
A	Lot A VEMP1 (combo of Lots 1 and 2 VEMP1) plat recorded/ACUP apprvd	Condo plat under review
A	Tower Residential- platted lot/no condo plat (Bldg 1) -TBD	Condo plat under review
A	Shooting Star-platted lot and condo (Bldg 2)	Completed
A	One Empire Pass-platted lot and condo (Bldg 5)	Completed
A	Silver Strike-platted lot and condo (Bldg 6) (subject to plat amend)	Completed
A	Flagstaff -platted lot and condo (Bldg 7)	Completed
A	Arrow Leaf A-platted lot and condo (Bldg 8)	Completed
A	Arrow Leaf B- platted lot and condo (Bldg 9)	Completed
A	Grand Lodge-platted lot and condo (Bldg H)	Completed
A	Larkspur East Townhouses-all platted/condo (3 duplex = 6 PUD)	Completed
A	Larkspur West Townhouses-all platted/condo	Completed
A	Paintbrush PUDs- all platted /condo	Completed
A	Belles PUDs- all 17 are platted condo	16 Completed
B1	Nakoma PUDs- all 17 are platted condo	12 Completed
B1	Ironwood- all platted/condo	Completed
B2	B2 West Montage- 174 hotel rooms platted(apprvd 192)	Completed -see note
B2	B2 West Montage condos- platted (apprvd 94)	Completed
B2	B2 East- B2East Subdivision approved/No condo plat yet	Sub plat recorded

AFFORDABLE HOUSING					
POD	Multi-family	Unit required	AUE required	AUE not yet built	
A	Moonshadow Condos 8 PUD Style Lot 1 VEPN	0	0		
A	Lot 3 VEPN plat-(Bldg 3) (Empire Residences approved)	1	1.1 AUE	1.1	
A	Lot 2 VEPN plat-(Bldg 4) TBD	TBD	2.0 AUE	2	
A	Lot A VEMP1 Triplex Admin CUP	0	0		
A	Tower Residential- platted lot/no condo plat (Bldg 1)	1	0.75	0.75	
A	Shooting Star-platted lot and condo (Bldg 2)	0	0		
A	One Empire Pass-platted lot and condo (Bldg 5)	1	1.125		
A	Silver Strike-platted lot and condo (Bldg 6) (subject to plat amend)	(1)*	1.1 *		
A	Flagstaff -platted lot and condo (Bldg 7)	2	1.6		
A	Arrow Leaf A-platted lot and condo (Bldg 8)	3	2.85		
A	Arrow Leaf B- platted lot and condo (Bldg 9)	0	0		
A	Grand Lodge-platted lot and condo (Bldg H)	1	1.2		
A	Larkspur East Townhouses-all platted/condo (3 duplex = 6 PUD)	0	0		
A	Larkspur West Townhouses-all platted/condo	0	0		
A	Paintbrush PUDs- all platted /condo	0	0		
A	Belles PUDs- all platted/condo	0	0		
B1	Nakoma PUDs- all 17 are platted condo but 5 unbuilt	0	0		
B1	Ironwood- all platted/condo	1	1		
B2	B2 West Montage- 174 hotel rooms platted(apprvd 192)	0	0		
B2	B2 West Montage condos- platted (apprvd 94)	10	7.8		
B2	B2 East- B2East Subdivision approved/No condo plat yet	TBD	4.2	4.2	
Totals		TBD	24.725*	8.05	
*Silver Strike unit transferred out by City					
Total MPD AUE required		Total off Mtn AUE required	Total off Mtn AUE built	Total on Mtn AUE required	Total on Mtn AUE built
118.9		94.175	89*	24.725	16.675
					8.05

SF- Single family lot/house

MF- Multi-family/condominium units

PUD- Planned Unit Development Style MF (duplex or single detached)

VEMP1- Village Empire Pass Phase 1 Subdivision plat

Note- This information is from the recorded Condominium plats (sf, units, ue, ada, eh) verified with Ordinances, MPD/Plat/CUP action letters, available at the Planning Department.

EHU- Employee Housing Unit (no min number)

AUE- Affordable Unit Equivalent (1 AUE = 800 sf)

UE- Unit Equivalent (1 UE = 2,000 sf residential)

*Off Mountain requirements now met with 2017/2018 Agreements? Need the final documentation of this.

ADA- American Disability Act required units

VEPN- Village Empire Pass North Subdivision plat

CO- Certificate of Occupancy (hotel rooms counted as 1 CO total)

November 7, 2018

To: Empire Pass Design Review Board

Re: Residences at the Tower (Talisker, Building 1 of Empire Pass)
Staff Recommendation comment responses

Empire Pass Design Review Criteria

Empire Pass design review staff have reviewed the Residences at the Tower on October 12, 2018. Following are those conditions and our response to them. We agree with staff recommendations and look forward to working with them on continuing the design review process to approval.

1. **Provide a site plan inclusive of utility routes, connection points, limits of disturbance, and erosion control measures.**
Will be provided with final submittal.
2. **Submit color and texture sample for concrete drive areas, which requires DRB approval prior to installation;**
Will be provided prior to installation.
3. **Understand all boulder materials must match closely the DRB approved stone for the building;**
Noted.
4. **Applicants understand that no faux or manufactured materials may be used as finished exterior product, this would include glue-lam beams, faux stone, bare concrete, vinyl siding, etc.;**
Noted.
5. **Resolve any encroachment issues, including parcel boundary between this project and the Shooting Star lodge project;**
Function of existing sidewalk leading to Shooting Star Lodge to be preserved. Route to be altered to accommodate new building.
6. **Applicants to provide complete lighting plan, including cut sheets and specifications for all exterior light fixtures proposed;**
Lighting plan to be provided with final review.
7. **Applicants to provide complete landscape plan, including counts and planting specs, for DRB review;**
Landscape plan provided with Preliminary submittal.

8. Submit for review and approval a complete construction management plan;

Construction Management Plan to be provided with final review.

9. The applicant shall submit a detailed sign program to the DRB for review and approval prior to installation of the same;

Sign program to be provided and approved prior to installation.

10. Building height, volumetrics and square footage calculations to be addressed to the satisfaction of the DRB and the City;

Height, volumetrics and square footage compliant as stated in Conditional Use Permit Staff Report analysis.

11. The composition of the windows should be reviewed for a more craftsman appearance and setbacks should be reviewed. DRB to review the overall window patterns to determine if there are too many and provide lintel detail;

Windows, in particular on the east elevation, have been updated to show mullion patterns consistent with the existing building. All other windows are developed using consistent mullion and trim detailing as the existing building.

12. The applicant to review with the DRB the articulation of the building, in particular the north elevation which has no façade shifts;

The west elevation currently shows two 10' façade shifts and two 5' façade shifts. These occur at the stair towers which are provided with significant window elements. The north elevation has been provided with additional articulation at the area between these two stair elements. The east elevation currently shows two 12' façade shifts approximately 52' long, and several other façade shifts that vary between 8-12'.

The north and south elevations have two 8' façade shifts at the angled corners of the building, with roof projections, exposed structure and battered stone bases at the lower levels. The north elevation also has a significant roof shift in recessing the upper roof approximately 25'.

13. The DRB to review with the applicant the roof pitches, which include flat roofs, which would require a variance;

The project proposes a variety of roof pitches to match the existing club which has a variety between 3.5:12 and 6:12. There is a portion of flat roof on the existing building but no flat roof areas are proposed on the new structure.

14. The DRB to review the proposed siding materials and colors;

Material samples to be provided with final design review.

15. The DRB should determine if the presented structural materials are appropriately expressed around the building;

We strongly believe that structural materials be expressed and will continue to incorporate this expression consistent with the existing building.

16. The applicant to submit deck and railing detail for DRB review and approval;
Detail to be provided at final design review.

17. Applicant understands the requirement to provide an on-site mock-up of exterior materials, colors and construction techniques for further DRB review and approval prior to installation of the same.
On-site mockup of exterior materials to be provided for review and approval prior to installation.

Thank you for your consideration of our request for Design Review approval.

Brent Harris
Project Manager, Swaback

Empire Pass Design Review
 Staff Report-Tower Residences
 Meeting date: October 12, 2018

Residences at the Tower
 Preliminary Plan Review
 Architect: Swaback pllc
 Presented by: Storied Development, Rich Wagner

INTRODUCTION

The applicant is requesting Preliminary Plan Approval from the Empire Pass Design Review Board (DRB) for the Residences at the Tower located at 7777 Village Way. This review will also include the expansion of the Tower Club and outdoor improvements.

This staff report is based off plans dated September 6, 2018. This lot is 1.53 acres. There are 16 residential units, which include 1 ADA and 1 EHU unit. The residences consist of 6 floors of units over one floor of parking located at basement level.

The addition to the existing Talisker Club Tower includes: expansion of kitchen, dining and fitness area, addition of new children's play area, renovation of existing pool to create new pool, multiple soaking tubs, addition of new spa area and reconfigured hardscape area.

RESIDENCES PROJECT SUMMARY

	<u>Proposed</u>	<u>Maximum/Allowable</u>
Floor Area	43,509 saleable sq. ft.	Per DA
Units	16	
Building Height	77 ft.	86 ft.
Roof Pitch	4:12 to 5:12	4:12 to 6:12
Parking	22 enclosed, 3 outside	

DESIGN CONSIDERATIONS:

1. Building mass is in line with master plan and site massing study.
2. Building addition design follows the detailing of the existing Tower Club.
3. Addition has a strong stone base and a mix of wood siding that matches the existing building.
4. Stone does not have a tapered base. DRB to discuss if significant corners should be battered.
5. DRB to review stone base as the current proposal does not have any stepping or interest.

6. Stone walls are only shown in a single battered column. DRB to discuss.
7. Siding proposed is vertical board on board with wood shingles and is compliance with the guidelines.
8. Roof pitches range from 3 1/2, 4, 5 and 6:12. Roof utilizes gable ends and lower hip roof forms that align with the existing roof.
9. Building steps at north end and to the west taking in the existing massing. The building does not have any stepping at the shortened south façade. This façade is reduced to 4 stories.
10. Applicant to verify the 60 foot length and show off set requirements per Park City LMC. The façade shows multiple steps in plane, but it is not clear with provided dimensions if in compliance.
11. The building has similar roof forms, long horizontal lines at walls, roof plans with vertical elements, balconies and dormers to blend with adjacent condominium buildings. The grounds tie into community walkways and amenities.
12. The building lacks a sense of entrance. There is a strong entrance to the existing building. The applicant to review condo building entrance as it appears the residence enters through the existing restaurant.
13. The building height proposed appears to be at 77 feet, which complies with the building height limitations for this property. Building height will need to be verified for Final Review. Staff review of the Volumetric study requires 55% at maximum height of 5 ½ residential levels and 1 parking level and roof level (maximum height is 92 feet). The applicant is proposing a 5-6 level building over a parking level and should be discussed with the DRB. The parking level and level 1 are below grade.
14. Sheet A-7.1 demonstrates the proposed building meets the height limit requirements. Allowed 92' from the lowest level. Proposed structure is 77' above grade plane.
15. Building is 5 and 6 stories and is stepped.
16. Roof ridges step down a half story across the center portion of the building.
17. Roof ridge steps down one story at the north end of the building.
18. DRB to discuss there are no lower roofs on the east façade which faces the road.
19. Existing roof material consists of natural patina metal and wood shakes. Proposed materials will match existing.
20. Roof overhangs are a minimum of 24" and show a sheltering effect.
21. No roof overhang is within 7' of finish grade.
22. Dormers are expressed in shed form.
23. Roofs appear to protect pedestrians below.
24. DRB to review the east façade for areas that may need additional lower roofs.
25. Applicant to show snow guards, gutters and downspouts for final review.
26. Gutter shape to be traditional or half round.
27. Decks and balconies and roof structure are expressed in timber work.
28. DRB to review window fenestrations as they do not match the existing building.
29. Windows at the east façade are large panes of glass without mullions or details.
30. DRB to review roof covering at garage entry.
31. Applicant to provide materials board.

32. DRB to review deck structure and determine if structure expression should be added.
33. Decks are shown with exposed concrete edge. Applicant to discuss.
34. Chimney massing, caps and penetrations are in compliance.
35. Fireplaces to be reviewed and approved by PC building department.
36. Proposed railings on lower levels match the existing craftsman style railings.
37. Railings on upper levels use a contemporary glass rail, which is not in compliance with the guidelines. DRB to determine if a variance should be granted.
38. Timber detailing, trim bands, roof eaves and color proposed appear to be in compliance and match existing building.

STAFF RECOMMENDATION

Staff recommends that DRB approve the Preliminary plan submittal. and determine if the applicants have met all requirements necessary for Preliminary Plan approval. If such a determination is made, DRB approval should include the following conditions:

1. Provide a site plan inclusive of utility routes, connection points, limits of disturbance, and erosion control measures.
2. Submit color and texture sample for concrete drive areas, which requires DRB approval prior to installation;
3. Understand all boulder materials must match closely the DRB approved stone for the building;
4. Applicants understand that no faux or manufactured materials may be used as finished exterior product, this would include glue-lam beams, faux stone, bare concrete, vinyl siding, etc.;
5. Resolve any encroachment issues, including parcel boundary between this project and the Shooting Star lodge project;
6. Applicants to provide complete lighting plan, including cut sheets and specifications for all exterior light fixtures proposed;
7. Applicants to provide complete landscape plan, including counts and planting specs, for DRB review;
8. Submit for review and approval a complete construction management plan;
9. The applicant shall submit a detailed sign program to the DRB for review and approval prior to installation of the same;
10. building height, volumetrics and square footage calculations to be addressed to the satisfaction of the DRB and the City;
11. the composition of the windows should be reviewed for a more craftsman appearance and setbacks should be reviewed. DRB to review the overall window patterns to determine if there are too many and provide lintel detail;
12. the applicant to review with the DRB the articulation of the building, in particular the north elevation which has no façade shifts;
13. the DRB to review with the applicant the roof pitches, which include flat roofs, which would require a variance;

14. the DRB to review the proposed siding materials and colors;
15. the DRB should determine if the presented structural materials are appropriately expressed around the building;
16. the applicant to submit deck and railing detail for DRB review and approval;
- 17.** applicant understands the requirement to provide an on-site mock-up of exterior materials, colors and construction techniques for further DRB review and approval prior to installation of the same.



December 19, 2016

Brian Straight, General Manager
 Talisker Club LLC
 PO Box 3439
 Park City, UT 84060

NOTICE OF PLANNING COMMISSION ACTION

<u>Application #</u>	PL-16-03177
<u>Address</u>	8680 Empire Club Dr
<u>Description</u>	Conditional Use Permit
<u>Action Taken</u>	Approved with conditions
<u>Date of Action</u>	December 14, 2016

On December 14, 2016, the Park City Planning Commission called a meeting to order, a quorum was established, a public meeting was held, and the Planning Commission approved your application based on the following findings of fact, conclusions of law, and conditions of approval:

Findings of Fact

1. The Tower Club Phase 1 Conditional Use Permit (aka Empire Club Phase I Conditional Use Permit) is located at 8680 Empire Club Drive.
2. The property is located in the Residential Development (RD-MPD) zoning district on Lot 9 of the Village at Empire Pass Phase One Subdivision.
3. The property is located within Pod A of the Village at Empire Pass Master Planned Development and is subject to the Flagstaff Mountain Annexation and Development Agreement.
4. Empire Club Drive is a private street with access to Marsac Avenue, which is a public street.
5. The Village at Empire Pass Phase One Subdivision was approved by Council on September 30, 2004, and recorded at Summit County November 24, 2004.
6. Lot 9 was amended with the First Amendment to the Village at Empire Pass Phase I Lot 9 subdivision plat on January 6, 2011 and recorded at Summit County on January 4, 2012.
7. Lot 9 consists of 66,711 square feet of lot area and is currently developed with the 8,880 square foot Tower Club building. The building contains a private dining room with 60 indoor seats, kitchen area, small store, residential support amenities,

circulation, and storage, in addition to an outdoor patio and other outdoor recreation amenities (swimming pool, hot tubs, etc.).

8. The Flagstaff Mountain Annexation and Development Agreement was approved by City Council per Resolution No. 99-30 on June 24, 1999 and amended on March 2, 2007.
9. The Development Agreement is the equivalent of a Large-Scale Master Plan. The Development Agreement set forth maximum project densities (residential and support commercial), location of densities, and developer-offered amenities for the annexation area.
10. On July 28, 2004, the Planning Commission approved a Master Planned Development for the Village at Empire Pass (Village MPD) (Pods A and B1) within the Flagstaff Mountain Annexation and Development area. The Village MPD (known as Mountain Village) was later amended to include Pod B2 (Montage).
11. The Mountain Village MPD (Pods A, B1 and B2) was approved for a maximum of 785 UE of multi-family (550 multifamily units) and 16 single family units. No residential uses are proposed with this amended Conditional Use Permit and no change in residential UE is proposed.
12. The Flagstaff Annexation and Development Agreement approved a maximum of 75,000 square feet (sf) of Resort Support Commercial uses for Village MPD (Pods A, B1, and B2).
13. To date 65,323 sf of Resort Support Commercial uses have been approved within Pods A and B2) as follows:
 - Montage Spa- 35,000 sf
 - Montage retail, restaurants/kitchens, bar, etc. -28,059 sf
 - Tower Club dining/kitchen/store- 2,264 sf
 - Total approved Resort Support Commercial (with Tower Club addition) - 66,438 sf
14. The existing dining room, kitchen and store consist of 2,264 square feet and were permitted with the Tower Club CUP Phase I building (2,173 square feet (sf)) of private dining uses, including the kitchen, and 91 square feet (sf) of convenience store). The approval for the Tower Club CUP does not provide analysis or describe whether the private club dining room, kitchen and store were consider Resort Support Commercial, support commercial, or residential accessory commercial.
15. A total of 1,115 sf of Resort Support Commercial uses are requested with this CUP amendment for an addition to the dining room and kitchen.
16. The applicant stipulates to the conditions of approval to allocate MPD Resort Support Commercial for the dining room, kitchen and store.
17. No support commercial uses based on residential floor area are proposed with this permit.
18. With approval of the addition, a total of 66,438 sf of Resort Support Commercial uses will be approved and 8,562 sf remain for use within the Village MPD (Pods A, B1 and B2).
19. On May 17, 2016, the Planning Department received an application for an amendment to the Tower Club Phase I Conditional Use Permit for approval to expand the existing Tower Club dining area by 1,115 square feet by enclosing an existing elevated outdoor patio area, constructing a new elevated patio area to the west, and providing approximately 1,000 square feet of ski/boot locker room in the basement area below the new patio. The request increases indoor seating capacity

by approximately 32 seats for a total of 92 seats and increases the MPD Resort Support Commercial from 2,264 square feet to 3,379 square feet. The building footprint increase by approximately 1,000 square feet for the expanded basement and new outdoor patio.

20. There are sufficient remaining Resort Support Commercial and support commercial uses available within the Village at Empire Pass MPD (Pods A, B1 and B2) for the proposed addition.
21. The application was deemed complete on June 1, 2016 upon receipt of additional materials. The application was amended on September 23, 2016.
22. The property is subject to subdivision plat notes that require compliance with RD zone setbacks, approval of a Conditional Use Permit for each building prior to issuance of a building permit, a declaration of condominium and a record of survey plat prior to individual sale of units (for residential uses), membership in the Empire Pass Master HOA, identifies Empire Club Drive as a private street, plats a 20' snow storage easement along the street frontages, requires water efficient landscaping, and includes other utility and maintenance provisions.
23. The Transit and Parking Management Plan requires a 25% reduction in parking from what would be normally required by the LMC for residential uses. The Tower Club Phase I Conditional Use Permit was approved with no on-site parking and no on-site parking is proposed with the addition.
24. The elevation and climate of the Flagstaff area creates a harsh environment for utilities and their maintenance.
25. On July 28, 2004, the Planning Commission approved a Master Planned Development for the Village at Empire Pass, aka Pod A. The Tower Club Phase I is part of Building 1, the remaining portion of this building was approved for 25 residential units as the Tower Club Phase II. The residential portion has not yet been constructed and the CUP approval and extensions have expired. Underground parking will be required with the residential building.
26. On September 30, 2004, the City Council approved a Final Subdivision Plat for the Village at Empire Pass, Phase One. The plat was recorded on November 24, 2004. An amended plat for Lot 9 was approved on January 6, 2011 and recorded at Summit County on January 4, 2012. The Tower Club Phase I building and this proposed addition are located on amended Lot 9. Amended Lot 9 consists of approximately 1.53 acres (66,711 square feet).
27. The Tower Club Phase I Conditional Use Permit was approved by the Planning Commission on March 11, 2009, for approximately 8,880 square feet. There are approximately 2,264 sf of private dining club, kitchen, and small convenience store uses and 6,616 square feet of residential (and resort) accessory uses (ski lockers, recreation amenities, kids club and programming, etc.), circulation, and storage. A separate building was constructed on the site for use as a transit center for the Empire Pass transportation dial a ride shuttle.
28. The Tower Club Phase I approval required the store as stated in the CUP approval condition, "The store will include a refrigerated case for milk, juice and sodas, and the shelves will have snacks commonly found in a convenience store".
29. A store of this type is included within the Club building, along with a store for the kid's camp supplies; however it has not seen much success, even when opened to

the general public as per a condition of Tower Club Phase II.

30. The store will remain open in winter months, but merchandise sold is more ski accessories (hats, goggles, gloves, lip balm, sun screen etc.) and snacks, along with some soft goods). Talisker Club found limited demand for traditional convenience store merchandise.
31. The maximum building height in the RD District is 28 feet (33 feet with a pitched roof). A height exception to 86 feet above natural grade was granted for the existing building and residential building per the Village at Empire Pass Master Plan. The existing building includes a tower element that has a height of approximately 50 feet above natural grade.
32. The main pitched roof remains at approximately 33' from natural grade. Roof elements of the addition have a lower building height. All roof elements comply with the zoning requirement except the tower element that complies with the height exceptions approved with the MPD.
33. The addition has been reviewed and approved with conditions by the Empire Pass Design Review Board.
34. The proposed addition complies with the height, setbacks, and volumetric diagrams approved with the MPD.
35. Yard setbacks within the RD zone are twenty feet (20') in the front (25 feet to front facing garage), fifteen feet (15') to the rear, and twelve feet (12') on the side. Setbacks are the minimum distance between the closest of the following: property lines, platted streets, or existing curb or edge of street.
36. The building complies with these setback requirements with minimum proposed setbacks of 20' front (south), 40' side (west), and 125' rear (north) for new construction. No changes are proposed to existing 20' minimum setbacks on the east side.
37. The existing building is also known now as the Talisker Club.
38. As conditioned, the proposed amendments to the Tower Club Phase I Conditional Use Permit are consistent with the approved Master Planned Development for the Village at Empire Pass.
39. A Master Homeowners Association document and Maintenance Agreement for the Mountain Village were reviewed and approved by the City prior to issuance of building permits for buildings within the Mountain Village. This property is also subject to these documents.

Conclusions of Law

1. The proposed amendments to the Tower Club Phase 1 CUP are consistent with the Flagstaff Annexation and Development Agreement, The Village at Empire Pass Master Planned Development, and the Park City Land Management Code.

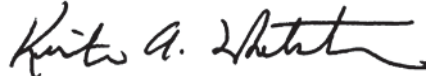
2. The proposed uses, as conditioned, are compatible with the surrounding structures in use, scale, mass, and circulation.
3. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval

1. All standard conditions of approval apply to this Conditional Use Permit.
2. A final landscape plan is required prior to building permit issuance. The landscape plan shall indicate trees to remain, trees to be relocated, and trees to be replaced in kind. The proposed landscaping shall maintain a buffer between the Tower Club building and residential buildings and adjacent ski run, to the greatest extent possible. Landscaping and irrigation shall be water efficient, utilizing drought tolerant plantings and limited turf area, similar to what currently exists on the site. The landscape plan shall meet defensible space requirements to the satisfaction of the Building Department.
3. All exterior lights must conform to the City lighting ordinance and the Flagstaff Mountain Resort Design Guidelines. Non-complying exterior lighting shall be brought into compliance with the Land Management Code prior to issuance of a certificate of occupancy.
4. All exterior signs require a separate sign permit reviewed by the Planning and Building Departments.
5. Materials, color samples, and final design details must be approved by Staff prior to building permit issuance for consistency with the plans reviewed by the Planning Commission.
6. The final building plans and construction details for the project shall meet substantial compliance with the drawings reviewed by the Planning Commission on December 14, 2016.
7. Utility and grading plans, including storm water drainage plans, must be approved by the City Engineer prior to Building Permit issuance.
8. All utility facilities must be located on site. A plan must be provided at the time of the building permit application showing all proposed utility locations, including dry utilities. The applicant shall provide verification that the utility plan is viable and proposed utility boxes can be screened.
9. All exterior mechanical equipment shall be painted and/or otherwise screened and shielded from public streets. All wall and roof top vents and protruding mechanical shall be painted to match the adjacent wall or roof and/or screened from public view.
10. A final Construction Mitigation Plan must be approved by the Planning and Building Departments prior to issuance of a building permit.
11. Conditions of approval of the Village at Empire Pass MPD shall continue to apply.
12. Conditions of approval of the Flagstaff Annexation and Development Agreement shall continue to apply.
13. Conditions of approval of the Tower Club Phase I CUP continue to apply.
14. A total of 3,379 sf of MPD Resort Support Commercial shall be allocated to this property, to include the 1,115 square feet dining room addition and the 2,264 square feet of existing dining room, kitchen, and store.

If you have questions regarding your project or the action taken please don't hesitate to contact me at (435) 615-5066 or kirsten@parkcity.org.

Sincerely,

A handwritten signature in black ink, reading "Kirsten A. Whetstone". The signature is fluid and cursive, with the first name "Kirsten" and last name "Whetstone" clearly legible.

Kirsten Whetstone, MS, AICP
Senior Planner

Park City Planning Department
PO Box 1480
Park City, UT 84060

Cc Doug Ogilvy

February 14, 2008

United Park City Mines Company
P.O. Box 1450
Park City, UT 84060

NOTICE OF PLANNING COMMISSION ACTION

<u>Project Name</u>	Empire Pass Tower Club Residential
<u>Project Description</u>	Conditional Use Permit

<u>Date of Action</u>	February 13, 2008
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Action Taken By the Planning Commission: The Planning Commission APPROVED the proposed Empire Pass Tower Club Residential based on the following:

Findings of Fact:

1. The Tower Club Phase II Conditional Use Permit is located on Empire Club Drive in the RD-MPD zoning district of Pod A of the Village at Empire Pass.
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. The Development Agreement requires the Master Developer to provide water source capacity.
4. On July 28, 2004, the Planning Commission approved a Master Planned Development for the Village at Empire Pass, aka Pod A. The Tower Club Phase II is part of Building 1.
5. On September 30, 2004, the City Council approved a Final Subdivision Plat for the Village at Empire Pass, Phase I. The Tower Club Phase II project is located on lot 9.
6. The proposed Tower Club Phase II Conditional Use Permit is for 25 residential units totaling 67,625 square feet or 33.9 Unit Equivalents and one ADA unit of 650 square feet.
7. The proposed Conditional Use Permit is consistent with the approved Master Planned Development for the Village at Empire Pass.
8. The Tower Club Phase II will be platted as a condominium.

9. The elevation and climate of Flagstaff creates a harsh environment for utilities and their maintenance.
10. The maximum Building Height in the RD District is 28 feet (33 feet with a pitched roof). A height exception to 86 feet above natural grade was requested and granted in the Master Plan. The proposed building complies with the granted height exception.
11. The Planning Commission finds the proposed building in compliance with the volumetrics approved in the MPD; specifically, the façade shifts and roof shifts create architectural interest and break the building into smaller components.
12. The setbacks within the RD zone are twenty feet (20') in the front (25 feet to front facing garage), fifteen feet (15') to the rear and twelve feet (12') on the side. Setbacks are the minimum distance between the closest of the following: property line, platted street, or existing curb or edge of street. With a required re-plat of the boundary between lot 9 and 8 (Shooting Star) the building will comply with these setback requirements.
13. The Construction and Development Phasing Plan was revised on April 13, 2005.
14. The revised Phasing Plan required a Police Facility of at least 500 square feet with three 12x12 spaces.
15. A Construction Mitigation Plan reiterates downhill construction truck traffic will use Royal Street.

Conclusions of Law:

1. The CUP is consistent with the Village at Empire Pass Master Planned Development, the Construction and Development Phasing Plan as amended on April 13, 2005, and the Park City Land Management Code.
2. The CUP is consistent Park City General Plan.
3. The proposed use will be compatible with the surrounding structures in use, scale, mass and circulation.
4. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval:

1. All standard conditions of approval apply to this Conditional Use Permit.
2. A water efficient landscape and irrigation plan that indicates snow storage areas and meets the defensible space requirement is required prior to building permit issuance.
3. All exterior lights must conform to the City lighting ordinance and the Flagstaff Mountain Resort Design Guidelines.
4. All exterior signs require a sign permit.
5. Materials color samples and final design details must be approved by staff prior to building permit issuance.
6. The final building plans and construction details for the project shall meet substantial compliance with the drawings dated October 23, 2007, as submitted and reviewed by the Planning Commission.
7. Utility and grading plans must be approved by the City Engineer prior to Building Permit issuance.

8. The store will include a refrigerated case for milk, juice and sodas, and the shelves will have snacks commonly found in a convenience store.
9. A re-platting of the boundary between Lot 9, a private right of way turnaround and Lot 8 (Shooting Star) is a condition precedent to building permit.
10. Nine temporary surface parking spaces were created with Phase I. Removal of the temporary parking in front of the Club is required with Phase II construction.
11. The Police facility of at least 500 square feet with three twelve by twelve working spaces is required to be completed to a paint ready state prior to Certificate of Occupancy of the main building.
12. The ADA unit will be platted as common as it is appurtenant to all units and can not be separately rented without renting another unit.
13. A maximum of 48 parking spaces is permitted. This figure is derived from the anticipated unit count and sizes and reducing by 25% from the LMC requirements.

Sincerely,

Brooks T. Robinson
Principal Planner

March 12, 2009

United Park City Mines Company
P.O. Box 1450
Park City, UT 84060

NOTICE OF PLANNING COMMISSION ACTION

<u>Project Name</u>	Tower Club Phase II
<u>Project Description</u>	Conditional Use Permit Extension
<u>Date of Action</u>	March 11, 2009

Action Taken By the Planning Commission: The Planning Commission APPROVED the proposed Tower Club Phase II Conditional Use Permit Extension based on the following:

Findings of Fact:

1. The Tower Club Phase II Conditional Use Permit is located on Empire Club Drive in the RD-MPD zoning district of Pod A of the Village at Empire Pass.
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. The Development Agreement requires the Master Developer to provide water source capacity.
4. On July 28, 2004, the Planning Commission approved a Master Planned Development for the Village at Empire Pass, aka Pod A. The Tower Club Phase II is part of Building 1.
5. On September 30, 2004, the City Council approved a Final Subdivision Plat for the Village at Empire Pass, Phase I. The Tower Club Phase II project is located on lot 9.
6. The proposed Tower Club Phase II Conditional Use Permit is for 25 residential units totaling 67,625 square feet or 33.9 Unit Equivalents and one ADA unit of 650 square feet.
7. The proposed Conditional Use Permit is consistent with the approved Master Planned Development for the Village at Empire Pass.

8. The Tower Club Phase II will be platted as a condominium.
9. The elevation and climate of Flagstaff creates a harsh environment for utilities and their maintenance.
10. The maximum Building Height in the RD District is 28 feet (33 feet with a pitched roof). A height exception to 86 feet above natural grade was requested and granted in the Master Plan. The proposed building complies with the granted height exception.
11. The Planning Commission finds the proposed building in compliance with the volumetrics approved in the MPD; specifically, the façade shifts and roof shifts create architectural interest and break the building into smaller components.
12. The setbacks within the RD zone are twenty feet (20') in the front (25 feet to front facing garage), fifteen feet (15') to the rear and twelve feet (12') on the side. Setbacks are the minimum distance between the closest of the following: property line, platted street, or existing curb or edge of street. With a required re-plat of the boundary between lot 9 and 8 (Shooting Star) the building will comply with these setback requirements.
13. The Construction and Development Phasing Plan was revised on April 13, 2005.
14. The revised Phasing Plan required a Police Facility of at least 500 square feet with three 12x12 spaces.
15. A Construction Mitigation Plan reiterates downhill construction truck traffic will use Royal Street.
16. The CUP was approved on February 13, 2008.
17. An extension application was received by the City on January 8, 2009, requesting an extension of the CUP approval to July 1, 2010.

Conclusions of Law:

1. The CUP, and extension of its approval, is consistent with the Village at Empire Pass Master Planned Development, the Construction and Development Phasing Plan as amended on April 13, 2005, and the Park City Land Management Code.
2. The CUP, and extension of its approval, is consistent Park City General Plan.
3. The proposed use will be compatible with the surrounding structures in use, scale, mass and circulation.
4. The effects of any differences in use or scale have been mitigated through careful planning.
5. No change in the LMC or circumstance requiring mitigation has occurred subsequent to the original approval.

Conditions of Approval:

1. All standard conditions of approval apply to this Conditional Use Permit.
2. A water efficient landscape and irrigation plan that indicates snow storage areas and meets the defensible space requirement is required prior to building permit issuance.
3. All exterior lights must conform to the City lighting ordinance and the Flagstaff Mountain Resort Design Guidelines.
4. All exterior signs require a sign permit.
5. Materials color samples and final design details must be approved by staff prior to building permit issuance.

6. The final building plans and construction details for the project shall meet substantial compliance with the drawings dated October 23, 2007, as submitted and reviewed by the Planning Commission.
7. Utility and grading plans must be approved by the City Engineer prior to Building Permit issuance.
8. The store will include a refrigerated case for milk, juice and sodas, and the shelves will have snacks commonly found in a convenience store. The store will be open to the general public and must be installed by September 1, 2009.
9. A re-platting of the boundary between Lot 9, a private right of way turnaround and Lot 8 (Shooting Star) is a condition precedent to building permit.
10. Nine temporary surface parking spaces were created with Phase I. Removal of the temporary parking in front of the Club is required with Phase II construction.
11. The Police facility of at least 500 square feet with three twelve by twelve working spaces is required to be completed to a paint ready state prior to Certificate of Occupancy of the main building.
12. The ADA unit will be platted as common area as it is appurtenant to all units and can not be separately rented without renting another unit.
13. A maximum of 48 parking spaces is permitted. This figure is derived from the anticipated unit count and sizes and reducing by 25% from the LMC requirements.
14. This approval expires on February 13, 2010, unless an application for a building permit has been received by the City.

Sincerely,

Brooks T. Robinson
Principal Planner

Kirsten Whetstone

From: Anya Grahm
Sent: Tuesday, November 13, 2018 7:52 AM
To: Bruce Erickson; Kirsten Whetstone
Subject: FW: Wednesday at 5:30 p.m. Council Chambers
Attachments: PCLegalNotice111418.pdf; Planning commission 11.18 copy.rtf

FYI

From: Sally Cousins Elliott [mailto:sallycousinselliott@gmail.com]
Sent: Monday, November 12, 2018 5:11 PM
To: Sally Elliott
Subject: Wednesday at 5:30 p.m. Council Chambers

Some of us have long believed that the agreement with Empire Pass to create development also included responsibility for historic preservation. Planning Commission will be hearing a development request from Empire. We need to show up to defend Sandra's letter. Donald is out of town, but I plan to attend. If you're available, please join us for the discussion. See attachments.

--

Sally Elliott
2690 Sidewinder Dr.
Park City, UT 84060
phone: 435-640-3759
sallycousinselliott@gmail.com

Kirsten Whetstone

From: Sandra Morrison <smorrison@parkcityhistory.org>
Sent: Monday, November 12, 2018 4:06 PM
To: Melissa Band; Sarah Hall; Laura Suesser; John Phillips; Mark Sletten; Douglas Thimm; John Kenworthy
Cc: Bruce Erickson; Kirsten Whetstone; Anya Grahm; Sally Cousins Elliott
Subject: Public input for Wednesday Nov 14 Planning Commission meeting - 8680 Empire Club Drive
Attachments: Planning commission 11.14.18.pdf

Planning Commissioners:

Recently I had a long conversation with Nann Worel regarding the historic preservation requirements of the Flagstaff Annexation and Development Agreement and the absence of any stabilization or preservation efforts since its adoption 20 years ago. She advised that at the next agenda item for Flagstaff, I come to Planning Commission and express my concern.

Please find attached my letter detailing the intent of the Agreement and what has actually happened.

Our mining history needs to be saved. It's too important as part of our town's history and culture to ignore any longer. Our mining history is what makes Park City unique and much is still physically here. But we are losing these Treasures to neglect. The Park City Historical Society & Museum and our volunteer committee Friends of Ski Mountain Mining History is working to save whatever we can. But we can't do it alone. We need the developer to live up to their promises in the Flagstaff Annexation and Development Agreement.

Please don't hesitate to contact me with any questions.

Sandra Morrison
Park City Historical Society & Museum/Friends of Ski Mountain Mining History.

From: Sandra Morrison
Executive Director, Park City Historical Society & Museum --
Friends of Ski Mountain Mining History committee.
Subject: 8680 Empire Club Drive - Residences at the Tower and Tower Club CUP for 14
residential units and addition to the Tower Club, and Condominium Plat -
November 14, 2018 Hearing
Date: November 12, 2018
To: Planning Commission
cc: Anya Grahn, Kirsten Whetstone, Bruce Erickson

Dear Planning Commission,

The applications regarding further development at 8680 Empire Club Drive do not comply with all requirements and stipulations of their controlling Flagstaff Development Agreement and associated Technical Reports, because none of the previously agreed to and required provisions for preservation of historic/cultural sites in the Development Agreement have been met.

The agenda for the November 14, 2018 Planning Commission meeting includes two items for consideration at 8680 Empire Drive. The first is an Administrative item involving a Conditional Use Permit (CUP) for a multi-unit residential building and addition to the Private Tower Club at Empire Pass. The second item is Legislative and is a Condominium Plat amendment for the Tower Condominiums. Neither of these items should be approved until the original requirements and stipulations of the Flagstaff Development Agreement and associated Technical Reports are satisfied.

I. Controlling Development Documents

As stated in the Staff Reports for these applications, these applications are subject to the restrictions and conditions of the **Flagstaff Annexation and Development Agreement and Technical Reports**. Specifically:

- Both staff reports on page 2 under Background state: “The 2007 Amended Agreement, 14 Technical Reports, and the Land Management Code, form the standards under which this development is reviewed.
See **Exh. L** [or Exh.F link] - **Flagstaff Development Agreement** and **Exh. M** [or Exh.G link] - **Technical Reports**.”
- Staff’s analysis of Conditional Use Criteria #16 on page 10
“16. The application is subject to the restrictions and conditions of the **Flagstaff Annexation and Development Agreement**.”
- In the staff report’s Findings of Fact #9 on page 12:
“9. The property is subject to the **Flagstaff Mountain Annexation and Development Agreement** (Amended Agreement) approved by City Council per Resolution no. 99-30 on June 24, 1999 and amended on March 2, 2007, **as well as associated Technical Reports**.”

- Under the Conditions of Approval on page 17 :
 “17. **Conditions of approval of the Flagstaff Annexation and Development Agreement and Technical Reports continue to apply, . . .**”

II. The Controlling Flagstaff Development Agreement Contained Specific Requirements for Mine Mitigation, Open Space Management and Historic Preservation

Looking at the Amended and Restated Development Agreement for Flagstaff Mountain Pages 7-8 (Exh. L):

“SECTION II. LARGE SCALE MPD - FLAGSTAFF MOUNTAIN

Section 2.1 DEVELOPER is hereby granted the equivalent of a Large Scale Master Planned Development (Large Scale MPD) for Flagstaff Mountain. This Large Scale MPD sets forth maximum densities, location of densities and DEVELOPER-offered amenities, and is subject to all normally-applicable City processes, and in addition thereto, such processes defined below, including DEVELOPER's responsibility, ...to submit and ultimately to obtain (upon modification, if necessary) City approval of satisfactory plans detailed below:

2.1.1 Mine/Soil Hazard Mitigation Plan;

...

2.1.5 Detailed Open Space Management Plan;

2.1.6. Historic Preservation Plan;

...”

All three of these plans (now known as the Technical Reports) address retaining and saving the historic mine sites.

On Page 18, under Section 2.9 Flagstaff Mountain Mitigation/Amenities: *are the DEVELOPER-offered amenities*

“At the City’s request, the DEVELOPER shall deliver the following mitigation and amenities as an inducement to execute this Development Agreement:”

Thereafter follows a listing of the community benefits offered by the Developer that included constructing public trails, parking lot at Richardson Flat, limiting wood burning fireplaces to one per home, putting a conservation easement on the land designated open space, etc.

These mitigation and amenities also include section 2.9.3 (see pages 19-20):

“ 2.9.3 **Historic Preservation.** The Historic Preservation Plan, at a minimum, shall contain an inventory of historically significant structures located within the Project and shall set forth a preservation and restoration plan, including a commitment to dedicating preservation easements to the City, with respect to any such historically significant structures. The head frame at the Daly West site is historically significant.”

Technical report #6 is that **Historic Preservation Plan** which was approved in December 2001. Under Executive Summary on page 1 the report states:

“The Historic Preservation Plan dated August 2000 is a 127-page detailed document

produced for Flagstaff Mountain by SWCA, Inc., Environmental Consultants.

Accompanying this plan summary is a chart that reviews the same information in an abbreviated format. It includes a brief description of every important site within the Boundary, together with a short history, an overview of the existing conditions, and recommendations for preservation work associated with each.

Additionally, the chart includes information regarding a proposed phasing timeline for restoration or remediation of the sites together with a proposed signage format.”

(Interestingly, the chart differs at various times from the full page report).

The Executive Summary goes on to state:

“Concurrent with the first CUP authorizing construction of residential units, FMP will submit to Staff a plan detailing the repairs and stabilization of the historic structures and public protection plan for these structures and mining features.”

III. NONE of the Specific Requirements in the Flagstaff Development Agreement for Historic Preservation Have Been Met

I think we can all agree that **no** stabilization or preservation efforts have happened at the now Empire Pass Development, although the required Inventory identified **twenty-two (22)** historic mine sites.

For example:

1. Little Belle Ore Bin

The Little Belle Ore Bin is one of the sites identified in the plan. The “chart” discussed above, on page 3 of the Developer’s Historic Preservation Plan provides the plan for the Little Bell Ore Bin:

“Existing Conditions: The overall effect of the damage to the ore bin is that the entire structure is supported only by the central supports and cross braces at the front and rear of the structure, making its support base effectively much smaller and creating a precarious and dangerous situation.”

“Work recommendation: With the first phase of the Flagstaff development, the Little Bell Ore Bin will be provided a permanent shelter in the form of all-weather roofing.... Additional building stabilization will occur in the summer of 2001.”

“General notes: Since the condition of this structure poses a safety hazard, actions should be taken as soon as possible to temporarily stabilize the structure until permanent repairs can be made.”

Four pages of the Full report are dedicated to describing the mitigation/stabilization work and give the work “High” priority. Interestingly the full report does not mention a permanent shelter in the form of all-weather roofing.

The Developer never performed any of the planned preservation work, and there is no

permanent shelter with the all-weather roofing.

17 years later, this summer, the Park City Museum and our volunteer committee Friends of Ski Mountain Mining History decided it was now or never to save this fabulous mining structure. We spent \$60,000 -- hiring both Calder Richards Engineering to develop construction plans and Contractor Clark Martinez to stabilize the structure. The now-stabilized Little Belle Ore Bin currently stands proudly on Bandana ski run for everyone to enjoy for decades to come!

None of the other Work recommendations in the Developer's Historic Preservation "Chart" or the full technical report have been completed either.

For example:

2. Judge Mining & Smelting Office:

"Existing Conditions: All the building's walls plus at least one internal wall are constructed of poured concrete. The exterior walls are finished with stucco which shows no evidence of paint and retains its natural appearance. The stucco appears to be original and has the logo "J.M. & S. Co - 1920" incised into the front gable above the original entrance"

"Work recommendation: The building site will be cleaned of debris in summer 2001. With the first phase of the Flagstaff development, the restoration of the building will be initiated. . . .After restoration, the building is anticipated to serve as an office and recreation uses for the Flagstaff development."

8 pages (pp. 85-93 in the full report) describe the stabilization/preservation work at the Judge office building in detail. The condition of the structure is described as "fair" and the work given "high" priority.

However, and again, **none of the recommended work was done by the Developer.**

IV. Specific Requirements in the Flagstaff Development Agreement for MINE HAZARD MITIGATION Have Not Been Met

The historic mine structures are also identified in the other technical reports attached to the Flagstaff approval. Here are two examples:

Technical report – Exhibit 1: PHYSICAL MINE HAZARDS MITIGATION PLAN
references

#11 Daly West

"Recommended further action:

Fencing, removal, stabilization or other security measures for dilapidated structures."

The 1970's non-historic hoisting works shed has been removed and a fence installed, but no stabilization of the Daly West headframe occurred. It has since toppled.

#21 Little Bell ore bin is identified as a Potential Physical Hazard that includes a dilapidated wooden structure and recommends the action of **stabilizing the structure.**

V. Specific Requirements in the Flagstaff Development Agreement for OPEN SPACE MANAGEMENT Have Not Been Met

Technical Report – Exhibit 5: OPEN SPACE MANAGEMENT PLAN

recognizes the importance of the historic mine sites and designates them as PROTECTED

Section 4.2 Designated Protected Open Space (POS) :

“Protected Open Space (POS) refers to portions of the Plan Area that will be preserved for their outstanding natural and/or cultural resource characteristics.”

“Another type of POS within the Plan Area is associated with specific cultural resource sites. **These include a number of mining sites considered sensitive due to their historic value**, vulnerability to vandalism, and/or the hazard they pose to an uninformed public (Figure 2). Brief descriptions of these sites and why they qualify for POS are provided in this plan. More detailed management considerations for these sites are provided in the Flagstaff Mountain Resort Historic Preservation Plan (Exhibit 6 to this LSMPD).”

“The primary purpose of POS is to promote useable, public, non-improved, noncommercial, connected, and contiguous open space for community benefit; promote the preservation of undisturbed open lands; prohibit construction on ridge lines and steep slopes, or in wetlands, watersheds, and view sheds; **promote the preservation of historic sites**; and preserve the vegetation and habitat of natural areas. More detailed descriptions of the Recreational and Protected Open Space classes are provided below.”

Further Technical report #5 goes on to say:

“The management objective of cultural resource POS is to **preserve and maintain the cultural integrity** of a given site.”

The Open Space Technical report #5 identifies the same historic sites as the Historic Preservation Technical report #6 and reinforces the expectation of saving and retaining them. Two samples from the report:

“4.2.3 Little Bell Mine Site

The Little Bell Mine Site contains an old ore bin with both historic and aesthetic importance. Consequently, this site is considered POS. For a detailed history of this site and a discussion of historic preservation concerns regarding the ore bin in particular, refer to the Flagstaff Mountain Resort HPP. Management of this site is expected to involve **stabilization of the ore bin** and installation of interpretive signage explaining the role of the ore bin in the mining process.”

“4.2.6 Judge Mine Complex

As defined for the purposes of this Open Space Plan, the Judge Mine Complex consists of the Judge Drain Tunnel, the Judge Mining & Smelting Company office building, the Judge Mining & Smelting Company explosives bunker, a wooden house, the remains of the Daly-Judge Mill, and the Judge aerial tramway towers. **The historical and aesthetic**

importance of the office building, remaining rail tracks, and the explosives bunker and the huge industrial operation for which these and the other facilities are the only vestige warrant designation of this area as POS. Detailed information on the historical context of this site may be found in the Flagstaff Mountain Resort HPP. **Detailed stabilization, restoration, and management actions** are also provided in the HPP. These facilities, particularly the office building and wooden house, have been severely - vandalized. Thus, **at a minimum**, management will include installation of interpretive and cautionary signage designed to educate the public on the historical importance of these facilities and foster a sense of stewardship in order to minimize future vandalism."

The Developer hasn't even achieved the "at a minimum" agreed-to requirements. Instead, this summer our Museum volunteers spent a day partnering with Mountain Trails Foundation to clean up the years of graffiti accumulation on this site.

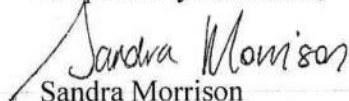
VI. Conclusion

I'll stop here. Obviously I could keep quoting all the requirements from the Historic Preservation Plan, the Open Space Management Plan and the Physical Mine Hazards Mitigation Plan – technical reports #1, #5 and #6 of the Flagstaff Development Agreement. The intent of this Agreement was to stabilize and preserve the historic mine sites and historic mine structures. I ask your help to finally make this happen. Development at Empire Pass continues with no discussion about the original commitment by the Developer to preserve our town's remarkable history. Instead these unique mine structures have fallen into such tremendous disrepair that we are in jeopardy losing them forever. The Daly West Headframe, now lying on the ground, amply demonstrates the peril.

The Park City Museum and our volunteer committee Friends of Ski Mountain Mining History cannot halt the demise alone. We need everyone's help – especially the Developer who through the Flagstaff Development Agreement has committed to their stabilization, preservation and maintenance for future generations.

No further development should be approved under the Flagstaff Development Agreement until the previously existing and agreed-to requirements for Historic Preservation, Open Space and Mine Mitigation plans have been met, or at the very least a plan put in place to actually meet those requirements.

Respectfully submitted,


Sandra Morrison

Park City Historical Society & Museum
Friends of Ski Mountain Mining History

Planning Commission Staff Report



PLANNING DEPARTMENT

Subject: Residences at the Tower
Condominiums
Author: Kirsten Whetstone, MS, AICP- Senior Planner
Date: December 12, 2018
Type of Item: Legislative- Condominium Plat

Project Number:	PL-18-04006
Applicant:	Storied Development, LLC
Location:	8680 Empire Club Drive
Zoning:	Residential Development (RD) as part of the Flagstaff Annexation and Master Planned Development (MPD) and the Village at Empire Pass MPD (VEP MPD)
Adjacent Land Uses:	Deer Valley Resort, condominiums, townhouses, vacant development parcels of the Village at Empire Pass Pod A and open space
Reason for Review:	Plat amendments require public hearing and recommendation by the Planning Commission with final action by City Council.

Summary Recommendations

Staff recommends the Planning Commission conduct a public hearing for the Residences at the Tower condominium plat, for fourteen (14) market rate multi-family residential units, one (1) American Disability Act (ADA) unit, one (1) deed restricted employee housing unit (EHU), a police substation, and the private Talisker Club located at 8680 Empire Club Drive, and consider forwarding a positive recommendation to City Council pursuant to findings of fact, conclusions of law, and conditions of approval found in the draft ordinance.

Proposal

This is a request for approval of the Residences at the Tower condominium plat (**Exhibit A**) for 14 multi-family residential units (42,453 sf) utilizing 21.227 unit equivalents (UE), one ADA unit (737 sf) and one 737 sf deed restricted employee housing unit (EHU), a 509 sf police substation, and the private Talisker Club located at 8680 Empire Club Drive. This condominium plat memorializes density, uses and configuration of units, and identifies areas of private and common ownership. The plat includes the existing and proposed expansion to the private Talisker Club Support Commercial uses as well as club and residential accessory uses, parking, circulation, mechanical and storage space.

Construction of these units and expansion of the Talisker Club (aka Tower Club) is subject to approval of the Residences at the Tower Conditional Use Permit (CUP) and subsequent building permits. The property is located within the Residential Development (RD) zoning district on a 1.53 acre Lot 9 of the First Amended Village at Empire Pass Phase 1 Subdivision (**Exhibit H**).

The property is subject to the Village at Empire Pass Master Planned Development (VEP MPD), approved by the Planning Commission on July 28, 2004 ([Exhibit E- link to VEP MPD approval](#)). The application is further described in the applicant's letter (**Exhibit B**) and the CUP report. Existing conditions survey, aerial photo and photos of the site were submitted with the application, see **Exhibits C and D**. A preliminary construction mitigation plan was submitted as well, see **Exhibit J**.

The building is currently known as the Talisker Club. The approved CUP was called the Tower Club CUP consistent with a previous name change from Empire Club to Tower Club, during approval of the Phase II CUP for the residential units. It was also previously known as the Alpine Club. **This current proposal represents a reduction in density and size by 11 units and 25,000 sf (12.58 UE)** from the previously approved Phase II CUP.

Background / Timeline

June 24, 1999 – City 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. The Agreement was amended in **March of 2007** and includes 14 technical reports associated with the Empire Pass development area. The 2007 Amended Agreement, 14 technical reports, VEP MPD, and the Land Management Code, form the standards under which this development is reviewed. See [Exhibit F- Link to Flagstaff Development Agreement](#) and **Exhibit G - Link to Technical Reports**).

July 28, 2004 – Planning Commission approved the Village at Empire Pass Master Planned Development (VEP MPD). The purpose of the VEP MPD was to establish unit mix and density for the Mountain Village as well as addressing overall project infrastructure throughout the Annexation Area. The VEP MPD established building volumetric diagrams, including specific height exceptions, density and development location and requires CUP approval for lodge buildings prior to building permit issuance. [Exhibit E – Village at Empire Pass Planned Development \(VEP MPD\) approval \(link\)](#)

September 30, 2004 – City Council approved the Village at Empire Pass Phase 1 Subdivision that platted the east side lots of the Village at Empire Pass (**Exhibit H**). Proposal is located on Lot 9.

April 13, 2005 – Planning Commission approved the Tower Club Phase I CUP for approximately 8,880 square feet consisting of 2,264 sf of MPD Resort Support Commercial (private dining, kitchen, small convenience store), and 6,616 sf of residential and resort accessory uses (ski lockers, recreation amenities, meeting room, kids club, circulation, storage, mechanical, as well as outdoor amenities such as pool, hot tubs, etc.). The Club was constructed in **2005 and 2006**.

February 13, 2008 – Planning Commission approved the Tower Club Phase II CUP for residential units on Lot 9. The approval for 25 units totaling 67,625 sf (33.81 UE) and one (1) ADA unit was granted an extension to July 1, 2010, by Planning Commission on **March 11, 2009**. A building permit for Phase II was not issued and the CUP expired. This **current CUP proposal represents a reduction in density and size by 11 units and 25,000 sf (12.58 UE)**.

January 6, 2011 – City Council approved an amendment to the VEP Phase 1 Subdivision amending Lot 9 to address access, parking, and trail easements. The amended plat was recorded on **January 4, 2012 (Exhibit I)**.

December 14, 2016 – Planning Commission approved an amendment to the Tower Club Phase I CUP to allow an expansion of the private dining area, outdoor patio and accessory uses. The CUP expansion increased the MPD Resort Support Commercial to 3,379 sf. Construction of the expansion was completed in **2018**.

November 9, 2017 – City Council approved a second amendment to the VEP Phase 1 Subdivision combining Lots 1 and 2 into Lot A of the Second Amended Village at Empire Phase 1. The amended plat was recorded on April 10, 2018 and is the location of the Larkspur Townhomes 6 condominium plat currently under review.

October 9, 2018 - the City received a complete application for the Residences at the Tower Condominium plat and CUP (see this packet for the CUP report).

Purpose

The purpose of the Residential Development (RD) Zoning District can be found in [LMC Section 15-2.13-1](#).

Land Management Code (LMC) and VEP MPD Analysis

The proposal complies with LMC lot and site requirements of the RD Zoning District and the VEP MPD as described below.

Analysis

Zoning of the property is Residential Development (RD) subject to the VEP MPD. LMC lot and site requirements of the RD District and the VEP MPD are described below.

	RD District and/or VEP MPD
Lot Size	No minimum lot size. Lot 9 is approximately 1.53 acres (66,711 sf).
Front yard setbacks LMC setback exceptions apply.	Minimum 25 feet to front facing garage, 20 feet to building. Proposed front setback is 20' and 25' (garage is 25'). <u>Complies</u> .
Rear yard setbacks LMC setback exceptions apply.	Minimum 15 feet rear setbacks. Proposed minimum rear setback is 75'. <u>Complies</u> .
Side yard setbacks LMC setback exceptions apply.	Minimum 12 feet side setbacks. Proposed minimum setback is 12'. <u>Complies</u> .

Building Height Zone allows 28 feet (33 feet for pitched roof 4:12 or greater). Village MPD Volumetric and Height Exception allows up to 86 feet above existing natural grade as follows: 20% of the building is permitted to reach max height of 74' (north end), 55% may reach 86' (central portion) and 25% (south end) may reach max height of 74'.	Proposed building does not exceed 86' in height with 20% (north) at or less than 74', and 55% at or less than 86', and 25% (south) is less than 74'. The plat is consistent with the VEP MPD building heights and volumetric, as further described in the Conditional Use Permit. <u>Complies.</u>
Parking The <u>Flagstaff Transit and Parking Management Plan</u> approved with the MPD <u>requires</u> a 25% reduction in parking from what would be normally required by the LMC and the Empire Pass HOA is required to provide shuttle services for the private Talisker Club.	Per LMC, based on unit sizes, 29 spaces are required for the 14 units, one ADA and one EHU. With the 25% reduction, 22 spaces are required. The underground parking structure has 22 spaces (including 1 ADA). There are 3 surface spaces along Village Way, 2 to be reserved as required for the police substation and one for service and delivery. Each unit is assigned one space as limited common and the remaining spaces are common. <u>Complies.</u>
Architectural Design All construction is subject to Village at Empire Pass Design Review Board (DRB) approval and LMC Chapter 15-5 Architectural Design Guidelines with final review conducted at the time of the Building Permit.	The addition matches the architectural character and materials of the existing building and complies with the Village MPD regarding architectural character, articulation, volumetric and height as further described in the CUP report. A report and letter from the DRB is an Exhibit to the CUP report. <u>Complies.</u>
Residential Units (Previous CUP approval on this Lot was 25 units totaling 67,625 sf (33.81 UE)).	14 market rate multi-family units are proposed, ranging in area from 1,806 sf to 4,229 sf (total of 42,453 sf., 21.227 UE). Deed restricted unit is 737 sf. ADA unit is 737 sf. Total all residential is 43,927 sf. Current proposal represents a reduction in density and size by 11 units and 25,000 sf (12.58 UE). <u>Complies.</u>
MPD Resort Support Commercial 75,000 sf allowed. <u>Allocated by CUP or plat</u> Montage Spa- 35,000 sf Montage retail, restaurants/kitchens, bar, etc. -28,059 sf Grand Lodge- 1,275 sf Tower Club dining/kitchen/store- 3,379 sf <u>Remaining (prior to this application)</u> 7,287 sf	Existing- as approved with the Amended Tower Club CUP- 3,379 sf (kitchen, dining, store, spa) Proposed expansion- 2,424 sf (kitchen, dining, spa) Total including this CUP expansion: 5,802 sf Sufficient MPD Resort Support Commercial exists for the proposed private club expansion and 4,863 sf will remain if this expansion is approved. <u>Complies.</u>
Residential Accessory uses (Guest amenities)	Common residential and club accessory uses are provided on levels two and three, including locker rooms, storage, fitness and recreation, kids club, lounge/après/meeting room, ski prep area, lobby, and other areas for the use by club, residents and guests. No UE are required for these uses and these areas are platted as common/limited common for the residential accessory and Club area for the club accessory uses. Total accessory area is approximately 14,021 sf. <u>Complies.</u>

Density Summary The Development Agreement approved the Mountain Village (Pods A, B1 and B2) for a maximum of 785 UE (550 multifamily units) and 16 single family units. A maximum of 60 PUD style units were approved as part of the overall multi-family units. To date 509 multi-family units (757.28 UE) have been approved, platted or built within the Mountain Village, including One Empire Pass. Constructed lodge style buildings include Shooting Star, Silver Strike, Flagstaff, Arrow leaf A and B, One Empire Pass and Grand Lodge. Empire Residences are under construction.	This CUP proposes the following: Residential- 14 market rate multi-family units (42,453 sf (21.227 UE), 1 ADA and 1 EHU = 43,927 sf total residential. There is sufficient remaining density for the proposed residential density. (Exhibit K- Density Summary). <u>Complies.</u>
Affordable Housing Amended Development Agreement requires a total of 118.9 AUE (Affordable Unit Equivalents) where 1 AUE is 800 sf. This Lodge Building was assigned 0.75 AUE (600 sf) per the Developer. Off-mountain housing has been satisfied. On-mountain housing required is 24.725 AUE and is partially complete with 16.675 AUE built and 8.05 AUE remain to be built. These remaining AUE are assigned to Buildings 1, 3, 4 and B2 East.	The plat identifies one 737 sf deed restricted affordable unit, or EHU, within the building consisting of 0.921 AUE. This unit is platted as common area and will be available at the same time the other units in the building are available, upon issuance of a certificate of occupancy for the entire building. A deed restriction for the EHU unit, acceptable to the City, shall be recorded with or prior to plat recordation. The deed restriction shall outline and resolve any issues or concerns regarding maintaining affordability of the unit. The CCRs shall limit the HOA dues related to the deed restricted employee housing unit (EHU) in order to ensure the Unit remains affordable. The CCRs shall reflect a lower par-value to reflect the reduced cost of the unit (or exempt the unit from HOA fees) to ensure that the unit doesn't lose its affordability due to HOA fees. <u>Complies.</u>

The platted area includes the following:

Unit #	Floor Area (sf)	Parking required
Private Residential Units		
Unit 1	3,014	2
Unit 4 (see Units 2 and 3 below)	2,403	2
Unit 5	3,010	2
Unit 6	2,403	2
Unit 7	2,195	2
Unit 8	1,810	1.5
Unit 9	1,806	1.5
Unit 10	2,132	2
Unit 11	4,229	2
Unit 12	4,166	2

Unit 13	4,229	2
Unit 14	4,166	2
Unit 15	3,624	2
Unit 16	3,266	2
14 Residential Units platted as private residential area	42,453 (21.227 UE)	27
Unit 2 (ADA) platted as common area	737 sf	1
Unit 3 (EHU) platted as common area	737 sf	1
MPD Resort Support Commercial platted as the Club area (kitchen, dining, store, spa, and lounge).	5,803 sf (adding 2,424 sf to existing 3,379 sf for kitchen, dining, lounge, store, spa)	n/a
Residential and Club accessory uses- admin office, mechanical, storage, meeting room, circulation, residential/ guest accessory amenities, fitness, kids club, locker rooms, fitness and recreation area, swim entry area, etc. – common area for residential accessory and Club area for club accessory.	14,021 sf	n/a
Common circulation, vents, mechanical, housekeeping closets, etc. – common area and Club area.	10,385 sf	n/a
Police substation- platted as commercial area and restricted by conditions of approval and plat notes.	509 sf	2 space required by the Development Agreement and provided along Village Way
Parking garage area (includes parking spaces, drive aisles, mechanical, circulation) - platted as common and limited common appurtenant to residential units.	11,168 sf	22 spaces (25% of 29)
Total Building Area- of the Condominium plat (doesn't include walls, chases, and other structural spaces).	85,813 sf	n/a

Gross building area from Architects Plans , includes all platted building area and chases, walls, attics and other structural elements.	88,149 sf	n/a
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Process

Approval of this application by the City Council constitutes Final Action that may be appealed following procedures found in Land Management Code § 15-1-18.

Good Cause

There is good cause for this condominium plat, as conditioned, as it is consistent with the development pattern envisioned in the amended Flagstaff Development Agreement and associated Technical Reports and the Village at Empire Pass MPD. Residential units are required to be platted as condominiums to memorialize density (units and UE). The condominium plat allows for the sale of individual units, provides one affordable, deed restricted employee housing unit on site and space for the police substation as required by the Emergency Response Plan of the Amended Development Agreement.

Department Review

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

Notice

On October 31st and November 28th, 2018, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was published in the Park Record and the Utah Public Notice website on October 27th and November 28th, 2018.

Public Input

Staff has not received any public input on the condominium plat application at the time of this report.

Alternatives

- Planning Commission may forward a positive recommendation to City Council for the Residences at the Tower condominium plat as conditioned or amended, or
- Planning Commission may forward a negative recommendation and direct staff to make Findings for this decision, or
- Planning Commission may continue the item to a future date.

Significant Impacts

There are no significant fiscal or environmental impacts from this application that have not been addressed by the Development Agreement and/or conditions of approval. Platting the condominium units allows units to be sold separately, memorializes the density in terms of units and UE, and identifies private, common, and limited common area.

Recommendation

Staff recommends the Planning Commission conduct a public hearing for the

Residences at the Tower condominium plat, for fourteen (14) market rate multi-family residential units, 1 American Disability Act (ADA) unit, 1 deed restricted employee housing unit (EHU), a police substation, and the private Talisker Club (including proposed expansion) and consider forwarding a positive recommendation to the City Council pursuant to findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

Exhibits

Ordinance

Exhibit A – Proposed plat

Exhibit B – Applicant's letter

Exhibit C – Existing Conditions survey and aerial photo

Exhibit D – Photos of the site

[Exhibit E – Village at Empire Pass Planned Development \(VEP MPD\) approval \(link\)](#)

[Exhibit F – Flagstaff Development Agreement \(link\)](#)

[Exhibit G – Technical reports \(link\)](#)

Exhibit H – Village at Empire Pass Phase 1 Subdivision plat

Exhibit I – First Amended Village at Empire Pass Phase 1 Subdivision plat

Exhibit J – Construction Mitigation Plan preliminary

Exhibit K – Flagstaff Density Summary

Draft Ordinance No. 2018-XX

AN ORDINANCE APPROVING THE RESIDENCES AT THE TOWER CONDOMINIUM PLAT LOCATED AT 8680 EMPIRE CLUB DRIVE, PARK CITY, UTAH.

WHEREAS, the owners of the property known as the Residences at the Tower Condominiums, located at 8680 Empire Club Drive, petitioned the City Council for approval of the Residences at the Tower Condominiums plat; and

WHEREAS, on October 31, 2018 and November 28, 2018, the property was properly posted and legal notice was sent to all affected property owners; and

WHEREAS, on October 27, 2018 and November 28, 2018, proper legal notice was published in the Park Record and on the Utah Public Notice website according to requirements of the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on December 12, 2018, to receive input on the Residences at the Tower Condominium plat;

WHEREAS, the Planning Commission, on December 12, 2018, forwarded a recommendation to the City Council; and,

WHEREAS, the City Council on _____, 2019, held a public hearing and took final action on the condominium plat; and,

WHEREAS, it is in the best interest of Park City, Utah to approve the Residences at the Tower Condominium plat consistent with the Village at Empire Pass Master Planned Development, the 2007 Amended Flagstaff Development Agreement and Technical Reports and the Residences at the Tower Conditional Use Permit.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Residences at the Tower Condominium plat 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. Residences at the Tower condominium plat identifies 14 private market rate multi-family residential units totaling 42,453 sf, utilizing 21.227 UE, as well as 1 ADA unit and 1 deed restricted affordable unit, a police substation and the private Talisker Club located on Lot 9 of the First Amended Village at Empire Pass Phase I subdivision.
2. Lot 9 is located in the RD-MPD zoning district and contains 1.53 acres and is addressed as 8680 Empire Club Drive.
3. Access to the property is from Village Way and Empire Club Drive, which are both private streets.

4. Lot 9 is currently partially developed with the private Talisker Club that includes dining and other indoor and outdoor amenities for members.
5. The market rate multi-family residential units range in size from 1,806 sf to 4,229 sf with an average unit size of approximately 3,032 sf. The 737 sf ADA unit is required to be identified as common area. The 737 sf EHU is also platted as common area.
6. A 509 sf police sub-station, platted as commercial area, is proposed on the lower level as a requirement of the Emergency Response Plan Exhibit #7 of the Flagstaff Development Agreement.
7. The property is subject to the Flagstaff Mountain Annexation and Development Agreement approved by City Council per Resolution No. 99-30 on June 24, 1999 and amended on March 2, 2007, as well as associated Technical Reports.
8. The Amended Agreement is the equivalent of a Large-Scale Master Plan and sets forth maximum project densities, location of densities, and developer-offered amenities for the annexation area.
9. The Amended Agreement specifies that a total of 87 acres, within three development pods (A, B1 and B2), of the 1,750 acres of annexation property may be developed for the Mountain Village. The Mountain Village is further constrained to a maximum density of 785 unit equivalents (UE) configured in no more than 550 dwelling units as multi-family, hotel, or PUD units, provided the number of PUD units does not exceed 60, and PUD units are included in the totals for multi-family units.
10. To date approximately 509 multi-family units (757.28 UE) (of which 60 are PUD style units) and 16 single family units have been approved, platted and/or built within Pods A, B1 and B2. This number includes the 70 units noted in the plat notes for the B2 East subdivision and also includes Empire Residence CUP units currently under construction as Building 3 and Moon Shadow Condominiums for 8 PUD units pending plat recordation). This number also includes all of the Larkspur Townhomes, including Larkspur Townhomes 6 which condominium plat is currently under review.
11. Constructed lodge style buildings include Shooting Star, One Empire Pass, Silver Strike, Flagstaff, Arrow Leaf A and B, Grand Lodge and Ironwood. Lodge buildings still to be approved within Pod A are: Building 1- Residences at the Tower (subject property) and Building 4. The Empire Residences (Lodge Building 3) are currently under construction.
12. There is sufficient density remaining within Amended Agreement and VEP MPD for the proposed 14 multi-family units (21.227 UE).
13. Amended Agreement requires a total of 118.9 AUE (Affordable Unit Equivalents) where 1 AUE is 800 sf. A total of 94.175 off-mountain AUE and 24.725 on-mountain AUE are required. Off-mountain housing has been satisfied. On-mountain housing is partially complete with 16.675 AUE built and 8.05 AUE remaining. These remaining AUE are assigned to Buildings 1, 3, 4 and B2 East.
14. Lodge Building 1 was assigned 0.75 AUE (600 sf) per the Developer at time of sale.
15. The proposed affordable unit consists of 737 sf (0.921 AUE) (not including dedicated storage areas located separate from the unit) platted as common area and shall be deed restricted per requirements of the Housing Resolution prior to plat recordation.
16. On July 28, 2004, the Planning Commission approved a Master Planned Development for the Village at Empire Pass (VEP MPD) (Pods A and B1) within the Flagstaff Mountain Annexation and Development area for Lodge Buildings grouped around the Silver Strike lift and ski runs, various townhouses making up a second tier of units, with PUD style detached units and single family lots on the perimeter. A

common amenity building, known as the Tower Club, was central to the VEP MPD. A common mail area, indoor and outdoor recreation facilities, pedestrian connections and transportation pick-up/drop-off area were included. The VEP MPD also approved heights and Volumetrics for the Lodge buildings.

17. On September 30, 2004, the City Council approved the Village at Empire Pass Phase 1 Subdivision that platted the east side lots of the Village at Empire Pass.
18. On April 13, 2005, the Planning Commission approved the Tower Club Phase I CUP for approximately 8,880 square feet consisting of 2,264 sf of MPD Resort Support Commercial (private dining, kitchen, small convenience store), and 6,616 sf of residential and resort accessory uses (ski lockers, recreation amenities, meeting room, kids club, circulation, storage, mechanical, as well as outdoor amenities such as pool, hot tubs, etc.). The Club was constructed in 2005 and 2006.
19. On February 13, 2008, the Planning Commission approved the Tower Club Phase II CUP for residential units on Lot 9. The approval for 25 units totaling 67,625 sf (33.81 UE) and one (1) ADA unit was granted an extension to July 1, 2010, by the Planning Commission on March 11, 2009. A building permit for Phase II was not issued and the CUP expired. This current CUP proposal represents a reduction in density and size by 11 units and 25,000 sf (12.58 UE) from the 2008 approval.
20. On January 6, 2011, the City Council approved an amendment to the VEP Phase 1 Subdivision amending Lot 9 to address access, parking, and trail easements. The amended plat was recorded on January 4, 2012.
21. On December 14, 2016, the Planning Commission approved an amendment to the Tower Club Phase I CUP to allow a 1,115 sf expansion of the private dining area, as well as expanded outdoor patio area, 1,000 sf of expanded basement area for accessory uses. The CUP expansion increased the MPD Resort Support Commercial on Lot 9 to 3,379 sf. Construction of the expansion was completed in 2018. The building currently consists of approximately 10,995 sf.
22. On October 9, 2018, the Planning Department received a complete application for a Condominium plat and a Conditional Use Permit for a fourteen (14) multi-family unit residential building to be located on Lot 9 of the First Amended Village at Empire Pass Phase One Subdivision.
23. The property is subject to subdivision plat notes that require compliance with the Amended Flagstaff Annexation and Development Agreement, approval of a Conditional Use Permit for each lodge building prior to issuance of a building permit, a declaration of condominium and a record of survey plat prior to individual sale of units, membership in the Empire Pass Master HOA, a 20' snow storage easement along the street frontages, water efficient landscaping, and various utility and maintenance provisions.
24. The proposed condominium plat memorializes the density, size and configuration of units to be construction in one phase and identifies areas of private, common and limited common ownership, and private club area.
25. The Amended Agreement allows a maximum of 75,000 sf of MPD Resort Support Commercial uses. Lot 9 currently is approved, with the Amended Tower Club CUP for 3,379 sf (kitchen, dining, small store) of MPD Resort Support Commercial Uses. Montage Resort was approved for 63,059 sf of MPD Resort Support Commercial and Grand Lodge was approved with 1,275 sf.

26. Total utilized MPD Resort Support Commercial Uses for this building, including this CUP expansion, is 5,803 sf (adding approximately 2,424 sf of Resort Support Commercial uses for Spa, addition to kitchen, and lounge).
27. There is sufficient MPD Resort Support Commercial remaining for the proposed private club expansion and approximately 4,863 sf will remain if this project is approved. This space is identified on the plat as part of the Club Unit with additional lines and labels calling out the specific square feet of these areas. A table of the Resort Support Commercial space shall also be included on the plat.
28. The Emergency Response Plan requires a police sub-station to be dedicated within the Empire Club building in Pod A. The Plan calls for a facility with 3 office spaces, approximately 12' by 12' each, with a combined square footage of not less than 500 sf, plus two reasonably proximate parking spaces. The unit is to be made available to Park City as an empty "white box" for no cost, and not subject to HOA dues or other assessments, as soon as occupancy permits are ready to be issued for the rest of the building and residential units. This space will be identified as a Commercial Unit specifically for the police substation that can be transferred to the City.
29. Guest amenity areas (exercise and recreation areas, locker rooms, lobby and reception area, lounge/après ski, restrooms, etc.) are proposed on the first and second levels. Common residential accessory uses do not require use of UEs.
30. Based on unit sizes, a minimum of 22 parking spaces are required when taking into consideration the 25% parking reduction (from the 29 required spaces) per the Flagstaff Development Agreement and MPD.
31. An underground parking structure provides 22 parking spaces, including 1 ADA spaces, as well as limited common storage areas for each unit. Two surface spaces are provided at the street for the police sub-station. One surface space will be provided for short term pick-up and drop-off.
32. Each unit has one assigned limited common parking space and the remaining spaces are common.
33. The plat is consistent with the approved Village at Empire Pass Master Planned Development and the Residences at the Tower Conditional Use Permit in terms of density, units, UE, building height, uses, setbacks, and parking.
34. The MPD requires Construction Mitigation Plans to be submitted with each CUP and building permit addressing all requirements of the Amended Agreement and Technical Reports.
35. A Master Homeowners Association document and Maintenance Agreement for the Mountain Village were reviewed and approved by the City prior to issuance of the initial building permits within the Mountain Village. This property is also subject to these documents, in addition to any declaration of condominium and CCRs recorded with the condominium plat.
36. The condominium plat allows for the sale of individual units.

Conclusions of Law

1. There is good cause for this condominium plat.
2. The condominium plat is consistent with the 2007 Amended Flagstaff Annexation and Development Agreement, the Village at Empire Pass MPD, the First Amended Village at Empire Pass Phase 1 Subdivision, the Park City Land Management Code and applicable State laws regarding condominium plats.

3. Neither the public nor any person will be materially injured by the proposed condominium plat.
4. Approval of the condominium plat, 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 condominium plat for compliance with State law, the Land Management Code, 2007 amended Flagstaff Development Agreement, Village at Empire Pass MPD and these conditions of approval, prior to recordation of the plat.
2. The applicant will record the condominium plat at Summit 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, unless a request for an extension is submitted in writing and approved by the City Council.
3. City Engineer and SBWRD approval of the final infrastructure and utility plans is a condition precedent to plat recordation.
4. The 2007 Flagstaff Amended Development Agreement and associated Technical Reports and Exhibits apply to this property.
5. Conditions of approval of the Village at Empire Pass Master Planned Development (MPD), First Amended Village at Empire Pass Phase 1 Subdivision, and the Residences at the Tower Conditional Use Permit (CUP) apply to this plat.
6. All applicable required and recorded utility, access, snow storage, trails, etc. easements shall be indicated on this condominium plat prior to recordation and building permit issuance.
7. The plat shall note that public safety access and public utility easements are hereby dedicated for all private streets and that the private streets shall be owned, operated, maintained and repaired by the Master Association for the use and benefit of the owners of property in Empire Pass at Deer Valley in accordance with the Master Declaration.
8. The plat shall note that a Construction Mitigation Plan, including truck routing, is a submittal requirement of the building permit application.
9. The deed restricted employee housing unit (EHU) shall be a minimum of 737 sf (0.921 AUE), exclusive of additional storage area to be dedicated to this unit. One AUE is equivalent to 800 sf according to the 2007 Development Agreement.
10. The EHU and ADA units shall be platted as common area.
11. A deed restriction for the EHU unit, acceptable to the City, shall be recorded with or prior to plat recordation. The deed restriction shall outline and resolve any issues or concerns regarding maintaining affordability of the unit. The plat shall note that the EHU is subject to a deed restriction. The EHU and ADA units shall be available for occupancy at the same time as the entire building and when the market rate units are issued a certificate of occupancy.
12. The CCRs shall limit the HOA dues related to the deed restricted employee housing unit (EHU) in order to ensure the Unit remains affordable. The CCRs shall reflect a lower par-value to reflect the reduced cost of the unit (or exempt the unit from HOA fees) to ensure that the unit doesn't lose its affordability due to HOA fees.
13. The CCRs shall be submitted with the condominium plat for review and approval by the City prior to final condominium plat recordation.

14. Conditions related to the police sub-station unit shall be described in the CCRs, and/or by separate agreement with the City, prior to recordation, consistent with language in the Emergency Response Plan of the Amended Flagstaff Agreement.
15. The plat shall note that fire sprinklers are required for new construction on the Lot per the Chief Building Official at the time of review of building permits and all requirements for emergency access according to the Park City Fire District and Park City Building Department shall be addressed prior to building permit issuance.
16. The plat shall note the number and square footages of all residential units and shall indicate the total square footage and Unit Equivalents of the 14 market rate units.
17. The plat shall note the Resort Support Commercial square footage and a table of the Resort Support Commercial space shall be included on the plat.
18. The CC&Rs shall provide notice and process for the tracking and collection of the Real Estate Transfer Fee as required and defined by the Flagstaff Mountain Development Agreement, as amended.
19. A plat note shall restrict the Resort Support Commercial areas and associated Club accessory areas as a Private Club for members and shall not be sold or used as a commercial or retail establishment for the public, with the exception of the store area.
20. A plat note shall restrict the police substation commercial unit as a police substation. In the event that the police substation is vacated by the City, the HOA may apply to amend this plat and the CUP for common or limited area storage, mechanical or other similar uses. No commercial, office or residential use is allowed unless additional density/UEs are acquired and the addition of such is approved by plat and CUP amendment.

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

PASSED AND ADOPTED this ____ day of January, 2019.

PARK CITY MUNICIPAL CORPORATION

Andy Beerman, MAYOR

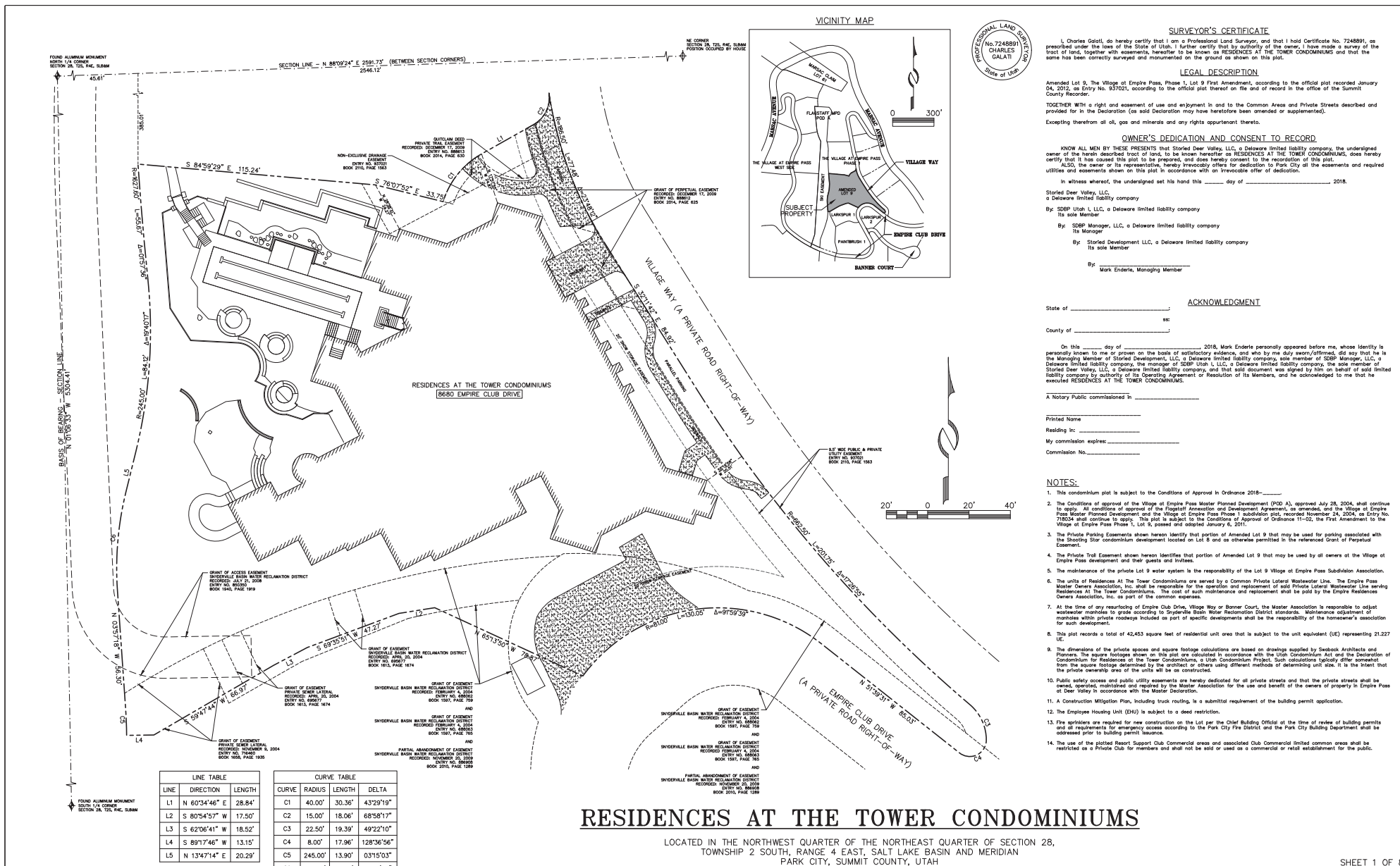
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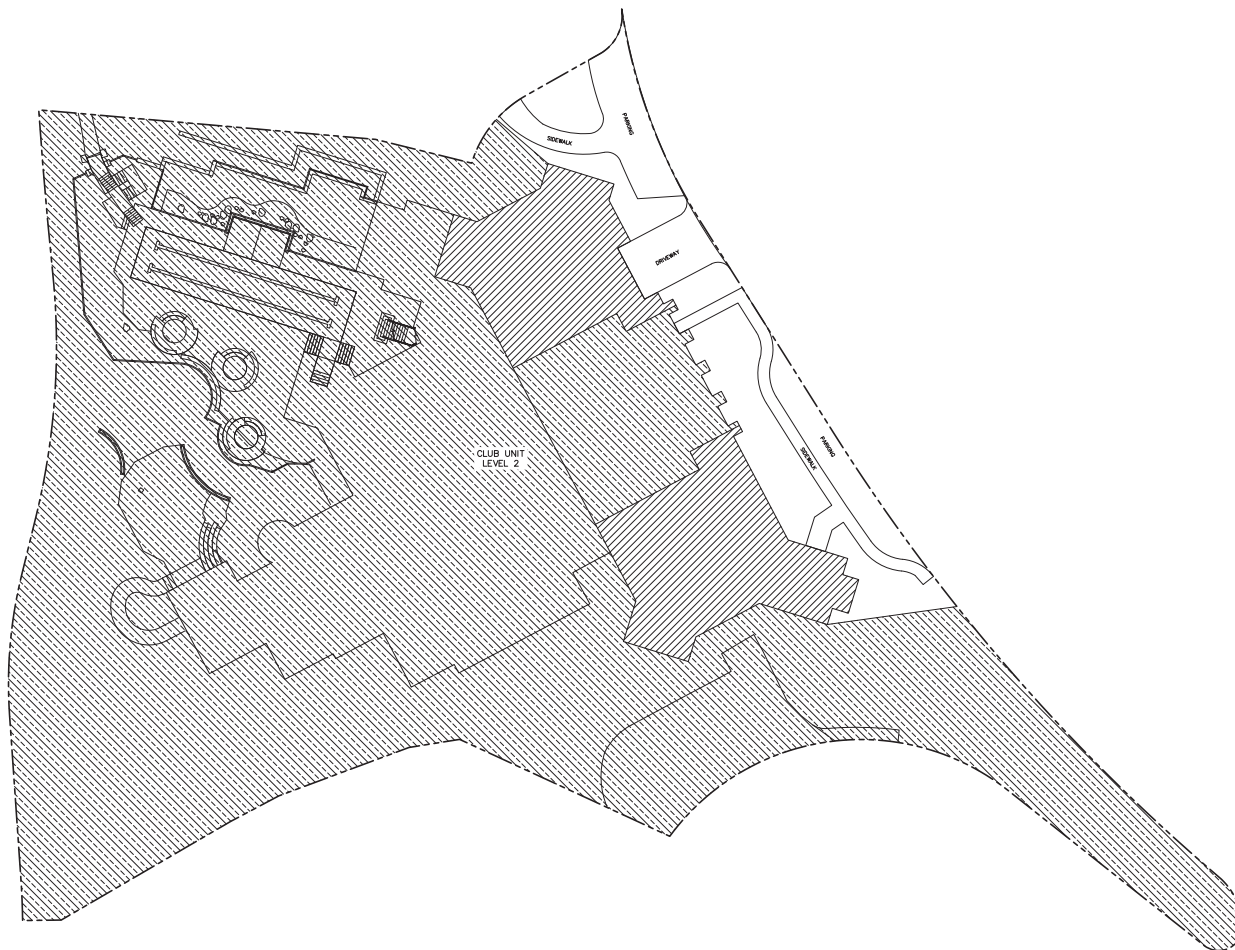
Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

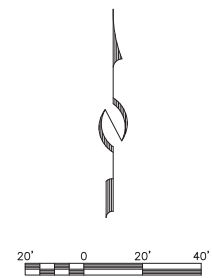
Mark Harrington, City Attorney

EXHIBIT A





NOTE:
The primary purpose of this sheet is to illustrate the overall Club Unit ownership. See other sheets for specific ownership details.

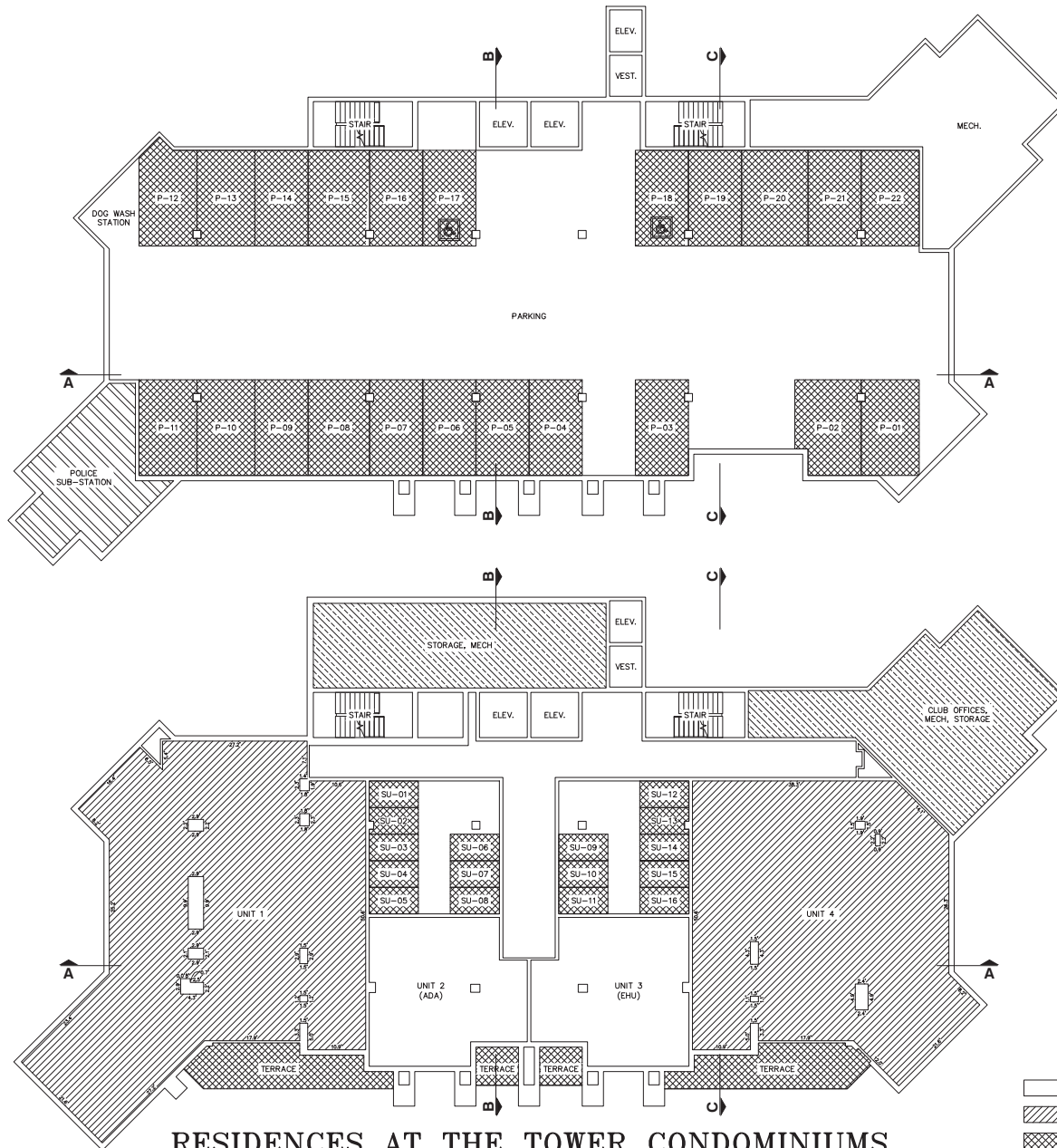


RESIDENCES AT THE TOWER CONDOMINIUMS

LOCATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASIN AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

- COMMON AREA
- RESIDENTIAL UNIT
- LIMITED COMMON RESIDENTIAL
- COMMERCIAL UNIT
- RESORT SUPPORT COMMERCIAL

JOB NO.: 20-7-18		FILE: X:\Empire\dwg\sr\plat2018\200718.dwg		SHEET 2 OF 8	
RECORDED					
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED					
AT THE REQUEST OF _____					
FEE _____		RECORDER _____			
TIME _____	DATE _____	ENTRY NO. _____			



LEVEL P1
SCALE: 1" = 10'

LEVEL P1 SQUARE FOOTAGE TABLE

UNIT	SQUARE FOOTAGE
POLICE SUB-STATION	509 SF

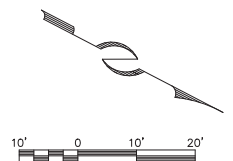
LEGEND

EHU = EMPLOYEE HOUSING UNIT
ADA = AMERICAN DISABILITIES ACT
SU = STORAGE UNIT
P = PARKING

LEVEL 1
SCALE: 1" = 10'

LEVEL 1 SQUARE FOOTAGE TABLE

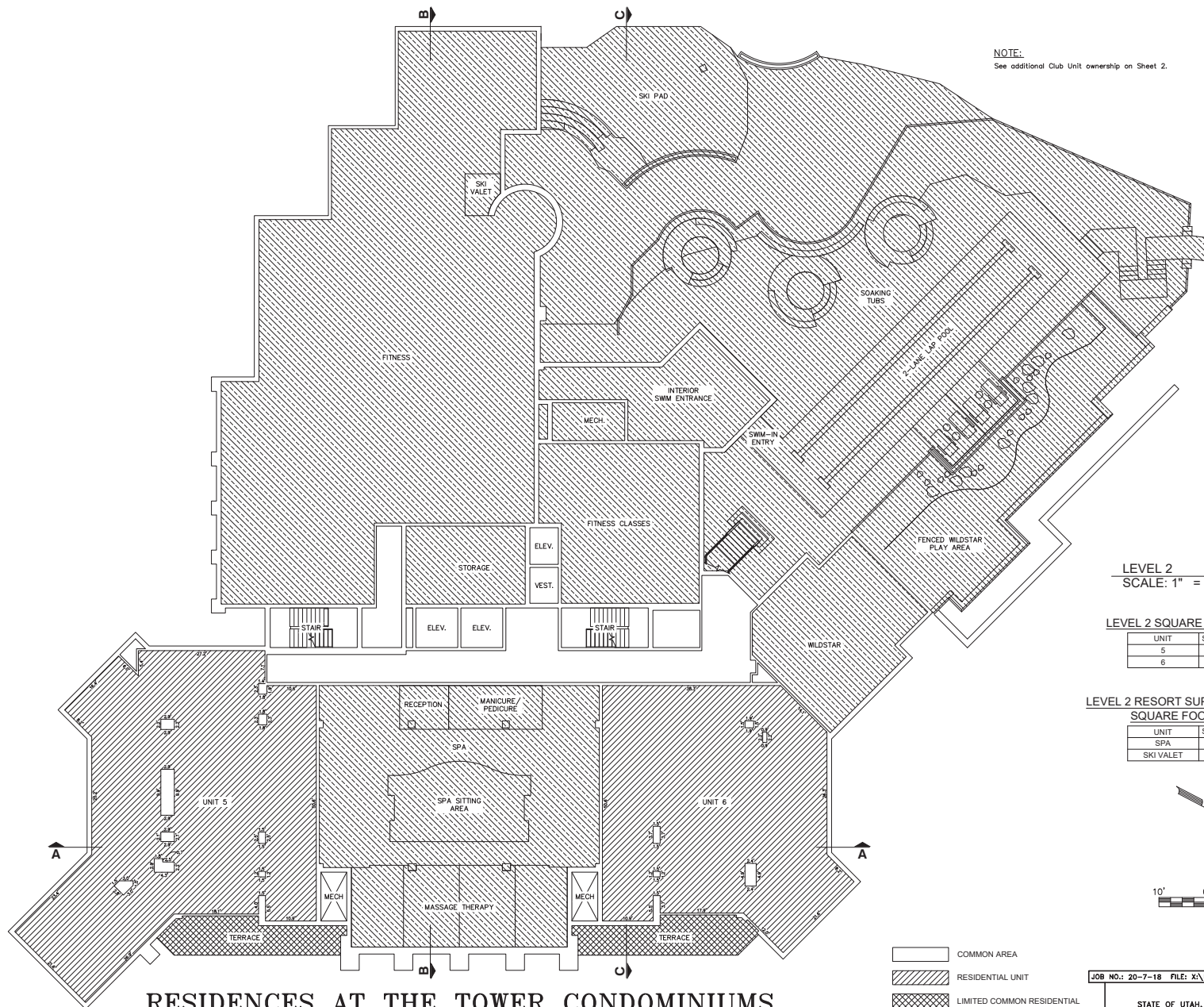
UNIT	SQUARE FOOTAGE
1	3,014 SF
2 (ADA)	737 SF
3 (EHU)	737 SF
4	2,403 SF



- COMMON AREA
- RESIDENTIAL UNIT
- LIMITED COMMON RESIDENTIAL
- COMMERCIAL UNIT
- RESORT SUPPORT COMMERCIAL

RESIDENCES AT THE TOWER CONDOMINIUMS

LOCATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASIN AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



NOTE:
See additional Club Unit ownership on Sheet 2.

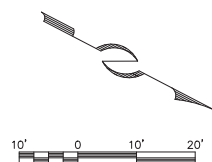
LEVEL 2
SCALE: 1" = 10'

LEVEL 2 SQUARE FOOTAGE TABLE

UNIT	SQUARE FOOTAGE
5	3,010 SF
6	2,403 SF

LEVEL 2 RESORT SUPPORT COMMERCIAL
SQUARE FOOTAGE TABLE

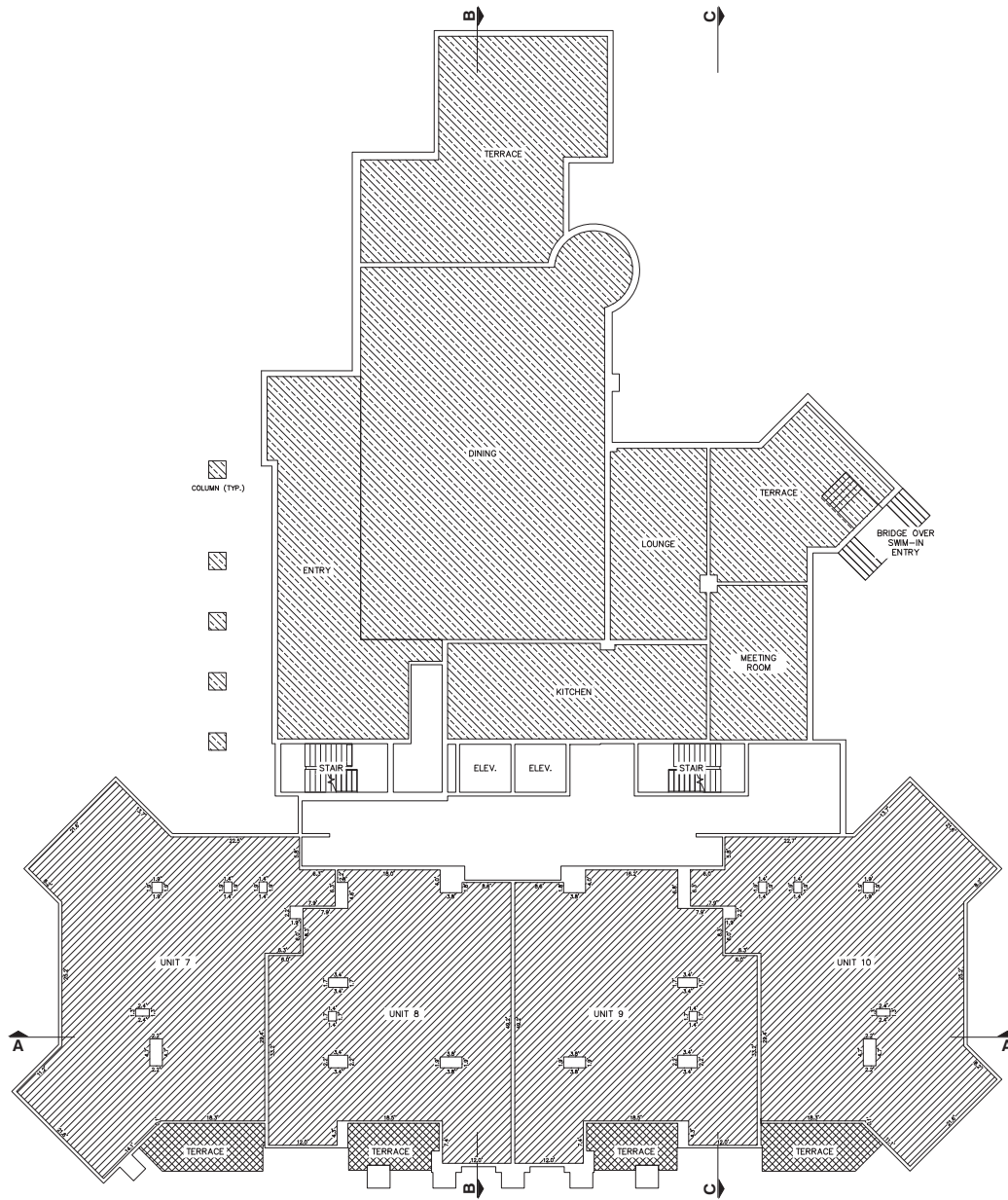
UNIT	SQUARE FOOTAGE
SPA	1,550 SF
SKI VALET	60 SF



- COMMON AREA
- RESIDENTIAL UNIT
- LIMITED COMMON RESIDENTIAL
- COMMERCIAL UNIT
- RESORT SUPPORT COMMERCIAL

RESIDENCES AT THE TOWER CONDOMINIUMS

LOCATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASIN AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



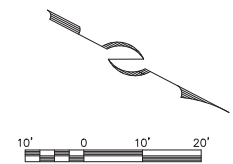
LEVEL 3
SCALE: 1" = 10'

LEVEL 3 SQUARE FOOTAGE TABLE

UNIT	SQUARE FOOTAGE
7	2,195 SF
8	1,810 SF
9	1,806 SF
10	2,132 SF

LEVEL 3 RESORT SUPPORT COMMERCIAL
SQUARE FOOTAGE TABLE

UNIT	SQUARE FOOTAGE
DINING	2,880 SF
KITCHEN	752 SF
LOUNGE	561 SF



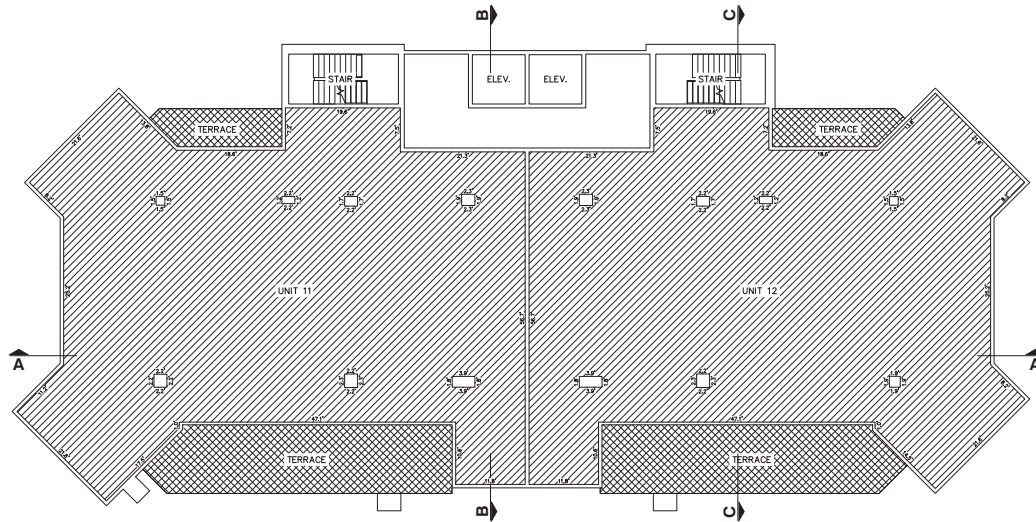
- COMMON AREA
- RESIDENTIAL UNIT
- LIMITED COMMON RESIDENTIAL
- COMMERCIAL UNIT
- RESORT SUPPORT COMMERCIAL

RESIDENCES AT THE TOWER CONDOMINIUMS

LOCATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASIN AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

Alliance
(435) 948-9487
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
333 Main Street, P.O. Box 2864 Park City, Utah 84050-2864

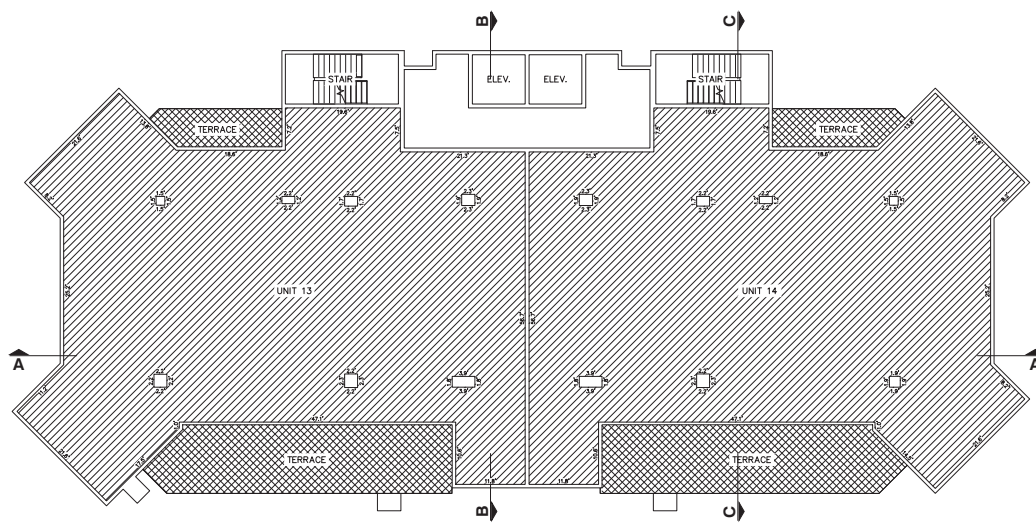
SHEET 5 OF 8
JOB NO.: 20-7-18 FILE: X:\Empire\dwg\env\plot\2018\200718.dwg
RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
AT THE REQUEST OF _____
FEE _____ RECORDER _____
TIME _____ DATE _____ ENTRY NO. _____
11/6/18



LEVEL 4
SCALE: 1" = 10'

LEVEL 4 SQUARE FOOTAGE TABLE

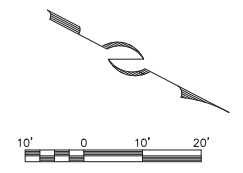
UNIT	SQUARE FOOTAGE
11	4,229 SF
12	4,166 SF



LEVEL 5
SCALE: 1" = 10'

LEVEL 5 SQUARE FOOTAGE TABLE

UNIT	SQUARE FOOTAGE
13	4,229 SF
14	4,166 SF



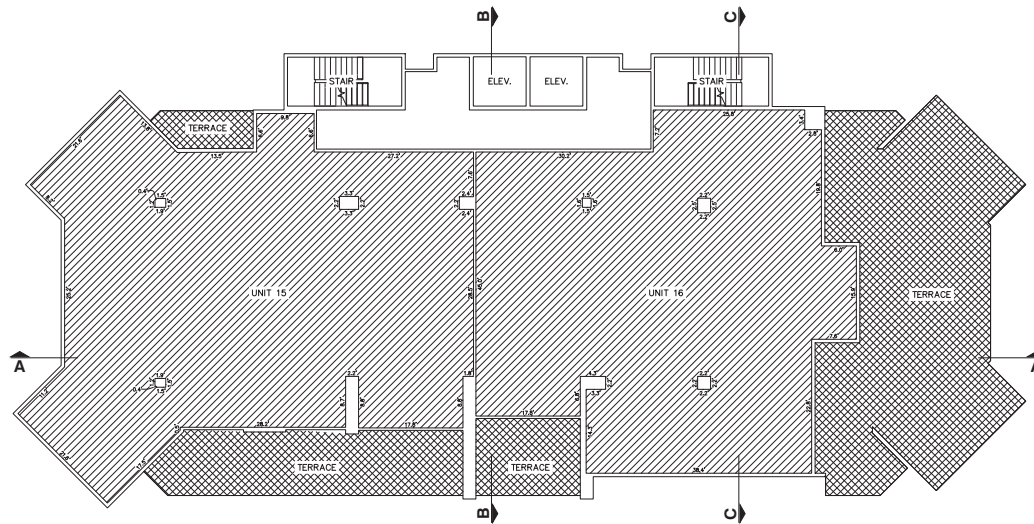
- COMMON AREA
- RESIDENTIAL UNIT
- LIMITED COMMON RESIDENTIAL
- COMMERCIAL UNIT
- RESORT SUPPORT COMMERCIAL

RESIDENCES AT THE TOWER CONDOMINIUMS

LOCATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASIN AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

Alliance
(435) 848-9487
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
333 Main Street, P.O. Box 2864 Park City, Utah 84050-2864

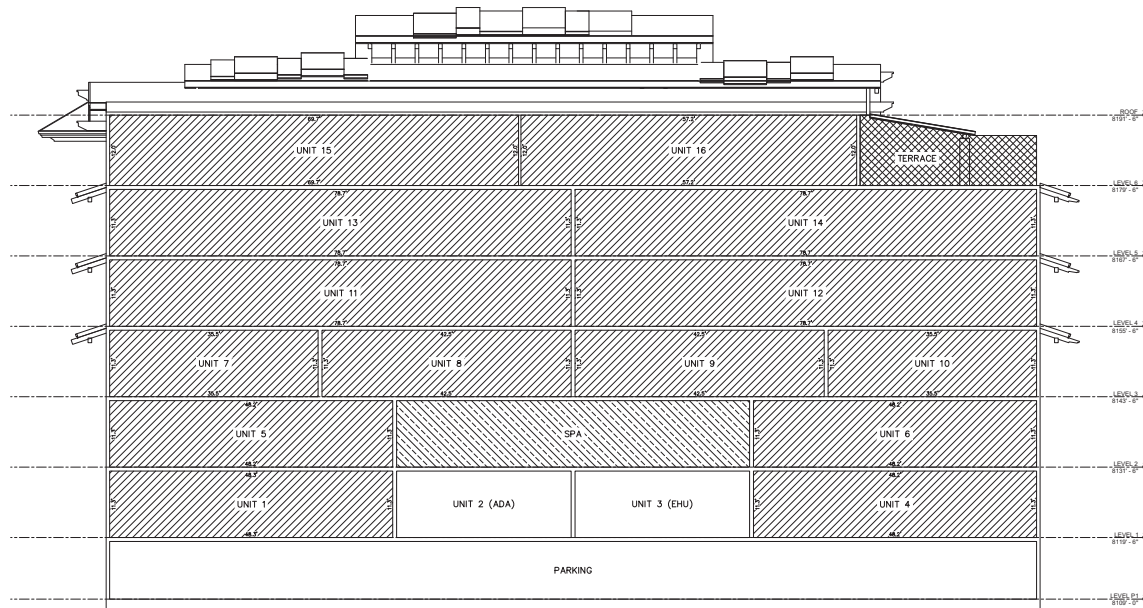
SHEET 6 OF 8
JOB NO.: 20-7-18 FILE: X:\Empire\dwg\ar\plot\2018\200718.dwg
RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
AT THE REQUEST OF _____
FEE _____ RECORDER _____
TIME _____ DATE _____ ENTRY NO. _____
11/9/18



LEVEL 6
SCALE: 1" = 10'

LEVEL 6 SQUARE FOOTAGE TABLE

UNIT	SQUARE FOOTAGE
15	3,624 SF
16	3,266 SF

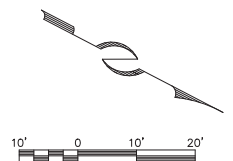


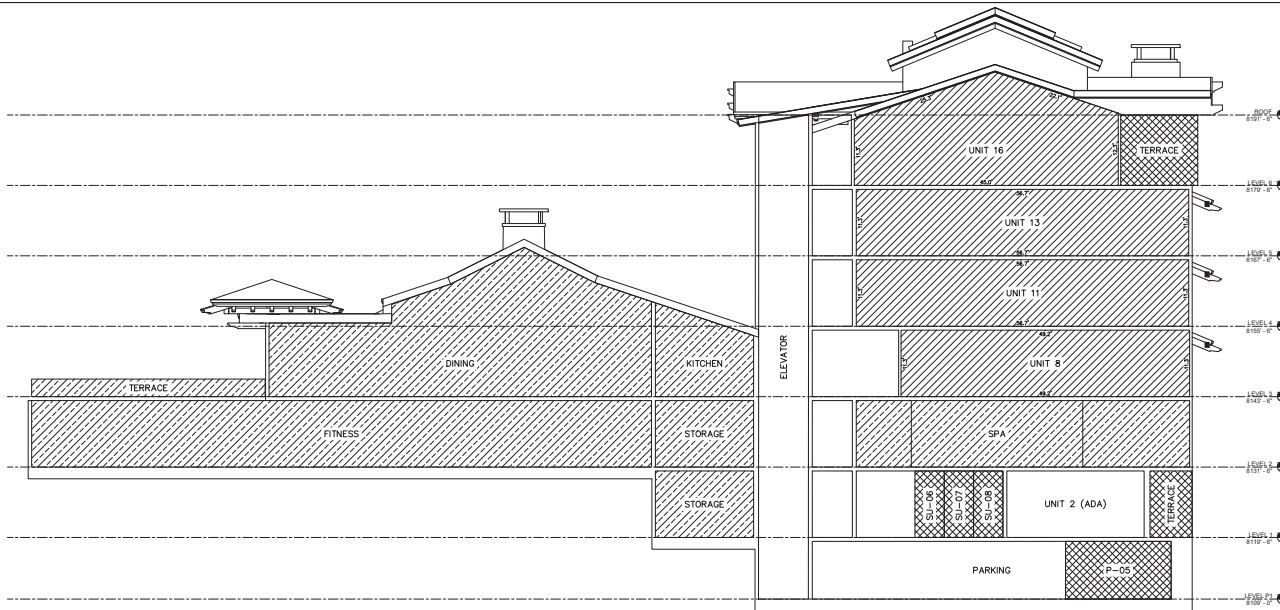
SECTION A-A

RESIDENCES AT THE TOWER CONDOMINIUMS

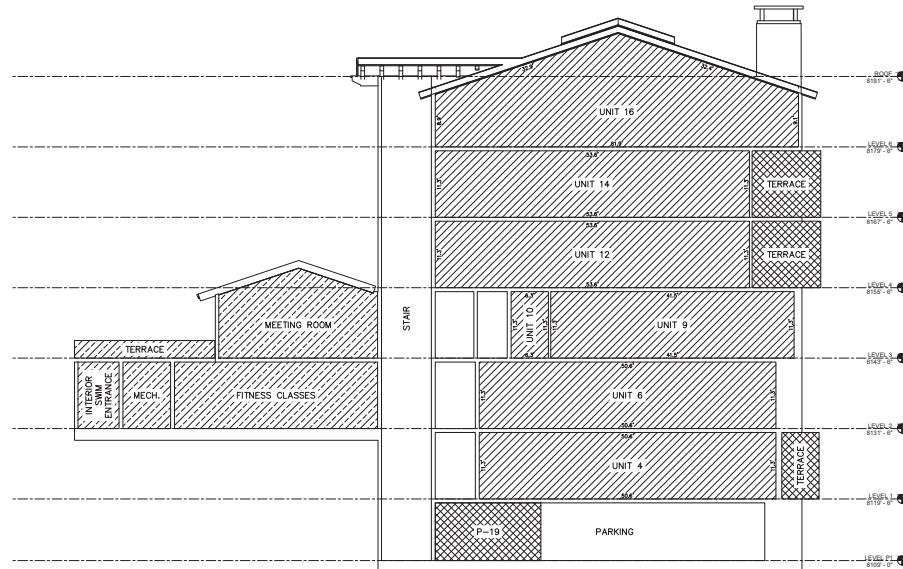
LOCATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASIN AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

	COMMON AREA
	RESIDENTIAL UNIT
	LIMITED COMMON RESIDENTIAL
	COMMERCIAL UNIT
	RESORT SUPPORT COMMERCIAL





SECTION B-B



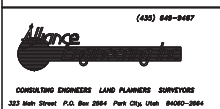
SECTION C-C

- COMMON AREA
- RESIDENTIAL UNIT
- LIMITED COMMON RESIDENTIAL
- COMMERCIAL UNIT
- RESORT SUPPORT COMMERCIAL



RESIDENCES AT THE TOWER CONDOMINIUMS

LOCATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASIN AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



JOB NO.: 20-7-18		FILE: X:\Empire\dwg\env\plat2018\200718.dwg	
RECORDED			
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED			
AT THE REQUEST OF _____			
FEE _____		RECORDER _____	
TIME _____	DATE _____	ENTRY NO. _____	

SHEET 8 OF 8

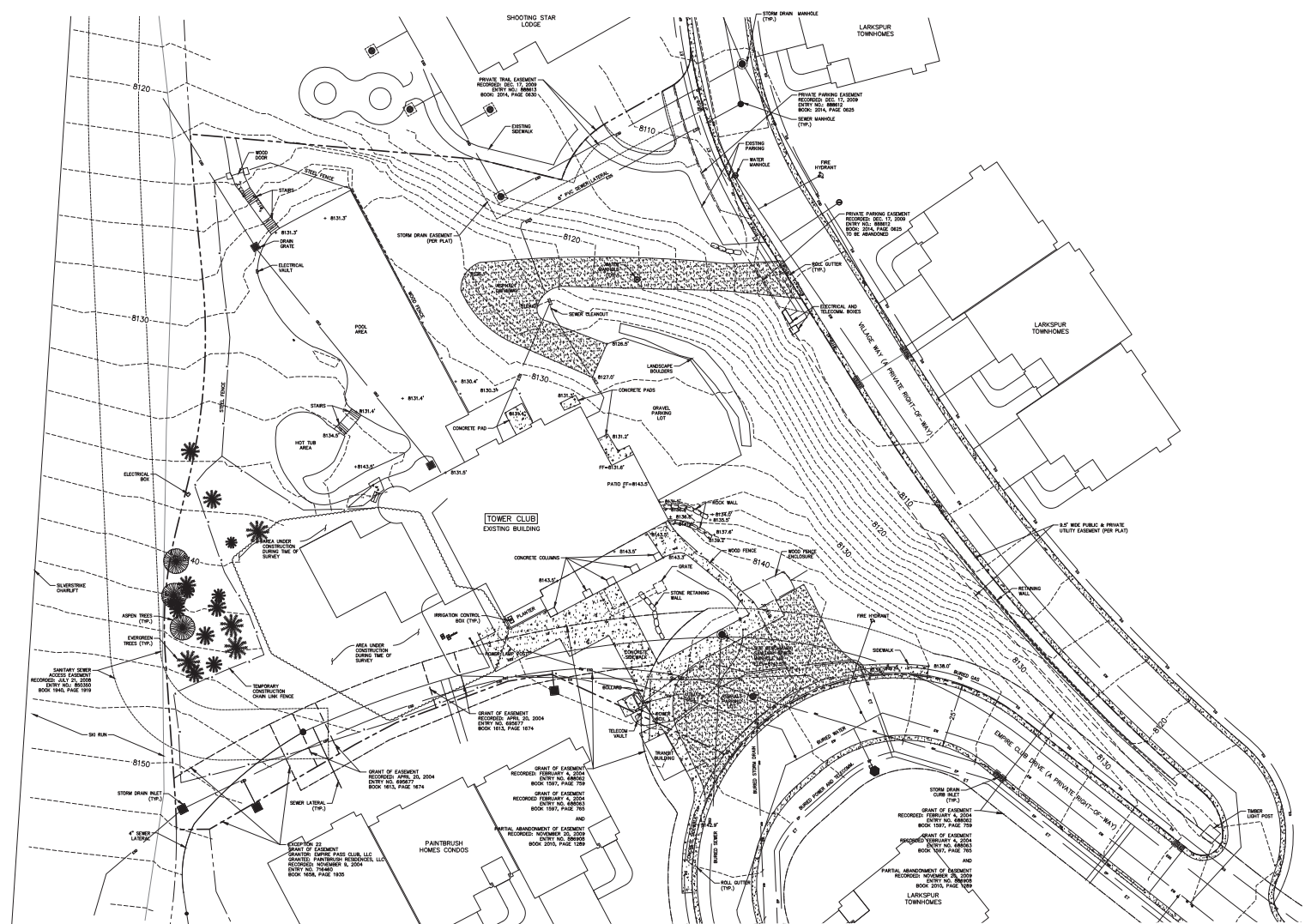
11/9/18

Residences at the Tower Condominiums

October 9, 2018

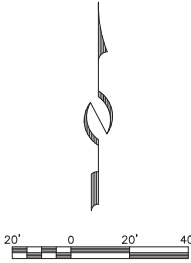
Project Description

The Residences at the Tower Condominiums is located on Lot 9 of the Village at Empire Pass adjacent to Deer Valley Resort and the Silver Strike chairlift. The existing Tower Club building is located on the property and provides service for Talisker Club members. The current project proposal is to expand the existing Tower Club building and provide additional area for club amenities as well as construct a new 16-unit condominium building with privately owned units consistent with the Flagstaff (Empire Pass) MPD.



GENERAL NOTES

- 1. Field work for this survey was completed November 10, 2017, and is in compliance with generally accepted industry standards for accuracy.
- 2. Site Benchmark: Sanitary Sewer Manhole Elevation=8141.57' as shown.
- 3. See "The Village At Empire Pass Phase I Lot 9 First Amendment", recorded January 4, 2012, as Entry No. 937021 in the Summit County Recorder's Office for boundary information.



LINE TYPE LEGEND

ESS	EXISTING SEWER	EG	EXISTING GAS
EW	EXISTING WATER	ET	EXISTING TELEPHONE
ESD	EXISTING STORM DRAIN	EP	EXISTING POWER
EHPP	EXISTING OVERHEAD POWER	EF	EXISTING FENCE



allange (435) 648-9487
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
322 Main Street P.O. Box 2654 Park City, Utah 84060-2654

STAFF: MICHAEL DEMKOWICZ RYAN BETZ	EXISTING CONDITIONS AND TOPOGRAPHIC MAP TOWER CLUB	SHEET 1 OF 1
DATE: 9/14/18	FOR: STORIED DEVELOPMENT JOB NO.: 20-7-18 FILE: X:\Empire\dwg\Storied Development\Tower Club\tower club-civil.dwg	



 (435) 649-9457 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2654 Park City, Utah 84060-2654	STAFF: DUSTIN J CARRISH DATE: 9/28/18	AERIAL PHOTOGRAPH RESIDENCES AT THE TOWER CONDOMINIUMS FOR: STORIED DEVELOPMENT JOB NO.: 20-7-18 FILE: X:\Empire\dwg\exhibitA\Tower Club Aerial.dwg	SHEET 1 OF 1
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Tower Club – looking Northeasterly



Tower Club – looking Southeasterly



Tower Club – looking Southwesterly



Tower Club – looking Northwesterly



Tower Club – looking Northwesterly



Tower Club – looking Northerly

SURVEYOR'S CERTIFICATE

I, John Demkowicz, do hereby certify that I am a Registered Land Surveyor and that I hold Certificate No. 154491, as prescribed under the laws of the State of Utah. I further certify that by the authority of the owners I have made a survey of the tract of land shown on this plat and described herein and subdivided said tract of land into lots, private rights-of-way, and easements to be hereafter known as FIRST AMENDMENT, THE VILLAGE AT EMPIRE PASS, PHASE 1, LOT 9 and that the same has been or will be correctly located on the ground as shown on this plat.

John Demkowicz
John Demkowicz

12-22-2011
Date

AMENDED LOT 9
BOUNDARY DESCRIPTION

PARCEL 1

Lot 9, The Village at Empire Pass, Phase 1, according to the official plat thereof, on file and of record in the office of the recorder, Summit County, Utah, recorded November 24, 2004, as Entry No. 718034.

PARCEL 2

Beginning at a point that is North 88°09'24" East 244.47 feet along section line and South 357.05 feet from the North Quarter corner of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point being on the westerly right-of-way of Village Way and on the easterly boundary of Lot 8, The Village at Empire Pass, Phase 1, according to the official plat thereof on file and of record in the office of the recorder, Summit County, Utah, recorded as entry #718034 and on a curve to the left having a radius of 186.50 feet, of which the radius point bears North 81°36'29" East; thence southerly along the arc of said curve 77.48 feet through a central angle of 23°48'12"; thence South 32°11'42" East 48.99 feet to a point on a non-tangent curve to the left having a radius of 20.00 feet, of which the radius point bears South 57°48'18" West, said point being on the easterly boundary of Lot 9, The Village at Empire Pass, Phase 1 and on the westerly right-of-way of said Village Way; thence northeasterly along the arc of said curve 20.18 feet through a central angle of 57°48'18"; thence West 48.80 feet to a point on a curve to the right having a radius of 40.00 feet, of which the radius point bears North; thence northerly along the arc of said curve 100.12 feet through a central angle of 150°34'46"; thence North 60°24'46" East 28.84 feet to a point on a curve to the left having a radius of 15.00 feet, of which the radius point bears North 29°25'14" West; thence northeasterly along the arc of said curve 18.06 feet through a central angle of 68°58'17" to the point of beginning.

Parcels 1 & 2 contain 66,711 square feet.

PROPERTY ADDRESS:
7777 Village Way
Park City, Utah 84060
or
8680 Empire Club Drive
Park City, Utah 84060

LINE	BEARING	DISTANCE
1-2	S 78°32'22" E	33.79
2-3	N 80°34'46" E	78.84
3-4	S 82°11'42" E	15.53
4-5	S 80°34'46" W	17.80
5-6	S 80°28'51" W	17.79
6-7	S 82°08'41" W	18.53
7-8	N 80°37'48" W	13.15
8-9	N 63°32'16" E	36.26
9-10	N 13°47'14" E	20.28

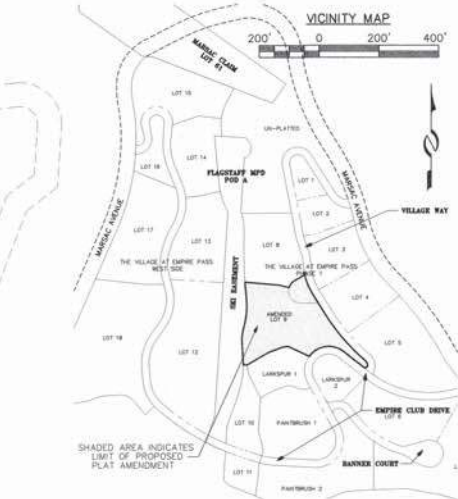
CURVE	RADIUS	LENGTH	DELTA
C1	40.00	30.36	43°28'18"
C2	15.00	18.06	68°58'17"
C3	186.50	77.48	23°48'12"
C4	22.50	19.39	48°22'10"
C5	6.00	17.86	148°36'38"
C6	246.00	13.90	101°33'46"
C7	355.00	48.00	174°42'30"
C8	245.00	84.12	184°02'17"
C9	1837.80	35.87	01°32'36"

NOTES:

- This First Amendment to the VILLAGE AT EMPIRE PASS PHASE 1 Subdivision Plat is for Lot 9 only. This Record of Survey Plat does not replace Sheets 1 of 2 and 2 of 2 of The Village at Empire Pass Phase 1 Plat, Recorded November 24, 2004 as Entry No. 718034. All information shown on said Sheets 1 & 2 shall remain of record and in force with the exception of the information illustrated and described herein.
- The Private Parking Easement shown hereon identifies that portion of Amended Lot 9 that may be used for parking associated with the Shooting Star condominium development located on Lot 8 and as otherwise permitted in the referenced Grant of Parcel Use Easement.
- The Private Right of Easement shown hereon identifies that portion of Amended Lot 9 that may be used by all owners of the Village at Empire Pass development and their guests and invitees.
- The maintenance of the private Lot 9 water system is the responsibility of the Lot 9 Village at Empire Pass Sub Association.
- Village Way is a private road.
- The plat amendment does not approve any changes to the Conditional Use or Master Planned Development approvals on the property.
- This plat is subject to all of the conditions of approval of Ordinance # 11-02, passed and adopted January 6, 2011.
- All conditions of approval of the Flagstaff Association and Development Agreement and the Village at Empire Pass Master Planned Development and the Village at Empire Pass Phase 1 subdivision plat shall continue to apply.

First Amendment THE VILLAGE AT EMPIRE PASS Phase 1 Lot 9

LOCATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



OWNER'S DEDICATION AND CONSENT TO RECORD

UNITED PARK CITY MINES COMPANY, a Delaware corporation, the Owner of a portion of the tract of land described herein as First Amendment of the VILLAGE AT EMPIRE PASS, PHASE 1, Lot 9, hereby certifies that it has caused this First Amendment of Subdivision Plat consisting of one (1) sheet to be prepared, does hereby consent to the recording of this First Amendment of Subdivision Plat, and does hereby dedicate as a public and private utility easement the 8.5 foot wide parcel of property situated along the southwest side of a portion of Village Way as shown hereon.

IN WITNESS WHEREOF the undersigned has executed this certificate and dedication this 22nd day of December, 2011.

UNITED PARK CITY MINES COMPANY,
a Delaware corporation

By *Kerry Gee*

Name: KERRY C. GEE

Title: VICE PRESIDENT

ACKNOWLEDGMENT

STATE OF Utah
COUNTY OF Summit

This instrument was acknowledged before me this 22nd day of December, 2011 by

Kerry Gee the Vice President of United Park City Mines Company, a Delaware corporation.

NOTARY PUBLIC: *Teri Elstrom* Printed Name: Teri Elstrom

My commission expires: April 10, 2012 Residing in: Summit County

50' 0 50' 100'

(435) 648-8467 Alance Engineering Inc. CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 322 Main Street P.O. Box 2884 Park City, Utah 84060-2884	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS 22nd DAY OF December, 2011 A.D. BY <i>[Signature]</i> S.B.W.R.D.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 28th DAY OF December, 2011 A.D. BY <i>[Signature]</i> CHAIRMAN	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 27th DAY OF December, 2011 A.D. BY <i>[Signature]</i> PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS 30th DAY OF December, 2011 A.D. BY <i>[Signature]</i> PARK CITY ATTORNEY	CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 16th DAY OF January, 2011 A.D. BY <i>[Signature]</i> PARK CITY RECORDER	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 8th DAY OF January, 2011 A.D. BY <i>[Signature]</i> MAYOR	RECORDED #937021 STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF <i>Coalition Title</i> DATE 1/4/12 TIME 1:28PM BOOK 177 PAGE 21 FEE 31.00 RECORDED <i>[Signature]</i>
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Construction Mitigation Plan

The Residences at the Tower

November 1, 2018

Project Location: 7777 Village Way, Park City, UT 84060

Building Permit#

Contractor: Big-D Construction

1389 Center Drive, Suite 360

Park City, UT 84098

Contact: Shawn Albretsen, Project Manager

Cell – 801.420.0333

Email – SAlbretsen@big-d.com

1. Hours of Operation:

Typical hours of construction operations are 7:00am to 6:00pm, Monday through Friday, 8:00am to 6:00pm on Saturday, and no work on Sundays. With this structure being primarily cast in place concrete, occasional longer work hours may be needed for critical concrete placements. Big-D Construction will notify the neighboring residents and Park City Building Department, if wanted, ahead of time of these concrete placement durations.

2. Parking:

There is limited onsite parking. This will be reserved for visitors and Big-D Construction project management personnel. All other construction workers shall park off site and be bused to and from the construction site. The worker parking location is TBD, but could be near the Mine Bench or Richardson Flat. The parking plan assumes there is no on street parking on Village Way or Empire Club Drive.

3. Deliveries:

Deliveries to the site will be only during construction operation hours. Typically, deliveries will be just-in-time for the materials to be incorporated into the ongoing construction progress.

4. Stockpiling and Staging:

Given the site location, access, and building footprint coverage of the site, there is limited area for stockpiling and staging materials. Materials will have to be delivered to the project just-in-time to incorporate into the construction work. This means and method is similar to building a multistory building in a downtown urban setting. It is Big-D Construction's responsibility to coordinate with subcontractors to minimize problems due to the limited staging and stockpiling areas.

5. Construction Phasing:

No construction phasing is planned. All construction is to complete in one continuous time period between April 2019 and December 2020.

6. Trash Management & Recycling:

The construction debris dumpster shall be located within the fenced construction boundary. Its remaining capacity will be monitored daily and the dumpster emptied on a regular basis to prevent over flowing and accumulation of debris around the construction site. If available, a construction debris service will be utilized that will sort the contents of each dumpster and recycle items such as paper, cardboard, wood, and metals.

7. Dust & Mud Control:

Access to the site is from one side of the project. This project frontage along Village Way is planned to be graveled entirely to help eliminate dirt and mud from being tracked on to the paved street. Streets will be monitored daily and cleaned as needed to keep them free of dirt and mud. The majority of excavation work will take place in the spring /early summer. This work is not expected to generate much dust. A water source will be available to keep dust down as needed.

8. Noise:

Noisy work shall be kept within the approved project work hours. Big-D Construction will have a decibel meter on site to monitor the noise level of construction activities. No radios will be allowed on the construction project.

9. Grading & Excavation:

The mass excavation for this project is over 10,000 cubic yards. This is one of the first construction activities. The planned haul route utilizes Marsac Avenue. Flagmen will be used as required at the intersection of Marsac Avenue and Village Way to help manage the truck traffic. The haul hours will be limited to between 7:00am and 6:00pm Monday through Friday and 8:00am to 6:00pm on Saturday. Excavated soils are to be taken to an approved dump site, location of to be finalized, but may be Hot Creek. All suitable soils to be re-used for backfill will be stockpiled on site as required.

10. Temporary Lighting:

Exterior construction lighting will be kept as minimal as possible. The lighting will be turned off as much as possible during non-work hours. Occasional temporary lighting will be needed for morning concrete placements. This lighting will be accomplished by using portable light plants that are set up only for a specific concrete placement, then moved off site. Temporary interior lighting will be used during construction work hours and turned off to leave a minimal amount of lighting for egress and emergency access.

11. Construction Sign:

A project information sign will be posted at the entrance to the construction site. It will comply with the size regulations and include: Big-D Construction Company, 1389 Center Drive, Suite 360 Park City, UT 801-420-0333, Emergency Contact: Shawn Albretsen. No other construction signs are planned.

12. Other issues:

Dogs or pets are not allowed on Big-D Construction projects. Firearms, alcohol, and drugs are prohibited as well. Visitors must check in at the construction project office and be authorized to be on site with the proper personal protective equipment (hard hat, safety vest, safety glasses, etc.).

13. Soils Ordinance:

Big-D Construction will comply with the Soils Ordinance if the project site is considered within the ordinance boundary.

14. Erosion Control:

Big-D Construction is enlisting the services of Big-D Construction and Alliance to help draft and maintain a SWPPP and erosion control program throughout the project duration. This plan will be submitted prior to start of construction. Cut and fill areas and utility trenches will be backfilled and revegetated as soon as practical to help minimize erosion (Refer to SWPPP & CMP plan on next page).

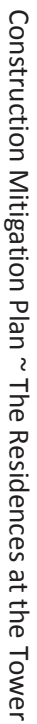


EXHIBIT K

Flagstaff Annexation and Empire Pass Units and Unit Equivalents

As of 10.25.18 Reflects Empire Residences platted, Silver Strike amendment and (Larkspur Townhouse (3 units) , Moonshadow 8 PUD (31 UE), Tower Res (14 units) plats under review)

SINGLE FAMILY LOTS

POD	Single Family	Approved SF lots	Cert of Occupancy to date	Remaining lots to CO
A	Banner Wood-platted	6	4	2
B1	Northside-platted	10	10	0
D	Red Cloud-platted	30	11	19
Totals	(Single Family only)	46	25	21

Maximum SF Allowed by Flagstaff Development Agreement

46

Remaining Units/UE to Plat

0

MULTI-FAMILY UNITS

POD	Multi-family	Units	UE	Units Platted or	UE Platted or	SF Platted	PUD units	ADA	CO UE's	CO Units to
		Approved/Proposed	Approved/Proposed	under review	under review	or under review	(SF/duplex use UE)	provided/r equired	to date	date
A	Moon Shadow Condo 8 PUD on Lot 1 VEPN apprvd	8	31.00	8	31	62,000	8	0	0	0
A	Lot 3 VEPN plat-(Bldg 3) (Empire Residences approved)	21	24.50	21	24.49	48,981	0	1	0	0
A	Lot 2 VEPN plat-(Bldg 4) TBD	TBD	TBD				0	TBD	0	0
A	Lot A VEMP1 3 townhomes condo plat to CC 11/29/18	3	5.75	3	5.75	11,500	0	0	0	0
A	Tower Resid. (Bldg 1)- platted lot/CUP/Condo plat to PC 11/14/18	14	21.23	14	21.226	42,453	0	1	0	0
A	Shooting Star-platted lot and condo (Bldg 2)	21	18.30	21	18.055	36,109	0	1	18.1	21
A	One Empire Pass-platted lot and condo (Bldg 5)	27	32.80	27	32.513	65,026	0	1	32.8	27
A	Silver Strike-platted lot and condo (Bldg 6) (subject to plat amend)	34	35.60	34	35.653	71,305	0	2	35.7	34
A	Flagstaff -platted lot and condo (Bldg 7)	37	35.90	37	36.753	73,506	0	2	36.8	37
A	Arrow Leaf A-platted lot and condo (Bldg 8)	28	24.50	28	23.229	46,458	0	2	23.3	28
A	Arrow Leaf B- platted lot and condo (Bldg 9)	28	25.70	28	24.373	48,746	0	2	24.4	28
A	Grand Lodge-platted lot and condo (Bldg H)	27	33.00	27	32.672	65,344	0	2	32.7	27
A	Larkspur East Townhouses-all platted/condo (3 duplex = 6 PUD)	15	24.40	15	24.347	48,693	6	0	24.4	15
A	Larkspur West Townhouses-all platted/condo	12	20.70	12	20.637	41,273	0	0	20.7	12
A	Paintbrush PUDs- all platted /condo	12	31.90	12	31.538	63,076	12	0	32	12
A	Belles PUDs- all platted/condo	17	45.00	17	45	90,000	17	0	37.85	16
B1	Nakoma PUDs- all 17 are platted condo but 5 unbuilt	17	45.00	17	45	90,000	17	0	35	12
B1	Ironwood- all platted/condo	24	37.40	23	36.972	73,944	0	1	37.1	23
B2	B2 West Montage- 174 hotel rooms platted(apprvd 192)	hotel rooms	69.60	n/a (hotel rooms)	72.665		0		72.4	1
B2	B2 West Montage condos- platted (apprvd 94)	94	114.00	84	109.335	218,669	0	5	109.3	84
B2	B2 East- B2East Subdivision approved/No condo plat yet	70	81.00				0	TBD	0	0
Totals (Multi-family (MF) only)		509	757.28	428	671.208	1,197,083	60	20	572.55	377

Maximum (MF) Allowed by Flagstaff Development Agreement

550

785.00

550

785

n/a

60

n/a

Remaining MF Units/UE (to be approved and/or platted)

41

27.72

122

113.792

n/a

0

n/a

				Units Platted (or plat under review)	
MF Totals by POD- apprvd/platted/proposed, includes PUDs, not SF lot	Units	UE			
A (includes unbuilt Empr Res, Larkspur, Moon Shadow, Tower Residential)	304	410.28		304	
B1	41	82.4		40	
B2 (plus 174 hotel rooms for units, hotels rooms included in UE)	164	264.60		84	
Totals Multi-family (MF)	509	757.28		428	

% of MF units total in Pods A, B1 and B2 that are in POD A (MPD requires minimum of 50%)

59.72%

71.03%

PROJECT STATUS- Multi-family/PUD

<u>POD</u>	<u>Multi-family</u>	<u>Status</u>
A	Moonshadow PUD on Lot 1 VEPN 8 PUD style	Condo plat apprvd
A	Lot 3 VEPN plat-(Bldg 3) (Empire Residences approved)	Condo plat recorded
A	Lot 2 VEPN plat-(Bldg 4) TBD	Sub Plat recorded
A	Lot A VEMP1 (combo of Lots 1 and 2 VEMP1) plat recorded/ACUP apprvd	Condo plat under review
A	Tower Residential- platted lot/no condo plat (Bldg 1) -TBD	Condo plat under review
A	Shooting Star-platted lot and condo (Bldg 2)	Completed
A	One Empire Pass-platted lot and condo (Bldg 5)	Completed
A	Silver Strike-platted lot and condo (Bldg 6) (subject to plat amend)	Completed
A	Flagstaff -platted lot and condo (Bldg 7)	Completed
A	Arrow Leaf A-platted lot and condo (Bldg 8)	Completed
A	Arrow Leaf B- platted lot and condo (Bldg 9)	Completed
A	Grand Lodge-platted lot and condo (Bldg H)	Completed
A	Larkspur East Townhouses-all platted/condo (3 duplex = 6 PUD)	Completed
A	Larkspur West Townhouses-all platted/condo	Completed
A	Paintbrush PUDs- all platted /condo	Completed
A	Belles PUDs- all 17 are platted condo	16 Completed
B1	Nakoma PUDs- all 17 are platted condo	12 Completed
B1	Ironwood- all platted/condo	Completed
B2	B2 West Montage- 174 hotel rooms platted(apprvd 192)	Completed -see note
B2	B2 West Montage condos- platted (apprvd 94)	Completed
B2	B2 East- B2East Subdivision approved/No condo plat yet	Sub plat recorded

AFFORDABLE HOUSING					
POD	Multi-family	Unit required	AUE required	AUE not yet built	
A	Moonshadow Condos 8 PUD Style Lot 1 VEPN	0	0		
A	Lot 3 VEPN plat-(Bldg 3) (Empire Residences approved)	1	1.1 AUE	1.1	
A	Lot 2 VEPN plat-(Bldg 4) TBD	TBD	2.0 AUE	2	
A	Lot A VEMP1 Triplex Admin CUP	0	0		
A	Tower Residential- platted lot/no condo plat (Bldg 1)	1	0.75	0.75	
A	Shooting Star-platted lot and condo (Bldg 2)	0	0		
A	One Empire Pass-platted lot and condo (Bldg 5)	1	1.125		
A	Silver Strike-platted lot and condo (Bldg 6) (subject to plat amend)	(1)*	1.1 *		
A	Flagstaff -platted lot and condo (Bldg 7)	2	1.6		
A	Arrow Leaf A-platted lot and condo (Bldg 8)	3	2.85		
A	Arrow Leaf B- platted lot and condo (Bldg 9)	0	0		
A	Grand Lodge-platted lot and condo (Bldg H)	1	1.2		
A	Larkspur East Townhouses-all platted/condo (3 duplex = 6 PUD)	0	0		
A	Larkspur West Townhouses-all platted/condo	0	0		
A	Paintbrush PUDs- all platted /condo	0	0		
A	Belles PUDs- all platted/condo	0	0		
B1	Nakoma PUDs- all 17 are platted condo but 5 unbuilt	0	0		
B1	Ironwood- all platted/condo	1	1		
B2	B2 West Montage- 174 hotel rooms platted(apprvd 192)	0	0		
B2	B2 West Montage condos- platted (apprvd 94)	10	7.8		
B2	B2 East- B2East Subdivision approved/No condo plat yet	TBD	4.2	4.2	
Totals		TBD	24.725*	8.05	
*Silver Strike unit transferred out by City					
Total MPD AUE required		Total off Mtn AUE required	Total off Mtn AUE built	Total on Mtn AUE required	Total on Mtn AUE built
118.9		94.175	89*	24.725	16.675
					8.05

SF- Single family lot/house

MF- Multi-family/condominium units

PUD- Planned Unit Development Style MF (duplex or single detached)

VEMP!- Village Empire Pass Phase 1 Subdivision plat

Note- This information is from the recorded Condominium plats (sf, units, ue, ada, eh) verified with Ordinances, MPD/Plat/CUP action letters, available at the Planning Department.

EHU- Employee Housing Unit (no min number)

AUE- Affordable Unit Equivalent (1 AUE = 800 sf)

UE- Unit Equivalent (1 UE = 2,000 sf residential)

*Off Mountain requirements now met with 2017/2018 Agreements? Need the final documentation of this.

ADA- American Disability Act required units

VEPN- Village Empire Pass North Subdivision plat

CO- Certificate of Occupancy (hotel rooms counted as 1 CO total)

Planning Commission Staff Report

Subject: 1791 Prospector Avenue Conditional Use Permit
Author: Francisco Astorga, AICP, Senior Planner
Project #: PL-17-03879
Date: 12 December 2018
Type of Item: Administrative – Conditional Use Permit

Summary Recommendations

Staff recommends that the Planning Commission review and hold a public hearing for a Conditional Use Permit (CUP) for a Multi-Unit Dwelling located at 1791 Prospector Avenue, and consider approving the proposal based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the staff report.

Description

Applicant: SMP 1791 LLC represented by Ed Lewis, Zac Wright, and Steve Brown
Architect Elliott WorkGroup represented by Bryan Markkanen and Logan Swney
Location: 1791 Prospector Avenue - adjacent to Prospector Square Parking Lot G
Zoning: General Commercial (GC) District
Adjacent Land Uses: Residential, office, mixed use, open space
Reason for Review: CUP applications require Planning Commission public hearing, review, and final action

Background

On October 9, 2018 a complete application was updated to the City requesting this CUP for a Multi-Unit Dwelling as required in the GC District.

Proposal

The proposal consists of a new residential building containing twenty (20) apartments / residential units: thirteen (13) one-bedroom apartments, six (6) two-bedroom apartments, and one (1) three-bedroom apartment. The proposed building has three (3) floors on top of an underground parking garage. The underground parking garage contains twenty-four (24) parking spaces.

The overall size of the proposed building is 29,201 square feet which includes 17,087 square feet of residential floor area; 8,768 square feet of parking area; 1,720 square feet of internal circulation; 632 square feet of common area lounge, kitchen, conference room area; 608 square feet of storage space; and 386 square feet of mechanical space.

The proposed multi-unit dwelling consists of the following areas and corresponding square footages:

Level 0 (underground level) – 9,965

- Parking garage – 8,768
 - 24 parking spaces, drive aisle, etc.
- Private storage – 407
- Circulation – 404
- Mechanical – 386

Level 1 – 6,511

- 7 apartments / residential units – 5,235
 - Unit #1, 1 bedroom – 706
 - Unit #2, 1 bedroom – 736
 - Unit #3, 1 bedroom – 706
 - Unit #4, 1 bedroom – 768
 - Unit #5, 1 bedroom – 706
 - Unit #6, 1 bedroom – 707
 - Unit #7, 2 bedroom – 906
- Common area lounge, kitchen, conference room – 632
- Common storage / lockers – 201
- Internal circulation – 443

Level 2 – 6,408

- 7 apartments / residential units – 5,968
 - Unit #8, 2 bedroom – 1,257
 - Unit #9, 1 bedroom – 733
 - Unit #10, 2 bedroom – 903
 - Unit #11, 1 bedroom – 764
 - Unit #12, 1 bedroom – 704
 - Unit #13, 1 bedroom – 704
 - Unit #14, 1 bedroom – 903
- Internal circulation - 440

Level 3 – 6,317

- 6 residential units – 5,884
 - Unit #15, 2 bedroom – 1,240
 - Unit #16, 1 bedroom – 733
 - Unit #17, 2 bedroom – 903
 - Unit #18, 3 bedroom – 1,401
 - Unit #19, 1 bedroom – 704
 - Unit #20, 2 bedroom – 903
- Internal circulation – 433

Master Planned Development (MPD): The Land Management Code (LMC) indicates that a residential Unit Equivalent (UE) for a Multi-Family Dwelling is to be calculated on the basis of one (1) UE per 2,000 square feet; furthermore, the LMC indicates that residential accessory uses include typical back of house uses and administration facilities that are for the benefit of the residents of a commercial residential use, such as

a Hotel or Nightly Rental Condominium project and that are common to the residential project and are not located within any individual residential unit. Residential accessory uses do not require the use of UEs and include, but are not limited to ski/equipment lockers, laundry facilities and storage, guest business centers, hallways and circulation, elevators and stairways, etc.

The residential square footage of the entire proposed residential building is 17,087 square feet, equating to 8.5 residential UEs. MPD applications are required for a residential project with ten (10) or more residential UEs (20,000 square feet). The proposal does not require an MPD application based on the proposed residential UEs of 8.5 (17,087 square feet).

Purpose

The purpose of the GC District is found in [LMC § 15-2.18-1](#).

Analysis

The site is located at 1791 Prospector Avenue. The site consists of Lot 48F of the Prospector Square Subdivision Plat. The site is adjacent to Prospector Square Parking Lot G (common space) and the Historic Union Pacific Rail Trail (a non-motorized trail), between the Sun Creek residential building located at 1885 Prospector Avenue and the Associated Plaza office building located at 1755 Prospector Avenue. The site has been paved in its entirety and has been utilized for parking. During the spring/summer/fall of 2018, the site was used for construction staging for the City's Prospector Avenue street reconstruction project nearing final completion.

The site is within the GC District. The LMC defines a Multi-Unit Dwelling as a building containing four (4) or more dwelling units. The LMC indicates that a Multi-Unit Dwelling is a conditional use in the GC District, subject to compliance with development standards outlined in the LMC.

Lot and Site Requirements - [LMC § 15-2.18-3](#)

Access – Building permits are not be issued unless the lot has frontage on a street shown as a private or public street on the streets master plan, or on a private easement connecting the lot to such private or public street. The lot has direct access to Prospector Avenue via two (2) access easements on adjacent (Prospector Square) Parking Lot G. The site has a platted access for an underground parking level over Parking Lot G on the southwest corner of the site.

Floor Area Ratio (FAR) – The subject site is included in the Prospector Overlay which provides a maximum FAR not to exceed two (2.0). Lot 48F is 9,548 square feet in size, which allows a maximum floor area of 19,096 square feet (9,548 x 2.0).

The proposed gross residential floor area of the building is 18,956 square feet, which equates to an FAR of 1.9. The proposed residential gross floor area complies with the maximum FAR. All uses within a building except parking areas are subject to the FAR. Basement spaces (underground areas) below final grade are not part of the floor area.

Setbacks – The subject site is included in the Prospector Overlay which allows for reduced site requirements: Front, side, and rear setbacks may be reduced to zero feet (0'). The proposed front, rear, and side setbacks are zero feet (0').

Building Height - [LMC § 15-2.18-4](#)

No structure shall be erected to a height greater than thirty-five feet (35') from existing grade (zone height) with the following building height exceptions:

1. *Gable, hip, Barrel, and similar pitched roofs may extend up to five feet (5') above the Zone Height, if the roof pitch is 4:12 or greater.*
2. *Antennas, chimneys, flues, vents, and similar Structures may extend up to five feet (5') above the highest point of the Building to comply with the International Building Code (IBC).*
3. *Water towers, mechanical equipment, and associated Screening, when enclosed or Screened, may extend up to five feet (5') above the height of the Building.*
4. *Church spires, bell towers, and like architectural features, subject to LMC Chapter 15-5 Architectural Guidelines, may extend up to fifty percent (50%) above the Zone Height, but may not contain Habitable Space above the Zone Height. Such exception requires approval by the Planning Director.*
5. *An Elevator Penthouse may extend up to eight feet (8') above the Zone Height.*
6. *Ski lift and tramway towers may extend above the Zone Height subject to a visual analysis and approval by the Planning Commission.*

The proposed building height varies. The highest roof points range in height from 33.6 to 34.5 feet. The proposed building complies with the maximum building height (zone height) of thirty-five feet (35'). The proposed building does not show the location / heights of antennas, chimneys, flues, vents, and / or similar structures. The proposed building shall comply with Building Height exception no. 2, listed above. The proposal does not show the location / heights of mechanical equipment and associated screening. The proposal shall comply with Building Height exception no. 3, listed above. The proposed building contains an elevator penthouse which complies with Building Height exception 5, listed above.

Architectural Review - [LMC § 15-2.18-5](#)

Prior to the issuance of a building permit for any conditional or allowed use, the Planning Department must review the proposed plans for compliance with the Architectural Design Guidelines found in [LMC § 15-5-5\(A-N\)](#):

- A. *Prohibited Architectural Styles and Motifs:* The proposal is not one of the listed prohibited architectural styles and motifs, complies.
- B. *Prohibited Siding Materials:* The proposed siding consists of “Hardie” cement panel and architectural concrete. The proposed siding materials are not listed as a prohibited materials, complies.
- C. *Design Ornamentation:* The proposed building is not highly ornate and

special ornamental siding (fish scale cut shingles, half-timbered stucco, match-sticked wood or other inlays) is not proposed. Complies.

D. *Number of Exterior Wall Materials:* The proposed siding consists of two (2) siding materials: “Hardie” cement panel and architectural concrete, complies.

E. *Roofing materials:* Not applicable based on the proposed flat roof.

F. *Roof Shapes:* The proposed flat roof shape is not listed as a prohibited shape, complies.

G. *Solar Energy Systems:* The proposed project description indicates that solar panels will be incorporated into the building, with as many installed as practical; furthermore, the description explains that the layout will be dependent upon mechanical systems, green roof installations and other factors unknown at this point. Once the layout is figured out by the applicant, solar energy systems shall comply with this section of the LMC, complies as conditioned.

1. *Solar Energy Systems shall be designed so as to be incorporated in the roof plan or architectural features of the structure to the best extent possible. Solar Energy Systems shall generally be mounted flush to the roof plane. In instances where due to the existing roof angle the panel needs to be angled from the roof plane for optimum solar gain, alternative designs may be considered upon review of a visual analysis and mitigation of visual impacts from surrounding properties.*
2. *Solar panels, solar devices, and Solar Energy Systems and mounting equipment shall use non-reflective finishes such as an anodized finish.*

H. *Skylights:* None proposed, not applicable.

I. *Window Treatments:* The proposal consists of metal clad wood windows with steel shrouds on the exterior, complies.

J. *Lighting:* The proposal does not show any exterior lighting. The proposal shall comply with this section of the LMC including the residential lighting subsection which indicates that residential exterior lighting shall be down-directed and shielded as indicated below, complies as conditioned.

1. All exterior lights on porches, garage doors or entryways shall be shielded to prevent glare onto adjacent Property or public right of ways and light trespass in to the night sky. Lights shall be directed at walkways or entries and shall not be directed into the night sky.
2. Compact fluorescent fixtures are the recommended Light Source. High pressure sodium and incandescent bulbs may be permitted, provided the wattage is low and the light is Shielded and down-directed.

3. Bare bulb light fixtures such as flood or spotlights are not permitted.
 4. Lighting exterior Building features for architectural interest is prohibited.
 5. Security lighting shall be fully shielded and shall be set on a timer or motion detector. Infrared sensor spotlights are the recommended light type for security.
 6. Private sport court [...]. (Not Applicable)
- K. *Trash and recycling Enclosures:* The applicant proposes to utilize the six foot (6') front-loading trash container found onsite on Parking Lot G. The site plan, Exhibit F, shows the relocated new location of the dumpster for the site, which is currently being used by existing buildings adjacent to Parking Lot G. The proposal shall comply with this section of the LMC as shown below, complies as conditioned.

In addition to County health standards, the following trash enclosure design standards shall apply:

1. *Trash and storage Areas shall be Screened by landscaping, Fencing, berms or other devices integral to overall Site and Building design;*
2. *Trash and storage enclosures shall be designed and constructed of materials that are Compatible with the proposed or existing Building and with surrounding Structures. The enclosure's design, construction, and materials shall be substantial and consisting of masonry, steel, or other materials approved by the Planning and Building Department and capable of sustaining active use by residents and trash/recycling haulers. The design shall, if physically possible, include both a pedestrian door and a truck door or gate;*
3. *Trash and storage Areas shall be well maintained including prompt repair and replacement of damaged gates, Fences and plants;*
4. *Openings of trash enclosures shall be oriented away from public view or Screened with sturdy gates wide enough to allow easy Access for trash collection, where practical;*
5. *The consolidation of trash Areas between Businesses and the Use of modern disposal techniques is encouraged.*
6. *Exception. These standards shall not apply to existing Structures that have been built with zero Setbacks or when such enclosures would negatively impact Access, circulation, or snow removal efforts.*

The site shall also contain an area to be utilized for sorting recycling, etc. within the building, specifically within Level 0 underground parking, complies as conditioned.

- L. *Mechanical Equipment.* The proposal shows mechanical space in Level 0 garage level only. The proposed project description indicates that mechanical systems are anticipated to use mini-split systems with ducted cassettes located in portions of dropped ceilings in each unit. Applicant explained that each unit will have their own suitcase sized condensing unit. These units will

be tied together into 'farms' and located such that they won't be visible from the street. Staff anticipates mechanical equipment to be located on the flat roof top. Once the mechanical layout is figured out by the applicant, all mechanical equipment shall comply with this section of the LMC, complies as conditioned.

All electrical service equipment and sub-panels and all mechanical equipment, including but not limited to, air conditioning, pool equipment, fans and vents, utility transformers, except those owned and maintained by public utility companies, and solar panels, shall be painted to match the surrounding wall color or painted or Screened to blend with the surrounding natural terrain. Roof mounted equipment and vents shall be painted to match the roof and/or adjacent wall color and shall be Screened or integrated into the design of the Structure. Minor exceptions to Setback requirements for Screened mechanical equipment may be approved by the Planning Director where the proposed location is the most logical location for the equipment and impacts from the equipment on neighboring properties, historic facades, and streetscapes can be mitigated and roof top mechanical placement and visual clutter is minimized.

M. Patios and driveways: not applicable.

N. Landscaping: not applicable.

Mechanical Service, Delivery, and Loading - [LMC § 15-2.18-8](#)

All exterior mechanical equipment must be Screened to minimize noise infiltration to adjoining Properties and to mitigate visual impacts on nearby Properties and general public view. All mechanical equipment must be shown on the plans prepared for Conditional Use Permit and/or architectural review.

All Structure must provide a means of storing refuse generated by the Structure's occupants. All refuse storage facilities must be shown on the plans prepared for Conditional Use Permit and/or architectural review. Refuse storage must be Screened, enclosed, and properly ventilated.

The loading and unloading of goods must take place entirely on the Site. Loading areas must be Screened from general public view. All loading areas shall be shown on the plans prepared for Conditional Use Permit and/or architectural review.

Complies as conditioned, see item K. Trash and Recycling Enclosures and item L. Mechanical Equipment found in Architectural Review subsection of this staff report, above.

Facade Length and Variations - [LMC § 15-5-8\(B\)](#)

Structures that exceed 120 feet in length on any facade shall provide a prominent shift in the mass of the structure at each 120 foot interval, or less if the Developer desires,

reflecting a change in function or scale. The shift shall be in the form of either a fifteen foot (15') change in Building Facade alignment or a fifteen foot (15') change in the Building Height. A combination of both the Building Height and Building Facade change is encouraged and to that end, if the combined change occurs at the same location in the Building plan, a fifteen foot (15') total change will be considered as full compliance.

The façade facing Parking Lot G / Prospector Avenue has an eighteen foot (18') horizontal break after its first 43½ feet of façade from left to right (east to west), and then the remaining 96 foot façade completes the building. The façade facing the Rail Trail has a 32 foot horizontal break after its first 24 feet of façade from left to right (west to east), and then the remaining 101½ foot façade completes the building. Both east and west facing facades are 58.8 feet in length. All four (4) building façades complies.

Conditional Use Review Process - [LMC § 15-1-10](#)

There are certain uses that, because of unique characteristics or potential impacts on the municipality, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts. The GC District lists multi-unit dwellings as a conditional use. A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards.

1. **Size and location of the Site.** The overall size of the proposed building is 29,201 square feet which includes 17,087 square feet of residential floor area. The site is located within Prospector Square, a mixed-use development. All of Prospector Square is located in the GC District which lists commercial uses such as hotels, offices, retail, and restaurants as allowed uses; while listing all residential uses as conditional. No unmitigated impacts.
2. **Traffic considerations including capacity of the existing Streets in the Area.** The Prospector Square area of Park City was master planned decades ago anticipating the proposed uses. Residential uses are less intensive than commercial uses for traffic and provide an alternating form of traffic. Most people will be leaving the residential building as the bulk of Prospector is receiving people for business during the day and the opposite at night would occur. No unmitigated impacts.
3. **Utility capacity, including Storm Water run-off.** Some utilities have already been coordinated with the ongoing Prospector Square improvements. This will result in minimal road cuts and existing infrastructure that is sized for the project. Utilities necessary for the proposal are available at or near the site. A final utility plan, including grading and storm water run-off plans, shall be submitted with the final construction documents / building permit to be reviewed by the City Engineer and utility service providers. City Staff will provide utility coordination meetings to ensure that utilities are provided in the most efficient, logical manner and that comply with best practices. No unmitigated impacts.

4. **Emergency vehicle Access.** Emergency vehicle access is proposed with twenty-four foot (24') drive aisles and two (2) curb cuts for access into and out of Parking Lot G. The proposed plans have been reviewed by the Park City Fire District (PCFD) for compliance and meet the requirements for emergency vehicle access based on the following conditions of approval prepared by PCFD:

A reduction of width to 24 feet from 26 feet as shown in your detail dated 8/29/18 is acceptable provided the following conditions are met:

- a. Standpipes are placed throughout the garage in accordance with the International Fire Code (IFC) and National Fire Protection Association (NFPA).*
- b. Standpipes are placed in each stair tower in accordance with the IFC and NFPA including an outlet on the roof.*

The request to put the riser in the stair tower is also acceptable to PCFD provided that the following conditions are met:

- a. The temperature in the room containing the riser is maintained at no less than 40 degrees Fahrenheit*
- b. Direct access is provided from the outside of the building*
- c. Clear space is provided around the fire sprinkler riser in accordance with the IFC.*
- d. Signage and/or labeling is provided instructing tenants that no storage is allowed around the fire sprinkler riser and that access must be kept clear.*

No unmitigated impacts.

5. **Location and amount of off-Street parking.** The applicant proposes a total of twenty-four (24) parking spaces, all located in the underground parking level. Prospector Square development is based on a shared parking concept in which all of the lots can be improved without providing on-site parking. Parking is provided through the association on those common areas that have been designated as Parking Lots A - K. If Prospector Square had not provided this shared parking concept, the proposal would still be in compliance of on-site parking as the proposal would require a minimum of twenty-two (22) parking spaces.

The twenty-four (24) proposed parking spaces all meet the minimum parking measurement of nine by eighteen feet (9'x18') as required by the LMC.

No unmitigated impacts.

6. **Internal vehicular and pedestrian circulation system.** Vehicular circulation is provided via a ramp leading from Parking Lot G towards a garage door on the west façade / elevation. This access consists of one way traffic that will have a traffic signal gate at its entry. See the following site plan below:



Pedestrian circulation to the building is provided via a front door on the Parking Lot G / Prospector Avenue façade / elevation and the underground parking level. All four (4) levels plus the roof top are connected via the circulation staircase / elevator corridor. Levels 1-3 and the roof top also contain a secondary exterior staircase connecting these levels. All apartments are accessed via a covered exterior circulation corridor on Levels 1-3.

The applicant is also providing public pedestrian access to the Rail Trail via connection of the Prospector Avenue sidewalk to the Rail Trail proposed to take place over Lot 48A, labeled as future proposed building above. Most of the sidewalk is seven feet (7') wide with the exception of approximately thirty feet (30') where it is reduced to five feet (5') due to the location of the needed vehicular ramp accessing the underground parking level.

No unmitigated impacts.

7. **Fencing, Screening, and landscaping to separate the Use from adjoining Uses.** The zero (0) lot line building will not have any fencing for separation. Efforts to mitigate the driveway include providing an updated Rail Trail connection, a one-way driveway to the underground parking (to minimize the drive width), added community amenities and planting to screen the drive. No unmitigated impacts.
8. **Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots.** The mass, bulk and orientation are consistent with other buildings in the area. The building will reside adjacent to Parking Lot G and will retain space between adjoining buildings. The building is matching scale and orientation with and to other nearby buildings. No unmitigated impacts.
9. **Usable Open Space.** The Rail Trail connection mitigates any perceived loss of open space; however, the site currently has had no open space whatsoever. The adjacent Rail Trail provides open space in addition to the improved Rail Trail connection. No unmitigated impacts.
10. **Signs and lighting.** Signs and lighting are not yet proposed and will be provided in typical fashion to assist tenants and visitors with finding their routes, as well as assisting emergency vehicles / officials with required address and emergency signs. All signs and lighting for the project shall be approved at building permit review for compliance with applicable codes. No unmitigated impacts.
11. **Physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing.** The design is compatible with surrounding buildings in the mass and scale. The building matches up with recently approved buildings nearby and in the area as a whole. No unmitigated impacts.
12. **Noise, vibration, odors, steam, or other mechanical factors that might affect people and Property Off-Site.** The proposed building will have similar noise, vibration, odors, steam, or other mechanical factors customarily found within residential buildings. The proposed residential use will have less impact than any commercial type use allowed in the District. The proposal will not create any additional impacts that are not normally associated in the residential nature of the proposed use. No unmitigated impacts.
13. **Control of delivery and service vehicles, loading and unloading zones, and Screening of trash and recycling pickup Areas.** No commercial deliveries will be made to the site based on the nature of the residential use. Trash will be taken to a Prospector Square Association dumpster in Parking Lot

G. An area within the underground parking level shall be identified for recycling. No unmitigated impacts.

14. **Expected Ownership and management of the project as primary residences, Condominiums, time interval Ownership, Nightly Rental, or commercial tenancies, how the form of Ownership affects taxing entities.**

The business plan for the developer is long-term residential rentals, i.e., apartments. They plan on holding the property for the foreseeable future and participating as a local business paying taxes. A condominium plat would be required for individual sale of units. No unmitigated impacts.

15. **Within and adjoining the Site, Environmentally Sensitive Lands, Physical Mine Hazards, Historic Mine Waste and Park City Soils Ordinance, Steep Slopes, and appropriateness of the proposed Structure to the existing topography of the Site.**

By excavating for the underground parking garage level, it is anticipated that contaminated soils will be encountered. Severity will depend on content of the soil; however, the developer is aware of the regulations found in the Park City Soils Ordinance. The site itself is currently a parking lot with minimal elevation changes. The site is not within any of the above mentioned designations other than the Park City Soils Ordinance boundary. No unmitigated impacts.

16. **Reviewed for consistency with the goals and objectives of the Park City General Plan; however such review for consistency shall not alone be binding.** The proposed use is consistent with the General Plan, providing a more permanent resident base and adding vitality of the area. The Prospector Square area contains multiple residential buildings as it's considered a horizontal mixed used development. Consistent with the following General Plan Goals and objectives:

- Goal #1 Park City will protect undeveloped lands, discourage sprawl, and direct growth inward to strengthen existing neighborhoods.
 - Objective 1A - Direct complimentary land use and development into existing neighborhoods that have available infrastructure and resource capacity.
- Goal #7 -Life-cycle Housing: Create a diversity of primary housing opportunities to address the changing needs of residents.

Underground Level Encroachment

The proposed underground level contains a six foot (6') encroachment onto Parking Lot G, common space. This encroachment only takes place below grade. The applicant is ready to record an updated encroachment agreement with Prospector Square Property Owners' Association that would allow the encroachment to consist of independent structures. The portions of the parking structure improvements located in the common Area are to be structurally designed, constructed, and operated in a manner such that, in the event the encroachment area is ever removed, the parking structure would remain fully functional and continue to be operated independent from the encroachment. Staff

does not have any issues with this proposal as it only takes place below grade.

Process

Approval of this Conditional Use Permit application by the Planning Commission constitutes Final Action that may be appealed following the procedures found in LMC § 1-18. A Building Permit is publicly noticed by posting of the permit.

Significant Impacts

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

Department Review

This project has gone through an interdepartmental review. No additional issues, not mentioned in this staff report, were brought up at that time.

Notice

On November 28, 2018 the property was posted and notice was mailed to property owners within 300 feet. Legal notice was published in the Park Record and the Utah Public Notice Website on December 1, 2018.

Public Input

No public input has been received at the time of this report.

Summary Recommendations

Staff recommends that the Planning Commission review and hold a public hearing for Conditional Use Permit for a Multi-Unit Dwelling located at 1791 Prospector Avenue, and consider approving the proposal based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the staff report.

Findings of Fact

1. The site is located at 1791 Prospector Avenue.
2. The site consists of Lot 48F of the Prospector Square Subdivision Plat.
3. The site is within the General Commercial District.
4. A Multi-Unit Dwelling is a building containing four (4) or more dwelling units.
5. A Multi-Unit Dwelling is a conditional use in the General Commercial District.
6. The proposal consists of a new residential building containing twenty (20) apartments / residential units: thirteen (13) one-bedroom apartments, six (6) two-bedroom apartments, and one (1) three-bedroom apartment.
7. The proposed building has three (3) floors on top of an underground parking garage.
8. The overall size of the proposed building is 29,201 square feet which includes 17,087 square feet of residential floor area; 8,768 square feet of parking area; 1,720 square feet of internal circulation; 632 square feet of common area lounge, kitchen, conference room area; 608 square feet of storage space; and 386 square feet of mechanical space.
9. The proposal does not require an MPD application based on the proposed residential UEs of 8.5 (17,087 square feet).

10. The lot has direct access to Prospector Avenue via two (2) access easements on adjacent (Prospector Square) Parking Lot G.
11. The site has a platted access for an underground parking level over Parking Lot G on the southwest corner of the site.
12. The subject site is included in the Prospector Overlay which provides a maximum Floor Area Ratio not to exceed two (2.0).
13. Lot 48F is 9,548 square feet in size, which allows a maximum floor area of 19,096 square feet.
14. The proposed gross residential floor area of the building is 18,956 square feet, which equates to a Floor Area Ratio 1.9.
15. The proposed residential gross floor area complies with the maximum Floor Area Ratio.
16. The proposed front, rear, and side setbacks are zero feet (0').
17. The highest roof points range in height from 33.6 to 34.5 feet.
18. The proposed building complies with the maximum building height
19. The proposed building does not show the location / heights of antennas, chimneys, flues, vents, and / or similar structures.
20. The proposal does not show the location / heights of mechanical equipment and associated screening.
21. The proposed building contains an elevator penthouse which complies with Building Height exception 5, listed above.
22. The proposal complies as conditioned with the Architectural Design Guidelines found in [LMC § 15-5-5\(A-N\)](#).
23. Prospector Square was master planned anticipating allowed and conditional uses.
24. Residential uses are less intensive than commercial uses for traffic and provide an alternating form of traffic.
25. Emergency vehicle access is proposed with twenty-four foot (24') drive aisles and two (2) curb cuts for access into and out of Parking Lot G.
26. The applicant proposes a total of twenty-four (24) parking spaces, all located in the underground parking level.
27. The twenty-four (24) proposed parking spaces meet the minimum parking measurement of nine by eighteen feet (9'x18').
28. Vehicular circulation is provided via a ramp leading from Parking Lot G towards a garage door on the west façade / elevation.
29. Pedestrian circulation to the building is provided via a front door on the Parking Lot G / Prospector Avenue façade / elevation and the underground parking level.
30. All four (4) levels plus the roof top are connected via the circulation staircase / elevator corridor.
31. Levels 1-3 and the roof top also contain a secondary exterior staircase connecting these levels.
32. All apartments are accessed via a covered exterior circulation corridor on Levels 1-3.
33. The proposal includes a public pedestrian access to the Rail Trail via connection to the Prospector Avenue sidewalk to the Rail Trail.
34. The zero (0) lot line building will not have any fencing for separation.

35. The mass, bulk and orientation are consistent with other buildings in the area.
36. The Rail Trail connection mitigates any perceived loss of open space.
37. Signs and lighting are not yet proposed and will be provided in typical fashion to assist tenants and visitors with finding their routes, as well as assisting emergency vehicles / officials with required address and emergency signs.
38. The design is compatible with surrounding buildings in the mass and scale.
39. The proposed building will have similar noise, vibration, odors, steam, or other mechanical factors customarily found within residential buildings.
40. No commercial deliveries will be made to the site based on the nature of the residential use.
41. The business plan for the developer is long-term residential rentals, i.e., apartments.
42. By excavating for the underground parking garage level, it is anticipated that contaminated soils will be encountered.
43. The site is within the Park City Soils Ordinance boundary.
44. The proposed underground level contains a six foot (6') encroachment onto Parking Lot G, common space, completely below grade.
45. The applicant is ready to record an updated encroachment agreement with Prospector Square Property Owners' Association that would allow the encroachment to consist of independent structures.
46. The portions of the parking structure improvements located in the common Area are to be structurally designed, constructed, and operated in a manner such that, in the event the encroachment area is ever removed, the parking structure would remain fully functional and continue to be operated independent from the encroachment.

Conclusions of Law

1. The proposal satisfies the Conditional Use Permit review criteria as established by the Land Management Code's Conditional Use Review process (§15-1-10[E], Criteria 1-16).
2. The proposal complies with all requirements of the Land Management Code.
3. The Uses will be Compatible with surrounding Structures in Use, scale, mass and circulation.
4. The effects of any differences in Use or scale have been mitigated through careful planning.

Conditions of Approval

1. All standard project conditions shall apply.
2. A Construction Mitigation Plan (CMP) shall be submitted and approved by the City for compliance with the Municipal Code, as a condition precedent to issuance of any grading or building permits. The CMP shall be updated as necessary to identify impacts and propose reasonable mitigation of these impacts on the site, neighborhood, and community due to construction of this project. The CMP shall include information about specific construction phasing, traffic, parking, service and delivery, stock-piling of materials and staging of work, work hours, noise control, temporary lighting, trash management and recycling,

mud and dust control, construction signs, temporary road and/or trail closures, limits of disturbance fencing, protection of existing vegetation, erosion control. Storm-water management and other items as may be required by the Building Department. The immediate neighborhood and community at large shall be provided notice at least 24 hours in advance of construction work impacting private driveways, street closures, and interruption of utility service.

3. A storm water run-off and drainage, and grading plan shall be submitted with the building plans and approved prior to issuance of any building permits.
4. Final utility plans, consistent with preliminary utility plans reviewed by the Planning Commission during the Conditional Use Permit review, shall be reviewed by the City Engineer during the Building Permit review.
5. The Snyderville Basin Water Reclamation District's review and approval of the utility plans, for conformance with the District's standards for review, is a condition precedent to building permit issuance.
6. The final building plans and construction details for the project shall substantially comply with the drawings reviewed by the Planning Commission on December 12, 2018.
7. The Conditional Use Permit shall expire on December 12, 2019, unless an extension is requested in writing prior to expiration date and the extension is granted by the Planning Director.
8. The proposed building shall comply with Building Height exception no. 2 and 3 as listed in Land Management Code.
9. Solar Energy Systems shall be in compliance with the parameters established in the Land Management Code.
10. All exterior lights shall be in compliance with the parameters established in the Land Management Code
11. In addition to County health standards, trash enclosure design standards shall be in compliance with the parameters established in the Land Management Code.
12. The site shall contain an area to be used for recycling within the building, specifically within Level 0 underground parking level.
13. All mechanical equipment shall comply with the parameters established in the Land Management Code.
14. The proposal shall comply with all the Park City Soils Ordinance.
15. The proposed connection to the Rail Trail from the Prospector Avenue sidewalk shall be completed prior the applicant receiving a certificate of occupancy for the proposed building.

Exhibits

Exhibit A – Applicant's Project Description

Exhibit B – Plans Cover Sheet

Exhibit C – Area Analysis

Exhibit D – Current Subdivision Plat

Exhibit E – Vicinity Map

Exhibit F – Site Plan

Exhibit G – Grading & Utility Plan

Exhibit H – Access / Rail Trail Plan

Exhibit I – Area Use Plan
Exhibit J – Floor Plans
Exhibit K – Roof Plans
Exhibit L – Elevations
Exhibit M – Material Package
Exhibit N – Current Encroachment Agreement
Exhibit O – Encroachment Structural Consultant Letter
Exhibit P – Proposed Encroachment Agreement
Exhibit Q – Preliminary Construction Mitigation Plan
Exhibit R – Standard Project Conditions

Project Description - October 16 2018

1791 Prospector Ave Residences

Located on lot 48F, a recently combined parcel lot, in Parking Lot G of the Prospector Square Homeowners Association Plat. The project borders the rail trail ROW and is approximately 160 feet in length and parallel to the trail. The combined lot dimensions are 60' x 159.14' for a total of 9548.4 square feet. The project will be developed as apartments, leased to tenants and held as a long-term investment. The address is 1791 Prospector Ave. A rail trail access path currently runs to the South and West of the property.

Residences will consist of 20 residential apartments with 24 sub-surface parking stalls. Studio, 1 Bedroom, 2 Bedroom and 3-bedroom units will make up the mix of apartments with common area space on the first floor being dedicated to lounge and business type uses. A common area deck will also be available on the first floor tenant use as well as a rooftop deck on the South East corner of the building.

Unit sizes will vary in size from 704 sf to 1401 sf. The gross square footage currently stands at 18,956 (without garage).

The project is 3 stories tall with underground parking. The form of the building is a series of 2 L shapes interlocking and standing on a plinth that is the concrete parking garage roof structure. There are several steps in the floor plates that correspond to the steps in the existing grade. These will be represented with varying window heights and steps in the facade itself. The center of the interlocking Ls will contain the circulation corridors. They are proposed to be outdoor and ramping between each of the steps in the floor plates. Several large planters will bring natural elements into the building envelope. The roof parapet will follow the 35' height restriction as the grade lowers from West to East.

The construction of the building will incorporate concrete wall construction below grade to house the parking garage. A post-tension slab will be used as a lid on the parking garage and as the floor or plinth for the residences. This PT slab will be stepped in 2 areas creating 3 levels to build upon. Each step will be approximately 2 feet. This will help the structure correspond with the existing grade and the zone height limits. An additional 6 feet will be added to the building footprint with the blessing of the Prospector Square Property Owners Association to encroach to the North and into the parking lot. This portion of the garage will be capped by a sidewalk that will run parallel to the North facade of the building. Construction above the parking garage will incorporate CLT (Cross Laminated Timber) construction for the floor plates with traditional stick framing for all walls and supports. This method of construction will contribute to sustainable construction that will help attain a LEED status.

Access to the subsurface parking will be via ramp located on Lot 48D of the Prospector Square HOA Plat. The owner of Lot 48F has a perpetual access and use easement over Lot 48D granted by the Prospector Square HOA. The rail trail access will be maintained and redeveloped as a landscaped area around the parking access.

Excavation will likely incur soils remediation. Dependent on severity of contamination, contingencies should be included for removing and disposing of soils. There will not be a location on-site to use and cap any soils excavated.

Interior walkway elements will be a concrete ramping system. There may be heat melt or other systems to reduce maintenance in the wet, winter environments. Currently they are attached to the building but may end up on their own structural column system. The outdoor common area is seen as a green roof situation, with approximately 6" of medium, with a transition to the State land to the South, tying the two outdoor environments together. The circulation tower will be constructed of concrete and will contain one of the two required stairways and an elevator. The stair will continue from the garage to the roof where a deck will be installed with a green roof surrounding. The green roof will only be installed on the Eastern portion of the roof, up to the first vertical step in the building plinth.

Solar panels will be incorporated into the building, with as many installed is as practical. This layout will be dependent upon mechanical systems, green roof installations and other factors unknown at this point.



Exhibit A – Applicant's Project Description

Mechanical systems are anticipated to use mini-split systems with ducted cassettes located in portions of dropped ceilings in each unit. Each unit will have their own suitcase sized condensing unit. These units will be tied together into 'farms' and located such that they won't be visible from the street. The use of these units for the mechanical systems gives each unit total control and provides an extremely efficient method of heating and cooling.

LEED Consideration

This building is attempting a LEED certification. This is in large part to their proximity to public transportation, outdoor amenities and urban amenities. The building being constructed is on an infill, brown site helping to gain LEED points but also helping to break up the expanse of asphalt that is the current parking lot. Materials conservation & recycling will be accented during construction and the concepts embodied with recycling will be folded into the finished building. Other LEED goals will contribute to create a model building that participates to the vitality of the area and sets an example for other buildings in the city to follow.

CUP Questions

1. Size and location of the Site;
 - The size of the building is within the GC Zone requirements and located on an existing and platted lot within Prospector Square.
2. Traffic considerations including capacity of the existing Streets in the Area;
 - The Prospector Square area of Park City was master planned decades ago anticipating the maximum use, including the building under consideration. The residential use is a less intense use for traffic and provides an alternating form of traffic. People will be leaving the residential building as the bulk of Prospector is receiving people for business during the day and the opposite at night will occur.
3. Utility capacity, including Storm Water run-off;
 - Some utilities have already been coordinated with the ongoing Prospector Square improvements. This will result in minimal road cuts and existing infrastructure that is sized for the project. Storm water run-off will be improved from the existing blacktop parking lot with berms and internal landscaping designed to receive rain water before running to a new storm sewer being installed with Prospector Square improvements.
4. Emergency vehicle Access;
 - Emergency access to most vehicles will be provided with standard drive aisles and two curb cuts for access into and out of the parking lot. The one concern is accommodating a fire department ladder truck. Arrangements have been made with Fire Marshall Mike Owens from PCFD to satisfy any concerns.
5. Location and amount of off-Street parking;
 - By building in an existing lot, we are not removing any parking that had been master planned and are adding private parking in the underground garage to augment existing parking conditions.
6. Internal vehicular and pedestrian circulation system;
 - Sizing for parking stalls and drive aisles are consistent with Park City standards. 5'-7' sidewalks will be available for all those wishing to access the project. A rail trail connection is also being facilitated and improved upon to retain an important nodal connection in the city.
7. Fencing, Screening, and landscaping to separate the Use from adjoining Uses;
 - The zero-lot line building will not have any fencing for separation as this separation will be obvious to the casual observer. Efforts to mitigate the driveway include providing an updated rail trail connection, a one-way driveway to the underground parking (to minimize

Exhibit A – Applicant's Project Description

the drive width), added community amenities and planting to screen the drive.

8. Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots;
 - The mass, bulk and orientation are consistent with other buildings in the area. The building will reside in an existing parking lot retains space between adjoining buildings. The building is matching scale and orientation with and to other nearby buildings.
9. Usable Open Space;
 - Open space for residents has been provided as common area. The rail trail connection mitigates any perceived loss of open space and improves on the safety and aesthetic of the existing conditions. The adjacent Rail Trail recreation area provides open space in addition to the improved Rail Trail connection.
10. Signs and lighting;
 - Signs and lighting are consistent with residential use and not associated with any unauthorized uses. Signs will be provided in typical fashion to assist tenants and visitors with finding their routes and will assist fire officials with required address and emergency signage. Retail or commercial signage will not be used, mitigating this area of concern.
11. Physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing;
 - The design is compatible with surrounding buildings in the mass and scale. The building matches up with recently approved buildings nearby and in the area as a whole.
12. Noise, vibration, odors, steam, or other mechanical factors that might affect people and Property Off-Site;
 - As a residential property, noise, vibration, odors steam or other factors that may contribute negatively to neighboring properties have been largely mitigated. The residential use will have less impact than any restaurant or light industrial use allowed in the zone.
13. Control of delivery and service vehicles, loading and unloading zones, and Screening of trash and recycling pickup Areas;
 - Delivery trucks will be limited to Amazon packages that residents will have delivered. No early morning, food or commercial deliveries will be made to the site. Trash will be taken to a Prospector Square Association run dumpster in the parking lot. Recycling will be handled in-house or through the county depending on determined needs.
14. Expected Ownership and management of the project as primary residences, Condominiums, time interval Ownership, Nightly Rental, or commercial tenancies, how the form of Ownership affects taxing entities;
 - The business plan for the developers is long-term residential rentals. They plan on holding the property for the foreseeable future and participating as a local business paying taxes.
15. Within and adjoining the Site, Environmentally Sensitive Lands, Physical Mine Hazards, Historic Mine Waste and Park City Soils Ordinance, Steep Slopes, and appropriateness of the proposed Structure to the existing topography of the Site; and
 - By digging for a parking garage, hot soils will be encountered. Severity will depend on content of soil but developer is prepared for worst-case scenario. The site itself is a parking lot with minimal elevation changes and was part of the Master Plan for the area. Any disturbance to a natural environment will be minimal
16. Reviewed for consistency with the goals and objectives of the Park City General Plan; however such review for consistency shall not alone be binding.
 - The proposed use is consistent with the General Plan, providing a more permanent resident base and adding vitality of the area. The General Plan allows for residential use with a CUP and the Prospector Square area contains multiple residential buildings as precedent.

SMP 1791 LLC
Prospector Lot G
1791 Prospector Ave

Park City UT 84060
CUP Application

2018.10.01
VICINITY MAP

EWG Project # 2017.65



PROJECT CONTACT INFORMATION

OWNER	ARCHITECT	BUILDER
SMP 1791 LLC	ELLIOTT WORKGROUP 1441 WEST UTE BLVD SUITE 100 PARK CITY, UT 84098 801.415.1839 CONTACT: CRAIG ELLIOTT, AIA	
CIVIL ENGINEER	INTERIOR DESIGN	LANDSCAPE ARCHITECTURE
ALLIANCE ENGINEERING		
STRUCTURAL ENGINEER	PLUMBING ENGINEER MECHANICAL ENGINEER	ELECTRICAL ENGINEER
CANYONS STRUCTURAL	PVE INC.	PVE INC.

SERVICE CONTACTS

Century Link 4180 Atkinson Road Park City, UT 84098 (435) 649.6198	Questar Gas P.O. Box 45360 Salt Lake City, UT 84145 (800) 323.5517
Comcast Service Center 1890 Bonanza Drive, Suite 101 Park City, UT 84098 (435) 649.4020	Rocky Mountain Power 1407 West North Temple Salt Lake City, UT 84116 (800) 469.3981
DIRECTV P.O. Box 6550 Greenwood Village, CO 80155 (800) 531.5000	Snyderville Basin Water Reclamation District 2800 Homestead Road Park City, UT 84098 (435) 649.7993
Park City Fire District 736 Bitner Road Park City, UT 84098 (435) 649.6706	Snyderville Post Office 6440 Highway 224 Park City, UT 84098 (435) 615.9653
Park City Municipal Corp 445 Marsac Avenue Park City, UT 84060 (435) 658.9471	Summit County 60 North Main Street P.O. Box 128 Coalville, UT 84017 (435) 336.3200
Park City School District 2700 Kearns Blvd Park City, UT 84060 (435) 645.5600	Utah Division of Water Quality 288 North 1460 West Salt Lake City, UT 84116 (801) 536.4300

DRAWING INDEX CUP

GENERAL DRAWINGS	
G.CUP-000	Cover Sheet
G.CUP-001	Area Analysis
SITE PLAN	
S.CUP-001	Plat
S.CUP-002	Vicinity Plan
S.CUP-003	Site Plan
S.CUP-004	Utility Plan
S.CUP-005	Rail Trail Plan
S.CUP-006	Rail Trail Rendering
S.CUP-007	Area Use Plan
RESIDENTIAL	
R.CUP-100	Floor Plan - Parking
R.CUP-101	Floor Plan Level 1
R.CUP-102	Floor Plan Level 2
R.CUP-103	Floor Plan Level 3
R.CUP-104	Roof Plan
R.CUP-105	Roof Over Topo
R.CUP-201	Elevations
R.CUP-202	Elevations
R.CUP-301	Building Sections
R.CUP-801	Material Package
R.CUP-901	Presentation
*Mitigation Plan Provided as Separate 11x17 Addendum	

LMC SUMMARY

LMC 15.2.18 - General Commercial (GC) District

15.2.18-2 Uses	
B. Conditional Use	
4. Multi-Unit Dwelling	
15.2.18-3 Lot And Site Requirements	
1. Prospector Overlay Establishing a Maximum Floor Area for Development	
2. Maximum Floor Area Ratio (FAR)	
3. Must not Exceed 2.0	
15.2.18-4 Building Height	
Thirty-five feet (35') from Existing Grade.	
A. Building Height Exceptions:	
2. Antennas, chimneys, flues, vents: five feet (5')	
3. Mechanical equipment, and associated Screening: five feet (5')	
5. Elevator Penthouse: eight feet (8')	
15.2.18-5 Architectural Review	
Prior to the issuance of a Building permit for any Conditional or Allowed Use, the Planning Department must review the proposed plans for compliance with the Architectural Design Guidelines, LMC Chapter 15-5	
-Requires Planning Review	
15.2.18-6 Mechanical Service, Delivery And Loading	
All exterior mechanical equipment must be Screened	
-Must provide a means of storing refuse generated	
-Refuse storage must be Screened, enclosed, and properly ventilated	
-Loading and unloading of goods must take place entirely on the Site.	
-Loading areas must be Screened from general public view	
15.2.18-7 Mechanical Service, Delivery And Loading	
All exterior mechanical equipment must be Screened	
15.6-4 Unit Equivalents	
1 UE = 2000SF and Portions Thereof (eg. 2400 SF = 1.23 UE)	
Exclusion - Required ADA units do not count toward UE's	

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Prospector Lot G
1791 Prospector Ave
Park City UT 84060

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Cover Sheet		

G.CUP-000

SHEET OF



GENERAL NOTES

1. Residential Unit Equivalents for Multi-Family Dwellings shall be calculated on the basis of one (1) Unit Equivalent per 2,000 square feet

Residential SF - 17,085 / 2,000sf = 8.5 UE

2. Residential Accessory Uses include typical back of house uses and administration facilities that are for the benefit of the residents of a commercial Residential Use, such as a Hotel or Nightly Rental Condominium project and that are common to the residential project and are not located within any individual Residential unit. Residential Accessory Uses do not require the use of Unit Equivalents and include, but are not limited to, such Uses as:

FLOOR AREA RATIO (FAR). The maximum allowed Gross Floor Area divided by the Area of the Lot or Parcel

Floor Area, Gross Residential. The Area of a Building, including all enclosed Areas, consisting of the Area of all floors located under a ceiling that is above Final Grade, measured in square feet. **Unenclosed porches, Balconies, patios and decks, vent shafts and courts are not calculated in Gross Residential Floor Area.** Garages, up to a maximum Area of 600 square feet, are not considered Floor Area. **Basement and Crawl Space Areas Below Final Grade are not considered Floor Area.** Floor Area is measured from the finished surface of the interior of the exterior boundary walls.

	Circulation
	Common Area
	Common-Storage
	Mech.
	Residential
	Storage

 Area
 Circulation



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Residential Drawing

Exhibit D – Current Subdivision Plat

PROSPECTOR AVENUE (A PUBLIC RIGHT-OF-WAY)

LOT 48B
CONTAINS 8548 SQ. FT.

LOT 48C

LOT G

RAIL TRAIL

VICINITY MAP

SCALE: 1"=500'

SURVEYOR'S CERTIFICATE

I, Charles Goloff, certify that I am a Professional Land Surveyor and that I hold License No. 7248891, as prescribed by the laws of the State of Utah, and that by authority of the owner, this Plat Amendment of PROSPECTOR SQUARE SECOND SUPPLEMENTAL AMENDMENT TO LOT G – AMENDING LOT 48B & LOT 48C has been prepared under my direction and that the same has been monumented on the ground as shown on this plat. I further certify that the information on this plat is accurate.

LEGAL DESCRIPTION

All of Lots 48B and 48C, PROSPECTOR SQUARE SUPPLEMENTAL AMENDMENT TO LOT G SUBDIVISION, according to the official plat thereof, on file and of record in the office of the Summit County Recorder, Summit County, Utah.

OWNER'S CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS, that SMP 1791 LLC, a Delaware limited liability company, the undersigned owner of the herein described tract of land, to be known hereafter as PROSPECTOR SQUARE SECOND SUPPLEMENTAL AMENDMENT TO LOT G – AMENDING LOT 48B & LOT 48C, does hereby certify that it has caused this Plat to be prepared, and does hereby consent to the recordation of this plat amendment.

In witness whereof the undersigned has executed this certificate this 14 day of December, 2017.

Ed Lewis
Ed Lewis, Manager
SMP 1791 LLC, a Delaware limited liability company

ACKNOWLEDGMENT

State of Utah)
County of Summit) ss.

On the 14th day of December, 2017, Ed Lewis personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he is the Manager of SMP 1791 LLC, a Delaware limited liability company, and that said document was signed by him on behalf of said limited liability company, by authority of its Operating Agreement or Resolution of its Members, and he acknowledged to me that he executed PROSPECTOR SQUARE SECOND SUPPLEMENTAL AMENDMENT TO LOT G – AMENDING LOT 48B & LOT 48C.

A Notary Public commissioned in Utah
Teresa Jane Wheeler
Teresa Jane Wheeler
Residing in: Canville, Utah
My Commission Expires: 6-22-2021

OWNERS ASSOCIATION CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS, that the undersigned President of Prospector Square Subdivision Owners Association, Inc., a Utah non-profit corporation, does hereby certify that it consents to the recordation of this PROSPECTOR SQUARE SECOND SUPPLEMENTAL AMENDMENT TO LOT G – AMENDING LOT 48B & LOT 48C.

In witness whereof the undersigned has executed this certificate this 15th day of December, 2017.

Mariene O'Hara
Mariene O'Hara, President
Prospector Square Subdivision Owners Association, Inc., a Utah non-profit corporation

ACKNOWLEDGMENT

State of Utah)
County of Summit) ss.

On the 15th day of December, 2017, Mariene O'Hara personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that she is the President of Prospector Square Subdivision Owners Association, Inc., a Utah non-profit corporation, and that said document was signed by her on behalf of said Association, by authority of its Bylaws or Resolution of its Members, and she acknowledged to me that she executed PROSPECTOR SQUARE SECOND SUPPLEMENTAL AMENDMENT TO LOT G – AMENDING LOT 48B & LOT 48C.

A Notary Public commissioned in Utah
Teresa Jane Wheeler
Teresa Jane Wheeler
Residing in: Canville, Utah
My Commission Expires: 6-22-2021

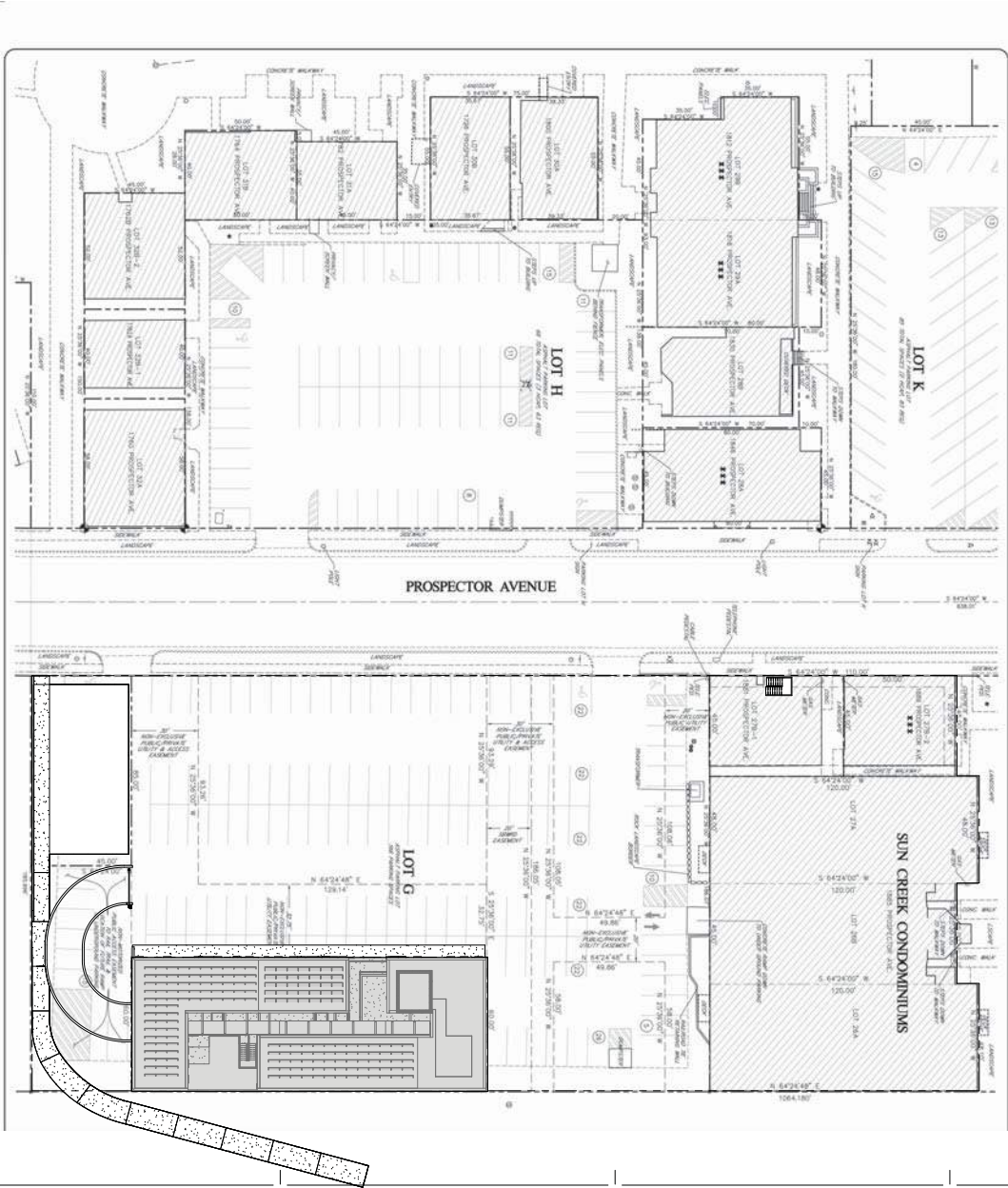
PROSPECTOR SQUARE SECOND SUPPLEMENTAL AMENDMENT TO LOT G

AMENDING LOT 48B & LOT 48C

LOCATED IN THE NORTHEAST QUARTER OF SECTION 9
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 West Street, P.O. Box 2894, Park City, Utah 84002-2894	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS <u>15th</u> DAY OF <u>December</u>, 2017 BY <u>S.B.W.R.D.</u>	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 19th DAY OF AUGUST, 2017 BY <u>[Signature]</u> CHAIR	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS <u>16th</u> DAY OF <u>January</u>, 2018 BY <u>[Signature]</u> PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS <u>19th</u> DAY OF <u>January</u>, 2018 BY <u>[Signature]</u> PARK CITY ATTORNEY	CERTIFICATE OF ATTEST I CERTIFY THIS PLAT WAS APPROVED BY PARK CITY COUNCIL THIS 31ST DAY OF AUGUST, 2017 BY <u>[Signature]</u> PARK CITY RECORDER	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 31ST DAY OF AUGUST, 2017 BY <u>[Signature]</u> MAYOR	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF <u>Park City Title Company</u> FEES: <u>\$400</u> RECORDER TIME <u>12:00pm</u> DATE <u>9/29/2018</u> ENTRY NO. <u>1055415</u>
--	---	---	---	---	--	--	--

PROSPECTOR SQUARE SECOND SUP AM TO LOT G AM 48B & 48C



GENERAL NOTES

- 1. Multi Family Use is a conditional use in the General Commercial Zone
- 2. The residential and multi-family typology is commonplace in the General Commercial Zone

LEGAL DESCRIPTION

Parcel 48F at 1791 Prospect Avenue. The parcel is located in the Prospect Square area and within Parking Lot G. The parcel contains 9,548 Square feet

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Client Name

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1791 Prospector Ave
Park City UT 84060

No.	Date	Description
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ISSUE DATE:	2018.10.01
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VICINITY PLAN

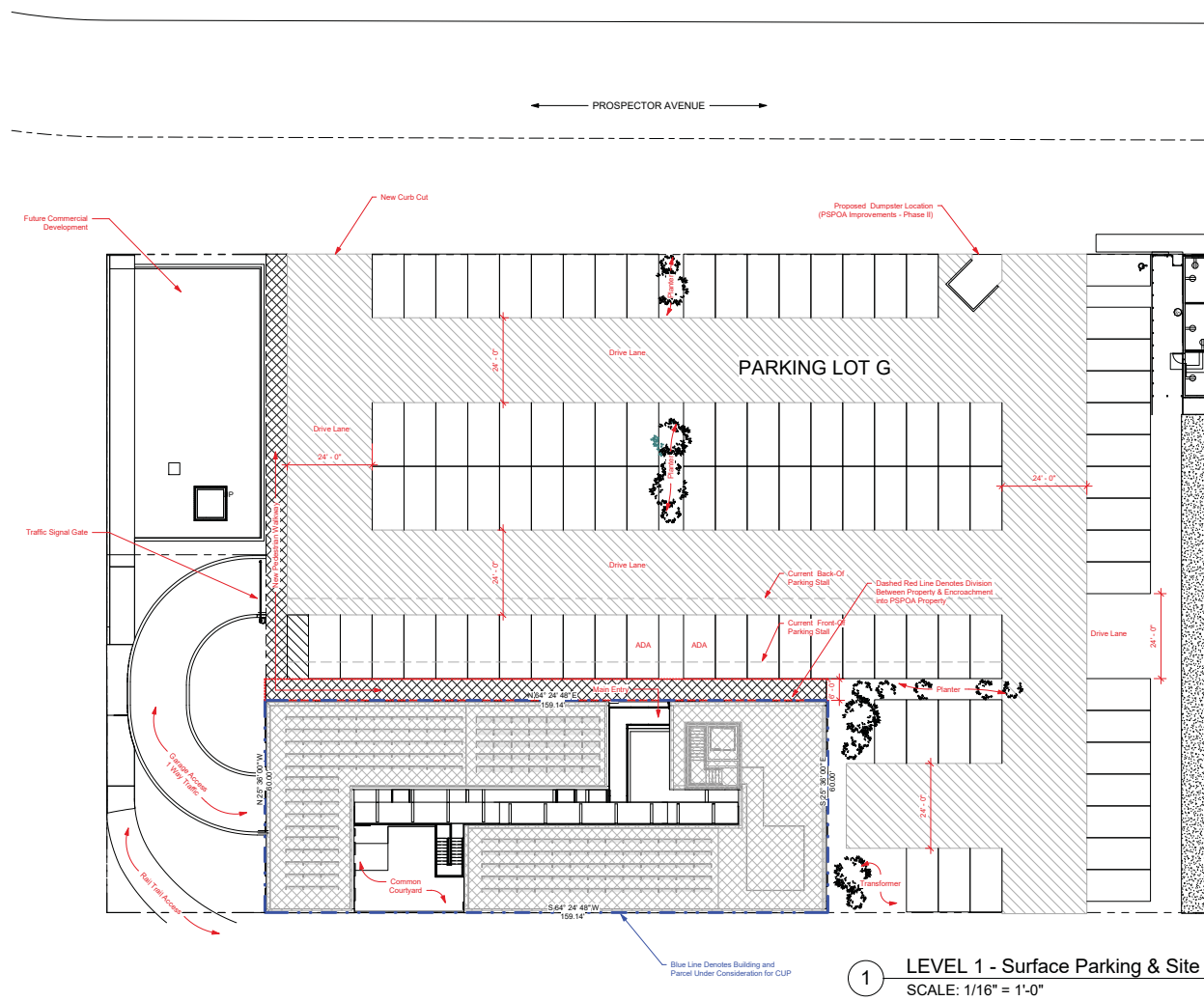
S.CUP-002

SHEET OF

SITE DRAWING

1 Vicinity Map
SCALE:1 : 300





GENERAL NOTES

1. Multi-Family Use is a conditional use in the General Commercial Zone
2. While being a conditional use, the residential and multi-family typology is commonplace in the General Commercial Zone
3. Improvements to parking lot will be completed in conjunction with PSPQA improvement plans - Parking lot as shown not to be construed as attempt for permit or approval

LEGAL DESCRIPTION

Parcel 48F at 1791 Prospector Avenue. The parcel is located in the Prospector Square area and within Parking Lot G. The parcel contains 9,548 Square feet.

Building proposal includes an encroachment for Underground Parking & Storage 10'-0" into Prospector Square Property Owner's Association. The PSPQA is supportive of the encroachment and an agreement between SMP 1791 LLC & the PSPQA will be recorded before construction of building.

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Park City UT 84060

No.	Date	Description
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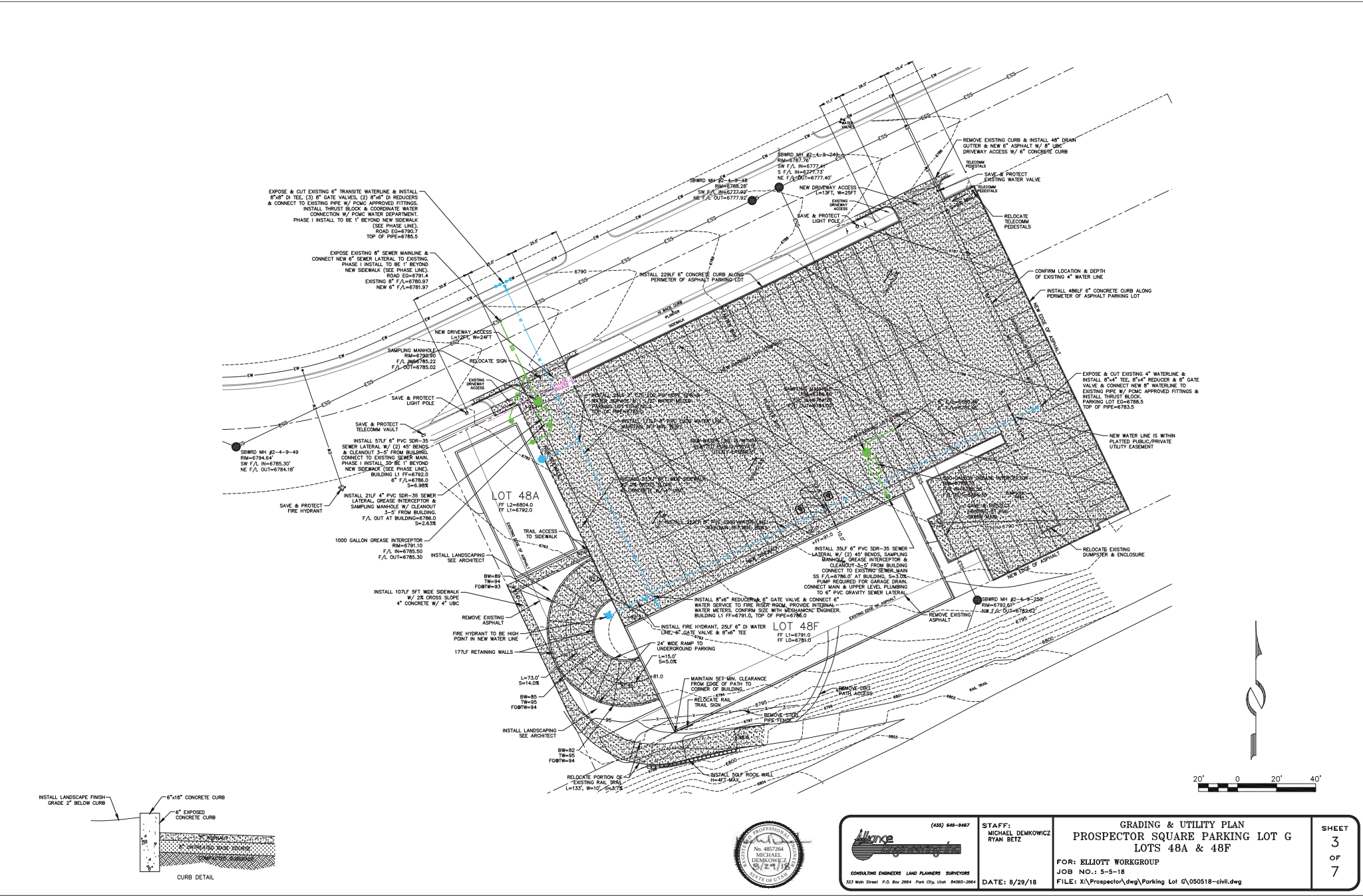
Site Plan

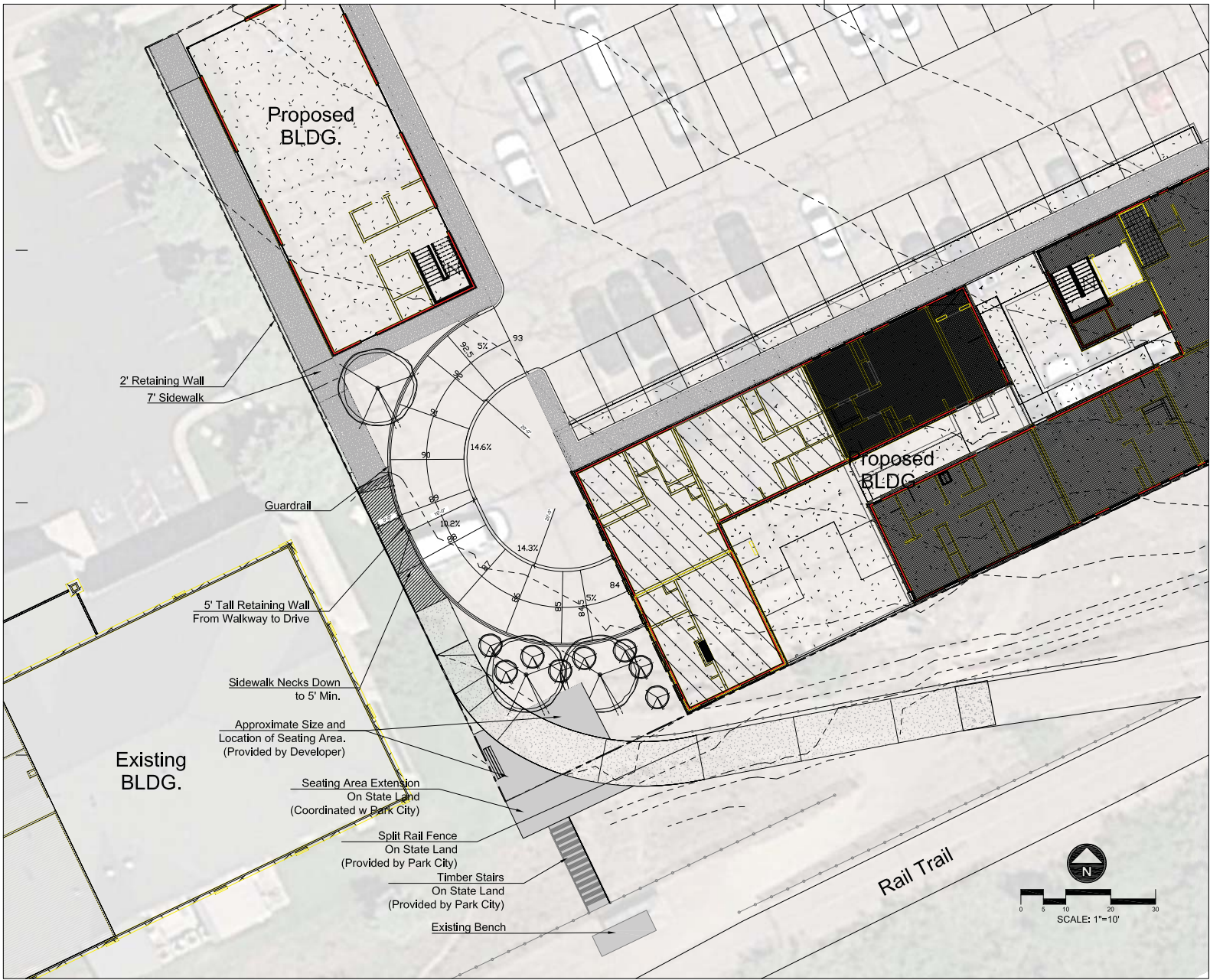
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SHEET OF

Commercial Drawings

Exhibit G – Grading & Utility Plan





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Prospector Lot G
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Park City UT 84060

No. Date Description

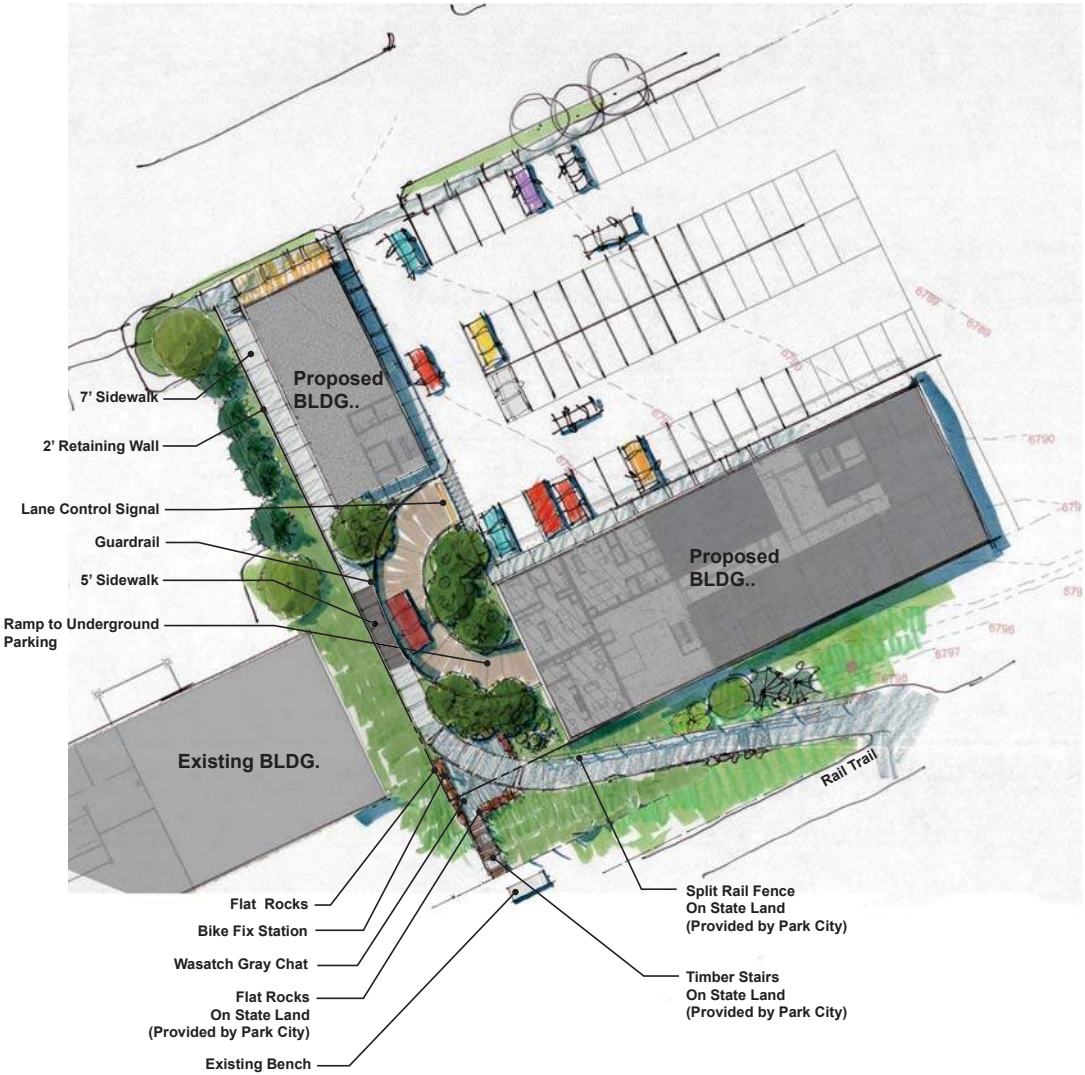
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Rail Trail
Plan

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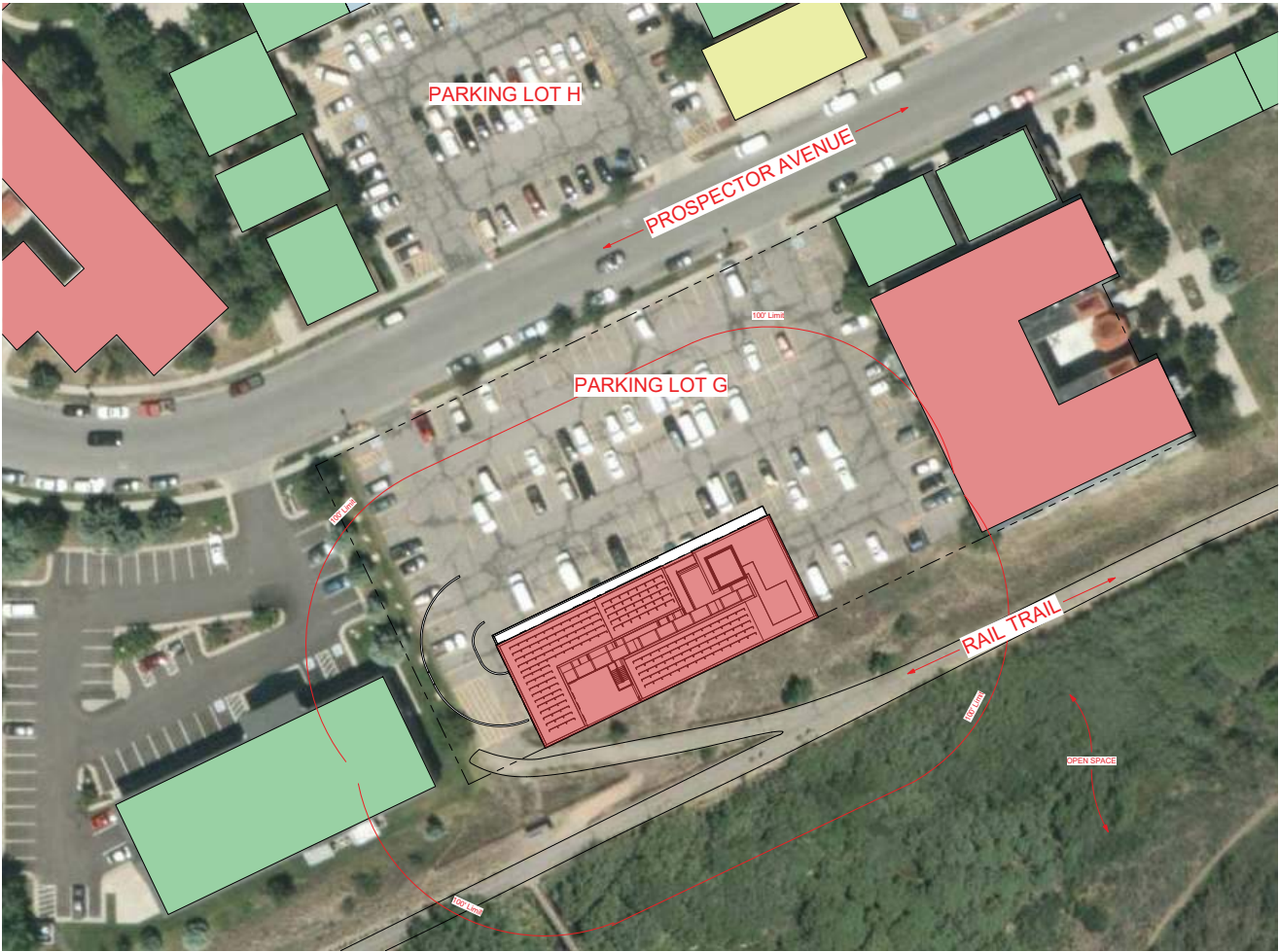
Prospecter Lot G
1791 Prospecter Ave
Park City UT 84060

Trail
Site Plan
S.CUP-006

Scale: 1"=20'



10-04-18



- Residential Use
- Mixed Use
- Office/ Professional Use
- Restaurant
- Public Trail - Rail Trail

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Client Name

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No.	Date	Description
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Area Use Plan

S.CUP-004

SHEET OF

1 Area Use Map
SCALE: 1" = 30'-0"

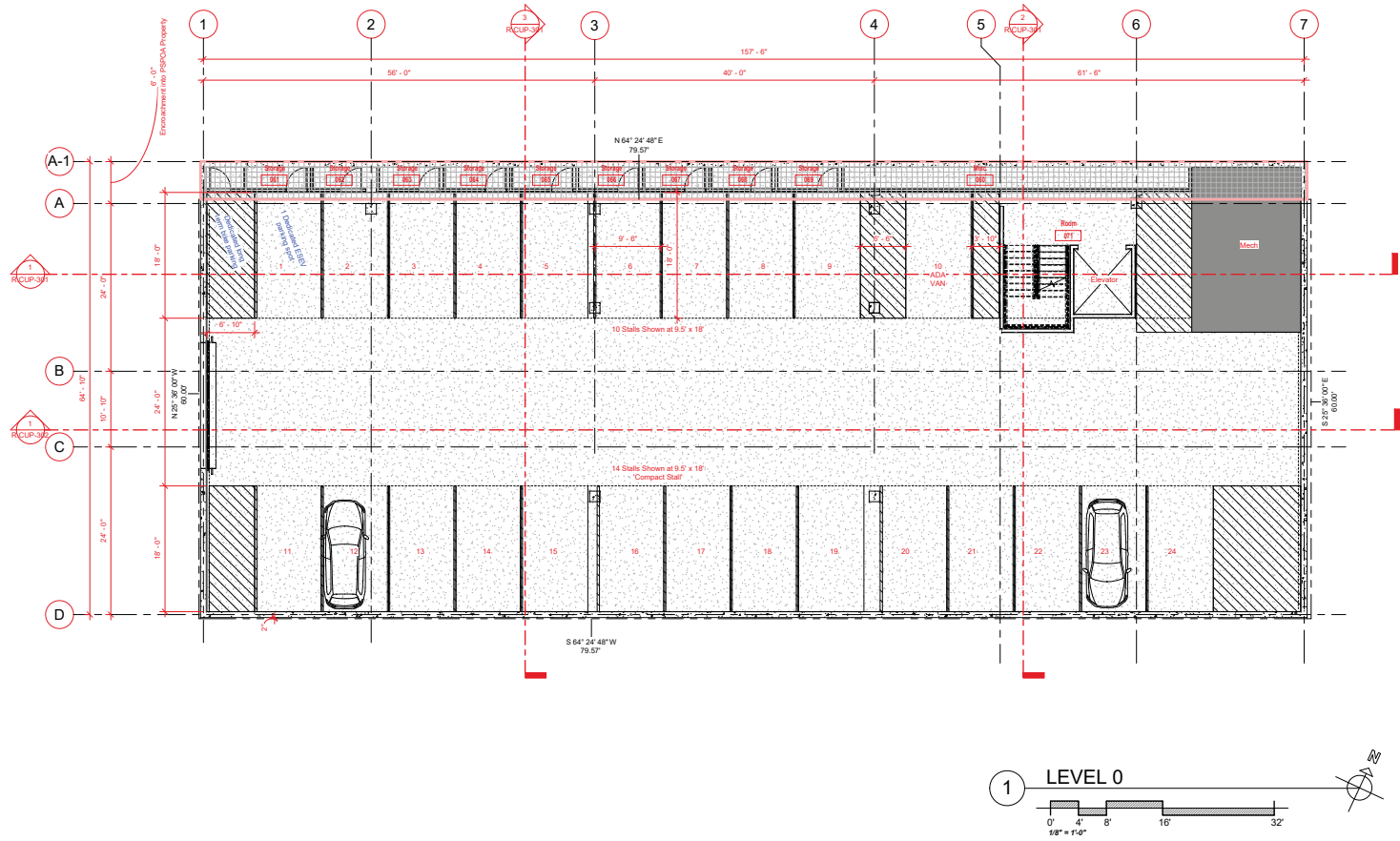


LEGEND

- Spot Elevation Marker
- Area In PSPQA Encroachment Agreement

NOTES

1. Building proposal includes an encroachment for Underground Parking & Storage 6'-0" into Prospector Square Property Owner's Association. The PSPQA is supportive of the encroachment and an agreement between SMP 1791 LLC & the PSPQA will be recorded before construction of building.



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SHEET TITLE

Floor Plan - Parking

R.CUP-100

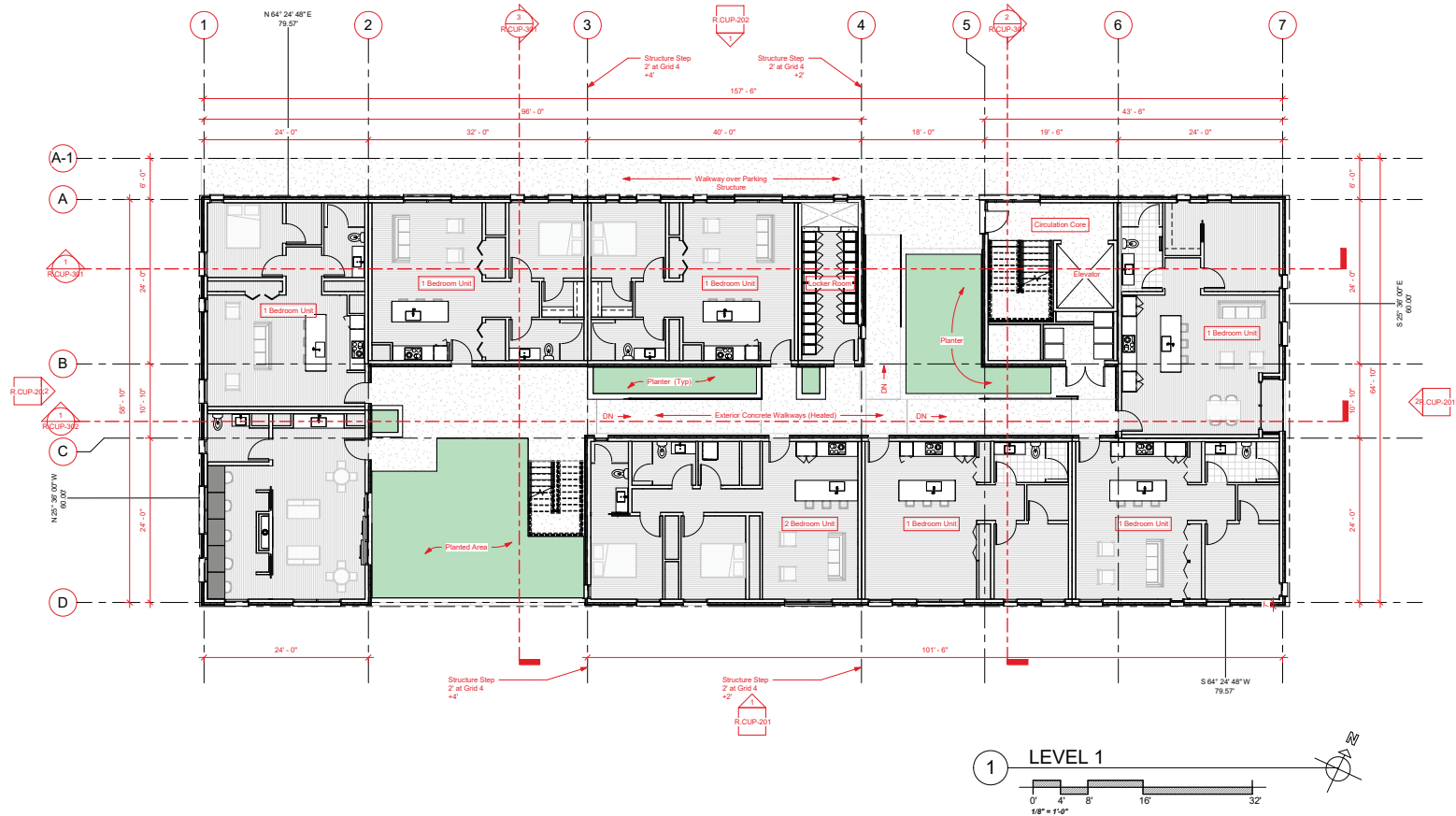
SHEET OF
Residential Drawing

LEGEND

- Spot Elevation Marker
- Area In PSPOA Encroachment Agreement

NOTES

1. Building proposal includes an encroachment for Underground Parking & Storage 6' 0" into Prospector Square Property Owner's Association. The PSPOA is supportive of the encroachment and an agreement between Slap 1791 LLC & the PSPOA will be recorded before construction of building.



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Park City UT 84060

No. Date Description

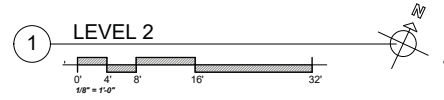
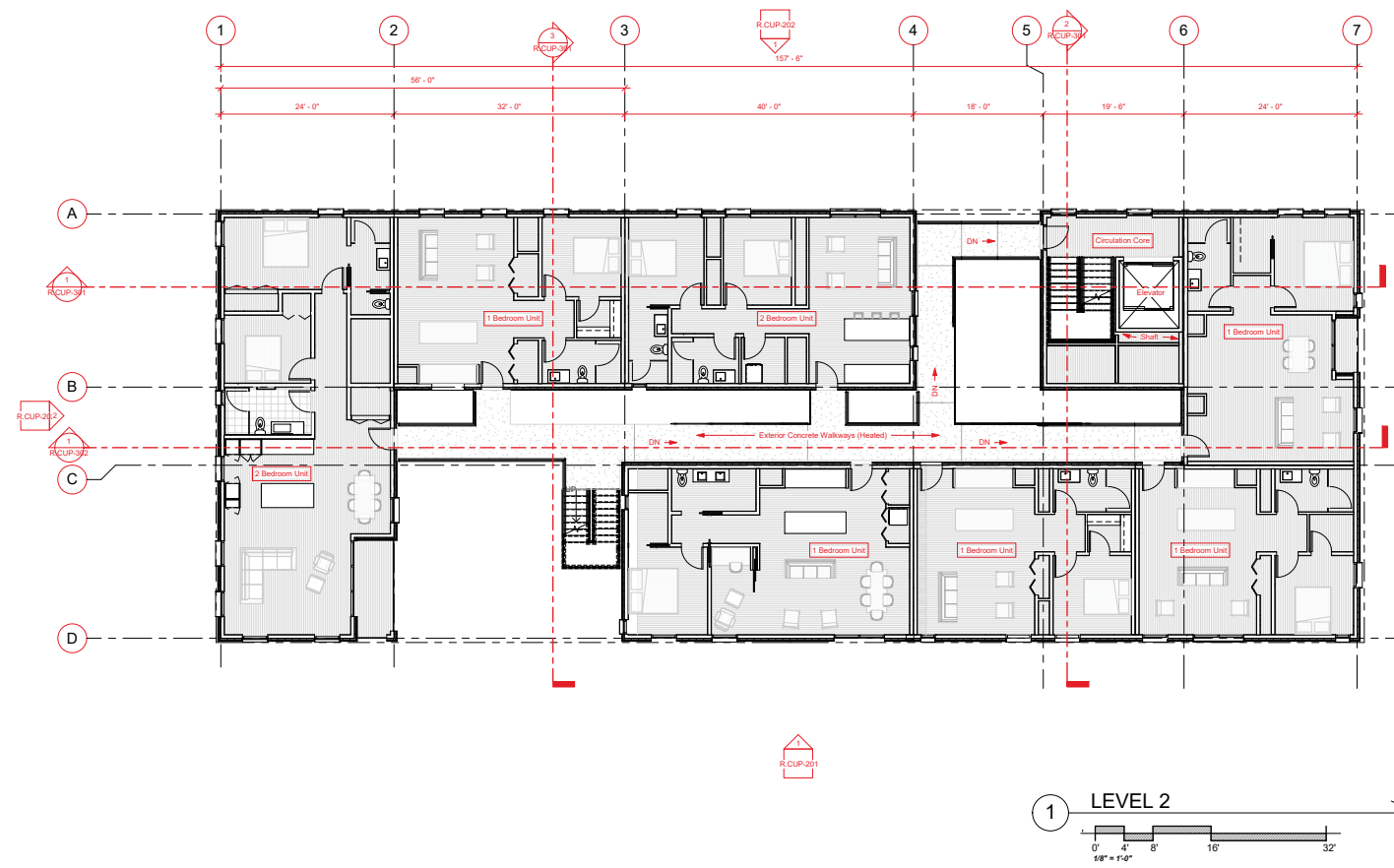
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Floor Plan Level 1

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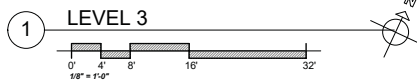
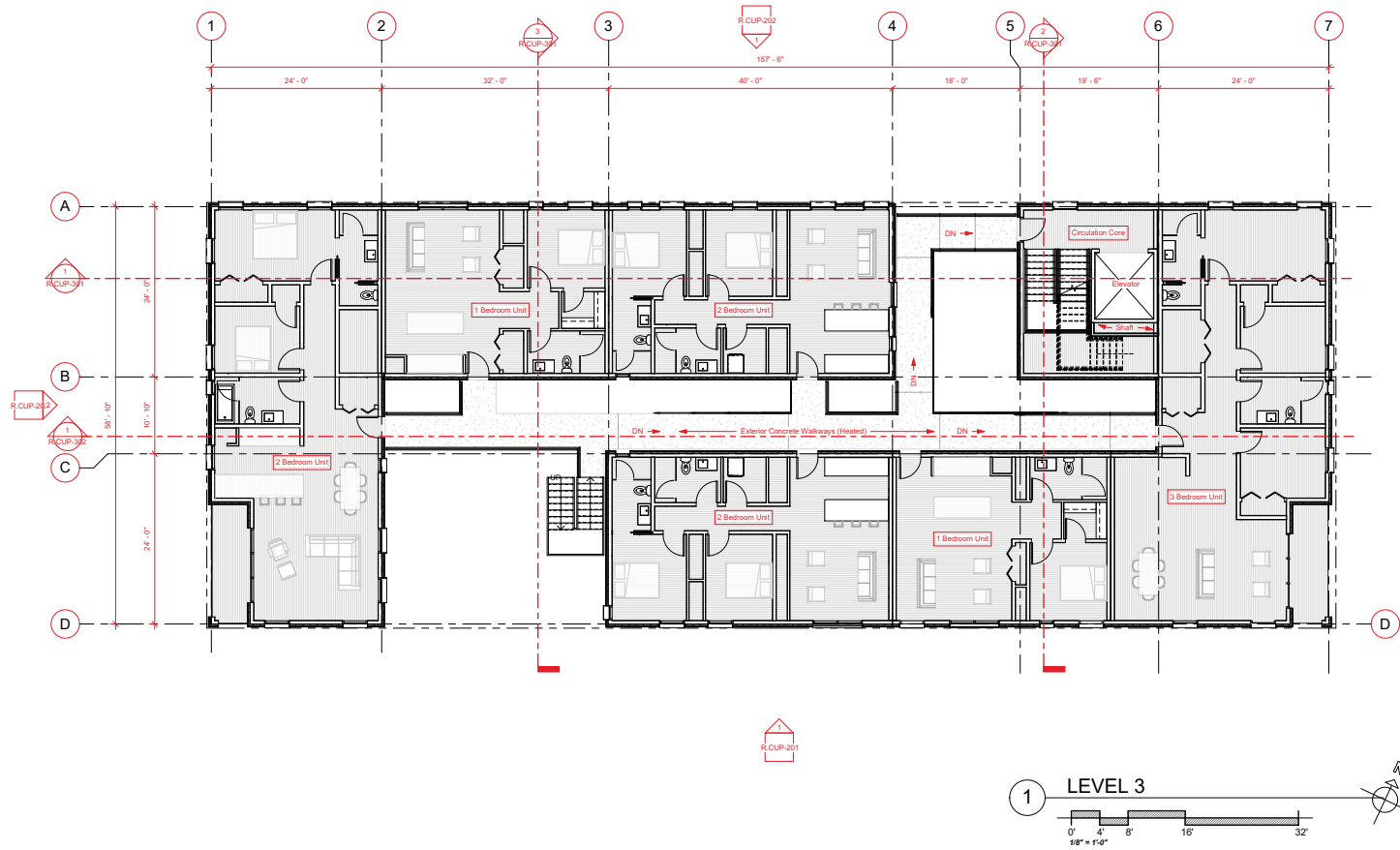
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Floor Plan Level 2

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No.	Date	Description
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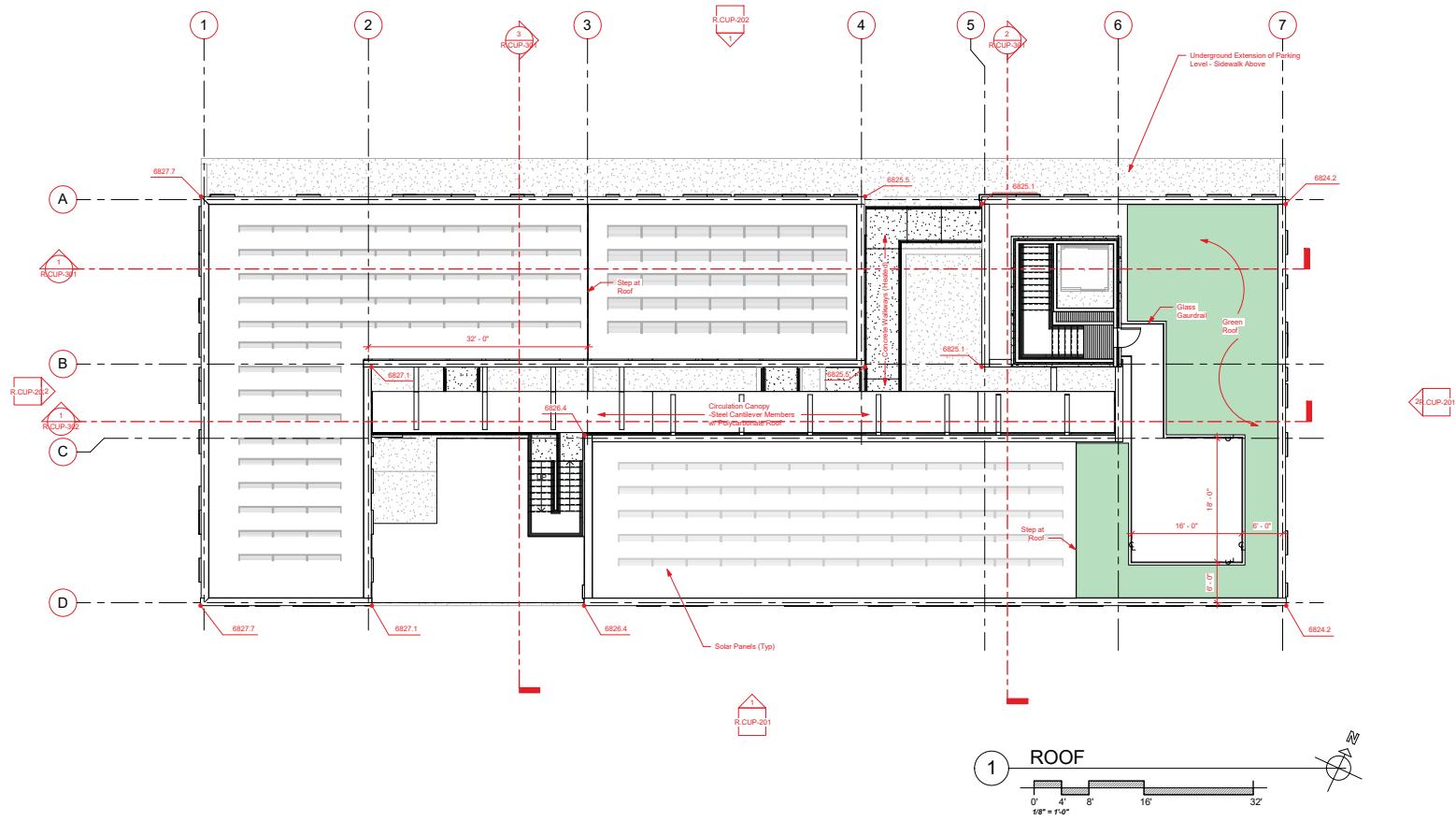
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Floor Plan Level 3

R.CUP-103

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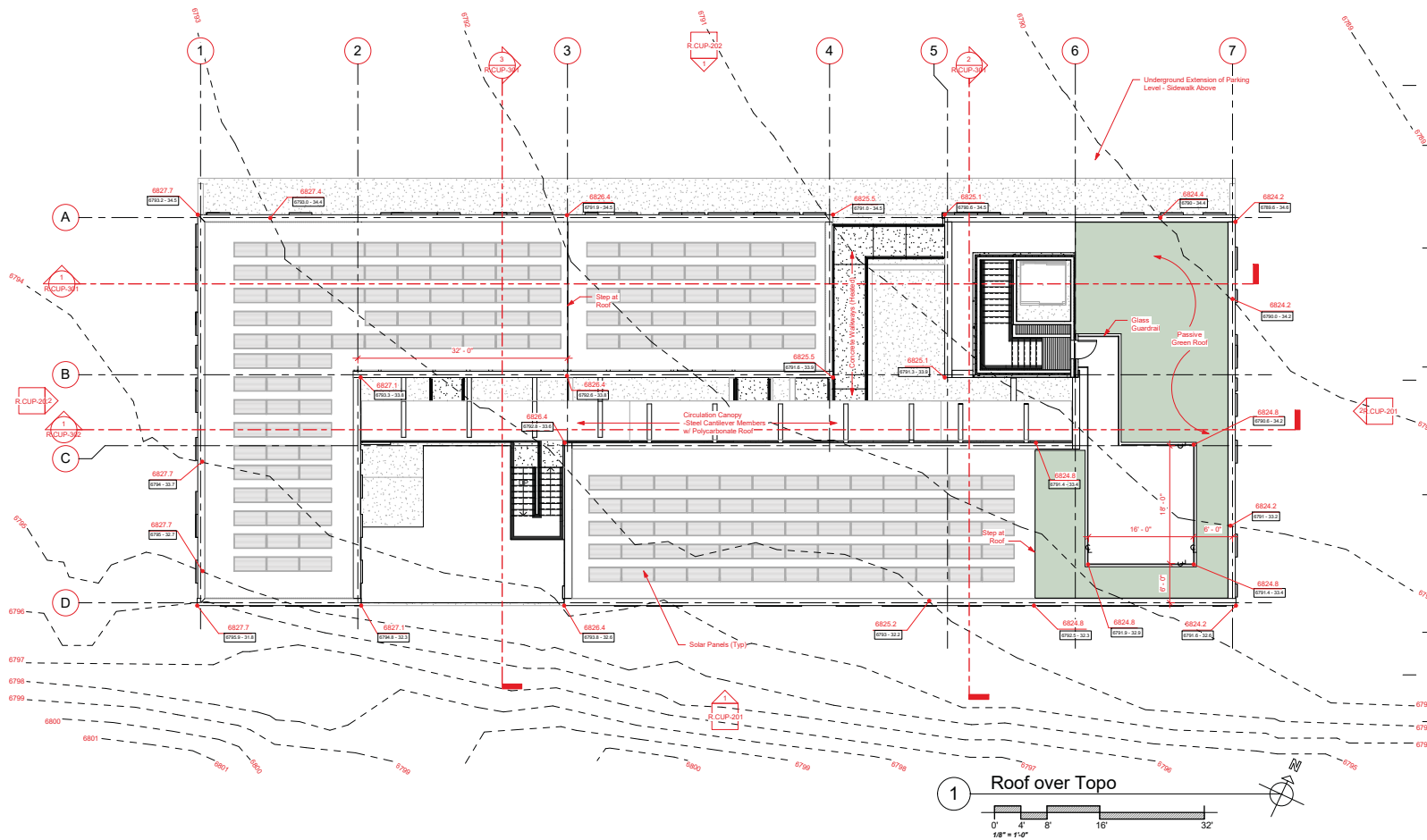
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Roof Plan

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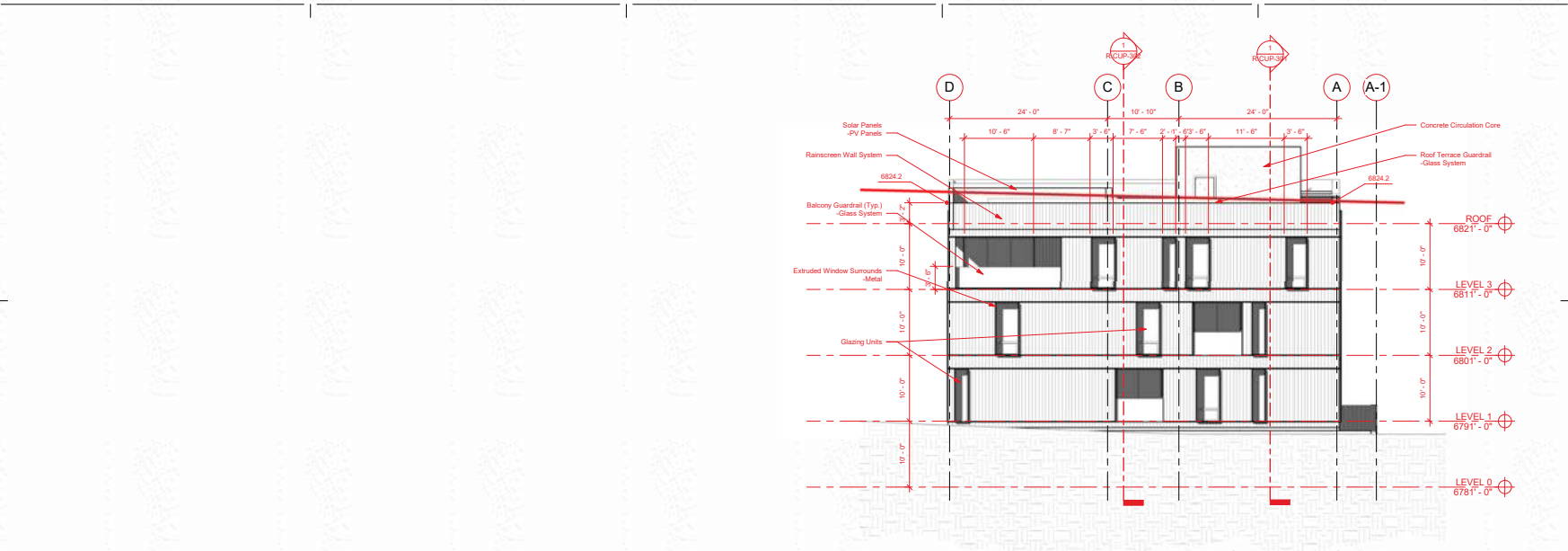
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Park City UT 84060

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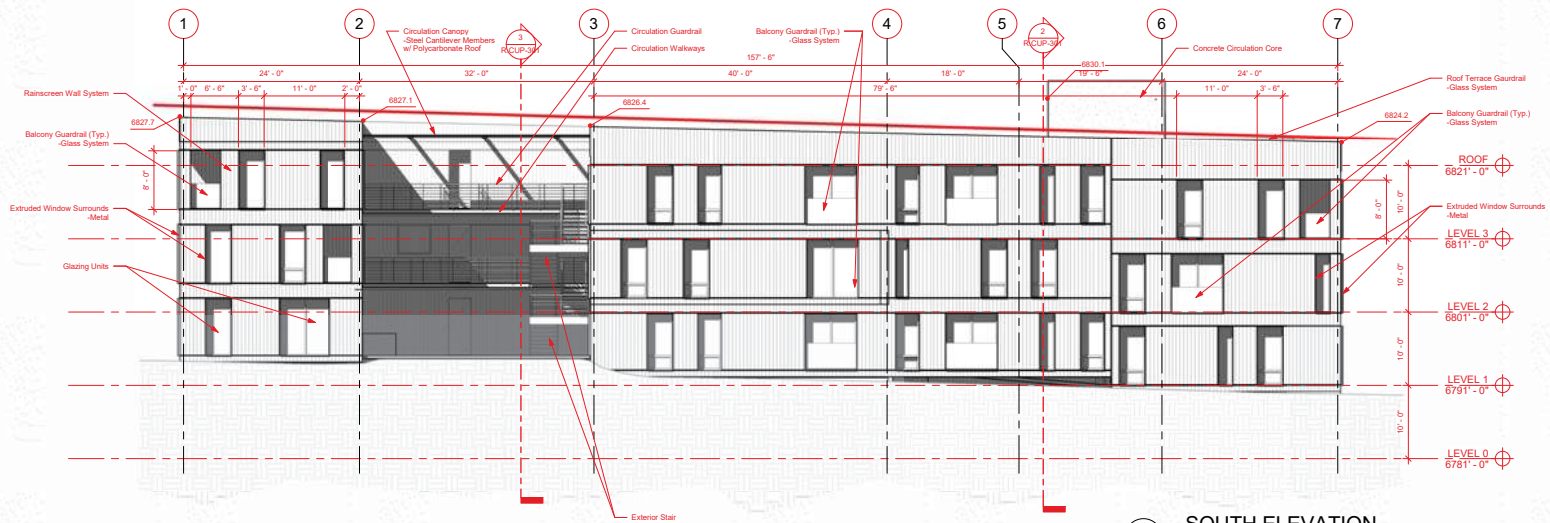
Roof Over Topo

R.CUP-105

SHEET OF
Residential Drawing



2 EAST ELEVATION
SCALE: 1/8" = 1'-0"



1 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

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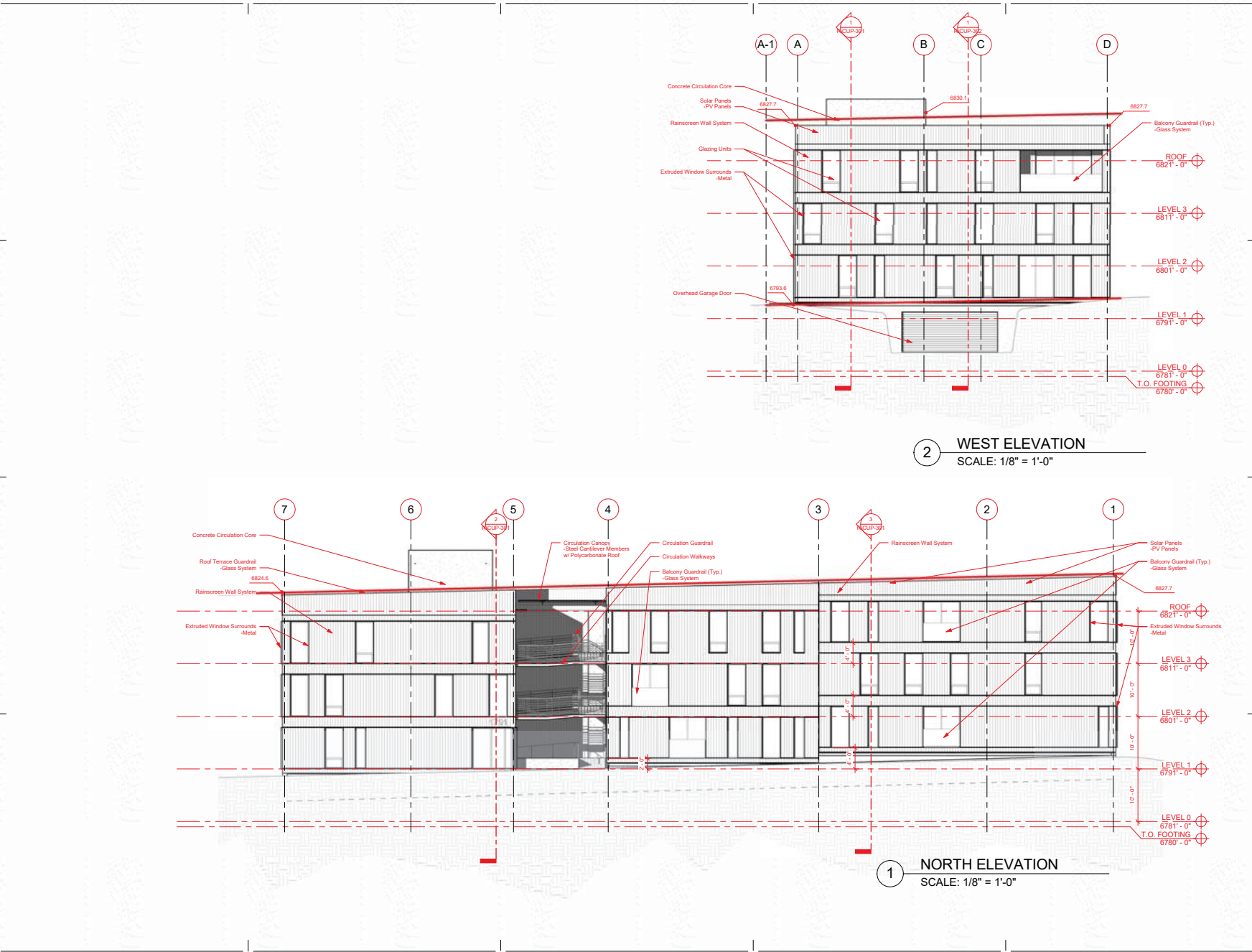
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Elevations

R.CUP-201

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No. Date Description

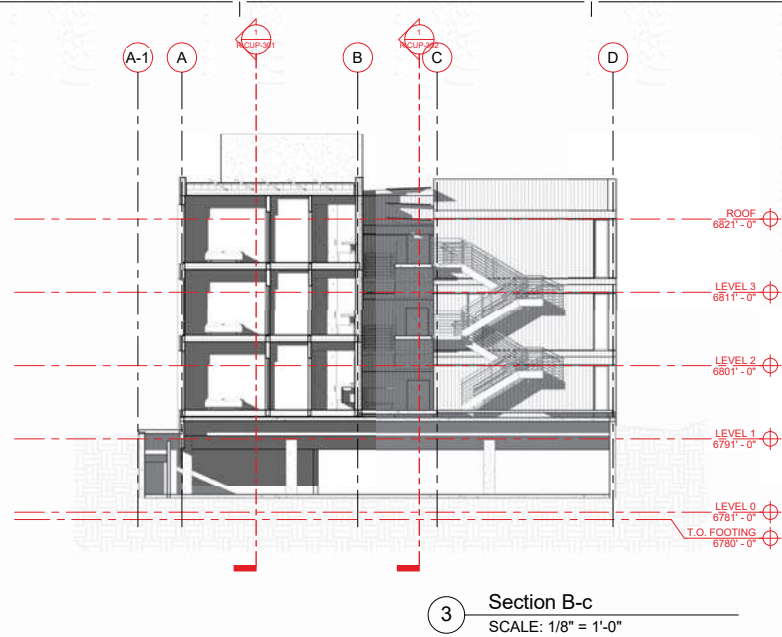
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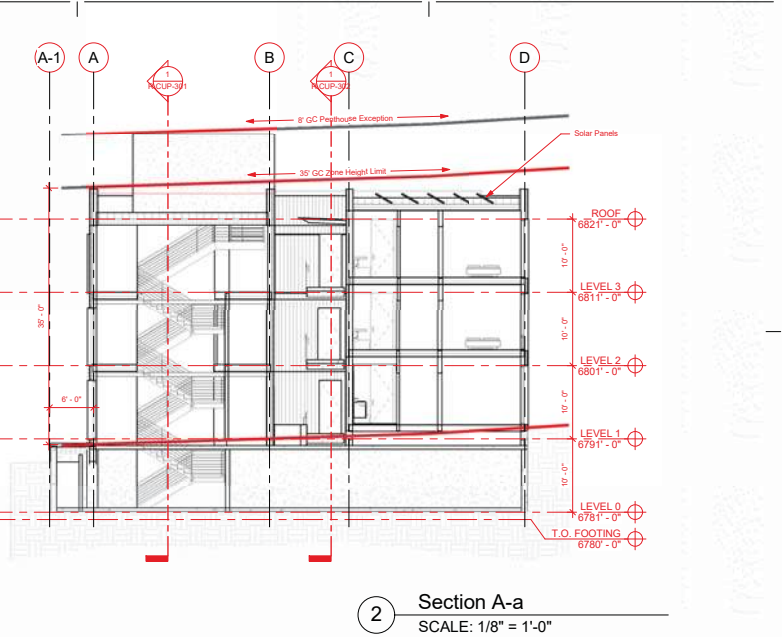
Elevations

R.CUP-202

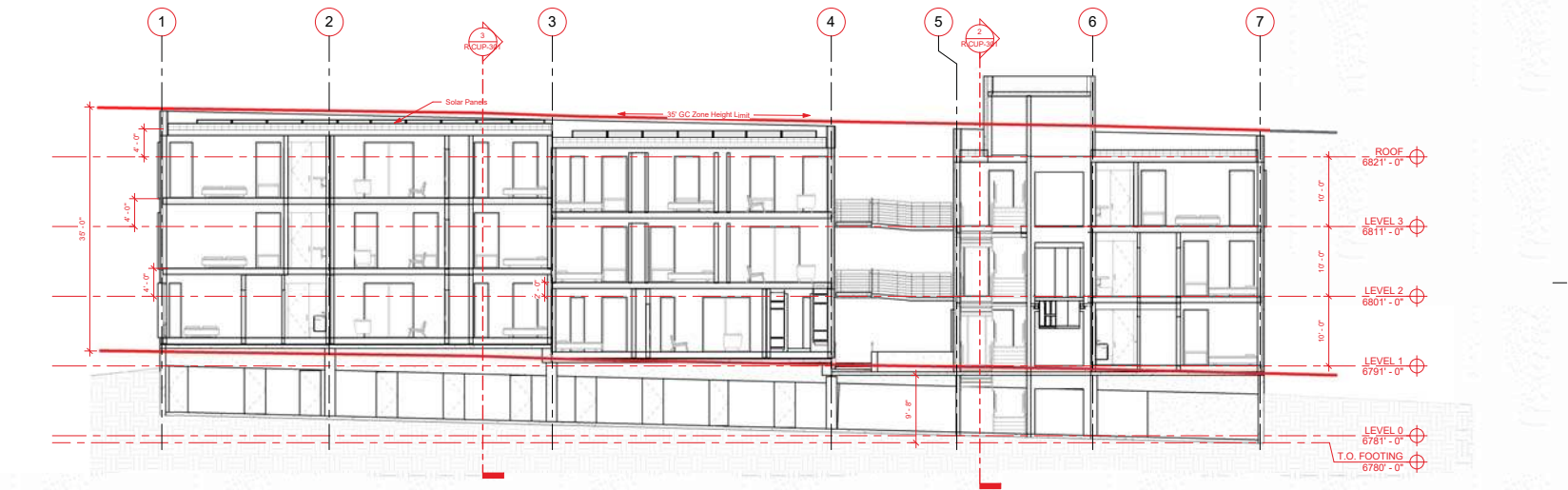
SHEET OF
Residential Drawing



3 Section B-c
SCALE: 1/8" = 1'-0"



2 Section A-a
SCALE: 1/8" = 1'-0"



1 Section B-b
SCALE: 1/8" = 1'-0"

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Building Sections

R.CUP-301

SHEET OF
Residential Drawing



Hardie Cement Panel



Steel Shrouds on Exterior Windows



Metal Clad Wood Windows



Metal Clad Wood Windows



Hardie Cement Panel



Architectural Concrete



BUILDING PERSPECTIVE

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Material Package

R.CUP-801

SHEET OF
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MATERIAL SHOWN: HARDI CONCRETE PANEL - COLORTID

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CHECKED BY:	EWG
DESIGNED BY:	EWG
EWG PROJECT NO.:	2017.65
COPYRIGHT:	Elliott Workgroup Architecture, LLC

SHEET TITLE

Presentation

R.CUP-901

SHEET OF
Residential Drawing

4 WEST ELEVATION - Material
SCALE: 3/32" = 1'-0"

3 SOUTH ELEVATION - Material
SCALE: 3/32" = 1'-0"

2 EAST ELEVATION - Material
SCALE: 3/32" = 1'-0"

1 NORTH ELEVATION - Material
SCALE: 3/32" = 1'-0"

WHEN RECORDED RETURN TO:

Matthew B. Hutchinson
HOGGAN LEE HUTCHINSON
1225 Deer Valley Drive, Suite 201
Park City, Utah 84060

01095464 B: 2471 P: 1877
Page 1 of 4
Summit County Utah Recorder
07/20/2018 02:46:29 PM Fee \$18.00
By Park City Title
Electronically Recorded

ENCROACHMENT AGREEMENT

THIS ENCROACHMENT AGREEMENT (this “**Agreement**”) made this 19 day of July 2018, by and between PROSPECTOR SQUARE PROPERTY OWNER’S ASSOCIATION, a Utah non-profit corporation (“**PSPOA**”) and SMP 1791, LLC, a Massachusetts limited liability company (“**SMP**”).

RECITALS

1. WHEREAS, the PSPOA owns and controls the use of all common areas and facilities (the “**Common Areas**”) in the Prospector Square Subdivision (the “**Subdivision**”), as the same is designated on the official plat thereof, for the benefit of the owners of the property within the Subdivision;
2. WHEREAS, SMP is the current record title owner of that certain real property commonly known as 1791 Prospector Avenue, Lot G, Park City, Utah (the “**Property**”);
3. WHEREAS, SMP desires to build a multi-unit residential building on the Property together with subterranean parking areas for residents of the building;
4. WHEREAS, in order for the subterranean parking area to have enough space to create a safe turning radius for parking cars, it is necessary for SMP to encroach ten (10) feet under the Common Areas;
5. WHEREAS, the parties wish to establish conditions for PSPOA’s consent to the encroachment, the maintenance of the facilities and features installed therein and the liability for any damage or loss caused thereby;

NOW THEREFORE and in consideration of the terms, conditions and covenants hereafter set forth, the parties agree as follows:

AGREEMENT

1. SMP acknowledges that the Encroachment constitutes an encroachment onto the underground section of the Common Areas and that the location of said Encroachment is depicted on **Exhibit A**.
2. PSPOA hereby consents to the encroachment depicted in Exhibit A, and grants SMP, and its successors and assigns, an easement therefor, relinquishing any right PSPOA would have to

prevent or remove said Encroachment, presently and prospectively, but expressly subject to and only for so long as the rights and obligations established hereunder are observed.

3. SMP (or its successors) in accordance with applicable building codes, shall maintain all Encroachments and shall promptly repair any damage or disruption to the surrounding Common Area. Should SMP (or its successors) fail to do so, the PSPOA may repair any disturbed, damaged or unmitigated common area, by any means determined suitable in PSPOA's sole discretion, and SMP or its successors shall be liable for the cost thereof.

4. SMP (or its successors) shall have the sole obligation for the timely maintenance, repair and/or replacement of the facilities comprising the Encroachment, which shall be maintained in a safe and attractive condition. SMP (or its successors) shall have reasonable right of temporary access across and upon the Common Areas to accomplish such purposes. Neither SMP nor its successors shall have the right to expand, add or extend the Encroachments, nor to replace any existing facilities and features with dissimilar ones, without application to, and express written approval of PSPOA prior to replacement, which approval may be granted or denied in PSPOA's sole discretion.

5. Except as may be necessary to preserve PSPOA property, or in the event of an emergency or to comply with any law, PSPOA shall not act or fail to act in the use of its property so as to cause loss or damage to the Encroachment designated in this Agreement. PSPOA shall otherwise retain all lawful right to enter upon the Common Area for all lawful purposes.

6. SMP (or its successors) shall bear all risk of personal injury and property loss arising from the installation and/or use of the facilities and features comprising the Encroachment. SMP (and its successors) shall establish and maintain, at its sole expense, public liability insurance coverage against risk of injury to persons and property loss in such amounts and coverage conditions as are acceptable to PSPOA in its reasonable discretion. PSPOA shall be named as an Additional Insured concerning such coverage, to the reasonable extent of the risk of damage posed by the Encroachment to the property of PSPOA or that of any private party, as well as to the risk of injury to persons using the facilities or in any way exposed thereto.

SMP (and its successors) shall further indemnify and hold harmless PSPOA, its agents, employees, officers, lot owners and members from any and all claims and liability for injury and loss arising from the existence of the Encroachment and/or use of any object, facility or thing thereon, including but not limited to personal injury to SMP, its successors, or its tenants' guests and invitees, as well as to the public at large, and including any attorney fees incurred by PSPOA in connection with any claim arising from injuries sustained upon or on account of the Encroachment.

7. In the event either party incurs attorneys' fees or court costs in order to enforce this Agreement, with or without judicial intervention, the prevailing party in such adjudication shall be awarded its reasonable costs and attorneys' fees, including those incurred on appeal.

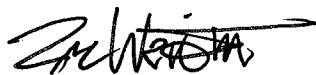
8. The provisions hereof shall be binding upon the parties and their successors, however designated or in whatever representative capacity for the owners of the respective properties named herein.

9. The property affected hereby is identified as follows:

ALL OF LOTS 48A, 48B AND 48C, PROSPECTOR SQUARE SUPPLEMENTAL AMENDMENT TO LOT G SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER, SUMMIT COUNTY, UTAH

Parcels No. PSA-48A-SP-AM, PSA-48B-SP-AM and PSA-48C-SP-AM

SMP 1791, LLC, a Massachusetts limited liability company



By: Zac Wright
Its: VP of Real Estate Operations

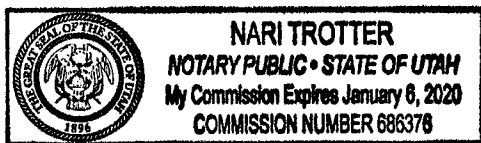
PROSPECTOR SQUARE PROPERTY OWNER'S ASSOCIATION, a Utah non-profit corporation

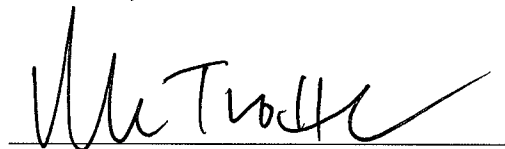


By: Dean S. Berrett
Its: Secretary

State of Utah)
:SS
County of Summit)

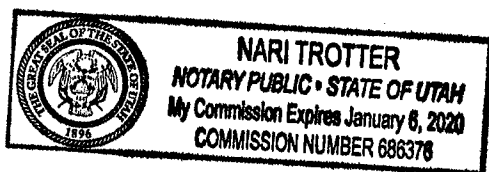
The foregoing instrument was duly acknowledged before me this 20th July day of July 2018, by Zac Wright as Vice President of SMP 1791, LLC.




Notary Public

State of Utah)
:SS
County of Summit)

The foregoing instrument was acknowledged before me this 19th July day of July 2018, by Dean S. Berrett as Secretary of Prospector Square Property Owner's Association.



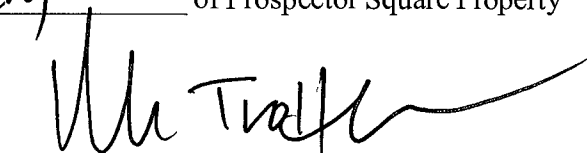
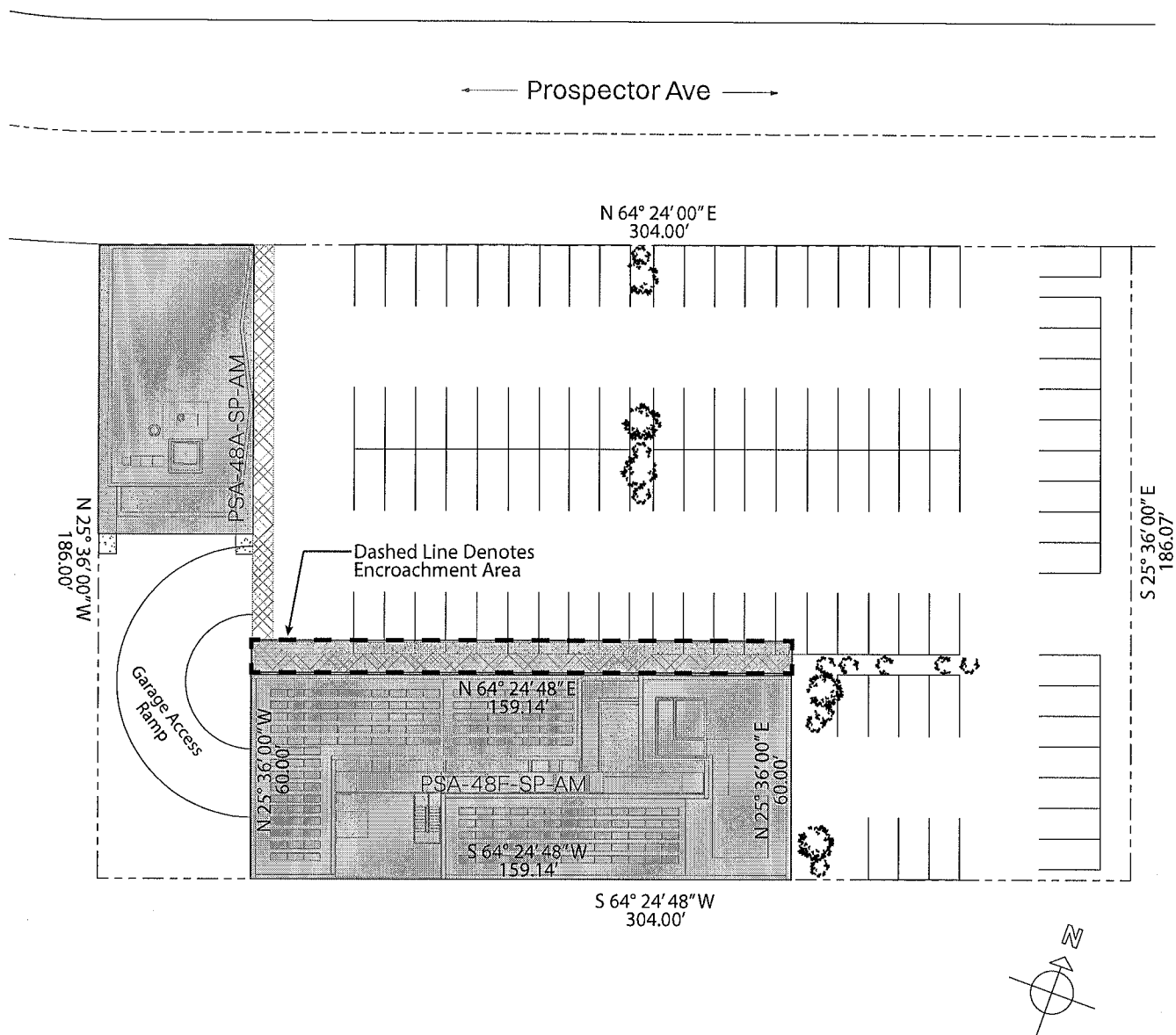
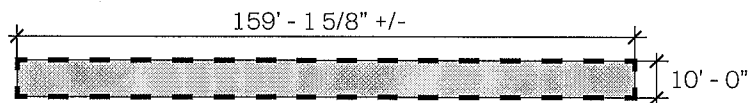

Notary Public

Exhibit A



Encroachment Dimensions





September 15, 2018

SMP 1791 LLC
1796 Prospector Ave
Park City, UT 84060

RE: Development on lot G, Prospector subdivision
6ft portion of parking garage proposed to extend past property line
Possibility of future removal

To all concerned,

As a matter of principal, truncating the garage level at the property line will not be technically complicated. The reason for this is that the garage has been designed as a combination of two concrete systems that meet precisely at the property line.

The design team, which includes the developer, pre-selected contractor, architect, and ourselves as SEOR, has collaborated to plan for a continuous concrete beam/column line at the property line and a parking layout confined to the area directly below the apartments. The structural line is located under the exterior edge of the exposed levels and does not encroach on the property line. The concrete slab under the building has been designed as a post tensioned system, whereas it has been detailed as a simple cast-in-place mildly reinforced slab for the 6ft portion past the property line.

In this scenario it becomes relatively easy to remove the 6ft section of simply reinforced concrete slab without altering in any way the complexity and integrity of the post tensioned slab. Additionally, the parking layout in the garage has been organized in such a way as to not reach into this space. As such, removing the 6ft portion would simply involve cutting away the mildly reinforced slab, truncating the foundation walls at the property line, introducing a strip footing along the property line, and filling in between the concrete columns with a concrete wall. This work could be accomplished without need to improve or modify the upper levels in any way, and it would not disrupt nor reduce the planned parking in the garage.

Do not hesitate to contact us with further questions pertaining to this matter.

Respectfully,



Dany JP Tremblay, SE PE F.Eng.
President

WHEN RECORDED, MAIL TO:
Prospector Square Property Owners Association
P.O. Box 680344
Park City, Utah 84068

FIRST AMENDMENT TO ENCROACHMENT AGREEMENT

THIS FIRST AMENDMENT TO ENCROACHMENT AGREEMENT (this “Agreement”) is made this _____ day of _____, 2018, by and between PROSPECTOR SQUARE PROPERTY OWNERS ASSOCIATION (“PSPOA”), and SMP 1791, LLC, a Massachusetts limited liability company (“SMP”).

WHEREAS, PSPOA owns and controls the use of all common areas and facilities in the Prospector Square Subdivision, Park City, Summit County, Utah (“Prospector Square”), as designated on the official plat maps thereof (the “Common Areas”), for the benefit of the owners of property within Prospector Square; and

WHEREAS, SMP is the owner of record of Lot PSA-48F-SP-AM of Prospector Square (the “SMP Property”); and

WHEREAS, the Common Areas and the SMP Property share common boundaries along what are generally the northern and western property lines of the SMP Property; and

WHEREAS, SMP desires to locate and install certain parking structure improvements under the surface of the SMP Property and under that portion of the Common Areas depicted as the “Encroachment Area” on Exhibit “A” attached hereto and incorporated herein by reference; and

WHEREAS, SMP also desires to construct and operate a garage access ramp on and under that portion of the Common Areas depicted as “Garage Access Ramp” on Exhibit “A”; and

WHEREAS, PSPOA and SMP are parties to that certain “Encroachment Agreement” made the 19th day of July, 2018, and recorded on July 20, 2018, as Instrument No. 1095464, Book 2471, Page 1877, of the Official Records of Summit County, Utah (the “Encroachment Agreement”), which Encroachment Agreement pertains to such parking structure improvements; and

WHEREAS, the parties wish to amend the Encroachment Agreement to clarify and modify certain terms and conditions pertaining to such parking structure improvements and to address the location and operation of such garage access ramp.

NOW, THEREFORE, in consideration of the terms, conditions and covenants hereinafter set forth, the parties agree as follows:

1. Parking Structure Improvements. Those portions of the parking structure improvements located in the Common Areas (the “Encroaching Parking Structure Improvements”) shall be structurally designed, constructed and operated in a manner such that, in the event the Encroaching Parking Structure Improvements are ever removed, or access thereto is ever prohibited, the parking structure improvements located on SMP’s Property will remain fully functional and continue to be operated independent from the Encroaching Parking Structure Improvements.

2. Garage Access Ramp. The Garage Access Ramp is depicted generally and approximately on the Plat (hereinafter defined). PSPOA hereby consents to the encroachment of the Garage Access Ramp into the Common Areas, substantially as shown on Exhibit “A”.

3. Applicability of Encroachment Agreement Covenants and Obligations. PSPOA and SMP hereby agree that, as the same are expressly amended hereby, all terms and conditions contained in the Encroachment Agreement, including, without limitation, those relating to

operation, repair, maintenance, risk, insurance and indemnification, shall apply to both the Encroaching Parking Structure Improvements and the Garage Access Ramp, which shall collectively be deemed the “Encroachments” under the Encroachment Agreement.

4. In the event either party incurs attorneys fees or court costs in order to enforce this Agreement, with or without judicial intervention, the prevailing party in such adjudication shall be awarded its reasonable costs and attorneys fees, including those incurred on appeal.

5. The provisions of this Agreement shall create no rights nor obligations of location, use or access beyond those expressly stated herein, and which are reasonably necessary to accomplish the purposes and intent hereof.

6. The provisions hereof and in the Encroachment Agreement shall run with the land and be binding upon and inure to the benefit of the parties and their successors, however designated or in whatever representative capacity, for the owners of the respective properties named herein.

The property affected hereby is identified as follows:

ALL OF LOTS 48A, 48B, 48C and 48F, PROSPECTOR SQUARE SUPPLEMENTAL AMENDMEWNT TO LOT G SUBDIVISION, ACCORDING TO THE PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDED, SUMMIT COUNTY, UTAH (THE “PLAT”)

Parcel Nos. PSA-48A, PSA-48B-SP-AM, PSA-48C-SP-AM and PSA-48F-SP-AM.

SMP 1791, LLC,
a Massachusetts limited liability company

PROSPECTOR SQUARE PROPERTY
OWNERS ASSOCIATION, a Utah non-
profit corporation

By: _____
Its: _____

By: _____
Its: _____

Exhibit P – Proposed Encroachment Agreement

STATE OF UTAH)
 : ss.
County of Summit)

The foregoing instrument was duly acknowledged before me this _____ day of _____, 20____, by _____, as _____
[title] of _____ **[owner's name]**.

Notary Public

STATE OF UTAH)
 : ss.
County of Summit)

The foregoing instrument was duly acknowledged before me this _____ day of _____, 20____, by _____, as _____
_____ of Prospector Square Property Owners Association.

Notary Public



Contractor must have access to an onsite restroom. Waste must be removed daily. Vehicles will park on the same side of the street. Construction parking permits will be provided by the Building Department when applicable.

A construction sign will be posted on site and in a location that is readable from the street. The sign will not exceed 12 square feet in size and 6 feet in height. The lettering will not exceed 4 inches in height and will include the following information: Contractor name, address, phone number and emergency contact information.

**THIS PACKET INCLUDES IMPORTANT INFORMATION. PLEASE
READ CAREFULLY.**

CONDITIONS OF APPROVAL

Validity of Permit: The issuance of a permit or approval of plans, specifications and computations shall not be a permit for or an approval of, any violation to any of the provisions of the Building Code, Fire Code or any of the City's Ordinances. Permits presuming to give authority to violate or cancel the provisions of these Codes and Ordinances of the Park City Municipal Corporation shall not be valid. All plans approved are subject to field inspection and interpretations of the field inspectors or the Building Official. Decisions relative to this application are subject to review by the Chief Executive Officer of the Municipal or County entity issuing the single-family residential building permit and appeal under the International Residential Code as adopted by the Legislature.

APPROVED CONSTRUCTION SET PLANS MUST BE ON SITE FOR INSPECTION

CONSTRUCTION MITIGATION PLAN

SUBJECT TO CHANGE

PROSPECTOR LOT G - 1791 Prospector Avenue

PREPARED BY: R&O Construction

DATE: October 30, 2018

1. Hours of Operation are 7:00 a.m. to 9:00 p.m. Monday through Saturday and 9:00 a.m. to 6:00 p.m. on Sunday. Construction activity is not permitted to occur on dates that would have a negative impact on Special Events and/or Holidays. Other work hour limitations may be placed on Main St and Old Town area Construction sites. During Events you will be required to comply with any requests from the Special Events Coordinator.

Work hour extensions may be approved by the Park City Building Official when needed. In order to be approved, a written request for the extension must be received a minimum of 48 hours in advance and must include the dates and times for the extension and a

description of any of the anticipated impacts, (deliveries, outdoor lighting, noise, etc.). The request will not be automatically approved once submitted. It must be considered, and a determination will be made. If a legitimate complaint is received, the extension will be revoked. The contractor is responsible for monitoring any updates or changes to the restricted work dates. Updates can be found at www.parkcity.org or by calling 435-615-5100.

Work restricted dates for 2018-2019:

Sundance Film Festival, January 17-27, 2019.**

MLK –Monday, January 14, 2019

President’s Day- Friday February 18, 2019

Independence Day- Tuesday, July 3 after 3pm -Wednesday, July 4, 2018.

Kimball Arts Festival, Friday, August 3 after 3pm - Sunday, August 5th 2018 (Main St, Swede Alley, and Heber Only).

Park Silly Market- Only on Sundays, starting June 3, - September 23rd (Main St, Swede Alley, and Heber Only).

Labor Day Weekend, Friday, August 31, after 3pm, - Monday, September 3th, 2018

Halloween, October 31st, after 2pm (Main St, Swede Alley, and Heber Only).

Christmas, Saturday, December 22nd - Tuesday, December 25th.

New Years, Monday, December 31th - Tuesday, Jan 1st.

Exterior work, work in excess of the noise ordinance, deliveries, concrete pours, exports, street parking and any type of work that disrupts traffic or impacts sidewalks is prohibited during the above listed dates.

Any work that exceeds these restrictions requires approval from the Chief Building Official. Exceptions will be considered by submitting an exception form to the Chief Building Official. The exception form can be found at www.parkcity.org

2. Parking will not block reasonable public and safety vehicle access; will remain on same side of street and on pavement. The building permit is not a permit to park in these areas. Park City Municipal Corporation has the authority to request a parking plan at any time. Construction equipment, (fork lifts, cranes, backhoes, etc.) is not permitted to be driven or parked on public parking lots, city streets or private property unless otherwise approved.

3. Deliveries will be during hours of operation only. Contractor will get the appropriate Partial Road Closure Permits approved for Deliveries that take over one hour.

4. **Stockpiling & Staging** will be on site and within the approved limits of disturbance fence. A separate Right OF Way Permit is required if materials, dumpsters or toilets are to be placed in the Public Right Of Way. Any additional stockpiling or staging site must be approved by the building department including an LOD fence and possibly a bond.
5. **Construction Phasing** requires approval from the Chief Building Official.
All Construction Phasing must be maintained within the approved LOD area unless otherwise approved.
6. **Trash Management & Recycling:** Construction site will provide adequate storage and program for trash removal and will keep site clean daily. Recycling is encouraged. **Dumpsters must be placed within the approved LOD. Dumpsters or trash trailers parked on private property require written permission from the property owner. Dumpsters or trash trailers on the Public Right of Way require a permit from the City Engineer. Trash and construction-related wastes must be deposited into a covered receptacle.**
7. **Control of Dust & Mud:** Sediments and other materials may not be tracked from the site by vehicle traffic. The construction entrance roadways must be stabilized with gravel so as to inhibit sediments from being deposited into the public ways. Accidental deposits must be swept up immediately and may not be washed down by rain or any other means.
8. **Noise** will not exceed 65 decibels or violate the Park City noise ordinance.

9. **Grading & Excavation** will be during hours of operation and trucking routes may be restricted to prevent adverse impacts. If this is the case, **Truck Routes will require approval by the Park City Engineering Department.**

Cubic Yards to be removed: _____ Destination: _____.

10. **Temporary Lighting** if used will be approved by the Park City Planning Department. Lighting is required in construction related boardwalks.

11. **Construction Sign:** will be posted on site and in a location that is readable from the street. The sign will not exceed 12 square feet in size and 6 feet in height. The lettering will not exceed 4 inches in height and will include the following information: Contractor name, address, phone number and emergency contact information.

12. **Storm Water Pollution Prevention Plan (SWPPP):**

SWPPP Lite requires the implementation of Storm Water Pollution Prevention Plan (SWPPP) that identifies potential sources of storm water pollutants and Best Management Practices (BMPs) to reduce or eliminate their impacts. BMPs are practices that control storm water sediment and erosion to the maximum extent practicable. These controls include a wide range of structural and non-structural options. Refer to Park City's booklet identifying BMPs that are recommended by the Utah Division of Water Quality and the Environmental Protection Agency.

It is the contractor's responsibility to select appropriate BMPs and implement and maintain this BMPs. Selection of BMPs will be site specific and may be adjusted appropriately given the conditions, contractor experience and new technology. Variations are acceptable provided implemented controls meet the intent of the BMP.

Eroded sediments and other pollutants must be retained on site and may not be transported from the site via street flow, swales, area drains, natural drainage course or wind. Stockpile of earth and other construction-related materials must be protected from being transported from the site by wind or water. Fuels, oils, solvents and other toxic materials must be stored in accordance with their listing and are not to contaminate the soil or the surface waters. All approved toxic storage containers are to be protected from the weather. Spills must be cleaned up immediately and disposed of in a proper manner. Spills may not be washed into the drainage system.

Excess or waste concrete may not be washed into the public way or any drainage system. Concrete equipment may only be cleaned out in a properly constructed clean out that will not leach into ground.

13. **Toilet Facilities:** All construction sites shall have permanent toilets with authorization, or temporary toilet facility. **Toilets placed on the public right of way require a right of way permit from the City Engineer.**

14. Soils Ordinance: All properties located within the soils ordinance boundary shall comply with PCMC Title 11, Chapter 15, including but not limited to dust control, covering soil and approved soil disposal.

15. Partial Road Closures: Partial road closures are required if one lane of travel is partially blocked by construction traffic or deliveries. Partial Road Closures require 48 hours notice. Partial road closures may be obtained at the Building Department or online at www.parkcity.org Click on Departments next click on Community Development next click on Building and Fire Safety next click on Applications then click on Street Closure Application. The Partial Road Closure form can be submitted online, emailed or delivered to the Building Department. Partial Road Closure applications can be emailed to building_mail@parkcity.org.

16. Full Road Closures: Full road closures require approval from the City Engineer. Full Road Closures require 48 hours notice. Full road closures applications must be filled out on line or at the Engineering Department.

17. Right Of Way Permits: Right of way permits are required from the City Engineers Office for any work, damage or reconstruction in the Public Right Of Way.

11-14- 2. FENCING OF PUBLIC

RIGHT-OF-WAY. In those zones, which permit construction of buildings up to property lines or within five feet (5') of property lines, leaving a very limited or no setback area, the building official may permit construction fences to be built across sidewalk area where there are sidewalks, or into the parking lane of the street where there is no sidewalk. Where street width will permit, in the judgment of the building official, the construction fence shall also provide a temporary sidewalk area, which may be built in the parking lane of the street. Any sidewalk built as a part of a construction site fence must be covered with a structural roof, which complies with Section 3306 of the International Building Code. The International Building Code requirements for construction of a temporary sidewalk may be reduced or waived by the Building Official where conditions will not permit the full four foot (4') width. The location of fencing within the public way and the determination of whether to require sidewalk shall be made by the Building Official, subject to review by the City Manager. In the event that changes in parking regulations are required by the construction of such a fence, the Police Chief is authorized to post signs prohibiting or otherwise regulating parking in the area adjoining the construction site.

18. Cranes: All cranes must be preapproved by the Chief Building Official. Contractor will provide a site plan showing the radius of the boom over neighboring properties and streets. Airspace and trespass agreements are required to be in place in the file before the crane can be installed on the property.

The crane is prohibited from swinging over neighboring properties and streets loaded or unloaded without prior approval. Flaggers are required when approval is granted if crane will affect Right of Way.

19. Limits of Disturbance Fence: Chain link fencing is required on sites in some areas with excavations deeper than 4 feet. Plastic construction fencing is acceptable on sites that are not being excavated. All sites within the Historic District require a Chain Link Fence.

20. Boardwalks: Boardwalks may be required on some projects per the International Building Code. When boardwalks are required they will have a mining theme and be equipped with lights and reflectors. Sidewalks and streets beneath the boardwalk will be repaired or replaced if necessary before the certificate of occupancy is issued. A monetary bond may be required by the City Engineers for sidewalks and streets beneath the boardwalk. Specifications are available at the Park City Building Department.

21. Other Issues: Dogs will be prohibited from construction site. Information will be provided to neighboring property owners to help inform them of the project and to keep the lines of communication open. Mitigation will be in place to prevent impacts to the existing adjacent structures and existing infrastructure/streets from the construction. Additional conditions and findings found in the MPD, CUP or other city approvals governing the lot shall also apply, and may be enforced in coordination with this constructor mitigation plan and/or building permit.

22. Utah State Code and Rules: Approved set of plans and Mitigation shall include compliance with all Utah State Code and Rules to include the Asbestos Rule R307-801 and the Lead Paint Rules, R307-840, 841, 842.

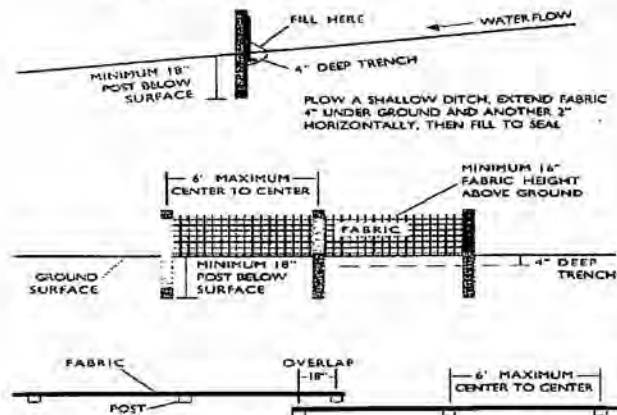
Park City Municipal Corporation reserves the right to abate any inactive or abandoned construction site. PCMC gives no guarantee of partial CO's. PCMC may require the contractor to complete neighborhood noticing to their satisfaction as needed.

** Special Instructions may be given at any time **

Contractor Signature: _____ Date: _____

Approved By: _____ Date: _____

Park City Silt Screen Installation

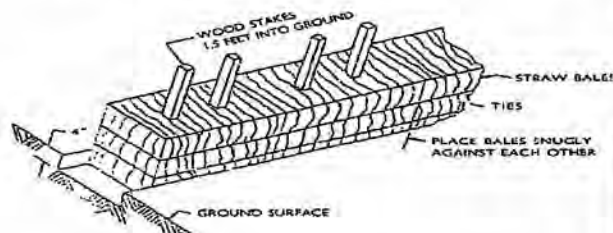


◀ **Installation Techniques**
(side view)

◀ **Construction Specifications**
(cross section)

◀ **Overlap Specifications**
(top view)

Park City Straw Bale Specifications

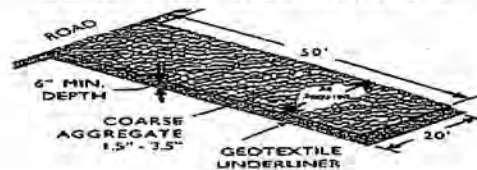


◀ **Straw Bale Specifications**
(side view)

Notes:
 -specs are for Type B fence
 -use 22" D.O.T. approved fabric
 -use wood or steel posts
 -designed for flow rate of
 25 gallons / min / ft²

Park City Stone Pad Specifications

STONE PAD SPECIFICATIONS





CONSTRUCTION MITIGATION PLAN

PERMIT #: _____

ADDRESS: _____

CONTRACTOR: _____

Name, Address, Contact Person, Phone Numbers

1. Hours of Operation are 7:00 a.m. to 9:00 p.m. Monday through Saturday and 9:00 a.m. to 6:00 p.m. on Sundays. Comments: _____

2. Parking will not block reasonable public and safety vehicle access, will remain on same side of street and on pavement only. Within paid and permit only areas, an approved parking plan will be obtained from the Public Works Department. Comments: _____

3. Deliveries will be during hours of operation only. Comments: _____

4. Stockpiling & Staging will be on site and within the approved limits of disturbance fence. Comments: _____

5. Construction Phasing if necessary, may be required and will be authorized by the Building Official. Comments: _____

6. Trash Management & Recycling - Construction site will provide adequate storage and program for trash removal and will keep site clean daily. Recycling is encouraged. Comments: _____

7. Control of Dust & Mud will be controlled daily. Gravel will be placed in the egress and ingress areas to prevent mud and dirt from being tracked on streets. Water will be on site to prevent dust. Comments: _____

Exhibit Q – Preliminary Construction Mitigation Plan

8. **Noise** will not be above 65 decibels which violates the noise ordinance and will not be made outside the hours of operation. Comments: _____

9. **Grading & Excavation** will be during hours of operation and trucking routes may be restricted to prevent adverse impacts.

Cubic Yards to be removed: _____ Destination: _____

Comments: _____

10. **Temporary Lighting** if used, will be approved by the Planning Department. Comments: _____

11. **Construction Sign** will be posted on site and in a location that is readable from the street. The sign will not exceed 12 square feet in size and 6 feet in height. The lettering will not exceed 4 inches in height and will include the following information: Contractor name, address, phone number and emergency contact information. Comments: _____

12. **Other Issues:** Dogs will be prohibited from construction sites. Information will be provided to neighboring property owners to help them be aware of project and to keep the lines of communication open. Comments: _____

13. **Soils Ordinance:** All properties located within the soils ordinance boundary shall comply with PCMC Title 11, Chapter 15, including but not limited to dust control, soil cover and approved soil disposal. Comments: _____

14. **Erosion Control:** Storm Water Management Plan - Attachment A - will be reviewed, signed and attached to this construction mitigation plan. Comments: _____

When signing this form, the responsible party(ies) acknowledge understanding of the above conditions and hereby agree to comply. This form shall serve as a notice that failure to comply with the above conditions will result in enforcement action.

Contractor Signature: _____ Date: _____

Approved By: _____ Date: _____



Parking Plan

Project: Prospector Lot G

Prepared By: R&O Construction Company

Our parking plan for the Prospector Lot G project consists of three separate actions.

Unloading Access:

We will have our construction entrance located at the west end of the parking lot for all construction traffic including offloading materials and equipment, without disrupting traffic along Prospector Avenue. Our construction fence will run along the north side of the construction, keeping the parking on the north side of our fence open to the public.

Employee & Subcontractor Adjacent Parking:

We have arranged to utilize the parking stalls in the south east lot for site based staff, owner's representatives visiting the site, architects / engineers and subcontractors. We have also secured the southeast corner of this site for additional construction parking and staging as needed.

Employee & Subcontractor Remote Parking (if needed):

We would like to secure an agreement with the Owner of the lot across the street from our site for additional and / or overflow parking, if this becomes necessary. We will encourage ridesharing amongst employees to keep the need for additional parking at a minimum.

Exhibit Q – Preliminary Construction Mitigation Plan





Dewatering Plan

Project: Prospector Lot G

Prepared By: R&O Construction Company

Our current plan for dewatering the site if we encounter ground water, or experience flooding from an external source is outlined below.

SWPPP:

We will ensure all storm drain inlets corresponding to the project property are properly protected with the appropriate BMP's. We will also ensure any locations where storm or ground water could leave our site are properly protected with the appropriate BMP's to ensure no water leaves the site untreated.

Pumping:

In the event our excavations take on water from a ground source, storm event, or other source, we will pump the water out of the excavations and into the public storm drain system. All water pumped from our site will be fully filtered through an approved dewatering bag to ensure sediment, and any oils are captured and retained. Only treated water will be released into the storm drain system. We will constantly monitor these dewatering bags during pumping operations to ensure they are not overfilled and are changed out regularly, as required. All captured sediment will be properly disposed of.



Ultra-Dewatering Bag, Oil and Sediment Model, 6' x 6'



Product Information

Ultra-Dewatering Bag, Oil and Sediment Model, 6' x 6'

Contain sediment and oil pumped out during dewatering operations. Retains both oil and sediment, offering a combination of benefits not available in alternative dewatering bags. Accommodates up to 4" discharge hose. Helps comply with NPDES, 40 CFR 122.26 (1999) when used as Best Management Practice in Storm Water Pollution Prevention Plans. Custom sizes available.

Product Specifications

LENGTH FEET	6
WIDTH FEET	6
CAPACITY CUBIC FEET	18
COLOR FINISH	Black
MANUFACTURERS PART NUMBER	9724-OS
PACKAGE QUANTITY	1
BRAND	UltraTech
WEIGHT LBS	3

General Sales

For product information or to place an order, please contact us at sales@globalindustrial.com, or 1-888-978-7759.

Customer Support

For assistance regarding an order already placed or received, please contact us at 1-888-628-3466 or service@globalindustrial.com.
For information on an outstanding invoice, please email our Accounts Receivable Department at AR@globalindustrial.com.
Mail your remittances to:
Global Equipment Company
29833 Network Place
Chicago, IL 60673-1298



Existing Soils Handling & Disposal Plan

Project: Prospector Lot G

Prepared By: R&O Construction Company

As requested, this plan outlines our approach to the handling and disposal of potentially contaminated existing soils on the project site. Currently we anticipate exporting roughly 4,800 cubic yards of material. All material used for backfill operations will be clean imported fill.

It is our understanding that some minor testing has already been performed. The results of these preliminary tests indicated that the areas tested contained elevated levels of lead and arsenic. Our process for loading, transporting and disposing of the material will be the same regardless of the nature of the material. In all cases we will work to minimize dust and track out of any kind while excavating, loading, and hauling. We will moisten or tarp loads as appropriate for the material prior to exiting the site to prevent fugitive dust particles along the trucking route. If any track-out or spills should occur we will immediately clean and restore affected areas.

Anticipated Material Types & Disposal Sites

Non-Hazardous Material – Lower Particulate Count

If the proper testing determines the material is not hazardous we will transport the material to Richardson Flat for proper disposal. Richardson Flat also performs their own testing on each load prior to allowing placement on the site. Any material they feel exceeds the limits established for the Richardson Flat repository will be re-routed to one of the appropriate locations noted below.

Non-Hazardous – Higher Particulate Count

If proper testing determines the material is non-hazardous, but on the high side of the particulate range, we will transport the material to the Wasatch Regional Landfill or to ET Technologies for proper disposal.

Hazardous Material

Any material found to be hazardous during proper testing will be transported and properly disposed of at Clean Harbors Environmental, or Energy Solutions.

FACT SHEET

Park City Landscaping and Maintenance of Soil Cover

“THE SOIL ORDINANCE”

Certain areas in Park City are impacted by the presence of historic mill tailings in the soil, which may have high levels of metals, especially arsenic and lead. To help protect the health of our residents from certain risks associated with exposure to mine waste soils, Park City enacted “The Soil Ordinance.” Park City Municipal Code 11-15-1. The Soil Ordinance applies only in a specified area of Park City—the Soil Ordinance Boundary.



Park City Soils Ordinance Boundary

See: <http://www.parkcity.org/index.aspx?page=1082>

Failure to comply with the Soil Ordinance is a Class B misdemeanor.

The Soil Ordinance requires property owners within the Soil Ordinance Boundary to:

Obtain a Certificate of Compliance

- Obtain a Certificate of Compliance from the City. This involves the City sampling the property to determine if soils are above an action level, typically 200 mg/Kg total lead. If soils above this level are found they must be capped by “Approved topsoil” or by weed barrier fabric and 6 inches of bark or rock. “Approved topsoil” contains less than 200 mg/Kg total lead. Once capped, the City will resample the property for compliance with the Soils Ordinance and if compliant issue a Certificate of Compliance.

Maintain the Cap

- Maintain the approved topsoil or maintain the weed barrier fabric and 6 inches of bark or rock.
- If the cap is disturbed please contact the City for testing to verify the cap remains.
- Park vehicles only on paved surfaces.

Exercise Care When Gardening and Landscaping

- In planting beds at grade, use 24 inches of “approved topsoil” and extend the 24 inches of topsoil at least 12 inches beyond the edge of the planting bed.
- In planting beds above grade, extend the bed 16 inches above the grade of the 6 inch “approved topsoil” cover.
- When planting shrubs, use approved topsoil in an area three times bigger than the root ball and at least 6 inches below the lowest root of the shrub at planting.
- When planting trees, use approved topsoil in an area 18 inches around the root ball and at least 12 inches below the lowest root of the tree at planting.
- Control dust during construction and before vegetative or other form of cover is in place.

Reintroduce Disturbed Soils at the Property or Dispose of Appropriately

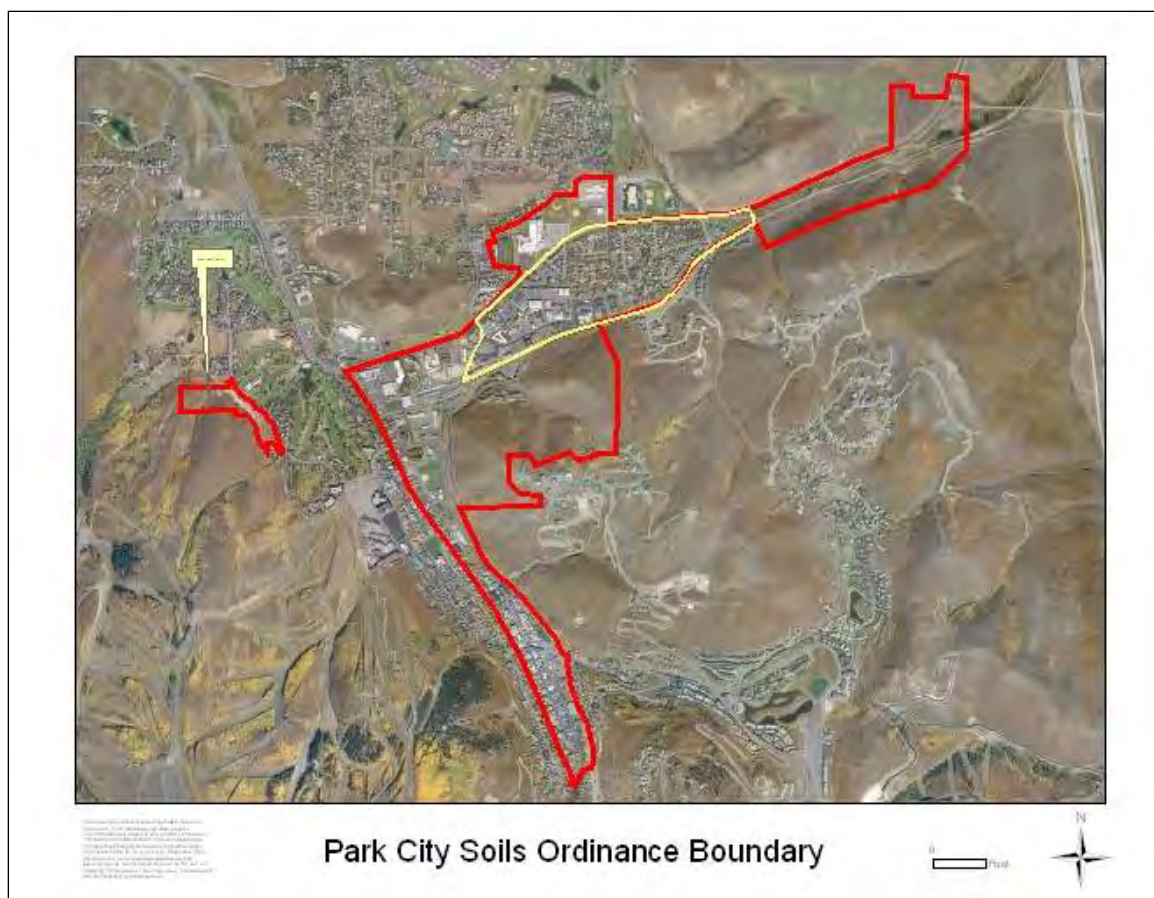
- Ensure any tilled, dug or otherwise disturbed soils are reintroduced on the property and capped with 6 inches of approved topsoil.
- If excavated or disturbed soils cannot be reintroduced on their property, property owners must sample the soil and send it to a State certified laboratory for a Toxicity Characteristic Leaching Procedure (TCLP) test. Soils that fail the TCLP test must be managed as a hazardous waste and disposed at a Utah Department of Environmental Quality permitted facility. Soils that do not fail the TCLP test may be disposed at a municipal landfill, so long as the owner obtains a “Disposal Acceptance Letter” from the landfill.

CHAPTER 15 - PARK CITY LANDSCAPING AND MAINTENANCE OF SOIL COVER

11-15- 1. AREA.

This Chapter shall be in full force and effect only in that area of Park City, Utah, which is depicted in the map below and accompanied legal description, hereinafter referred to as the Soils Ordinance Boundary.

(Amended by Ord. No. 03-50)



MAP OF AREA SUBJECT TO LANDSCAPING AND TOPSOIL REQUIREMENTS (ORIGINAL MAP AMENDED BY THIS ORDINANCE ON FILE IN THE CITY RECORDER'S OFFICE) and as described as follows:

Beginning at the West 1/4 Corner of Section 10, Township 2 South, Range 4 East, Salt Lake Base & Meridian; running thence east along the center section line to the center of Section 10, T2S, R4E; thence north along the center section line to a point on the easterly Park City limit line, said point being South 00°04'16" West 564.84 feet from the north 1/4 corner of Section 10, T2S, R4E; thence along the easterly Park City limit line for the

following thirteen (13) courses: North 60°11'00" East 508.36'; thence North 62°56' East 1500.00'; thence North 41°00' West 30.60 feet; thence North 75°55' East 1431.27'; thence North 78°12'40" East 44.69 feet; thence North 53°45'47" East 917.79 feet; thence South 89°18'31" East 47.22 feet; thence North 00°01'06" East 1324.11 feet; thence North 89°49'09" West 195.80 feet; thence South 22°00'47" West 432.52'; thence South 89°40'28" West 829.07 feet; thence North 00°09'00" West 199.12 feet; thence West 154.34 feet to a point on the west line of Section 2, T2S, R4E; thence south on the section line to the southerly right-of-way line of State Route 248; thence westerly along said southerly right-of-way line to the easterly right-of-way line of State Route 224, also known as Park Avenue; thence southerly along the easterly line of Park Avenue to the west line of Main Street; thence southerly along the westerly line of Main Street to the northerly line of Hillside Avenue; thence easterly along the northerly line of Hillside Avenue to the westerly line of Marsac Avenue, also known as State Route 224; thence northerly along the westerly line of Marsac Avenue to the westerly line of Deer Valley Drive; thence northerly along the westerly line of Deer Valley Drive, also known as State Route 224, to the southerly line of Section 9, T2S, R4E; thence easterly to the west line of Section 10, T2S, R4E; thence northerly to the point of beginning.

Together with the following additional parcels:

Spiro Annexation Area Legal Description:

A parcel of land located in Summit County, Utah, situated in the southeast quarter of Section 8, Township 2 South, Range 4 East, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at a point that is South 396.80 feet and West 1705.14 feet from the East quarter corner of Section 8, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point being a 5/8" rebar on the westerly right-of-way line of Three Kings Drive, as described on the Arsenic Hall Annexation Plat, recorded no. 345954 in the office of the Summit County Recorder, said point also being on a curve to the left having a radius of 625.00 feet of which the radius point bears North 71°08'49" East; and running thence southeasterly along said right-of-way line the following three (3) courses: (1) southeasterly along the arc of said curve 352.91 feet through a central angle of 32°21'09"; thence (2) South 51°12'20" east 141.13 feet to a point on a curve to the right having a radius of 290.00 feet, of which the radius point bears South 38°47'40" West; thence (3) along the arc of said curve 70.86 feet through a central angle of 14°00'00"; thence along the southwesterly right-of-way line of Three Kings Drive and along the arc of a 680.00 foot radius curve to the left, of which the chord bears South 47°16'17" East 235.91 feet; thence along the westerly boundary of the Dedication Plat of Three Kings Drive and Crescent Road, recorded no.116010 in the office of the Summit County Recorder, the following eight (8) courses: (1) South 57°12'20" east 39.07 feet to a point on a curve to the right having a radius of 495.00 feet, of which the radius point bears South 32°47'40" West; thence (2) along the arc of said curve 324.24 feet through a central angle of 37°31'50"; thence(3) South 19°40'30" East 385.45 feet to a point on a curve to the left having a radius of 439.15 feet, of which the radius point bears North

70°19'30" East; thence (4) along the arc of said curve 112.97 feet through a central angle of 14°44'21" to a point of reverse curve to the right having a radius of 15.00 feet, of which the radius point bears South 55°35'09" West; thence (5) southerly along the arc of said curve 22.24 feet through a central angle of 84° 57'02" to a point of compound curve to the right having a radius of 54.94 feet, of which the radius point bears North 39°27'49" West; thence (6) westerly along the arc of said curve 115.99 feet through a central angle of 120°57'49"; thence (7) North 08°30'00" West 31.49 feet to a point on a curve to the left having a radius of 105.00 feet, of which the radius point bears South 81°30'00" West; thence (8) along the arc of said curve 378.43 feet through a central angle of 206°30'00" to a point on the easterly line of Park Properties, Inc. parcel, Entry no. 129128, Book M73, page 31, in the office of the Summit County Recorder; thence along the easterly boundary of said parcel the following five (5) courses: (1) North 42°30'00" West 220.00 feet; thence (2) North 11°00'00" West 235.00 feet; thence (3) North 21°32'29" West 149.57 feet (deed North 21°30'00" West 150.00 feet) to a 5/8" rebar; thence (4) North 42°30'49" West 195.18 feet (deed North 42°30'00" West 195.29 feet) to a 5/8" rebar; thence (5) North 89°57'46" West 225.95 feet (deed West 224.19 feet) to a 5/8" rebar; thence along a boundary of Park Properties, Inc. parcel, Entry no. 324886, Book 565, Page 717, in the office of the Summit County Recorder the following three (3) courses: (1) North 02°45'19" East 99.92 feet (deed North 100.20 feet) to a 5/8" rebar; thence (2) North 89°51'20" West 496.04 feet to a 5/8" rebar; thence (3) North 89°35'52" West 481.94 feet (deed North 89°45'00" West 992.17 feet for courses (2) and (3) to a point on the west line of the southeast quarter of Section 8, Township 2 South, Range 4 East, Salt Lake Basin and Meridian; thence along said quarter section line North 00°15'24" West 407.62 feet to a point on the Bernolfo Family Limited Partnership parcel, Entry no. 470116, Book 1017, Page 262, in the office of the Summit County Recorder, thence North 89°59'54" East 482.91 feet (deed East 493.92 feet) to a point on the Vince D. Donile parcel, Entry no. 423999, Book 865, Page 287, in the office of the Summit County Recorder, said point being a 5/8" rebar and cap; thence along said parcel the following five (5) courses: (1) South 89°59'49" East 358.30 feet (deed East 358.35 feet) to a point on a non tangent curve to the right having a radius of 110.00 feet, of which the radius point bears South 88°41'47" East (deed South 88°44'18" East); thence (2) northerly along the arc of said curve 24.32 feet (deed 24.14 feet) through a central angle of 12°39'58" to a 5/8" rebar cap; thence (3) North 13°46'17" East 49.98 feet (deed North 13°50'00" East 50.00 feet) to a 5/8" rebar and cap on a curve to the right having a radius of 60.00 feet (chord bears North 27°16'47" East 28.00 feet); thence (4) northeasterly along the arc of said curve 28.26 feet (deed 28.27 feet) through a central angle of 26°59'09" to a 5/8" rebar and cap; thence (5) North 40°46'38" East 83.23 feet (deed North 40°50'00" East 83.24 feet) to the point of beginning.

The basis for bearing for the above description is South 00°16'20" West 2627.35 feet between the Northeast corner of Section 8, and the East quarter corner of Section 8, Township 2 South, Range 4 East, Salt Lake Base & Meridian. TAX SERIAL NOS. PP-25-A AND PCA-1002-C-1

To be combined with a parcel of land located in Summit County, Utah, situated in the southeast quarter of Section 8, Township 2 South, Range 4 East, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at a point that is West 1727.82 feet and South 310.72 feet from the East quarter corner of Section 8, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point being on the westerly right-of-way of Three Kings Drive and running thence West 417.99 feet; thence South 246.59 feet; thence East 358.35 feet to a point on a curve to the right, the radius point of which bears South 88°44'18" east 110.00 feet; thence northeasterly along the arc of said curve 24.14 feet to the point of tangency; thence North 13°50'00" East 50.00 feet to the point of a 60.00 foot radius curve to the right; thence northeasterly along the arc of said curve 28.27 feet to the point of tangency; thence North 40°50'00" East 83.24 feet to a point on the westerly right-of-way of Three Kings Drive, said point being on a curve to the right, the radius point of which bears North 71°07'38" East 625 feet; thence northwesterly along the arc of said curve and along the right-of-way 89.33 feet to the point of beginning. TAX SERIAL NOS. PCA-1002-F

Also including the Park City High School and Elementary School properties identified as Tax Serial Numbers (PCA-2-2300-X, PCA-2-2300-A-1-X, PCA-2-2101-6-A-X, PCA-2-2101-6-X).

EXCEPTING THEREFROM all lots and parcels platted as Chatham Crossing Subdivision, Hearthstone Subdivision, Aerie Subdivision and Aerie Subdivision Phase 2, according to the official plats thereof recorded in the office of the Summit County Recorder.

(Amended by Ord. No. 03-50)

11-15- 2. MINIMUM COVERAGE WITH TOPSOIL OR OTHER ACCEPTABLE MEDIA.

- (A) All real property within the Soils Ordinance Boundary must be covered and maintained with a minimum cover of six inches (6") of approved topsoil and acceptable cover described in Section 11-15-3 over soils exceeding the lead levels specified in Section 11-15-7, except where such real property is covered by asphalt, concrete, permanent structures or paving materials.
- (B) As used in this Chapter, "approved topsoil" is soil that does not exceed 200 mg/Kg (total) lead representatively sampled and analyzed under method SW-846 6010.
- (C) Parking of vehicles or recreational equipment shall be contained on impervious surfaces and not areas that have been capped with acceptable media.

(Amended by Ord. No. 03-50)

11-15- 3. ACCEPTABLE COVER.

- (A) All areas within the Soils Ordinance Boundary where real property is covered with six inches (6”) or more of “approved topsoil” defined in Section 11-15-2 (B) must be vegetated with grass or other suitable vegetation to prevent erosion of the 6” topsoil layer as determined by the Building Department.
- (B) Owners that practice xeriscape are allowed to employ a weed barrier fabric if the property is covered with six inches (6”) of rock or bark and maintained to prevent soil break through.
- (C) As used in this Chapter, “soil break through” is defined as soil migrating through the fabric and cover in a manner that exposes the public and shall be deemed in violation of this Chapter.
- (D) As used in this Chapter, “xeriscape” is defined as a landscaping practice that uses plants that grow successfully in arid climates and a landscaping design intended to conserve City water resources.

(Amended by Ord. No. 03-50)

11-15- 4. ADDITIONAL LANDSCAPING REQUIREMENTS.

In addition to the minimum coverage of topsoil requirements set forth in Section 11-15-2 and the vegetation requirements set forth in Section 11-15-3, the following additional requirements shall apply:

- (A) **FLOWER OR VEGETABLE PLANTING BED AT GRADE.** All flower or vegetable planting beds at grade shall be clearly defined with edging material to prevent edge drift and shall have a minimum depth of twenty-four inches (24”) of approved topsoil so that tailings are not mixed with the soil through normal tilling procedures. Such topsoil shall extend twelve inches (12”) beyond the edge of the flower or vegetable planting bed.
- (B) **FLOWER OR VEGETABLE PLANTING BED ABOVE GRADE.** All flower or vegetable planting beds above grade shall extend a minimum of sixteen inches (16”) above the grade of the six inches (6”) of approved topsoil cover and shall contain only approved topsoil.
- (C) **SHRUBS AND TREES.** All shrubs planted after the passage of this Chapter shall be surrounded by approved topsoil for an area, which is three times bigger than the rootball and extends six inches (6”) below the lowest root of the shrub at planting. All trees planted after the passage of this Chapter shall have a minimum of eighteen inches (18”) of approved topsoil around the rootball with a minimum of twelve inches (12”) of approved topsoil below the lowest root of the tree.

(Amended by Ord. No. 03-50)

11-15- 5. DISPOSAL OR REMOVAL OF AREA SOIL.

- (A) Following any work causing the disturbance of soils within the Soils Ordinance Boundary, such as digging, landscaping, and tilling soils, all disturbed soils must be collected and reintroduced onsite by either onsite soil capping specified in Section 11-15-2 or off-site disposal as required by this Chapter and/or State and/or Federal law.
- (B) All soil generated from the Soils Ordinance Boundary that cannot be reintroduced within the Soils Ordinance Boundary and are destined for off-site disposal must be sampled and characterized with representative sampling and tested at a State Certified Laboratory.
- (C) Soils exhibiting a hazardous characteristic exceeding the following Toxic Characteristic Leaching Procedure (TCLP) standards, must be managed as a hazardous waste and disposed of within a Utah Department of Environmental Quality permitted facility:

Arsenic – 5.0 mg/L (TCLP) Method 6010 B

Lead – 5.0 mg/L (TCLP) Method 6010 B

- (D) Soils not failing the TCLP standards may be disposed within a non-hazardous landfill facility providing a “Disposal Acceptance Letter” to the Building Department is issued by the disposal facility.
- (E) No soils generated within the Soils Ordinance Boundary are allowed to be exported for use as fill outside the Soils Ordinance Boundary.
- (F) Reuse of generated soils within the Soils Ordinance Boundary is acceptable provided the receiving property is covered with six inches (6”) of clean topsoil or covered with an acceptable media, i.e. vegetation, bark, rock, as required by this Chapter.
- (G) Soils that are relocated within the Soils Ordinance Boundary must be pre-approved by the Building Department before being relocated and reused.

(Amended by Ord. No. 03-50)

11-15- 6. DUST CONTROL.

Contractor or owner is responsible for controlling dust during the time between beginning of construction activity and the establishment of plant growth sufficient to control the emissions of dust from any site. Due care shall be taken by the contractor or owner, to protect workmen while working within the site from any exposure to dust emissions during construction activity by providing suitable breathing apparatus or other appropriate control.

11-15- 7. CERTIFICATE OF COMPLIANCE.

- (A) Upon application by the owner of record or agent to the Park City Building Department and payment of the fee established by the department, the Park City Building Department shall inspect the applicant's property for compliance with this Chapter. When the property inspected complies with this Chapter, a Certificate of Compliance shall be issued to the owner by the Park City Building Department.
- (B) Verifying soil cap depth and representative samples results that are equal to or below the following standards will result in full compliance and eligibility for the certificate:

Occupied Property – Lead 200 mg/Kg (Total) Method SW-846 6010

Vacant Property – Lead 1000 mg/Kg (Total) Method SW-846 6010

(Amended by Ord. No. 03-50)

11-15- 8. TRANSIT CENTER DISTURBANCE

All construction activity, utility modification, and landscaping that results in the breach of the installed protective cap or the generation of soils must be conducted in accordance to the implemented Site Management Plan, which is retained within the Building Department.

(Amended by Ord. No. 02-32; 03-50)

11-15- 9. PROPERTY WITH KNOWN NON-COMPLIANT LEVELS OF LEAD

- (A) Property exceeding the lead levels defined in Section 11-15-7 that have been representatively sampled and have not been capped per Section 11-15-2 are required to comply with this Chapter by December 31, 2004.
- (B) Non-compliant lots exceeding the criteria within Section 11-15-7 will be sent two (2) warning notices in an effort to correct the non-compliance issue.

(Amended by Ord. No. 03-50)

11-15- 10. WELLS.

All wells for culinary irrigation or stock watering use are prohibited in the Area (Soils Ordinance Boundary).

11-15- 11. NON-SAMPLED AND UNCHARACTERIZED LOTS.

- (A) Lots that have not been characterized through representative sampling and are

Exhibit Q – Preliminary Construction Mitigation Plan

within the original Soils Ordinance Boundary are required to be sampled by the year 2006.

- (B) After the property has been sampled, lots exceeding the lead levels within Section 11-15-7 are required to comply with this Chapter within a 12-month period.

11-15- 12. FAILURE TO COMPLY WITH CHAPTER.

Any person failing to landscape, maintain landscaping, control dust or dispose of tailings as required by this Chapter and/or comply with the provisions of this Chapter, shall be guilty of a Class B misdemeanor. Any person failing to comply with the provisions of this Chapter may be found to have caused a public nuisance as determined by the City Council of Park City, and appropriate legal action may be taken against that person.

(Amended by Ord. No. 03-50)

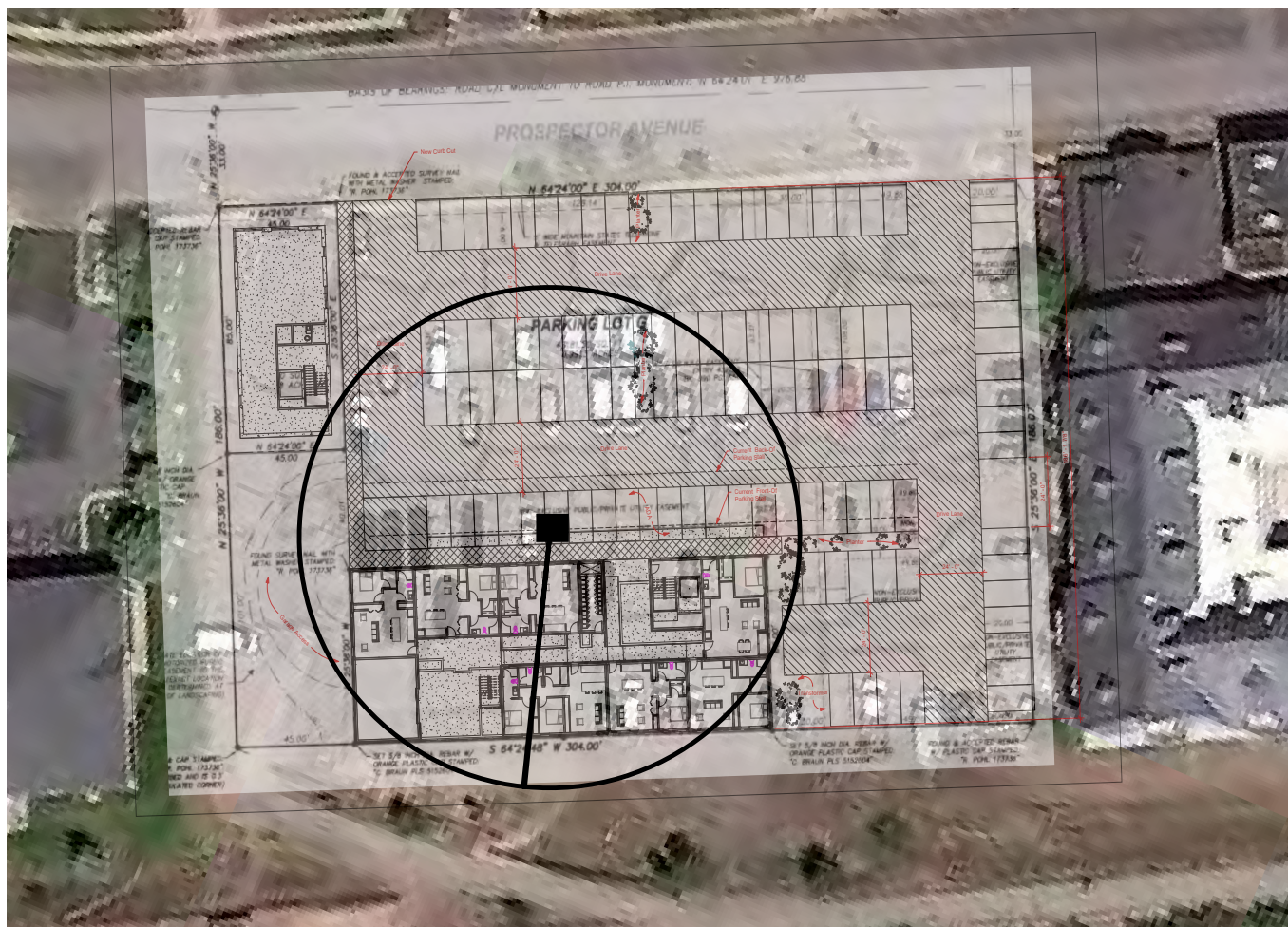


Crane Radius Plan

Project: Prospector Lot G

Prepared By: R&O Construction Company

The attached map shows the anticipated radius of the crane requested by the city. We do not anticipate requiring any airspace over neighboring properties





Snow Management & Mitigation Plan

Project: Prospector Lot G

Prepared By: R&O Construction Company

Our Snow Management & Mitigation Plan for the Prospector Lot G project is outlined below.

Monitoring:

While on site working members of our staff will continually monitor the weather and check for any snowfall and accumulation. Members of our project staff will monitor weather conditions on site to ensure we are aware of any snowfall and accumulation. If snow does begin to accumulate we will implement actions as described below.

Snow Management & Removal:

Our snow management efforts will only be implemented within the project site and have no real bearing on our efforts in the public right of way. By way of information, they mainly consist of snow tarps used to capture any accumulating snow, direct loading into dump trucks, and hauling to designated sites accepting snow loads.

For snow accumulation in the public right of way along Prospector Avenue along the north side of the site, we will retain a subcontractor to perform snow removal, loading, and haul off. They will also provide staff to shovel the public walks touching our project site. We will make arrangements with them to be on call as needed to ensure all snowfall is dealt with in accordance with our agreement with Park City. Snowfall accumulating during the day will be removed within 2 to 3 hours. Any snowfall occurring during the night hours will be removed as soon as possible, but no later than 8:00 AM the following morning.

We also have our own staff on site that can perform snow functions and operate equipment, should the need arise.

Specific Accountability:

We will assign a specific member of our on-site staff to continually monitor the weather forecasts and current site conditions. This individual will take direct responsibility for the successful implementation of this plan. He will coordinate continually with our snow removal subcontractor, and communicate our project needs well ahead of any anticipated weather event. This will ensure crews are alerted and ready prior to a storm, improving response time and removal durations. The project team will work together to assess the effectiveness of the plan and make any required adjustments to ensure snowfall is addressed promptly, and any potentially unsafe conditions are removed immediately.



**PARK CITY MUNICIPAL CORPORATION
STANDARD PROJECT CONDITIONS**

1. The applicant is responsible for compliance with all conditions of approval.
2. The proposed project is approved as indicated on the final approved plans, except as modified by additional conditions imposed by the Planning Commission at the time of the hearing. The proposed project shall be in accordance with all adopted codes and ordinances; including, but not necessarily limited to: the Land Management Code (including Chapter 5, Architectural Review); International Building, Fire and related Codes (including ADA compliance); the Park City Design Standards, Construction Specifications, and Standard Drawings (including any required snow storage easements); and any other standards and regulations adopted by the City Engineer and all boards, commissions, agencies, and officials of the City of Park City.
3. A building permit shall be secured for any new construction or modifications to structures, including interior modifications, authorized by this permit.
4. All construction shall be completed according to the approved plans on which building permits are issued. Approved plans include all site improvements shown on the approved site plan. Site improvements shall include all roads, sidewalks, curbs, gutters, drains, drainage works, grading, walls, landscaping, lighting, planting, paving, paths, trails, public necessity signs (such as required stop signs), and similar improvements, as shown on the set of plans on which final approval and building permits are based.
5. All modifications to plans as specified by conditions of approval and all final design details, such as materials, colors, windows, doors, trim dimensions, and exterior lighting shall be submitted to and approved by the Planning Department, Planning Commission, or Historic Preservation Board prior to issuance of any building permits. Any modifications to approved plans after the issuance of a building permit must be specifically requested and approved by the Planning Department, Planning Commission and/or Historic Preservation Board in writing prior to execution.
6. Final grading, drainage, utility, erosion control and re-vegetation plans shall be reviewed and approved by the City Engineer prior to commencing construction. Limits of disturbance boundaries and fencing shall be reviewed and approved by the Planning, Building, and Engineering Departments. Limits of disturbance fencing shall be installed, inspected, and approved prior to building permit issuance.
7. An existing conditions survey identifying existing grade shall be conducted by the applicant and submitted to the Planning and Building Departments prior to issuance of a footing and foundation permit. This survey shall be used to assist

the Planning Department in determining existing grade for measurement of building heights, as defined by the Land Management Code.

8. A Construction Mitigation Plan (CMP), submitted to and approved by the Planning, Building, and Engineering Departments, is required prior to any construction. A CMP shall address the following, including but not necessarily limited to: construction staging, phasing, storage of materials, circulation, parking, lights, signs, dust, noise, hours of operation, re-vegetation of disturbed areas, service and delivery, trash pick-up, re-use of construction materials, and disposal of excavated materials. Construction staging areas shall be clearly defined and placed so as to minimize site disturbance. The CMP shall include a landscape plan for re-vegetation of all areas disturbed during construction, including but not limited to: identification of existing vegetation and replacement of significant vegetation or trees removed during construction.
9. Any removal of existing building materials or features on historic buildings shall be approved and coordinated by the Planning Department according to the LMC, prior to removal.
10. The applicant and/or contractor shall field verify all existing conditions on historic buildings and match replacement elements and materials according to the approved plans. Any discrepancies found between approved plans, replacement features and existing elements must be reported to the Planning Department for further direction, prior to construction.
11. Final landscape plans, when required, shall be reviewed and approved by the Planning Department prior to issuance of building permits. Landscaping shall be completely installed prior to occupancy, or an acceptable guarantee, in accordance with the Land Management Code, shall be posted in lieu thereof. A landscaping agreement or covenant may be required to ensure landscaping is maintained as per the approved plans.
12. All proposed public improvements, such as streets, curb and gutter, sidewalks, utilities, lighting, trails, etc. are subject to review and approval by the City Engineer in accordance with current Park City Design Standards, Construction Specifications and Standard Drawings. All improvements shall be installed or sufficient guarantees, as determined by the City Engineer, posted prior to occupancy.
13. The Snyderville Basin Water Reclamation District shall review and approve the sewer plans, prior to issuance of any building plans. A Line Extension Agreement with the Snyderville Basin Water Reclamation District shall be signed and executed prior to building permit issuance. Evidence of compliance with the District's fee requirements shall be presented at the time of building permit issuance.

14. The planning and infrastructure review and approval is transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
15. When applicable, access on state highways shall be reviewed and approved by the State Highway Permits Officer. This does not imply that project access locations can be changed without Planning Commission approval.
16. Vesting of all permits and approvals terminates upon the expiration of the approval as defined in the Land Management Code, or upon termination of the permit.
17. No signs, permanent or temporary, may be constructed on a site or building without a sign permit, approved by the Planning and Building Departments. All multi-tenant buildings require an approved Master Sign Plan prior to submitting individual sign permits.
18. All exterior lights must be in conformance with the applicable Lighting section of the Land Management Code. Prior to purchase and installation, it is recommended that exterior lights be reviewed by the Planning Department.
19. All projects located within the Soils Ordinance Boundary require a Soil Mitigation Plan to be submitted and approved by the Building and Planning departments prior to the issuance of a Building permit.

Planning Commission Staff Report

Subject: North Silver Lake 2nd Amendment
Author: Francisco Astorga, AICP, Senior Planner
Project Number: PL-18-03938
Date: 12 December 2018
Type of Item: Legislative – Condominium Plat Amendment

Recommendation

Staff recommends the Planning Commission review and hold a public hearing for the North Silver Lake Amended and Restated Condominium Plat 2nd Amendment, also known as the Stein Erickson Residences located at 7101 Silver Lake Drive, and consider forwarding a positive recommendation to the City Council based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Proposal

Condominium Plat Amendment request to modify Unit 14 and Shared Driveway A (adjacent to Unit 8, 9, and 10) to accurately reflect what has been constructed. This Amendment is required because the approved building plans for the affected areas have been modified during the course of sales and construction. The net impact of these changes is a decrease of 37 square feet in the private area of Unit 14.

Description

Applicant: SR Silver Lake, LLC represented by Tom Bennett & Alison Phillips Belnap, Ballard Spahr, LLP
Location: 7101 Silver Lake Drive
Zoning: Residential Development District / Master Planned Development
Adjacent Land Uses: Resort / transient / hotel / residential
Reason for Review: Condominium Plat Amendments require Planning Commission review and City Council review and action

Background/Timeline

- 2009/2010 Conditional Use Permit

The original Conditional Use Permit for North Silver Lake development was reviewed by Planning Commission on five different occasions. The Commission approved it on July 8, 2009 with a three to one vote (3-1), one Commissioner abstained. On July 17, 2009 the Conditional Use Permit was appealed. The City Council reviewed the appeal on October 15, 2009 and again on November 12, 2009 which remanded it to the Planning Commission with specific items to be addressed.

The Planning Commission reviewed the remand during two work sessions and two regular agenda meetings to address specific findings of the City Council. On April 28, 2010 the Commission approved the revised Conditional Use Permit with

a four to one (4-1) vote. The applicant stipulated to additional condition of approval #19 that "Lockout units have not been included within the current Conditional Use Permit application. The addition of lockout units would be a substantial deviation from the current plan and must be approved by the Planning Commission."

The approval was appealed by two separate parties. The City Council reviewed both appeals on June 24, 2010. The Council did not find merit in the notice issues, compatibility of revised design, or other issues. The City Council added an additional requirement of an opportunity for neighborhood input prior to approval of the phasing plan(s), but found that the Planning Commission adequately addressed the issues of the remand. Accordingly, the City Council affirmed and denied in part the Planning Commission's decision to approve Conditional Use Permit. The City Council findings were ratified on July 1, 2010. The Conditional Use Permit approval included a condition that the approval would expire on July 1, 2011 if no building permits were issued within the development.

- First Conditional Use Permit Extension

On March 17, 2011 the Planning Department received a Request for Extension of the Conditional Use Permit approval. On April 28, 2011, the Planning Director approved the extension for an additional year as conditioned. The Planning Director's approval of the extension was appealed and on June 8, 2011 the Commission held a public hearing to consider the appeal and upheld the Planning Director's decision and granted the extension to July 1, 2012.

On June 20, 2011 an appeal of the Planning Commission's action was received. On July 21, 2011, the appeal was heard by the City Council, who held a quasi-judicial hearing before voting unanimously to uphold the Planning Commission's decision to uphold the Planning Director's issuance of an extension of time for the July 1, 2010 Conditional Use Permit. Because the appeal to uphold the Planning Director's decision was decided on July 21, 2011, the extension of the Conditional Use Permit was extended to July 21, 2012.

- Second Conditional Use Permit Extension

On October 27, 2011, the City received a request to extend the Conditional Use Permit for an additional year to July 21, 2013. On January 11, 2012 the Planning Commission voted unanimously (4-0) to approve the request for the one-year and final extension to the original Conditional Use Permit for North Silver Lake, Lot 2B. On February 9, 2012 the City Council received an appeal. Due to an appellant accident, the City Council continued the scheduled review on March 22, 2012 to the April 5, 2012 meeting and directed Staff not to accept any additional materials from the appellant or the applicant. On April 5, 2012 the City Council conducted a public hearing and voted unanimously to deny the appeal and approve the extension of the Conditional Use Permit and upheld with the following conditions of approval:

1. All conditions of approval of the City Council's July 21, 2011 order continue to apply.
2. This approval will expire July 21, 2013, 12 months from the first extension of the Conditional Use Permit.
3. Approval is based on plans reviewed by the City Council on June 24, 2010. Building Permit plans must substantially comply with the reviewed and approved plans. Any substantial deviation from this plan must be reviewed by the Planning Commission.

In March 2013, the applicant received a building permit for the first single-family dwelling. Through 2014 and 2015 several other building permits have been issued as the site has been considered an active building site since.

- Nightly Rental Lockout Units
On February 26, 2014, the Planning Commission approved the applicant's request of thirty eight (38) Nightly Rental Lockout Units modifying the Conditional Use Permit approved by the City in 2010.
- Condominium Plat (2014)
On May 8, 2014, the City Council approved the North Silver Lake Condominium Plat. The approved Condominium Plat identified private and common space and allowed the developer to sell the units. The approval consisted of twelve (12) stand-alone single-family dwelling units, one (1) stand-alone duplex dwelling, and forty (40) residential units instead of the original ten (10) stand-alone single-family dwelling units, three (3) stand-alone duplex dwellings equating sixteen (16) units, and thirty eight (38) units within the condominium buildings.
- Amended and Restated Condominium Plat (2015)
On June 25, 2015 the City Council approved the Amended and Restated North Silver Lake Condominium Plat. The approved Condominium Plat consisted of eleven (11) single-family dwellings, two (2) duplex dwellings, thirty-nine (39) residential units, two (2) ADA compliant units (platted as common areas), three (3) support commercial units, and corresponding common areas and facilities, limited common areas and facilities, support unit, and commercial units.
- First Amendment to the Amended and Restated Condominium Plat (2016)
On August 4, 2016, City Council approved the First Amendment to the Amended and Restated North Silver Lake Condominium Plat which amended Units 6A, 6B, 10, 11, and 13.
- Second Amendment to Amended and Restated Condominium Plat (2018)
On October 19, 2018, a complete application was submitted to the City requesting this Condominium Plat Amendment.

Density

No changes to density are proposed.

Purpose

The purpose of the Residential Development District is found in [Land Management Code § 15-2.13-1 Purpose](#).

Analysis

The North Silver Lake development, now known as Stein Erickson Residences, is located at 7101 Silver Lake Drive. The site is within the Residential Development District and the Deer Valley Master Planned Development. The current development consists of eleven (11) single-family dwellings, two (2) duplex dwellings, thirty-nine (39) residential units within the multi-unit buildings, three (3) support commercial units, and corresponding common and limited areas and facilities.

The proposed Condominium Plat Amendment modifies Unit 14 and Shared Driveway A, adjacent to Unit 8, 9, and 10 to accurately reflect what has been constructed. See Diagram 1 and 2 below. This Condominium Plat Amendment is required because the approved building plans for the affected areas have been modified during the course of sales and construction.

Diagram 1 - Unit 14 Amendment:

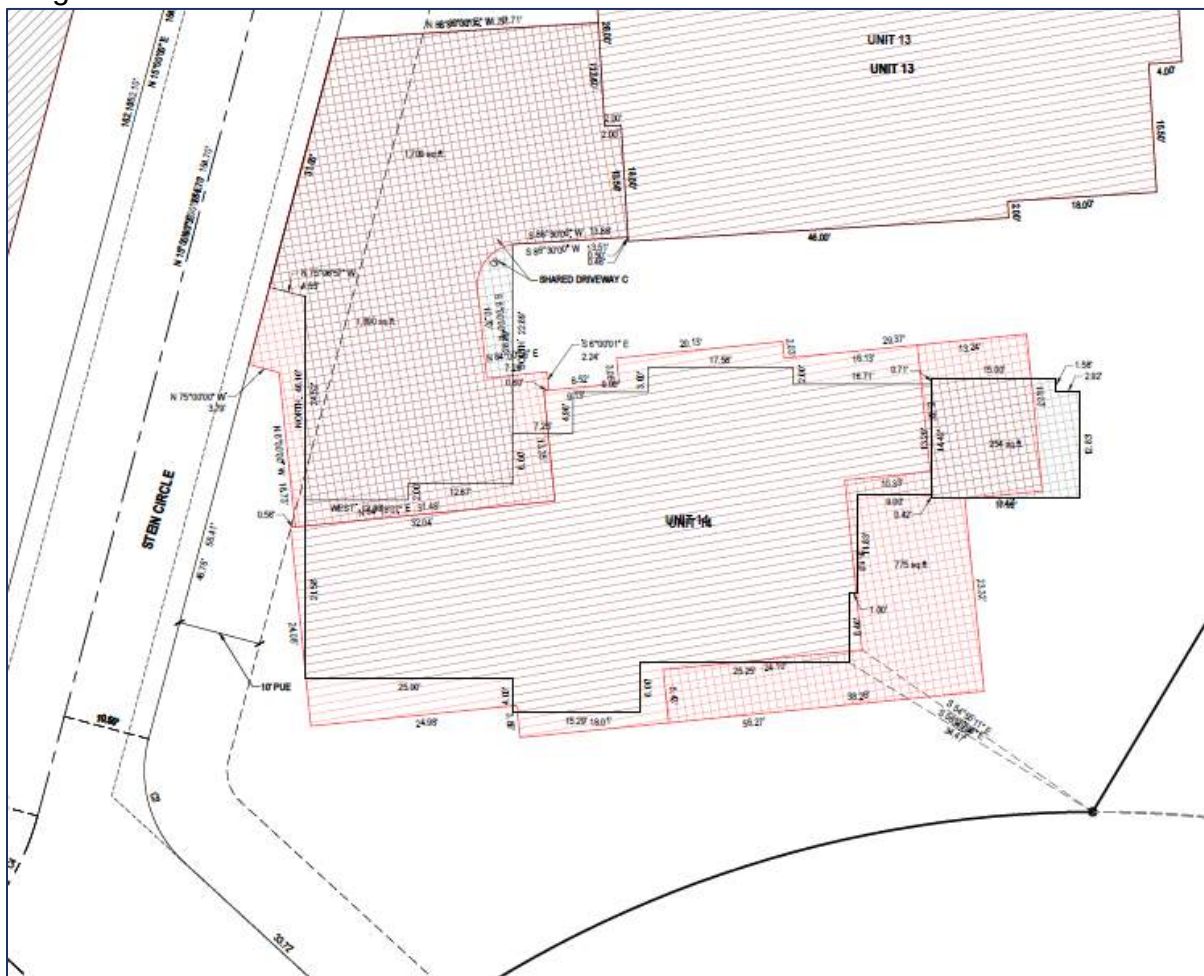
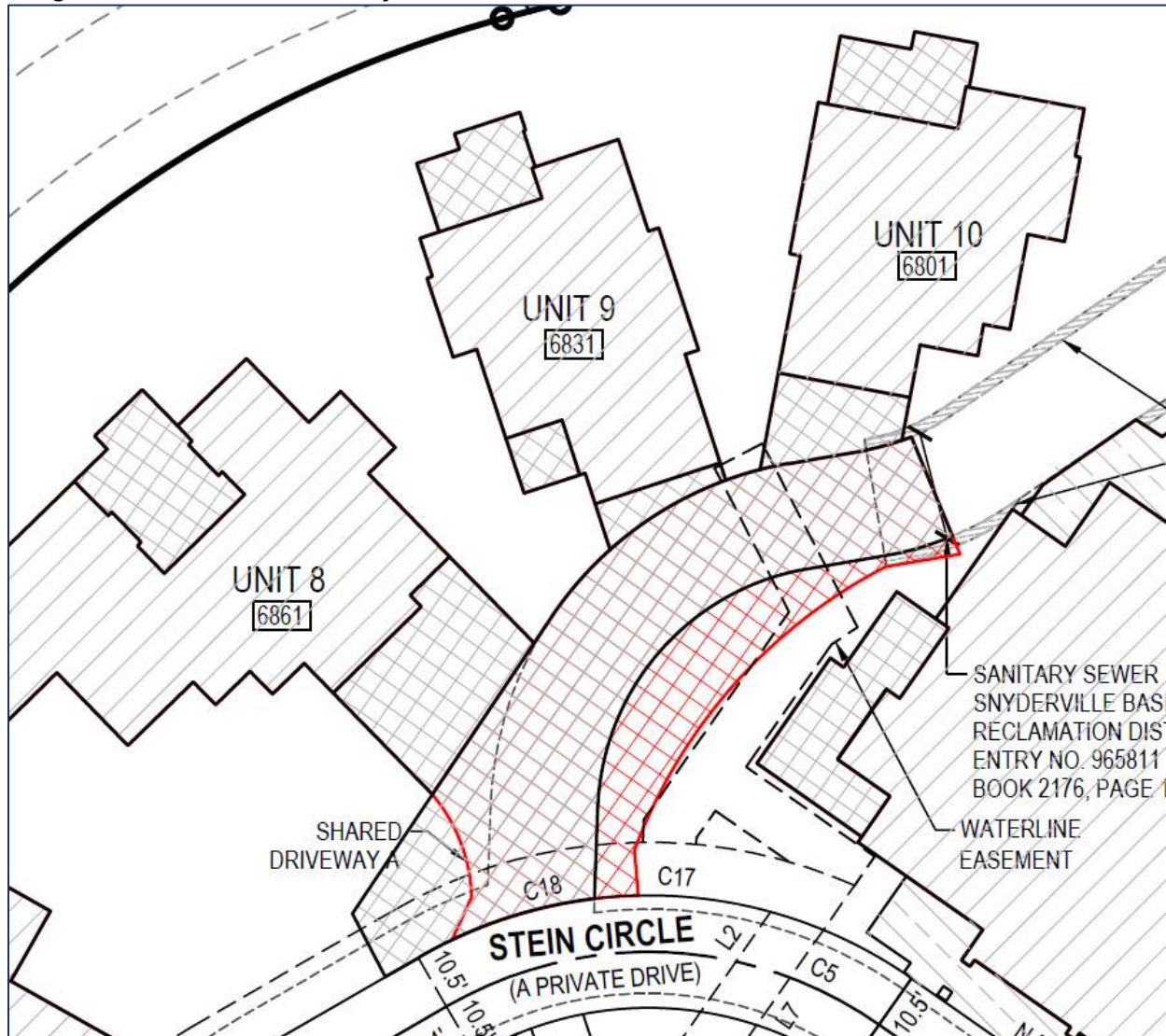


Diagram 2 - Shared Driveway A Amendment:



There are no physical changes associated with this application. No exterior changes are proposed with this Condominium Plat Amendment. A condominium is not use, but a type of ownership. The proposed Condominium Plat Amendment adjusts the platted condominium unit #14 private, common, limited common areas and the common. The net impact of these changes is a decrease of 37 square feet in the private area of Unit 14. The proposed Condominium Plat Amendment also adjusts the common and limited common area of Shared Driveway A adjacent to Unit 8, 9, 10.

The proposed Condominium Plat Amendment is consistent with the 2010 approved Conditional Use Permit containing 54 units. The original Conditional Use Permit does not have to be re-reviewed as the proposal complies with the approved Conditional Use Permit. The density of 54 units still remains the same as the Deer Valley Master Planned Development allocated a specific maximum number of units at North Silver

Lake. The proposed Condominium Plat Amendments does not affect parking and open space. Staff finds that there is good cause for this Condominium Plat Amendment as it complies with applicable codes and accurately records the constructed unit and driveway.

Process

The approval of this Condominium Plat Amendment application by the City Council constitutes Final Action that may be appealed following the procedures found in [Land Management Code § 15-1-18 Review Procedure Under The Code](#).

Department Review

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

Notice

On November 28, 2018, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record and the Utah Public Notice website on November 24, 2018.

Public Input

No public input has been received by the time of this report.

Alternatives

- The Planning Commission may forward a positive recommendation to the City Council for the proposed Condominium Plat Amendment, as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council for the proposed Condominium Plat Amendment, and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on the proposed Condominium Plat Amendment, and request additional information or analysis in order to make a recommendation.

Significant Impacts

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

Consequences of Not Taking Recommended Action

The units would continue to be platted as is which would not match what was built.

Summary Recommendations

Staff recommends the Planning Commission review and hold a public hearing for the North Silver Lake Amended and Restated Condominium Plat 2nd Amendment and consider forwarding a positive recommendation to the City Council based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Exhibits

Exhibit A – Draft Ordinance

Attachment 1 – Proposed Condominium Plat Amendment (Redline Version)

Exhibit B – Applicant's Project description

Exhibit C – Aerial Photograph

Exhibit D – Unit 14 Site Photograph

Exhibit E – Shared Driveway Site Photograph

Exhibit F – Proposed Declarations

Exhibit A – Draft Ordinance

Ordinance No. 19-XX

AN ORDINANCE APPROVING THE NORTH SILVER LAKE AMENDED AND RESTATED CONDOMINIUM PLAT 2ND AMENDMENT, LOCATED AT 7101 SILVER LAKE DRIVE, PARK CITY, UTAH.

WHEREAS, the property owners of the property located at 7101 Silver Lake Drive have petitioned the City Council for approval of the Condominium Plat Amendment; and

WHEREAS, on November 24, 2018, proper legal notice was published according to requirements of the Land Management Code; and

WHEREAS, on November 28, 2018, the site was properly noticed and posted according to the requirements of the Land Management Code; and courtesy letters were sent to surrounding property owners; and

WHEREAS, the Planning Commission held a public hearing on December 12, 2018, to receive input on Condominium Plat Amendment; and

WHEREAS, the Planning Commission on December 12, 2018, forwarded a recommendation to the City Council; and,

WHEREAS, on January 8, 2019, the City Council held a public hearing to receive input on the Condominium Plat Amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the North Silver Lake Amended and Restated Condominium Plat 2nd Amendment, located at 7101 Silver Lake Drive.

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

SECTION 1. APPROVAL. The North Silver Lake Amended and Restated Condominium Plat 2nd Amendment as shown in Attachment 1 is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The North Silver Lake, also known as Stein Erickson Residences, is located at 7101 Silver Lake Drive.
2. The site is within the Residential Development District and the Deer Valley Master Planned Development.
3. The current development consists of eleven (11) single-family dwellings, two (2) duplex dwellings, thirty-nine (39) residential units within the multi-unit buildings, three

- (3) support commercial units, and corresponding common and limited areas and facilities.
4. The proposed Condominium Plat Amendment modifies Unit 14 and Shared Driveway A, adjacent to Unit 8, 9, and 10 to accurately reflect what has been constructed.
 5. A condominium is not use, but a type of ownership.
 6. The proposed Condominium Plat Amendment adjusts the platted condominium unit #14 private, common, limited common areas and the common.
 7. The net impact of these changes is a decrease of 37 square feet in the private area of Unit 14.
 8. The proposed Condominium Plat Amendment also adjusts the common and limited common area of Shared Driveway A adjacent to Unit 8, 9, 10.
 9. The proposed Condominium Plat Amendment is consistent with the 2010 approved Conditional Use Permit containing 54 units.
 10. The original Conditional Use Permit does not have to be re-reviewed as the proposal complies with the approved Conditional Use Permit.
 11. The density of 54 units still remains the same as the Deer Valley Master Planned Development allocated a specific maximum number of units at North Silver Lake.
 12. The proposed Condominium Plat Amendments does not affect parking and open space.
 13. There is good cause for this Condominium Plat Amendment as it complies with applicable codes and accurately records the constructed unit and driveway.

Conclusions of Law:

1. There is good cause for this Condominium Plat Amendment.
1. The Condominium Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding Condominium Plat Amendments.
2. Neither the public nor any person will be materially injured by the proposed Condominium Plat Amendment.
3. Approval of the Condominium Plat Amendment, 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 Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant shall record the Plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. All conditions of approval of the Conditional Use Permit and the Condominium Plat Ordinance No. 14-19 shall continue to apply.

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

PASSED AND ADOPTED this 8th day of January, 2019.

PARK CITY MUNICIPAL CORPORATION

Andy Beerman, MAYOR

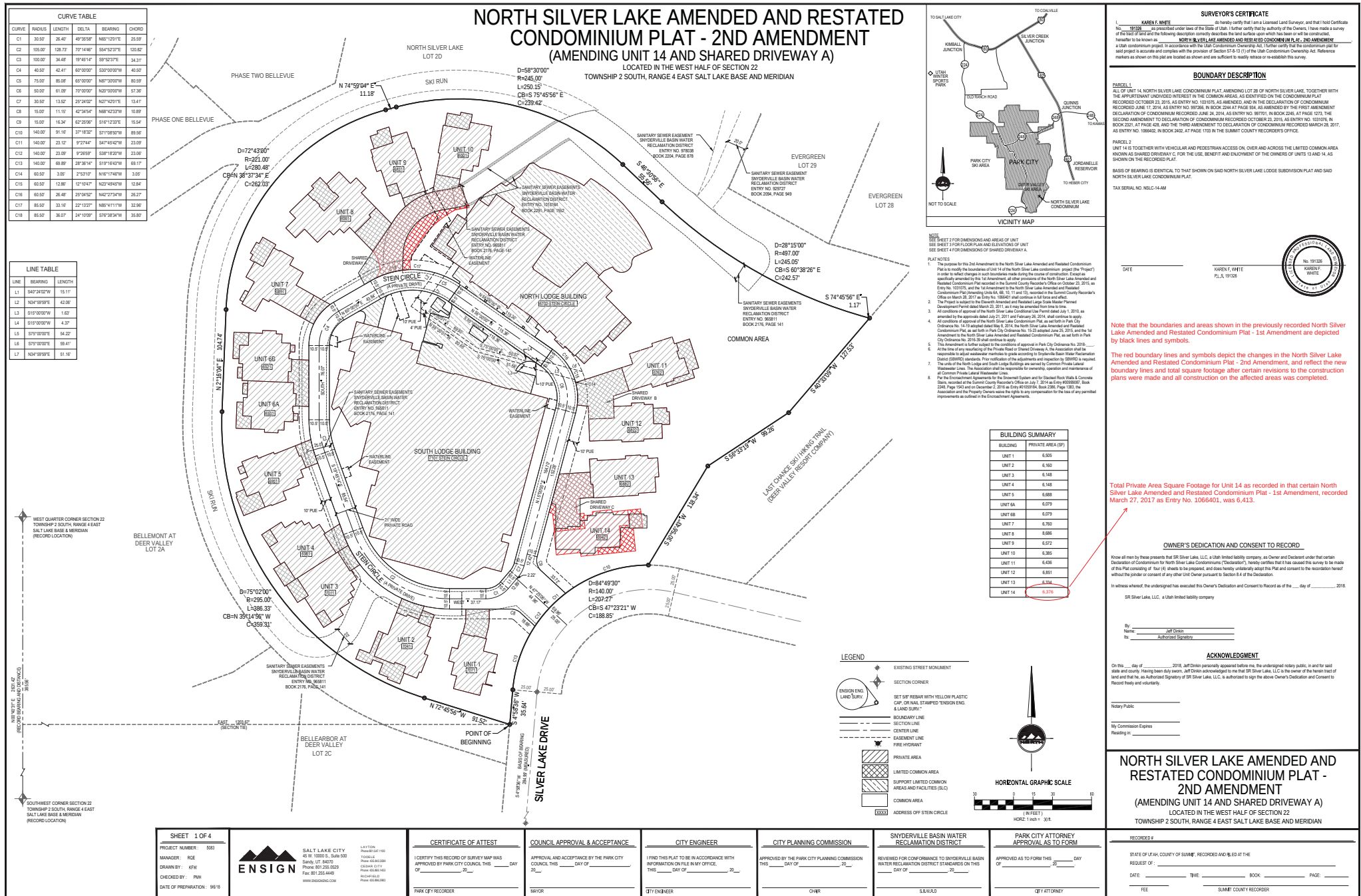
ATTEST:

Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

Attachment 1 – Proposed Condominium Plat Amendment (Redline Version)



NORTH SILVER LAKE AMENDED AND RESTATED
CONDOMINIUM PLAT - 2ND AMENDMENT
(AMENDING UNIT 14 AND SHARED DRIVEWAY A)
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	146.80'	23.12'	9°22'44"	S47°48'47"W	23.85'
C2	146.80'	23.85'	9°22'44"	S38°10'27"W	20.85'
C3	16.80'	16.80'	88°12'23"W	N88°12'23"E	16.58'
C4	36.80'	13.85'	25°24'52"	N27°42'01"E	13.41'
C5	20.00'	17.21'	48°33'55"	N65°12'01"E	16.75'
C6	20.00'	8.87'	25°24'52"	N27°42'01"E	8.75'
C7	15.80'	15.36'	62°20'00"	S16°12'33"E	15.56'
C8	5.80'	8.07'	90°30'00"	S40°10'00"W	7.22'

Please note that Units 12 and 13 are not modified on the amended plat. They appear with red lines and symbols herein due to the limitations of the redlining technology.

LEGEND

- EXISTING STREET MONUMENT
- SECTION CORNER
- SECTION LINE
- BOUNDARY LINE
- CENTER LINE
- EASEMENT LINE
- PRIVATE HYDRANT
- PRIVATE AREA
- LIMITED COMMON AREA
- COMMON AREA

HORIZONTAL GRAPHIC SCALE

10 0 5 10 15

IN FEET

HORIZ: 1 inch = 10 ft.

NORTH SILVER LAKE AMENDED AND RESTATED
CONDOMINIUM PLAT - 2ND AMENDMENT
(AMENDING UNIT 14 AND SHARED DRIVEWAY A)
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

SHEET 2 OF 4

PROJECT NUMBER: 0003

MANAGER: RGE

DRAWN BY: KFW

CHECKED BY: PMH

DATE OF PREPARATION: 10/15/18



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LAYTON
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TOOLBOX
Phone: 801.468.0381
CELEBRITY CITY
Phone: 801.468.0381
RICHFIELD
Phone: 801.468.0381

RECORDED # _____

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE _____

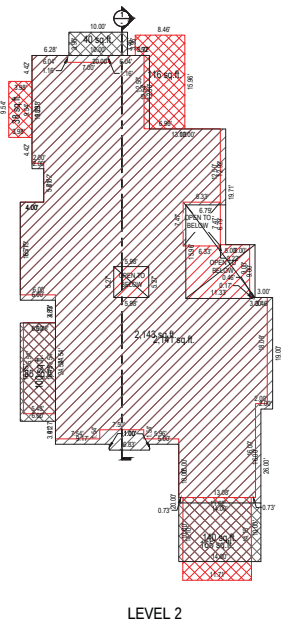
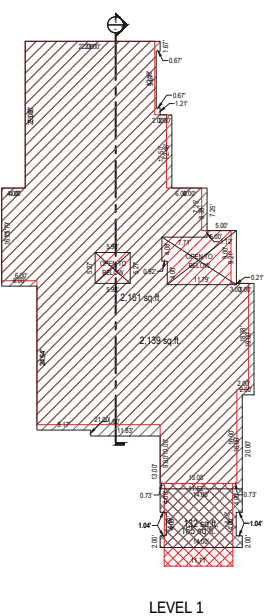
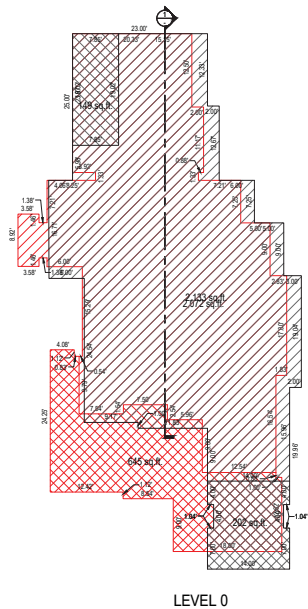
REQUEST OF: _____

DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

FEE: _____ SUMMIT COUNTY RECORDER

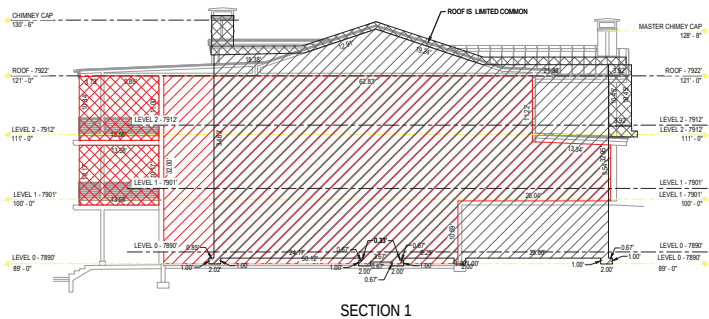
NORTH SILVER LAKE AMENDED AND RESTATED
CONDOMINIUM PLAT - 2ND AMENDMENT
(AMENDING UNIT 14 AND SHARED DRIVEWAY A)

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



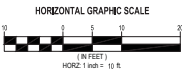
LEGEND

- HOME CONDOMINIUM UNIT
- LIMITED COMMON AREAS AND FACILITIES
- COMMON AREAS AND FACILITIES



NORTH SILVER LAKE AMENDED AND RESTATED
CONDOMINIUM PLAT - 2ND AMENDMENT
(AMENDING UNIT 14 AND SHARED DRIVEWAY A)
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

UNIT 14



SHEET 3 OF 4
PROJECT NUMBER: 593
MANAGER: RDE
DRAWN BY: KFW
CHECKED BY: PWH
DATE OF PREPARATION: 10/15/18

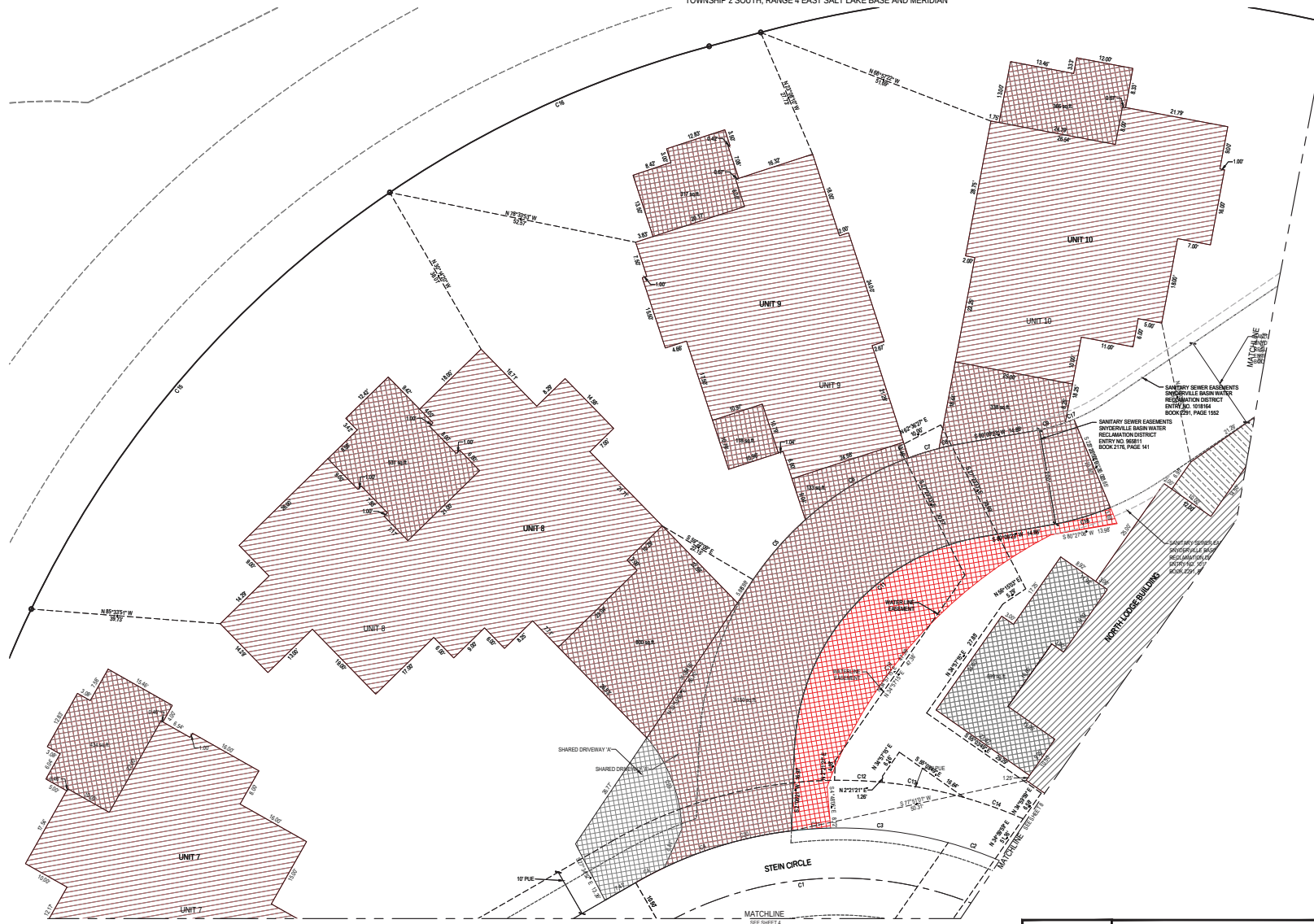


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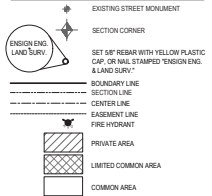
RECORDED # _____
STATE OF UTAH, COUNTY OF SUMMIT, RECORDERS AND FILED AT THE
REQUEST OF: _____
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____
FEE: _____ SUMMIT COUNTY RECORDER

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	75.00	85.08	63°00'00"	N8°00'00"E	80.49
C2	85.00	104.11	63°04'30"	N8°10'00"E	101.51
C3	85.00	33.16	22°12'00"	N88°41'11"E	33.96
C4	85.00	36.02	22°12'00"	N88°41'11"E	36.86
C5	67.02	16.71	14°11'30"	S41°03'57"E	16.27
C6	67.02	26.36	21°49'00"	S41°03'57"E	25.63
C7	67.02	6.88	9°24'00"	S41°03'57"E	6.68
C8	67.02	47.02	21°49'00"	S41°03'57"E	45.54
C9	40.00	5.84	2°00'00"	S72°16'00"E	5.84
C10	47.02	64.04	78°04'00"	S41°07'22"E	66.32
C12	95.00	10.00	0°00'00"	N8°00'00"E	10.00
C13	95.00	17.64	10°03'00"	N9°23'12"E	17.62
C14	95.00	13.11	7°51'00"	N9°23'12"E	13.12
C15	221.00	280.48	72°40'00"	S30°37'34"E	262.03
C16	221.00	280.48	72°40'00"	S30°37'34"E	262.03
C17	40.00	1.95	2°47'44"	N88°57'32"E	1.95
C18	95.00	12.25	41°41'00"	N1°59'13"E	12.04
C19	85.00	2.72	18°59'30"	S72°52'47"E	2.72
C20	85.00	8.20	37°03'30"	S72°52'47"E	8.20

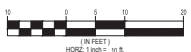
LEGEND



Please note that Units 7-10 are not modified on the amendmend plat. They appear with red lines and symbols herein due to the limitations of the redlining technology.



HORIZONTAL GRAPHIC SCALE



(AMENDING UNIT 14 AND SHARED DRIVEWAY A)

LOCATED IN THE WEST HALF OF SECTION 22
T1P 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

RECORDED # _____

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE
REQUEST OF : _____

DATE _____ TIME _____ BOOK _____ PAGE _____

FEE _____ SUMMIT COUNTY RECORDER

SHEET 4 OF 4

PROJECT NUMBER : 5083
MANAGER : RQE
DRAWN BY : KFW
CHECKED BY : PMH
DATE OF PREPARATION : 10/1



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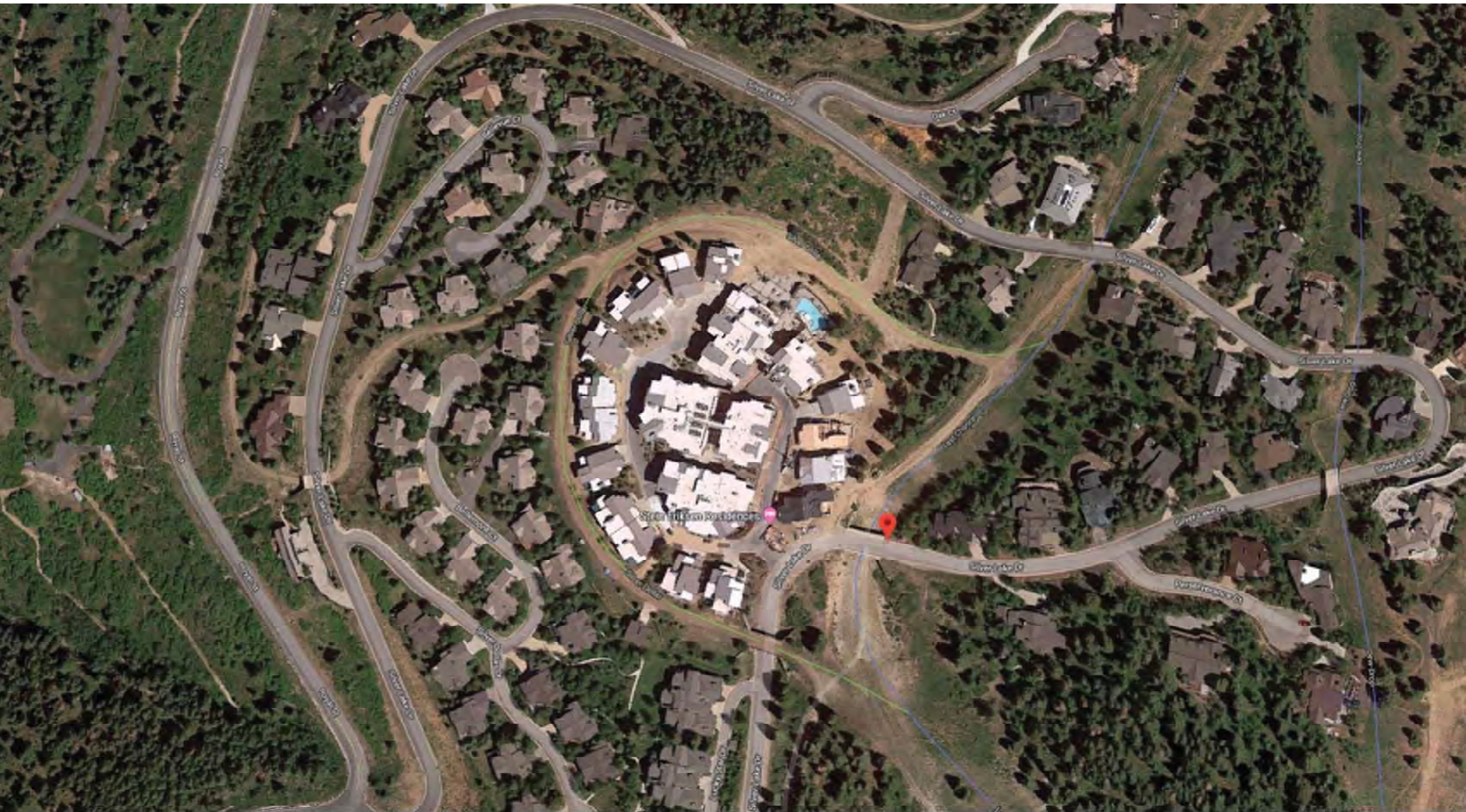
PROJECT AND PLAT DESCRIPTION

North Silver Lake Condominiums

This is an application for the approval of an amendment to the North Silver Lake Amended and Restated Condominium Plat – 1st Amendment, recorded on March 28, 2017, as Entry No. 1066401 in the Office of the Summit County Recorder.

The plat amendment would slightly modify Unit 14 and Shared Driveway A (“Modified Areas”) to accurately reflect the Modified Areas as constructed. The amendment is required because approved building plans for the Modified Areas, have been modified during the course of sales and construction. The net impact of these changes is a decrease of thirty-seven (37) square feet in the area of Unit 14.

The Declarant is the owner of Unit 14. No other units are being modified with this Amendment.







WHEN RECORDED, MAIL TO:

Thomas G. Bennett
Ballard Spahr LLP
201 So. Main, Suite 800
Salt Lake City, UT 84111-2221

**FOURTH AMENDMENT TO
DECLARATION OF CONDOMINIUM
FOR
NORTH SILVER LAKE**

THIS FOURTH AMENDMENT TO DECLARATION OF CONDOMINIUM FOR NORTH SILVER LAKE (“**Amendment**”), is made as of this ____ day of _____, 2018, by SR SILVER LAKE, LLC, a Utah limited liability company (“**Declarant**”).

RECITALS:

A. SR Silver Lake, LLC is the Declarant under that certain Declaration of Condominium for North Silver Lake recorded June 17, 2014 as Entry Number 997266 in Book 2244 at Page 934 of the Official Records of the Summit County Recorder, as amended by that certain First Amendment to Declaration of Condominium for North Silver lake recorded June 24, 2014 as Entry Number 997701 in Book 2245 at Page 1273, as further amended by that Second Amendment to Declaration of Condominium for North Silver Lake recorded October 23, 2015 as Entry Number 1031076 in Book 2321 at Page 428, and the Third Amendment to Declaration of Condominium for North Silver Lake recorded March 28, 2017 as Entry Number 1066402 in Book 2402 at Page 1703 of the Official Records of the Summit County Recorder (“**Declaration**”) that encumbers the real property situated in Summit County, Utah as more particularly described in Exhibit “A” attached hereto and incorporated herein by this reference.

B. Section 26.2 of the Declaration permits the Declarant to unilaterally amend Exhibit B to the Declaration to reflect the total square footages of each Unit after the Units have been constructed and permits Declarant to unilaterally amend the Declaration during the Declarant Control Period for any other purpose so long as such amendment does not materially adversely affect title to any property.

C. Declarant has made certain revisions to the construction plans during the course of sales and construction of Unit14, resulting in changes to the Square Footage of Unit 14.

D. Declarant now desires to amend Exhibit B to the Declaration to reflect the as-built Square Footage of certain Units that have been constructed and to revise the projected Square Footage of other Units. Concurrently with this Amendment, Declarant is recording an amendment to the Plat to reflect the as built and projected Square Footage and boundaries of the affected Units.

AGREEMENT:

NOW, THEREFORE, Declarant hereby declares as follows:

1. Incorporation of Recitals and Definitions. The foregoing Recitals are true and correct and are incorporated herein as fully set forth hereinafter. Capitalized terms in this Amendment, unless otherwise defined herein, shall have the meaning given to them in the Declaration.
2. Replacement of Exhibit B. Exhibit B to the Declaration is hereby amended and restated in its entirety and replaced with Exhibit B attached hereto, which exhibit is incorporated herein by reference.
3. Declaration Remains in Effect. This Amendment shall be considered supplemental to the Declaration. Except as expressly amended by the foregoing, the Declaration shall remain in full force and effect and shall not be cancelled, suspended or otherwise abrogated by the recording of this Amendment. In the event of a conflict or inconsistency between the terms of this Amendment and the provisions of the Declaration, the provisions of this Amendment shall control.
4. Declarant Rights. Declarant shall retain all rights of Declarant as set forth in the Declaration, and this Amendment shall neither amend nor abrogate such rights.
5. Authority. Declarant hereby certifies that Declarant may execute this Amendment without the signature of any other party pursuant to its rights under Section 26.2 of the Declaration.

[Signatures on Following Page]

IN WITNESS WHEREOF, the undersigned has executed this Third Amendment to Declaration of Condominium for North Silver Lake as of the date first set forth above.

SR SILVER LAKE, LLC, a Utah limited liability company

By: _____
Jeffrey Dinkin, Executive Director

STATE OF _____)
: ss.
COUNTY OF _____)

On this _____ day of _____, _____, before me _____, a notary public, personally appeared Jeffrey Dinkin, the Executive Director of SR Silver Lake, LLC, a Utah limited liability company, proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged before me that he executed the same in his authorized capacity and that by his signature on the instrument, SR Silver Lake, LLC executed the instruction.

I certify under penalty of perjury under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.

NOTARY PUBLIC

EXHIBIT A

DESCRIPTION OF THE PROPERTY

All of the property included within the North Silver Lake Condominium Plat, according to the official plat thereof, recorded June 17, 2014 as Entry No. 997265 of the official records in the Office of the Summit County Recorder, which includes all of the following described property:

All of Lot 2B, Subdivision of Lot 2, North Silver Lake Subdivision, according to the official plat thereof, recorded September 18, 1997 as Entry No. 487578 of the official records in the Office of the Summit County Recorder.

Basis of Bearing is identical to that shown on said North Silver Lake Lodge Subdivision Plat and said North Silver Lake Condominium Plat.

EXHIBIT B**SCHEDULE OF UNITS, SQUARE FOOTAGE,
VOTES AND UNDIVIDED INTERESTS**

Unit Identifying Number	Approx. Sq. Footage of Unit ¹	No. of Votes Per Unit	Undivided Interest Per Unit ²
131	4,137	17	1.75%
132	4,630	20	1.96%
231	4,149	18	1.75%
233	3,655	15	1.54%
311	2,544	11	1.08%
312	2,181	9	0.92%
331	3,965	17	1.68%
332	3,503	15	1.48%
333	3,651	15	1.54%
334	2,445	10	1.03%
341	1,997	8	0.84%
343	2,068	9	0.87%
411	2,541	11	1.07%
412	2,176	9	0.92%
413	4,333	18	1.83%
414	4,439	19	1.88%
421	4,579	19	1.94%
422	4,510	19	1.91%
431	4,761	20	2.01%
432	3,950	17	1.67%
433	2,993	13	1.27%
441	2,006	8	0.85%
442	2,008	8	0.85%
444	4,408	19	1.86%
511	2,702	11	1.14%
512	3,756	16	1.59%
521	4,704	20	1.99%
532	4,922	21	2.08%
541	1,999	8	0.84%
542	1,998	8	0.84%
543	4,064	17	1.72%
611	2,701	11	1.14%

Exhibit F – Proposed Declarations

Unit Identifying Number	Approx. Sq. Footage of Unit ¹	No. of Votes Per Unit	Undivided Interest Per Unit ²
612	3,733	16	1.58%
613	4,443	19	1.88%
621	4,704	20	1.99%
641	2,006	8	0.85%
642	2,000	8	0.85%
643	2,070	9	0.87%
644	4,417	19	1.87%
C-1	817	3	0.35%
C-2	909	4	0.38%
C-3	3,218	14	1.36%
SU-1	1,915	8	0.81%
1	6,505	27	2.75%
2	6,160	26	2.60%
3	6,148	26	2.60%
4	6,148	26	2.60%
5	6,688	28	2.83%
6A	6,079	26	2.58%
6B	6,079	26	2.58%
7	6,760	29	2.86%
8	8,686	37	3.67%
9	6,572	28	2.78%
10	6,385	26	2.65%
11	6,436	27	2.72%
12	6,851	29	2.90%
13	6,334	26	2.67%
14	6,376	27	2.69%
Totals:	236,914	1,000	100.00%

¹ Once the Units are completed, the Declarant has the unilateral right, but not the obligation to amend this Exhibit B to reflect the actual Square Footage of the Units, as constructed.

² May total slightly more or less than 100% due to rounding.

Planning Commission Staff Report

Subject: 510 Ontario Avenue Plat Amendment &
Roundabout Condominiums First Amendment
Author: Francisco Astorga, AICP, Senior Planner
Project Number: PL-16-03410
Date: 12 December 2018
Type of Item: Legislative – Plat Amendment

Recommendation

Staff recommends the Planning Commission review and hold a public hearing for 510 Ontario Avenue Plat Amendment, located at 510 Ontario Avenue, and the Roundabout Condominiums First Amendment, located at 300 Deer Valley Drive, and consider forwarding a positive recommendation to the City Council based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinances.

Proposals

Plat Amendment request for 510 Ontario Avenue to consolidate two (2) metes and bounds parcels plus a portion of Roundabout Condominiums common space into one (1) larger lot of record consisting of 7,646 square feet.

Condominium Plat Amendment at Roundabout Condominium at 300 Deer Valley Drive to correct an illegal subdivision in which the common space portion was deeded to the adjacent property (510 Ontario Avenue) owner without City approval.

Description

Applicant: Eliot Realty LLC, Ron Dichter (510 Ontario Avenue) and Roundabout LLC & Roundabout Condominiums Home Owners' Association, Blake Henderson (300 Deer Valley Drive) represented by Greg Ross
Location: 510 Ontario Avenue / 300 Deer Valley Drive
Zoning: Residential District
Adjacent Land Uses: Residential
Reason for Review: Plat Amendments require Planning Commission review and City Council review and action

Background

On September 13, 2018, a complete application was submitted to the City requesting the 510 Ontario Avenue Plat Amendment and the Roundabout Condominiums (Plat) First Amendment. On October 4, 2016 a special warranty deed was recorded at Summit County from Roundabout LLC to Eliot Realty LLC consisting of 2,731.8 square feet of common space of the Roundabout Condominiums; see Exhibit D – Document Entry 01055140 Special Warranty Deed. Also on October 4, 2016 a quit claim deed was recorded at Summit County from Roundabout Homeowners Association, Inc., to

Eliot Realty LLC consisting of 2,731.8 square feet of common space of the Roundabout Condominiums; see Exhibit E – Document Entry 01055142 Quit Claim Deed. This property transfer of the common area of the Roundabout Condominiums was transferred without any City approvals, which constitutes of an illegal subdivision. The entire area consisting of the proposed Plat Amendment and Condominium Plat Amendment consist of the following parcels:

1. Parcel no. PC-476-B-3

Address: n/a
Size: 723 square feet
Owner: Ron & Diana Dichter
Use: Driveway access for 510 Ontario Avenue single-family dwelling
Proposal: **510 Ontario Ave. Plat Amendment, one (1) lot subdivision plat**

2. Parcel no. PC-476-B-3-A

Address: 510 Ontario Avenue
Size: 4,191 square feet
Owner: Eliot Realty LLC (Ron Dichter, registered agent)
Use: Existing single-family dwelling
Proposal: **510 Ontario Ave. Plat Amendment, one (1) lot subdivision plat**

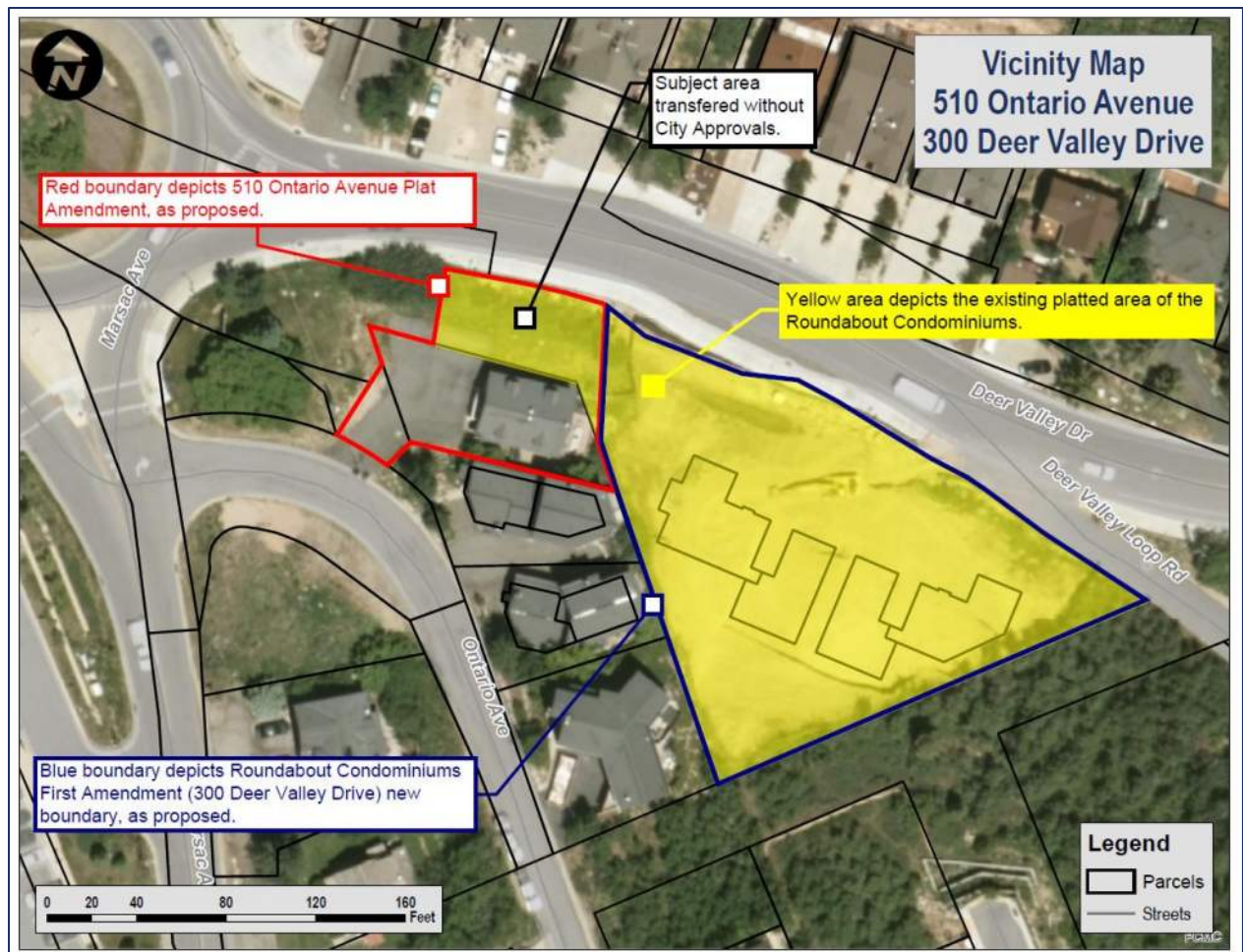
3A. Part of Serial Nos. RNDABTC-A, RNDABTC-B, RNDABTC-C and RNDABTC-D

Address: 300 Deer Valley Drive
Size: 2731.8 square feet
Owner: Eliot Realty LLC (Ron Dichter, registered agent)
Use: Part of Roundabout Condominiums **common space**
Proposal: **510 Ontario Ave. Plat Amendment, one (1) lot subdivision plat**

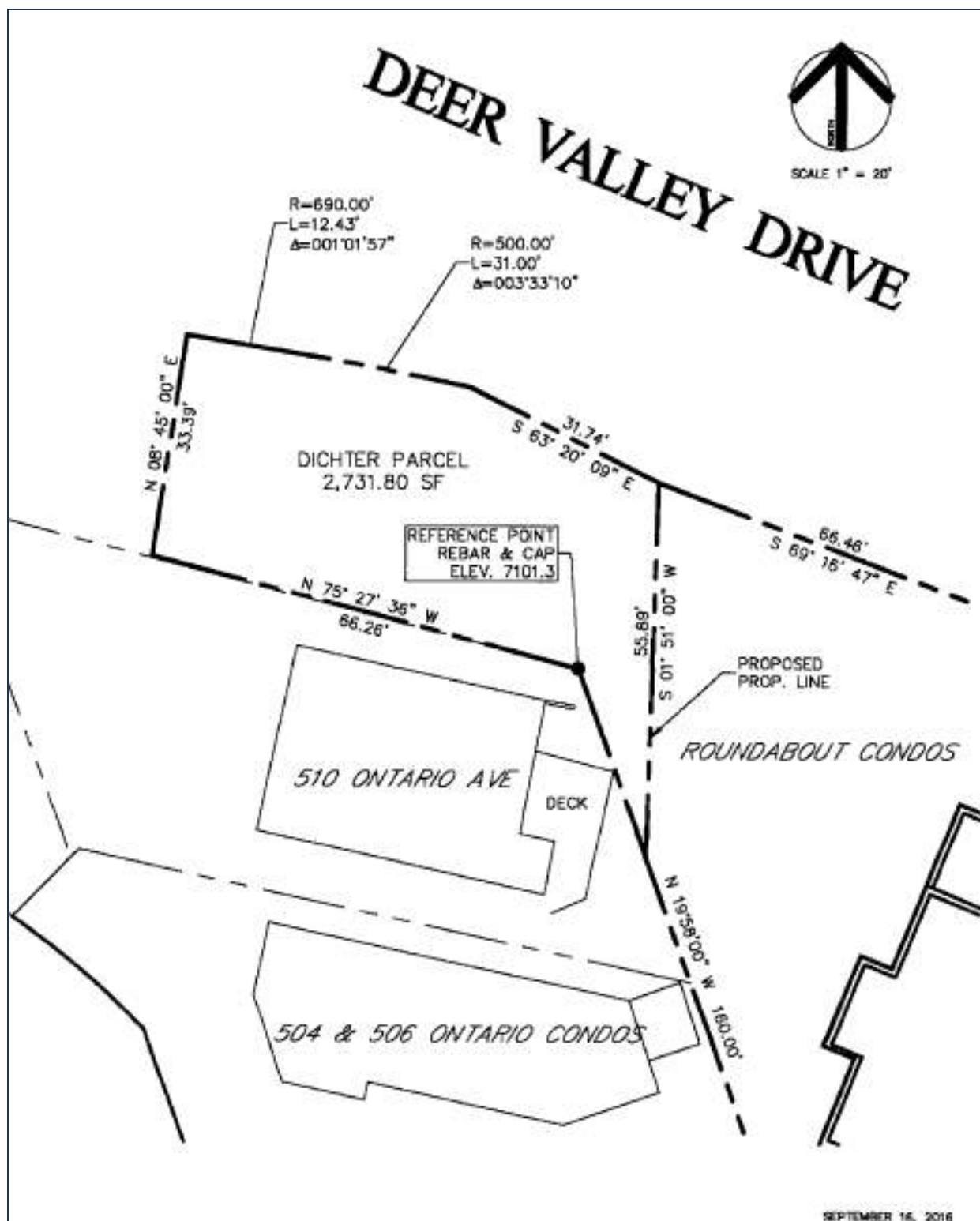
3B. Part of Serial Nos. RNDABTC-A, RNDABTC-B, RNDABTC-C and RNDABTC-D

Address: 300 Deer Valley Drive
Owners: Unit A, B & C - The Roundabout LLC
Unit D - Kurt Campisano and Jenny Lepore
Use: 4 residential units, Roundabout Condominiums
Proposal: **Roundabout About Condominiums First Amendment reflecting the common area transferred over to Eliot Realty LLC (-2,731.8 square feet)**

See Vicinity Map on next page. The area in **yellow** represents the platted Roundabout Condominiums. The boundary in **red** represents the proposed 510 Ontario Avenue Plat Amendment, a one (1) lot subdivision plat (parcels 1, 2 and 3A above). The boundary in **blue** represents the proposed Roundabout Condominiums First amendment updated boundary (parcel 3B above). The area in **yellow** within the **red** boundary (labeled subject area) represents the common space area that was transferred from Roundabout Condominiums to the adjacent property owner on October 4, 2016.



Above, Vicinity Map, created for graphical representation only.



Above, subject area transferred without City approvals, labeled Dichter Parcel.

Purpose

The purpose of the Residential District is found [Land Management Code § 15-2.12-1 Purpose](#).

Analysis – Proposed 510 Ontario Avenue Plat Amendment

The site is located at 510 Ontario Avenue. The site currently consists of an existing single-family dwelling accessed off Ontario Avenue. The site is within the Residential District. The proposed Plat Amendment consists of two (2) metes and bounds parcels (723 and 4,191 square feet each, respectively) plus a portion of Roundabout Condominium Plat common space consisting of 2,731.8 square feet. The proposed Plat Amendment consists of one (1) lot of record 7,646 square feet in size. This proposal does not increase density as there is already a single-family dwelling on site.

The minimum lot area for a single-family dwelling is 2,812 square feet; duplex dwelling is 3,750 square feet; and triplex dwelling is 5,625 square feet. Due to its proximity to Old Town, the applicant has been working with the Planning Dept. for an addition / renovation / remodel to the existing single-family dwelling. Single-family and duplex dwellings are listed as allowed uses, and a triplex dwelling is listed as a conditional use. Based on the proposed addition / renovation / remodel, and given the site's proximity to the Historic District, staff recommends adding a condition of approval that would limit development at 510 Ontario Avenue to one (1) single-family dwelling, as proposed. Staff recommends adding a plat note that would indicate such.

The Residential District requires a minimum front setback of fifteen feet (15'), new front facing garages for single-family and duplex must be at least twenty feet (20'), minimum rear setback of ten feet (10'), and a minimum side setback of five feet (5'). The proposed Plat Amendment, one (1) lot subdivision, meets front, rear, and side setbacks.

As typical on Plat Amendments / Subdivision requests, a ten foot (10') snow storage and non-exclusive public utility easement to extend along Ontario Avenue is to be noted on the Plat. Due to the fact that this proposed lot would now be adjacent to both Ontario Avenue and Deer Valley Drive, as well as having existing vehicular access off Ontario Avenue, staff recommends adding a condition of approval that would restrict access off Deer Valley Drive and maintain its current access off Ontario Avenue. Staff recommends adding a Plat note indicating such. A portion of the proposed lot is located within Flood Zone AO. Staff recommends adding a Plat note indicating such.

Existing Roundabout Condominium Plat has a platted five foot (5') utility easement around the rear and side property lines including the area already transferred. In order to modify the location of the platted five foot (5') utility easement, prior to plat recordation the applicant needs to be responsible of submitting to the Engineering Dept. proof that there are no existing utilities on this easement and a new five foot (5') easement would be required along the side property line adjacent to Roundabout Condominiums. See diagram on next page. Such can be accomplished via condition of approval. If existing utilities are found with the five foot (5') utility easement, the proposed plat amendment will not vacate the utility easement.

Analysis – Proposed Roundabout Condominiums First Amendment

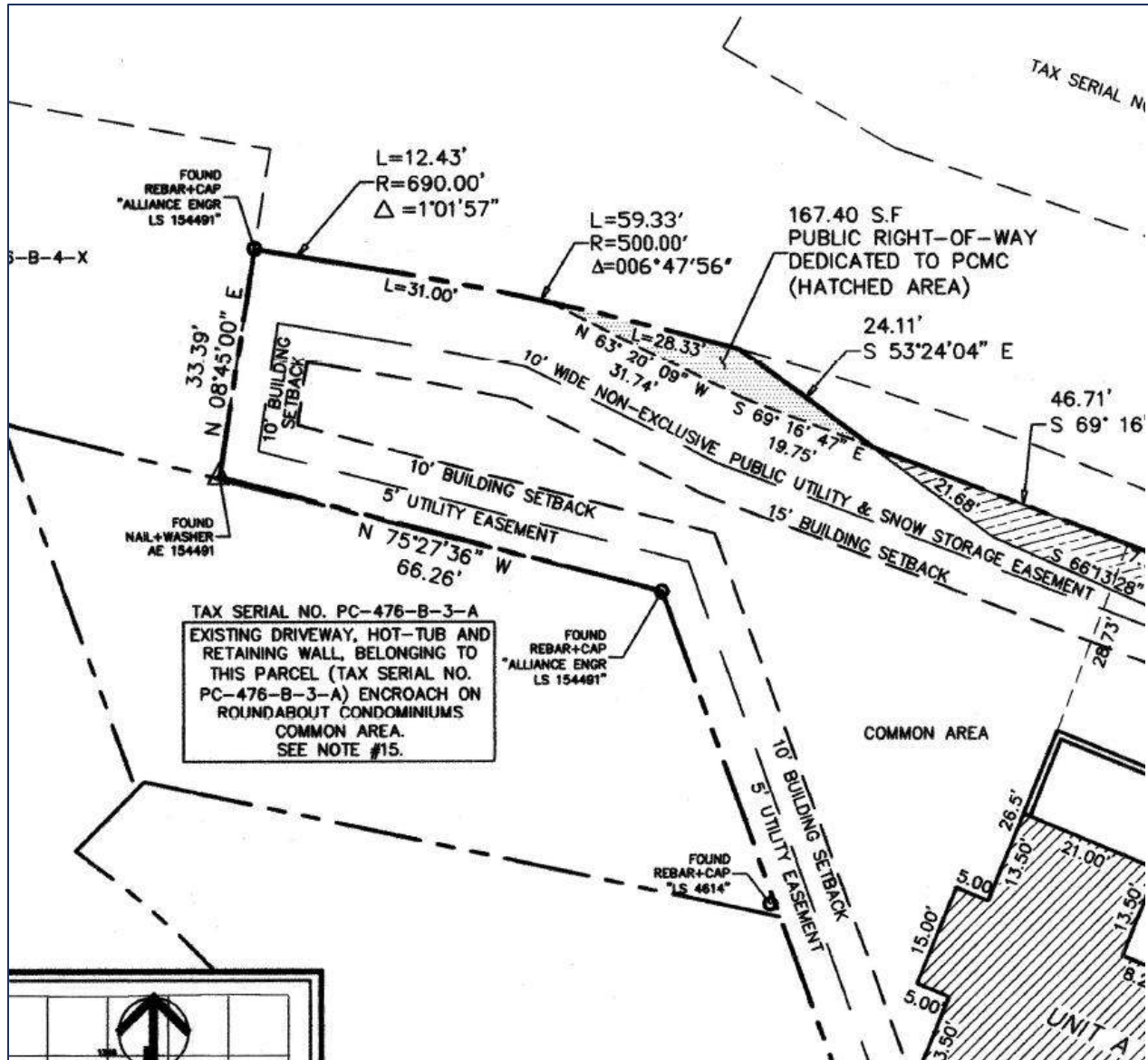
The subject site, Roundabout Condominiums, is located at 300 Deer Valley Drive. Roundabout Condominiums was approved as two (2) condominium buildings, consisting of two (2) units in each building for a total of four (4) units. On June 14, 2007 the City Council approved the Roundabout Subdivision Plat, a two (2) lot Subdivision Plat which was recorded February 21, 2008. In 2014 the site remained unimproved and on May 8, 2014 the City Council approved Ordinance No. 14-21 approving the Roundabout Condominiums Plat, which consisted of four (4) condominium units. On April 23, 2015 the City Council approved Ordinance No. 15-12 amending Ordinance No. 14-21 and approving the Roundabout Condominium Plat, four (4) condominium units. Due to the architect and developer deciding to utilize unexcavated space under the proposed footprint and decrease the limited common deck space to provide more interior private space, the square footage calculations were different and needed to be amended with the correct calculations. Everything else remained the same.

The site is within the Residential District. The proposed Condominium Plat Amendment consists of amending the boundary of the Roundabout Condominiums to reflect negative -2,731.8 square feet of common space that has already been transferred to the adjacent property owner. The proposed Condominium Plat Amendment consists of amending the overall Condominium site to 25,754 square feet. This proposal does not increase density; however, it would enable the construction of a bigger structure at 510 Ontario Avenue, as the Residential District does not regulate maximum house size, building footprint, etc.

The proposed Condominium Plat Amendment does not affect any private units, limited common spaces, parking areas, footprints, etc. The only platted designation of the subject area is **common space**. The existing Plat shows a platted ten foot (10') wide non-exclusive public utility & snow storage easement along Deer Valley Drive, as well as a five foot (5') utility easement along the side and rear property lines. Staff recommends adding a condition of approval that would keep the platted easement along Deer Valley Drive as well as keeping the utility easement along the newly proposed side property line.

Roundabout Condominiums does not have an open space requirement. The development was approved as a Condominium Plat, but a Master Planned Development was not required per the Land Management Code as the project was less than ten (10) units. The only restriction of open space (common area) is the required setbacks.

The proposed Condominium Plat Amendment does not affect the minimum lot area or any of the required minimum setbacks, based on the location of the 2,731.8 square feet of common space already transferred. See platted designation on the next page as well as platted easements.



Above, platted transferred area.

Good Cause

Staff finds good cause for the requested 510 Ontario Avenue Plat Amendment and the Roundabout Condominiums First Amendment as the (2) two proposed Plats meet applicable City codes within the Residential District. The density at 510 Ontario Avenue, one (1) single-family dwelling, and Roundabout Condominiums, four (4) residential units, remains the same.

Process

Approval of these Plat Amendments by the City Council constitutes Final Action that may be appealed following the procedures found in [Land Management Code § 15-1-18 Review Procedure Under the Code](#).

Department Review

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

Notice

On November 28, 2018, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record and the Utah Public Notice Website on November 24, 2018.

Public Input

No public input has been received by the time of this report.

Alternatives

- The Planning Commission may forward a positive recommendation to the City Council for the proposed Plat Amendments, as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council for the proposed Plat Amendments, and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on the proposed Plat Amendments, and request additional information or analysis in order to make a recommendation.

Significant Impacts

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

Consequences of not taking recommended action

The site at 510 Ontario Avenue would continue to be two (2) metes and bound parcels. The Roundabout Condominiums common space consisting of 2,731.8 square feet would not be owned by the Roundabout Condominiums Home Owner's Association. The City would start an enforcement action to remedy this situation.

Recommendation

Staff recommends the Planning Commission review and hold a public hearing for 510 Ontario Avenue Plat Amendment and the Roundabout Condominiums First Amendment, and consider forwarding a positive recommendation to the City Council based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinances.

Exhibits

Exhibit A1 – Draft Ordinance, 510 Ontario Plat Amendment

Attachment 1 – Proposed Plat Amendment

Exhibit A2 – Draft Ordinance, Roundabout Condominiums First Amendment

Attachment 1 – Proposed Condominium Plat Amendment

Exhibit B – Vicinity Map with Proposal (2015 Aerial Photograph)

[created for graphical representation only]

Exhibit C – 510 Ontario Avenue Survey

Exhibit D – Document Entry 01055140 Special Warranty Deed
Exhibit E – Document Entry 01055142 Quit Claim Deed
Exhibit F – Roundabout Condominiums Plat
Exhibit G – Roundabout Homeowners Association Letter
Exhibit H – Ordinance No. 15-12

Exhibit A1 – Draft Ordinance

Ordinance No. 19-XX

AN ORDINANCE APPROVING THE 510 ONTARIO AVENUE PLAT AMENDMENT LOCATED AT 510 ONTARIO AVENUE, PARK CITY, UTAH.

WHEREAS, the property owners of the property located at 510 Ontario Avenue have petitioned the City Council for approval of a Plat Amendment; and

WHEREAS, on November 24, 2018, proper legal notice was published according to requirements of the Land Management Code; and

WHEREAS, on November 28, 2018, the site was properly noticed and posted according to the requirements of the Land Management Code; and courtesy letters were sent to surrounding property owners; and

WHEREAS, the Planning Commission held a public hearing on November 14, 2018, to receive input on the Plat Amendment; and

WHEREAS, the Planning Commission on December 12, 2018, forwarded a recommendation to the City Council; and,

WHEREAS, on December 13, 2018, the City Council held a public hearing to receive input on the Plat Amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the 510 Ontario Avenue Plat Amendment located at 510 Ontario Avenue.

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

SECTION 1. APPROVAL. The 510 Ontario Avenue Plat Amendment as shown in Attachment 1 is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The site is located at 510 Ontario Avenue.
2. The site consists of an existing single-family dwelling accessed off Ontario Avenue.
3. The site is within the Residential District.
4. The proposed Plat Amendment consists of two (2) metes and bounds parcels (723 and 4,191 square feet each, respectively) plus a portion of Roundabout Condominium Plat common space consisting of 2,731.8 square feet.

5. On October 4, 2016 a special warranty deed was recorded at Summit County from Roundabout LLC to Eliot Realty LLC consisting of 2,731.8 square feet of common space of the Roundabout Condominiums.
6. October 4, 2016 a quit claim deed was recorded at Summit County from Roundabout Homeowners Association, Inc., to Eliot Realty LLC consisting of 2,731.8 square feet of open space of the Roundabout Condominiums.
7. The October 4, 2016 property transfer of the 2,731.8 square feet of common area of the Roundabout Condominiums took place without City approvals.
8. The proposed Plat Amendment consists of one (1) lot of record 7,646 square feet in size.
9. This proposal does not increase density as there is already a single-family dwelling.
10. The minimum lot area for a single-family dwelling is 2,812 square feet; duplex dwelling is 3,750 square feet; and triplex dwelling is 5,625 square feet.
11. The applicant has been working with the Planning Dept. for an addition / renovation / remodel to the existing single-family dwelling.
12. Single-family and duplex dwellings are listed as allowed uses, and a triplex dwelling is listed as a conditional use.
13. The Residential District requires a minimum front setback of fifteen feet (15'), new front facing garages for single-family and duplex must be at least twenty feet (20'), a minimum rear setback of ten feet (10'), and a minimum side setback of five feet (5').
14. The proposed Plat Amendment, one (1) lot subdivision, meets front, rear, and side setbacks.

Conclusions of Law:

1. There is good cause for the Plat Amendment.
2. The Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding Plat Amendments.
3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
4. Approval of the Plat Amendment, 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 Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the Plat.
2. The applicant shall record the Plats at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plats will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. A Plat note shall be added to limit one (1) single-family dwelling. No duplexes / triplexes allowed based on its proximity to the Historic District.
4. A ten foot (10') snow storage and non-exclusive public utility easement to extend along Ontario Avenue shall be noted on the Plat.
5. A Plat note shall be added indicating that access to the lot shall be from Ontario Avenue.

6. A Plat note shall be added indicating the portion of the site located within Flood Zone AO.
7. Prior to plat recordation the applicant shall be responsible of submitting to the Engineering Department proof that there are no existing utilities on the five foot (5') utility easement and a new five foot (5') utility easement is required along the side property line. If existing utilities are found with the five foot (5') utility easement, the proposed plat will not vacate the utility easement.
8. Residential fire sprinklers are required for all new construction per requirements of the Chief Building Official, and shall be noted on the Plat.

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

PASSED AND ADOPTED this 13th day of December, 2018.

PARK CITY MUNICIPAL CORPORATION

Andy Beerman, MAYOR

ATTEST:

Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

Exhibit A2 – Draft Ordinance

Ordinance No. 18-XX

AN ORDINANCE AMENDING ORDINANCE NO. 15-12 AND APPROVING THE ROUNABOUT CONDOMINIUMS FIRST AMENDMENT, LOCATED AT 300 DEER VALLEY DRIVE, PARK CITY, UTAH.

WHEREAS, the property owners of the property located at 300 Deer Valley Drive have petitioned the City Council for approval of a Condominium Plat Amendment; and

WHEREAS, on October 31, 2018, proper legal notice was published according to requirements of the Land Management Code; and

WHEREAS, on October 31, 2018, the site was properly noticed and posted according to the requirements of the Land Management Code; and courtesy letters were sent to surrounding property owners; and

WHEREAS, the Planning Commission held a public hearing on December 12, 2018, to receive input on the Plat Amendment; and

WHEREAS, the Planning Commission on December 12, 2018, forwarded a recommendation to the City Council; and,

WHEREAS, on January 8, 2019, the City Council held a public hearing to receive input on the Plat Amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Roundabout Condominiums First Amendment located at 300 Deer Valley Drive.

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

SECTION 1. APPROVAL. The Roundabout Condominiums First Amendment as shown in Attachment 1 is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The subject site, Roundabout Condominiums, is located at 300 Deer Valley Drive.
2. Roundabout Condominiums was approved as two (2) condominium buildings, consisting of two (2) units in each building for a total of four (4) units.
3. On June 14, 2007 the City Council approved the Roundabout Subdivision Plat which was recorded February 21, 2008, a two (2) lot subdivision.

4. In 2014 the site remained unimproved and on May 8, 2014 the City Council approved Ordinance No. 14-21 approving the Roundabout Condominiums Plat, which consisted of four (4) condominium units.
5. On April 23, 2015 the City Council approved Ordinance No. 15-12 amending Ordinance No. 14-21 and approving the Roundabout Condominium Plat, four (4) condominium units.
6. The site is within the Residential District.
7. The proposed Condominium Plat Amendment consists of amending the boundary of the Roundabout Condominiums to reflect 2,731.8 square feet of common space that has already been transferred to the adjacent property owner.
8. On October 4, 2016 a special warranty deed was recorded at Summit County from Roundabout LLC to Eliot Realty LLC consisting of 2,731.8 square feet of common space of the Roundabout Condominiums.
9. October 4, 2016 a quit claim deed was recorded at Summit County from Roundabout Homeowners Association, Inc., to Eliot Realty LLC consisting of 2,731.8 square feet of common space of the Roundabout Condominiums.
10. The October 4, 2016 property transfer of the common area of the Roundabout Condominiums took place without City approvals.
11. The proposed Condominium Plat Amendment consists of amending the overall Condominium site to 25,754 square feet in size.
12. This proposed Condominium Plat Amendment does not increase density.
13. The proposed Condominium Plat Amendment does not affect any private units, limited common spaces, parking areas, footprint, etc.
14. The only platted designation of the 2731.8 square feet area is common space.
15. The existing Condominium Plat shows a platted ten foot (10') wide non-exclusive public utility & snow storage easement along Deer Valley Drive, as well as a five foot (5') utility easement along the side and rear property lines.
16. Roundabout Condominiums does not have an open space requirement.
17. The proposed Condominium Plat Amendment does not affect the minimum lot area or any of the required minimum setbacks based on the location of the 2,731.8 square feet of common space already transferred.

Conclusions of Law:

1. There is good cause for the Condominium Plat Amendment.
2. The Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding Condominium Plat Amendments.
3. Neither the public nor any person will be materially injured by the proposed Condominium Plat Amendment.
4. Approval of the Condominium Plat Amendment, 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 Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.

2. The applicant shall record the Plats at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plats will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. A ten foot (10') snow storage and non-exclusive public utility easement to extend along Deer Valley Drive shall be noted on the Plat.
4. A five foot (5') utility easement shall be noted on the Plat along the side property line.
5. All Conditions of Approval of the Ordinance No. 15-21 shall continue to apply.

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

PASSED AND ADOPTED this 8th day of January, 2019.

PARK CITY MUNICIPAL CORPORATION

Andy Beerman, MAYOR

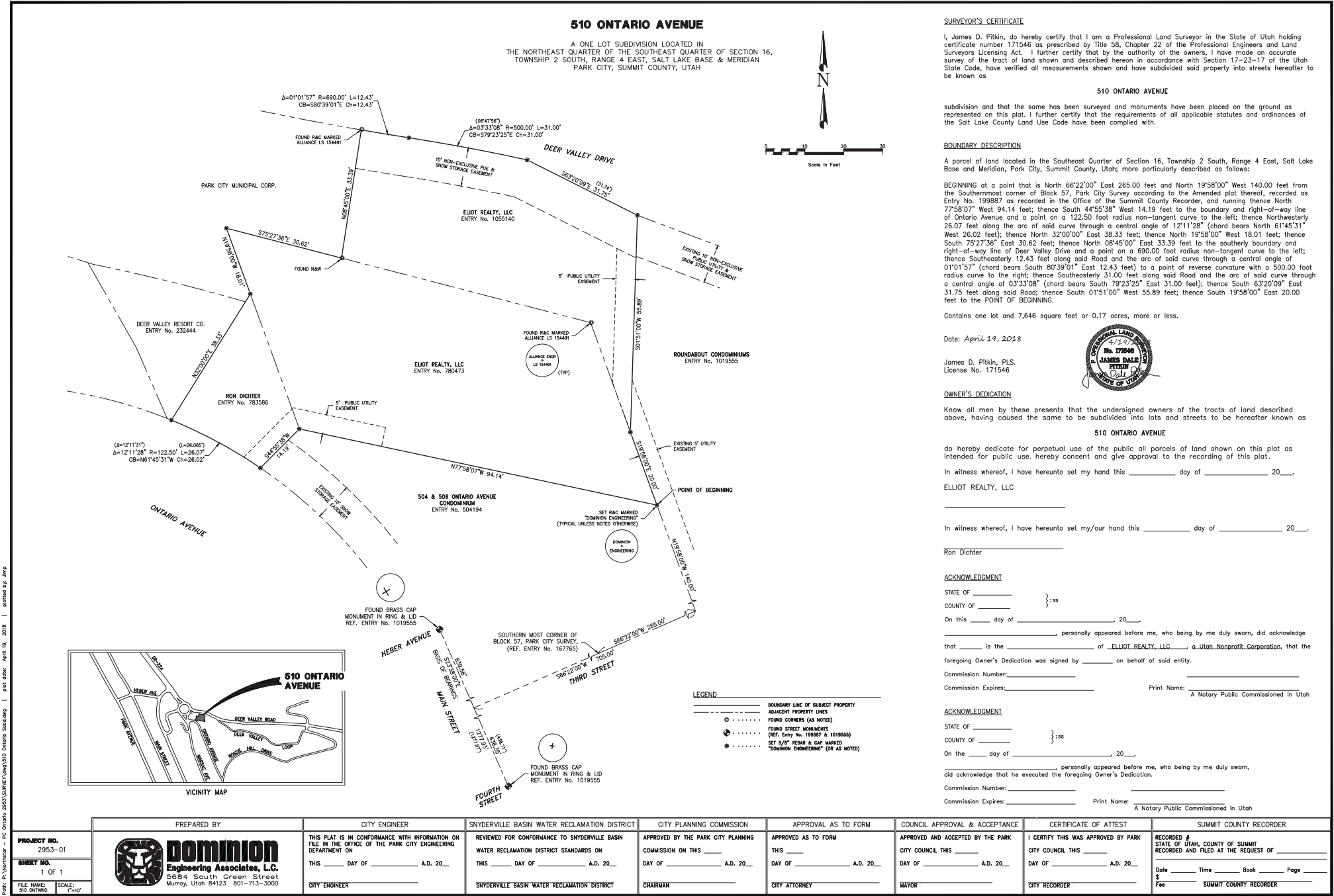
ATTEST:

Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

Exhibit A1 Attachment 1 – 510 Ontario Avenue Plat Amendment

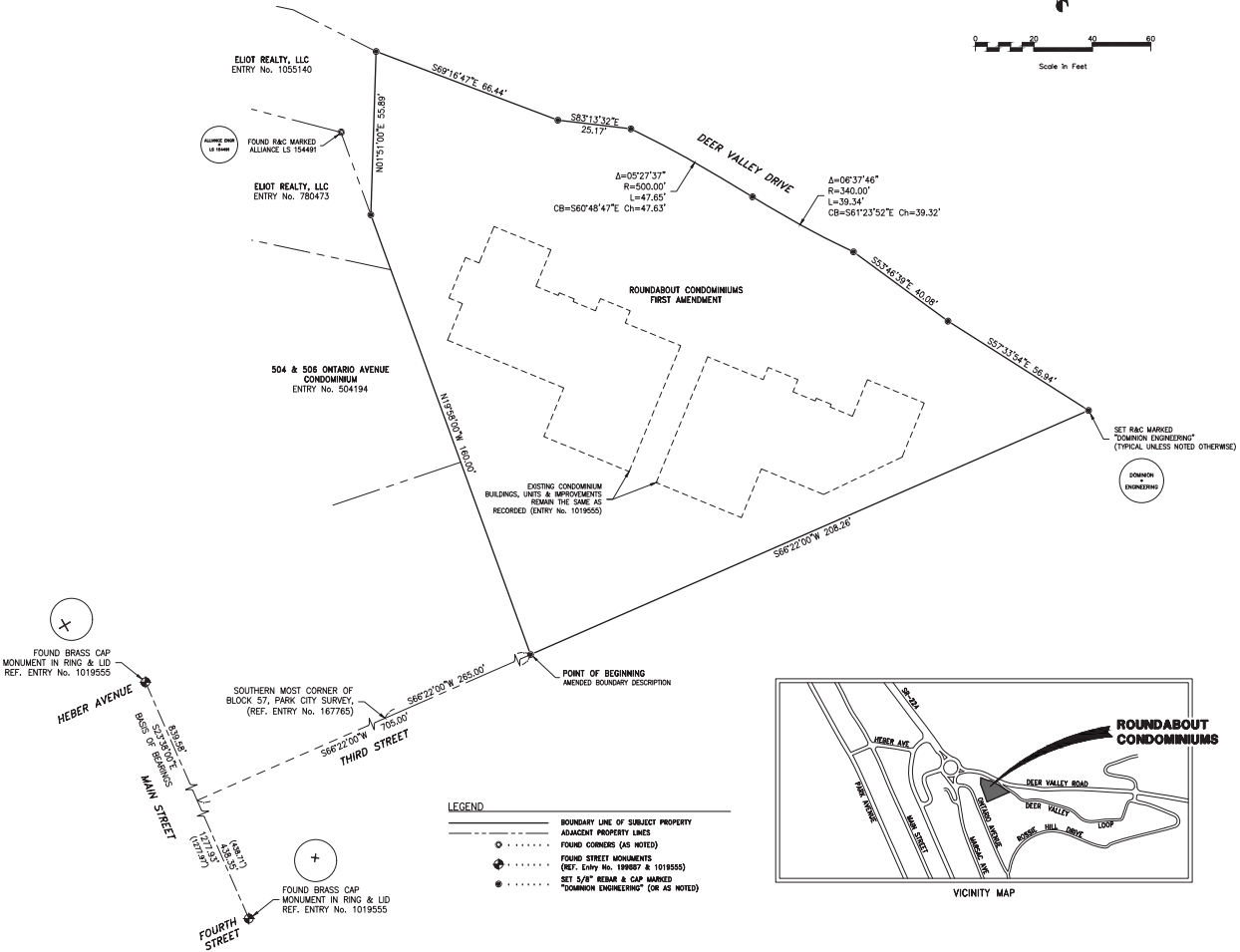
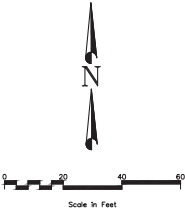


Path: P:\Northstar - PC Orders\2953\SURVEY\Map\510 Ontario Building.dwg | plot date: April 19, 2018 | plotted by: jmp

ROUNABOUT CONDOMINIUMS
FIRST AMENMENT

AN AMENDMENT OF THE BOUNDARY LINE OF THE
ROUNABOUT CONDOMINIUMS
RECORDED AS ENTRY No. 1019555

IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



SURVEYOR'S CERTIFICATE

I, James D. Pitkin, do hereby certify that I am a Professional Land Surveyor in the State of Utah holding certificate number 171546 as prescribed by Title 58, Chapter 22 of the Professional Engineers and Land Surveyors Licensing Act. I further certify that by the authority of the owners, I have made an accurate survey of the tract of land shown and described hereon in accordance with Section 17-23-17 of the Utah State Code, have verified all measurements shown and have amended the boundary hereafter to be known as

ROUNABOUT CONDOMINIUMS FIRST AMENDMENT

and that the same has been surveyed and monuments have been placed on the ground as represented on this plat. I further certify that the requirements of all applicable statutes and ordinances of the Weber County Land Use Code have been complied with.

BOUNDARY DESCRIPTION

A parcel of land located in the Southeast Quarter of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian, Park City, Summit County, Utah; more particularly described as follows:

BEGINNING at a point that is North 66°22'00" East 265.00 feet and North 19°58'00" West 140.00 feet from the Southernmost corner of Block 57, Park City Survey according to the Amended plat thereof, recorded as Entry No. 199887 as recorded in the Office of the Summit County Recorder, and running thence North 19°58'00" West 160.00 feet; thence North 01°51'00" East 55.89 feet to the southerly boundary and right-of-way line of Deer Valley Drive; thence South 69°16'47" East 66.44 feet along said Road; thence South 83°13'32" East 25.17 feet along said Road to a point on a 500.00 foot radius curve to the right; thence Southeasterly 47.65 feet along said Road and the arc of said curve through a central angle of 05°27'37" (chord bears South 60°48'47" East 47.63 feet) to a point of reverse curvature with a 340.00 foot radius curve to the left; thence Southeasterly 39.34 feet along said Road and the arc of said curve through a central angle of 06°37'46" (chord bears South 61°23'52" East 39.32 feet); thence South 53°46'39" East 40.08 feet along said Road; thence South 57°33'54" East 56.94 feet along said road; thence South 66°22'00" West 208.26 feet to the POINT OF BEGINNING.

Contains 25,754 square feet or 0.591 acres, more or less.

Date: April 19, 2018

James D. Pitkin, PLS.
License No. 171546



OWNER'S DEDICATION

ROUNABOUT HOMEOWNERS ASSOCIATION, INC., a Utah Non profit Corporation, the owner or the described tract of land to be hereafter known as ROUNABOUT CONDOMINIUMS FIRST AMENDMENT does hereby consent to the amendment of the boundaries described and shown.

In witness whereof, I have hereunto set my/our hand this ____ day of _____, 20____.

ROUNABOUT HOMEOWNERS ASSOCIATION, INC.

(Signature) _____

(Print Name) _____

(Title) _____

ACKNOWLEDGMENT

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____, 20____.

by _____, the _____ of ROUNABOUT HOMEOWNERS

ASSOCIATION, INC.

A Notary Public Commissioned in _____

My Commission Expires _____

Commission Number _____

Printed Name _____

PROJECT NO. 2953-01	PREPARED BY  Dominion Engineering Associates, L.C. 5684 South Green Street Murray, Utah 84123 801-713-3000	CITY ENGINEER THIS PLAT IS IN CONFORMANCE WITH INFORMATION ON FILE IN THE OFFICE OF THE PARK CITY ENGINEERING DEPARTMENT ON THIS ____ DAY OF ____ A.D. 20__	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS ____ DAY OF ____ A.D. 20__	CITY PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION ON THIS ____ DAY OF ____ A.D. 20__	APPROVAL AS TO FORM APPROVED AS TO FORM THIS ____ DAY OF ____ A.D. 20__	COUNCIL APPROVAL & ACCEPTANCE APPROVED AND ACCEPTED BY THE PARK CITY COUNCIL THIS ____ DAY OF ____ A.D. 20__	CERTIFICATE OF ATTEST I CERTIFY THIS WAS APPROVED BY PARK CITY COUNCIL THIS ____ DAY OF ____ A.D. 20__	SUMMIT COUNTY RECORDER RECORDED # STATE OF UTAH, COUNTY OF SUMMIT RECORDED AND FILED AT THE REQUEST OF _____ Date _____ Time _____ Book _____ Page _____ \$ _____ Fee _____ SUMMIT COUNTY RECORDER
SHEET NO. 1 OF 1		CITY ENGINEER	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	CHAIRMAN	CITY ATTORNEY	MAYOR	CITY RECORDER	



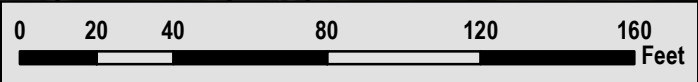
Vicinity Map
510 Ontario Avenue
300 Deer Valley Drive

Red boundary depicts 510 Ontario Avenue Plat Amendment, as proposed.

Subject area transferred without City Approvals.

Yellow area depicts the existing platted area of the Roundabout Condominiums.

Blue boundary depicts Roundabout Condominiums First Amendment (300 Deer Valley Drive) new boundary, as proposed.

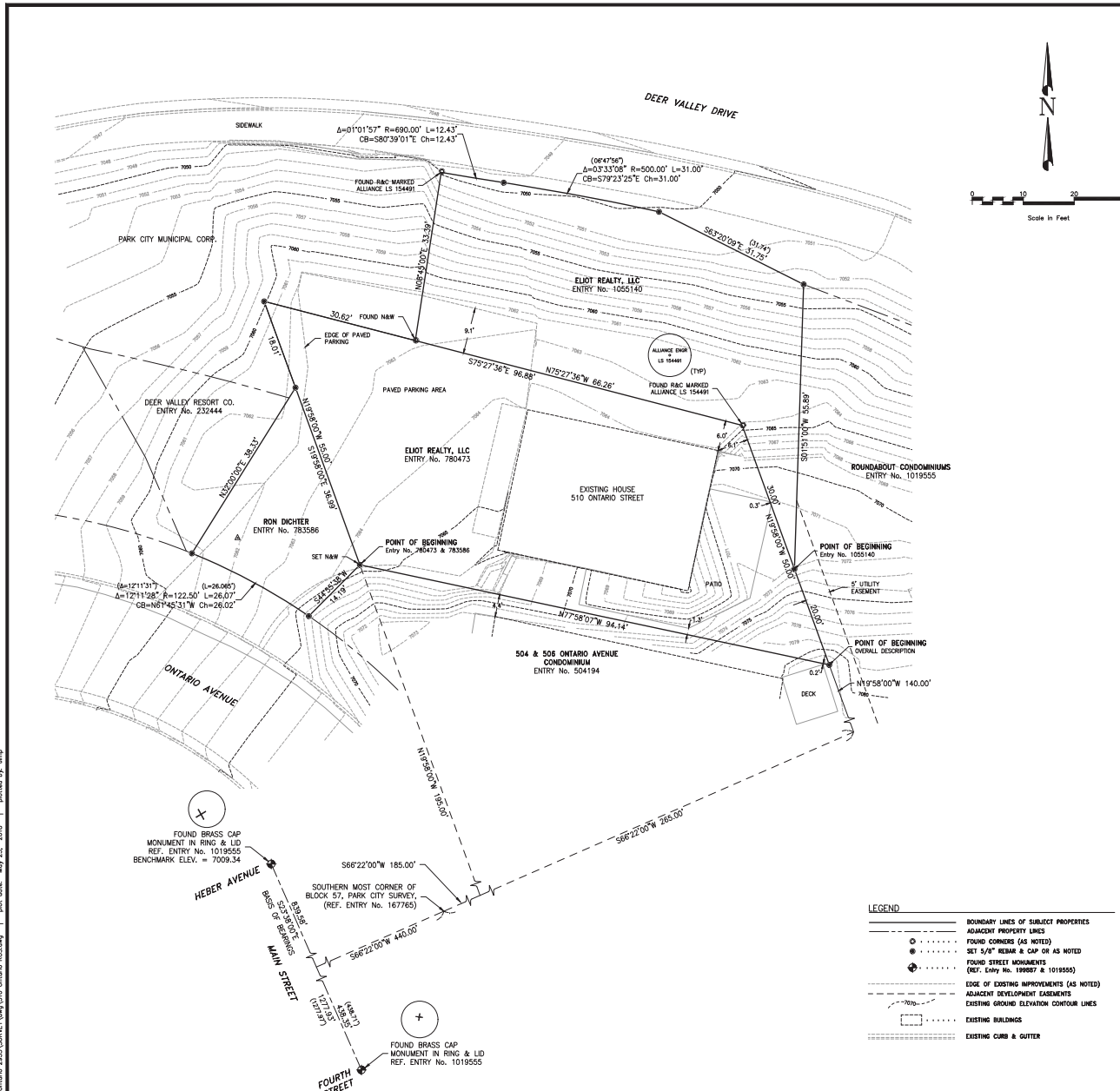


Legend 638

Parcels

Streets

Exhibit C – 510 Ontario Avenue Survey



SURVEYOR'S CERTIFICATE

I, James D. Pitkin, a Professional Land Surveyor as prescribed by the laws of the State of Utah and holding License Number 171546, do hereby certify a survey of the described property was made under my direction and the map hereon is a true and correct representation of said survey.

Date: May 23, 2018

James D. Pitkin, PLS.
License No. 171546



NARRATIVE

A survey of the subject properties was requested by Northstar Builders as a part of a future subdivision. The on-site measurements were completed on April 5, 2018. Corners were set as of the date of this certification.

The Basis of Bearings is South 23°38'00" East 2777.93 feet measured along the Monument line of Main Street between the intersection monuments found at Heber Avenue & Fourth Street as referenced on the Plat for the Roundabout Condominiums recorded as Entry No. 1019555.

The readily available records provided and found in the Summit County Recorder's Office were utilized and relied upon for the preparation of this survey. The specific documents utilized are listed hereon. A title commitment was not provided for this survey. Bearings and distances shown in parentheses are record values, all others are measured or the result of measurements made on-site.

RECORD DESCRIPTIONS

Special Warranty Deed, recorded 10/04/2016 as Entry No. 1055140 in Book 2376 at Page 556

A parcel of land located in the Southeast Quarter of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian, Summit County, Park City, Utah, said parcel being more particularly described as follows:

Beginning at a point that is North 66°22'00" East 265.00 feet from the southernmost corner of Block 57, Park City Survey, Entry No. 197765, according to the official plat thereof on file and of record in the Office of the Recorder, Summit County, Utah, and North 19°58'00" West 160.00 feet, said point being on the westerly boundary line of Roundabout Condominiums, Entry No. 1019555, according to the Official Plat thereof on file and of record in the Office of the Summit County Recorder, Summit County, Utah; thence along said westerly boundary the following three (3) courses: 1) North 19°58'00" West 30.00 feet, 2) North 75°27'36" West 66.26 feet, 3) North 08°45'00" East 33.39 feet to a point on a non-tangent curve to the left having a radius of 690.00 feet, of which the radius point bears North 09°51'57" East, said point also being on the southerly right of way of Deer Valley Drive, Entry No. 165809, according to the official plat thereof on file and of record in the Office of the Recorder, Summit County, Utah; thence along the southerly boundary of said right-of-way the following two (2) courses: 1) easterly along the arc of said curve 12.43 feet through a central angle of 01°01'57" to a point of reverse curve to the right having a radius of 500.00 feet, of which the radius point bears South 08°50'00" West; 2) easterly along the arc of said curve 31.00 feet through a central angle of 06°47'56" to the westerly most corner of a parcel owned in fee simple by Park City Municipal Corporation for the purpose of a bus turnout; thence along the southerly boundary of said bus turnout parcel, South 63°20'09" East 31.74 feet; thence leaving said bus turnout parcel, South 01°51'00" West 55.89 feet to the point of beginning.

Quit Claim Deed, recorded 6/12/2006 as Entry No. 780473 in Book 1796 at Page 1432

BEG AT A PT N 66°22' E ALONG THE NLY R/W LINE OF 3RD ST 185 FT & N 19°58' W 195 FT FROM THE SW COR OF BLK 57, ACCORDING TO THE AMENDED PLAT OF PARK CITY SUMMIT COUNTY & RUN TH N 19°58' W 55 FT; TH S 75°27'36" E 96.88 FT; TH S 19°58' E 50 FT, TH N 77°58'07" N 94.14 FT TO THE PTOF BEG

Special Warranty Deed, recorded 7/11/2006 as Entry No. 783586 in Book 1803 at Page 488

Commencing North 66 degrees 22 minutes East 185 feet and North 19 degrees 58 minutes West 195 feet from the Southwest corner of Block 57, according to the Amended Plat of Park City; thence South 44 degrees 55 minutes 38 seconds West 14.194 feet to a point on the northeasterly right of way line of Ontario Avenue, said point being on a curve to the left, the radius point of which is South 34 degrees 20 minutes 13 seconds West 122.50, thence westerly along the arc of said curve 26.065 feet through a central angle of 12 degrees 11 minutes 31 seconds to a point on the northeasterly right of way line; thence North 32 degrees 00 minutes East 38.33 feet; thence South 18 degrees 58 minutes East 36.89 feet to the point of beginning, according to the official plat on file and of record in the summit county recorder's office.

OVERALL BOUNDARY - DESCRIPTION

A parcel of land located in the Southeast Quarter of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian, Park City, Summit County, Utah; more particularly described as follows:

BEGINNING at a point that is North 66°22'00" East 265.00 feet and North 19°58'00" West 140.00 feet from the Southernmost corner of Block 57, Park City Survey according to the Amended plat thereof, recorded as Entry No. 199887 as recorded in the Office of the Summit County Recorder, and running thence North 77°58'07" West 94.14 feet; thence South 44°55'38" West 14.19 feet to the boundary and right-of-way line of Ontario Avenue and a point on a 122.50 foot radius non-tangent curve to the left; thence Northwesterly 26.07 feet along the arc of said curve through a central angle of 12°11'28" (chord bears North 61°45'31" West 26.02 feet); thence North 32°00'00" East 38.33 feet; thence North 19°58'00" West 18.01 feet; thence South 75°27'36" East 30.62 feet; thence North 08°45'00" East 33.39 feet to the southerly boundary and right-of-way line of Deer Valley Drive and a point on a 690.00 foot radius non-tangent curve to the left; thence Southeasterly 12.43 feet along said Road and the arc of said curve through a central angle of 01°01'57" (chord bears South 80°39'01" East 12.43 feet) to a point of reverse curvature with a 500.00 foot radius curve to the right; thence Southeasterly 31.00 feet along said Road and the arc of said curve through a central angle of 03°33'08" (chord bears South 79°23'25" East 31.00 feet); thence South 63°20'09" East 31.75 feet along said Road; thence South 01°51'00" West 55.89 feet; thence South 19°58'00" East 20.00 feet to the POINT OF BEGINNING.

Contains 7,646 square feet or 0.17 acres, more or less.

DRAWN JDP April 2018 CHECKED _____ DESIGNED _____ PROJECT ENGINEER _____ APPROVED _____ PROJECT MANAGER _____	NORTHSTAR BUILDERS PARK CITY, SUMMIT COUNTY, UTAH	DOMINION Engineering Associates, L.C. 5684 South Green Street Murray, Utah 84123 801-713-3000	RECORD OF SURVEY MAP 510 ONTARIO AVENUE LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN	PROJECT NO. 2953-01 SHEET NO. 1 of 1 0 FILED AT SUMMIT COUNTY JDP 05.23.18 NO. REVISIONS BY DATE FILE NAME SCALE
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Return after Recording to:

Eliot Realty, LLC
2046 Treasure Coast Plaza, Ste A250
Vero Beach, FL 32960

Mailing Address for Tax Notices:

Eliot Realty, LLC
2046 Treasure Coast Plaza, Ste A250
Vero Beach, FL 32960

01055140 B: 2376 P: 0556

Page 1 of 4

Mary Ann Trussell, Summit County Utah Recorder

10/04/2016 02:54:33 PM Fee \$19.00

By COALITION TITLE AGENCY, INC.

Electronically Recorded

SPECIAL WARRANTY DEED

ROUNDABOUT, LLC, formerly known as **THE ROUNDABOUT, LLC**, Summit County, State of Utah, hereby **CONVEYS AND WARRANTS** against all claiming by, through or under to **ELIOT REALTY, LLC**, grantee of Salt Lake County, State of Utah, for the sum of ten dollars and other valuable consideration, the following described tract of land in Salt Lake County, State of Utah, and more properly described as:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, SUMMIT COUNTY, PARK CITY, UTAH. SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

26765-
BEGINNING AT A POINT THAT IS NORTH 66°22'00" EAST 265.00 FEET FROM THE SOUTHERNMOST CORNER OF BLOCK 57, PARK CITY SURVEY, ENTRY NO. 197765, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, SUMMIT COUNTY, UTAH, AND NORTH 19°58'00" WEST 160.00 FEET, SAID POINT BEING ON THE WESTERLY BOUNDARY LINE OF ROUNDABOUT COMDOMINIUMS, ENTRY NO. 1019555, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER, SUMMIT COUNTY, UTAH; THENCE ALONG SAID WESTERLY BOUNDARY THE FOLLOWING THREE (3) COURSES: 1) NORTH 19°58'00" WEST 30.00 FEET, 2) NORTH 75°27'36" WEST 66.26 FEET, 3) NORTH 08°45'00" EAST 33.39 FEET TO A POINT ON A NON TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 690.00 FEET, OF WHICH THE RADIUS POINT BEARS NORTH 09°51'57" EAST, SAID POINT ALSO BEING ON THE SOUTHERLY RIGHT OF WAY OF DEER VALLEY DRIVE, ENTRY NO. 165809, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, SUMMIT COUNTY, UTAH; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID RIGHT-OF-WAY THE FOLLOWING TWO (2) COURSES: 1) EASTERLY ALONG THE ARC OF SAID CURVE 12.43 FEET THROUGH A CENTRAL ANGLE OF 01°01'57" TO A POINT OF REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 500.00 FEET, OF WHICH THE RADIUS POINT BEARS SOUTH 08°50'00" WEST; 2)

EASTERLY ALONG THE ARC OF SAID CURVE 31.00 FEET THROUGH A CENTRAL ANGLE OF 06°47'56" TO THE WESTERLY MOST CORNER OF A PARCEL OWNED IN FEE SIMPLE BY PARK CITY MUNICIPAL CORPORATION FOR THE PURPOSE OF A BUS TURNOUT; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID BUS TURNOUT PARCEL, SOUTH 63°20'09" EAST 31.74 FEET; THENCE LEAVING SAID BUS TURNOUT PARCEL, SOUTH 01°51'00" WEST 55.89 FEET TO THE POINT OF BEGINNING.

CONTAINS 2,731.80 SF OR 0.063 AC.

Part of Serial Nos. RNDABTC-A, RNDABTC-B, RNDABTC-C and RNDABTC-D.

SUBJECT TO all easements, rights of way, and restrictions of record and those enforceable in law and equity, and:

The general property taxes for the year 2016 (and thereafter) that are now accruing but are not yet due and payable and will be assessed under Serial No. RNDABTC-A, RNDABTC-B, RNDABTC-C and RNDABTC-D;

Notice of Reinvestment Fee Covenant which provides that upon the transfer of said land the transferee is required to pay a transfer assessment, recorded AUGUST 26, 2015, as Entry No. 1026673, in Book 2310, at Page 1909, SUMMIT County Recorder's Office;

Encroachment Agreement, dated OCTOBER 9, 2014, by and between ROUNDABOUT, LLC (*Owner*) and ELIOT REALTY, LLC (*Neighbor*), recorded OCTOBER 15, 2014, as Entry No. 1004934, in Book 2261, on Page 712, SUMMIT County Recorder's Office.

Conditions, Restrictions, Easements, and Notes as shown on the recorded plat;

Declaration of Condominium for ROUNDABOUT CONDOMINIUMS, but omitting any covenants or restrictions, if any, including, but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, recorded JANUARY 21, 2015, as Entry No. 1011163, in Book 2275, Page 1480, SUMMIT County Recorder's Office;

Declaration of Covenants, Conditions and Restrictions for ROUNDABOUT CONDOMINIUMS, but omitting any covenants or restrictions, if any, including, but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, recorded MAY 21, 2015, as Entry No. 1019556, in Book 2294, Page 1919, SUMMIT County Recorder's Office;

The imposition of a transfer or conveyance fee (Reinvestment Fee) is contained within the document. The provisions for such a fee require it to be paid upon transfer or conveyance of the Land. Such

imposition may include a conveyance resulting from a foreclosure of an interest in the Land and any subsequent transfer, whether or not derived through such foreclosure;

Reservations found in that certain Special Warranty Deed from UNITED PARK CITY MINES COMPANY, a Delaware corporation, as Grantor, to GREATER PARK CITY COMPANY, a Utah Corporation, as Grantee, and recorded JULY 1, 1971, as Entry No. 113448, in Book M31, at Page 688, Summit County Recorder's Office, to wit: "EXCEPTING AND RESERVING to Grantor, its successors and assigns, all ores and minerals situated in, upon or under the above described tract of land, together with all rights in connection with or relative to the mining, removal or sale of the same (but not including the right to enter upon the surface of the premises);"

The conditions and restrictions as disclosed in that certain Warranty Deed from ROYAL STREET LAND COMPANY, a Utah corporation, to THE ROUNDABOUT, LLC, Recorded MARCH 29, 2006, as Entry No. 773051, in Book 1780, at Page 1072, SUMMIT County Recorder's Office;

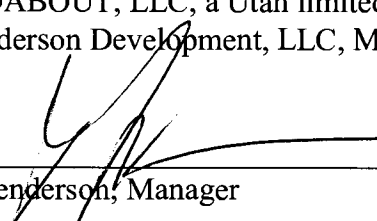
Said property is located within the Park City Neighborhood Development Plan as set forth in Ordinance 82-3, recorded February 16, 1982, as Entry No. 188603, in Book 212, at Page 148, and Redevelopment Area as disclosed on plat recorded April 15, 1983, as Entry No. 204659, Summit County Recorder's Office. Amendment to Park City Neighborhood Development Plan, recorded November 2, 1990, as Entry No. 332260, in Book 585, at Page 147, Summit County Recorder's Office. Notice of Adoption of Amendment to Redevelopment Project Area Plan, recorded JANUARY 9, 2013, as Entry No. 961170, in Book 2165, at Page 1200, SUMMIT County Recorder's Office;

Said property is located within the boundaries of the Snyderville Basin Water Reclamation District and is subject to charges and assessments levied thereunder; and

Said property is located within the boundaries of PARK CITY, SUMMIT COUNTY LEVY, WEBER BASIN WATER CONSERVANCY DISTRICT, SNYDERVILLE BASIN WATER RECLAMATION DISTRICT, PARK CITY FIRE PROTECTION DISTRICT, PARK CITY SCHOOL DISTRICT, PARK CITY WATER SERVICE DISTRICT and is subject to charges and assessments levied thereunder.

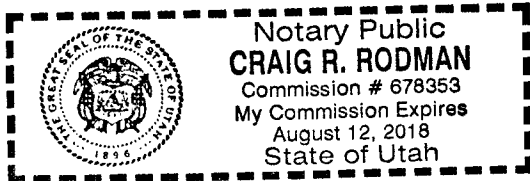
WITNESS the hand of said Grantor this 3rd day of October, 2016.

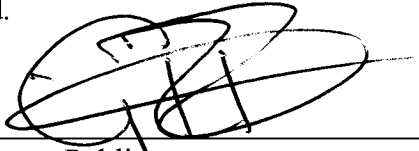
ROUNDABOUT, LLC, a Utah limited liability company
By: Henderson Development, LLC, Manager

By: 
Blake Henderson, Manager

STATE OF UTAH)
 : ss.
COUNTY OF SUMMIT)

On this 3rd day of October, 2016, personally appeared before me, Blake Henderson who upon oath did swear that he has authority to sign the foregoing and acknowledged to me that he signed the same of his own free act and deed.





Notary Public

RETURN AND SEND TAX NOTICES TO:

Eliot Realty, LLC
1338 S Foothill Drive, Ste 400
Salt Lake City, UT 84108

01055142 B: 2376 P: 0563

Page 1 of 3

Mary Ann Trussell, Summit County Utah Recorder

10/04/2016 02:54:33 PM Fee \$17.00

By Coalition Title Agency, Inc.

Electronically Recorded

QUIT CLAIM DEED

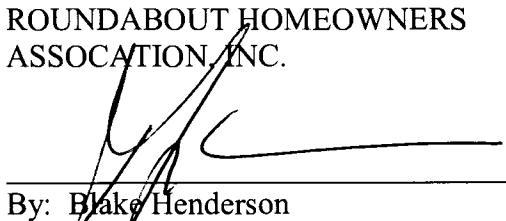
ROUNABOUT HOMEOWNERS ASSOCIATION, INC., a Utah Nonprofit Corporation, Grantor, hereby quitclaims to ELIOT REALTY, LLC, a Utah Limited Liability Company, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, all of its right, title and interest in and to the real property located in Summit County, State of Utah more property described as:

See legal description at **Exhibit A** and survey map at **Exhibit B**, both attached hereto and incorporated by reference.

IN WITNESS WHEREOF, Grantor has executed this Quit Claim Deed as of the 3rd day of ~~September~~, 2016.

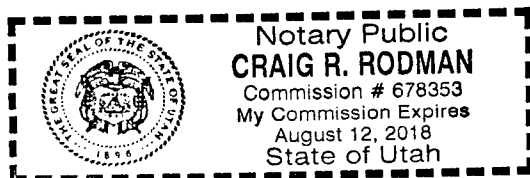
October

ROUNABOUT HOMEOWNERS
ASSOCIATION, INC.


By: Blake Henderson
Its: President

STATE OF Utah)
)ss.
COUNTY OF Summit)

On the 3rd day of ~~September~~ *October*, 2016, personally appeared before me Blake Henderson, who being by me duly sworn, warrants and represents that he executed the above and foregoing instrument and that he executed the foregoing instrument in his capacity as President of Roundabout Homeowners Association and that he did so of his own voluntary act for its stated purpose.



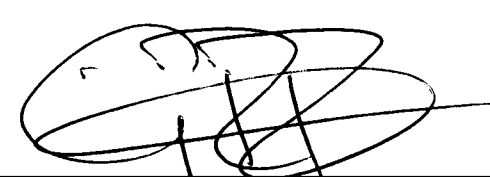

NOTARY PUBLIC

Exhibit "A"
Legal Description

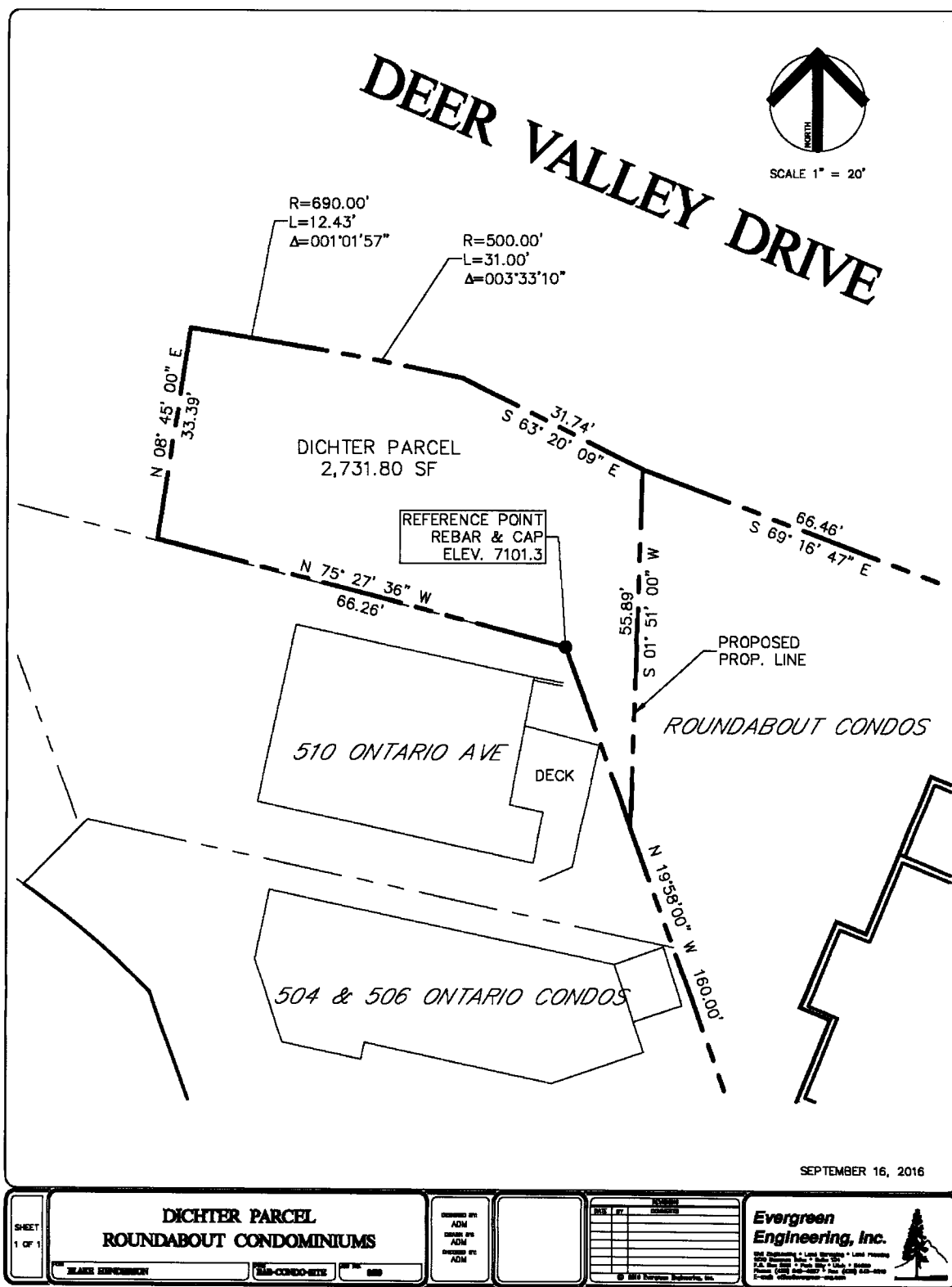
A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT THAT IS NORTH 66°22'00" EAST 265.00 FEET FROM THE SOUTHERNMOST CORNER OF BLOCK 57, PARK CITY SURVEY, ENTRY NO. 197765, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, SUMMIT COUNTY, UTAH, AND NORTH 19°58'00" WEST 160.00 FEET, SAID POINT BEING ON THE WESTERLY BOUNDARY OF ROUNABOUT SUBDIVISION; THENCE ALONG SAID WESTERLY BOUNDARY THE FOLLOWING THREE (3) COURSES: 1) NORTH 19°58'00" WEST 30.00 FEET, 2) NORTH 75°27'36" WEST 66.26 FEET, 3) NORTH 08°45'00" EAST 33.39 FEET TO A POINT ON A NON TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 690.00 FEET, OF WHICH THE RADIUS POINT BEARS NORTH 09°51'57" EAST, SAID POINT ALSO BEING ON THE SOUTHERLY BOUNDARY OF THE DEER VALLEY ROAD RIGHT-OF-WAY, ENTRY NO. 165809, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, SUMMIT COUNTY, UTAH; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID RIGHT-OF-WAY THE FOLLOWING TWO (2) COURSES: 1) EASTERLY ALONG THE ARC OF SAID CURVE 12.43 FEET THROUGH A CENTRAL ANGLE OF 01°01'57" TO A POINT OF REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 500.00 FEET, OF WHICH THE RADIUS POINT BEARS SOUTH 08°50'00" WEST; 2) EASTERLY ALONG THE ARC OF SAID CURVE 31.00 FEET THROUGH A CENTRAL ANGLE OF 06°47'56" TO A POINT ON THE WESTERLY MOST CORNER OF A PARCEL OWNED IN FEE SIMPLE BY PARK CITY MUNICIPAL CORPORATION FOR THE PURPOSE OF A BUS TURNOUT; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID PARK CITY MUNICIPAL CORPORATION BUS TURNOUT PARCEL SOUTH 63°20'09" EAST 31.74 FEET; THENCE LEAVING SAID PARK CITY MUNICIPAL CORPORATION BUS TURNOUT PARCEL SOUTH 01°51'00" WEST 55.89 FEET TO THE POINT OF BEGINNING.

CONTAINS 2,731.80 SF OR 0.063 AC.

PART OF SERIAL NOS. RNDABTC-A, RNDABTC-B, RNDABTC-C AND RNDABTC-D.

Exhibit "B"
Survey



A PARCEL OF LAND LOCATED WITHIN SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

ALL OF LOT 1 AND LOT 2, THE ROUNDABOUT SUBDIVISION, ENTRY NO. 838123, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER, SUMMIT COUNTY, UTAH AND 875.59 SQUARE FEET PORTION OF VACATED DEER VALLEY DRIVE RIGHT-OF-WAY, PER CITY ORDINANCE NO. 14-22.

[illegible]

I, GREGORY R. WIDBAUGH OF PARK CITY, UTAH, CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR, AND THAT I AM LICENSE NO. 187778, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH.

I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE PERFORMED A SURVEY OF THE HEREON SHOWN AND DESCRIBED TRACT OF LAND, AND BY THAT SAME AUTHORITY, HAVE PREPARED A CONDOMINIUM PLAT, CONTAINING PRIVATE AREA (UNITS), COMMON AREA AND LIMITED COMMON AREA, HEREINAFTER TO BE KNOWN AS THE "ROUNDABOUT CONDOMINIUMS".

I FURTHER CERTIFY THAT THIS CONDOMINIUM PLAT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REGULATIONS OF THE LAW AND AS SPECIFIED IN SECTION 57-8-13 OF CHAPTER 8, CONDOMINIUM OWNERSHIP ACT, UTAH CODE TITLE 57, REAL ESTATE.

KNOW ALL MEN BY THESE PRESENTS THAT I/WE, THE UNDERSIGNED OWNERS OF THE UNITS, COMMON AND LIMITED COMMON AREAS CONTAINED WITHIN THE HEREIN DESCRIBED TRACT OF LAND, TO BE HEREAFTER KNOWN AS "ROUNDABOUT CONDOMINIUMS", CERTIFY THAT I/WE HAVE CAUSED THIS SURVEY TO BE MADE AND THIS CONDOMINIUM PLAT TO BE PREPARED. I/WE DO HEREBY CONSENT TO THE RECORDED OF THIS CONDOMINIUM AND CERTIFY THAT THE UNITS ARE AS SHOWN ON THIS CONDOMINIUM PLAT. I/WE DO HEREBY DEDICATE THE STREET RIGHT OF WAY, AND OTHER EASEMENTS AS INDICATED HEREON FOR THE PRIVATE USE OF THE PUBLIC IN ACCORDANCE WITH AN IRREVOCABLE OFFER OF DEDICATION.

BY: BLAKE HENDERSON, MANAGER
WONDAABOUT LLC, A UTAH LIMITED LIABILITY COMPANY

STATE OF Utah } BLAKE HENDERSON, MANAGER
COUNTY OF SALT LAKE } ROUNDABOUT LLC, A UTAH LIMITED LIABILITY COMPANY

ON THE 10th DAY OF December, 2014, PERSONALLY APPEARED BEFORE ME BLAKE HENDERSON, WHOSE IDENTITY IS PERSONALLY KNOWN TO ME (or known on the basis of satisfactory evidence) AND WHO BY ME OR BY MYSELF/AFFIRMED, AND WHO IS THE MANAGER OF ROUNDABOUT LLC, A UTAH LIMITED LIABILITY COMPANY, AND THAT SAID DOCUMENT WAS SIGNED BY HIM IN BEHALF OF SAID "ROUNDABOUT LLC", BY AUTHORITY OF ITS BYLAWS, (OR RESOLUTION OF ITS BOARD OF DIRECTORS), AND SAID BLAKE HENDERSON, ACKNOWLEDGED TO ME THAT SAID "ROUNDABOUT LLC" EXECUTED THE SAME.

NOTARY PUBLIC
MY COMMISSION EXPIRES 12/31/91
RESIDING IN LOS ANGELES COUNTY, CALIFORNIA

 My Comm. Exp. 12-31-91

* Signing as a Representative Capacity An authorized officer, agent, partner, trustee, member or other representative may sign on behalf of that representative business, be it a corporation, partnership, trust, limited liability company or other entity providing they have been given authority to sign in their representative capacity.

The notary must require the signer to present satisfactory documentary evidence and administer an oath or affirmation.

SHEET 1 OF 4

SHEET 1 OF 4
PLT DATE: DECEMBER 16, 2011

[illegible]

AREA TABULATIONS

UNIT A:	
PRIVATE AREA:	4,858.6 SF
LIMITED COMMON AREA:	1,810.3 SF
UNIT B:	
PRIVATE AREA:	4,034.4 SF
LIMITED COMMON AREA:	1,164.5 SF
UNIT C:	
PRIVATE AREA:	4,034.4 SF
LIMITED COMMON AREA:	1,164.5 SF
UNIT D:	
PRIVATE AREA:	4,168.2 SF
LIMITED COMMON AREA:	1,560.0 SF

HATCHING LEGEND

	COMMON AREA
	LIMITED COMMON AREA
	PRIVATE AREA
	DEDICATED RIGHT-OF-WAY PER THIS PLAT
	VACATED RIGHT-OF-WAY PER ORDINANCE 14-22

300	ADDRESS ON DEER VALLEY DRIVE
○	FOUND & ACCEPTED REBAR & PLASTIC CAP "ALLIANCE ENG" "LS 154491"
△	FOUND & ACCEPTED NAIL & WASHER "ALLIANCE ENG" "LS 154491"
◆	FOUND & ACCEPTED STREET MONUMENT (AS DESCRIBED)
●	FOUND & ACCEPTED NAIL & WASHER "EVERGREEN ENG" "LS 187788"

**Evergreen
Engineering, Inc.**
Civil Engineering • Land Surveying • Land Planning
1870 Bonanza Drive • Suite 104
P.O. Box 2881 • Park City, Utah • 84080
Phone: 435.649.4667 • Fax: 435.648.9219
E-mail: office@evergreen-eng.com

CITY
ENGINEER

THIS PLAT IS IN CONFORMANCE WITH INFORMATION
ON FILE IN THE OFFICE OF THE PARK CITY
ENGINEERING DEPARTMENT ON THIS 4th
DAY OF MARCH A.D. 2015

[Signature]
CITY ENGINEER

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE
BASIN WATER RECLAMATION DISTRICT STANDARDS
ON THIS 10th DAY OF
December AD 2015

BY: B.D. [Signature]

SNYDERVILLE BASIN WATER
RECLAMATION DISTRICT

CITY PLANNING
COMMISSION

APPROVED BY THE PARK CITY
PLANNING COMMISSION ON THIS 9th
DAY OF APRIL A.D. 2014.


CHAIRMAN

APPROVAL AS
TO FORM

APPROVED AS TO FORM ON THIS 7TH
DAY OF MAY A.D. 2015

Mark D. Hg
CITY ATTORNEY

COUNCIL APPROVAL
& ACCEPTANCE

APPROVAL AND ACCEPTANCE BY THE PARK
DISTRICT COUNCIL THIS 23rd DAY OF
MAY A.D. 2014

Luigi Thomas
MAYOR

CERTIFICATE OF
ATTEST

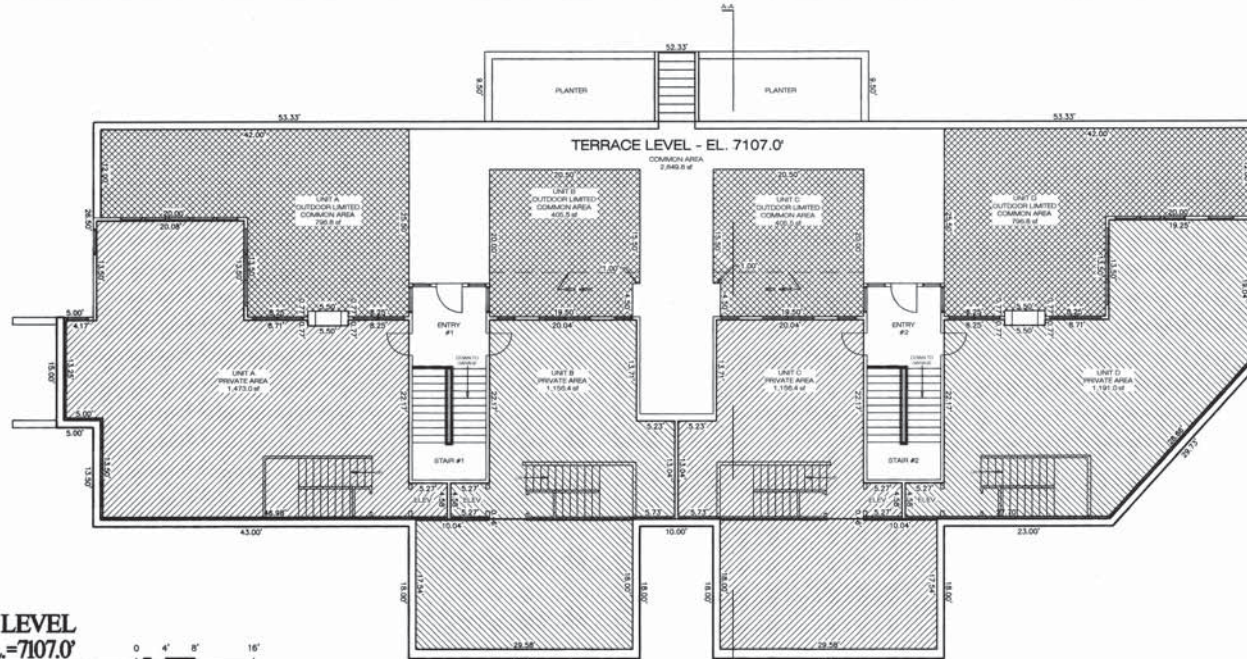
TESTIFY THIS WAS APPROVED BY PARK
COUNCIL THIS 22nd 8th DAY OF
2015 April A.D. 2015.

Margaret
CITY RECORDER

RECORDED

No. 019555 \$124.00
STATE OF UTAH 5/21/2015
COUNTY OF SUMMIT 1:51 PM
RECORDED AND FILED AT THE REQUEST OF:
COMBITION TITLE COMPANY

Ronda M. Jones Deputy
COUNTY RECORDER

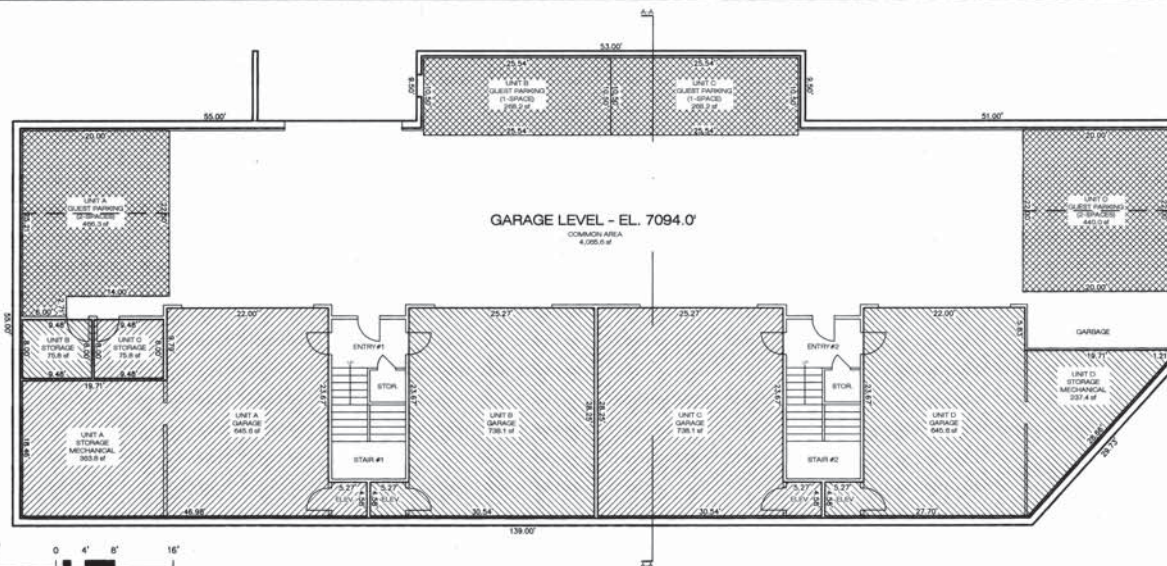


**AREA TABULATIONS
• TERRACE LEVEL**

UNIT A	
PRIVATE AREA	1,473.0 SF
LIMITED COMMON AREA	796.8 SF
UNIT B	
PRIVATE AREA	1,156.4 SF
LIMITED COMMON AREA	405.5 SF
UNIT C	
PRIVATE AREA	1,156.4 SF
LIMITED COMMON AREA	405.5 SF
UNIT D	
PRIVATE AREA	1,191.0 SF
LIMITED COMMON AREA	796.8 SF
COMBINED TOTAL	
PRIVATE AREA	4,976.8 SF
LIMITED COMMON AREA	2,404.6 SF
COMMON AREA	2,849.8 SF

HATCHING LEGEND

[Hatched Box]	COMMON AREA
[Cross-hatched Box]	LIMITED COMMON AREA
[Diagonal Hatched Box]	PRIVATE AREA - UNIT



**AREA TABULATIONS
• GARAGE LEVEL**

UNIT A	
PRIVATE AREA	1009.4 SF
LIMITED COMMON AREA	466.3 SF
UNIT B	
PRIVATE AREA	813.9 SF
LIMITED COMMON AREA	268.2 SF
UNIT C	
PRIVATE AREA	813.9 SF
LIMITED COMMON AREA	268.2 SF
UNIT D	
PRIVATE AREA	883.0 SF
LIMITED COMMON AREA	440.0 SF
COMBINED TOTAL	
PRIVATE AREA	3520.2 SF
LIMITED COMMON AREA	1,442.7 SF
COMMON AREA	4,065.6 SF

NO. _____ ENTRY NO. 01019555
 DATE _____ 05/21/2015 01:51:47 PM S. 2294.7' 100'
 STATE OF _____
 CITY OF _____
 RECORDED AT _____
 BY _____
 CITY RECORDER



DATE	BY	COMMENTS



SUBMITTED BY: GRW/ADM
 DRAWN BY: GRW
 CHECKED BY: GRW

**ROUNDABOUT CONDOMINIUMS
FLOOR PLANS
GARAGE LEVEL AND TERRACE LEVEL**

DATE: 06/09
 DRAWN BY: RAB-CONDO-PP
 CHECKED BY: BLAKE HENDERSON
 ROUNDABOUT LLC



SCALE: 1" = 8'



NO. _____
DATE _____
STATE OF _____
CITY OF _____
RECORDED AT _____

RECORDED

ENTRY NO. 01019555

05/21/2015 01:51:47 PM 81 2294 P 1918

PAY PAGE 1/1

HIGHWAY DISTRICT - SURVEY DISTRICT REQUIRED

FEE 124.00 BY COLLECTION TITLE

FEES _____ CITY RECORDED _____

**BUILDING
SECTION AA**
SCALE: 1" = 8'



HATCHING LEGEND

- COMMON AREA
- LIMITED COMMON AREA
- PRIVATE AREA - UNIT

NO. _____ RECORDED
DATE _____
STATE OF _____ ENTRY NO. 01019555
CITY OF _____
RECORDED AT _____
FILED _____

**Evergreen
Engineering, Inc.**

Civil Engineering and Surveying - Unit # 0000
Professional Engineer License No. 1274 - State of Michigan
P.O. Box 208144, Detroit, MI 48220
E-mail: info@evergreen-eng.com

REV	BY	DATE	DESCRIPTION	COMMENTS

STATE OF MICHIGAN

DEPARTMENT OF LAND & NATURAL RESOURCES

LAND SURVEYING DIVISION

SURVEYED BY: GRW/ADM
DRAWN BY: GRW
CHECKED BY: GRW

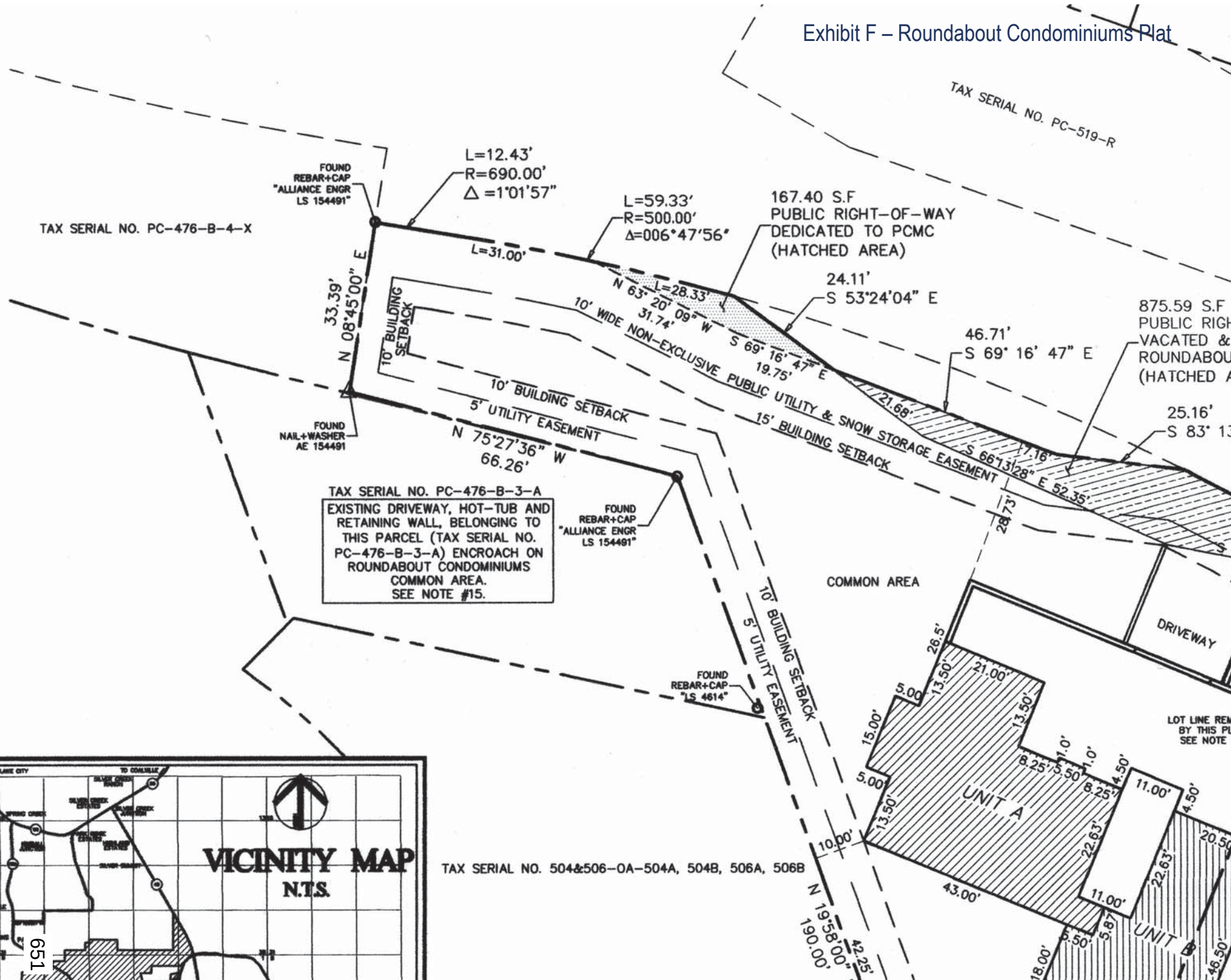
ROUNDABOUT CONDOMINIUMS

BUILDING SECTION AA

BLAKE HENDERSON, ROUNDABOUT LLC

SHEET 4 OF 4

Exhibit F – Roundabout Condominiums Plat



LEGAL DESCRIPTION

ALL OF LOT 1 AND LOT 2, THE ROUNDABOUT SUBDIVISION, ENTRY NO. 838123, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER, SUMMIT COUNTY, UTAH AND 875.59 SQUARE FEET PORTION OF VACATED DEER VALLEY DRIVE RIGHT-OF-WAY, PER CITY ORDINANCE NO. 14-22.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

BEGINNING AT A POINT THAT IS NORTH 66°22'00" EAST 265.00 FEET FROM THE SOUTHERNMOST CORNER OF BLOCK 57, PARK CITY SURVEY, ENTRY NO. 197765, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER; AND RUNNING THENCE NORTH 19°58'00" WEST 190.00 FEET; THENCE NORTH 75°27'36" WEST 66.26 FEET; THENCE NORTH 08°45'00" EAST 33.39 FEET TO A POINT ON A NON TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 690.00 FEET, OF WHICH THE RADIUS POINT BEARS NORTH 09°51'57" EAST, SAID POINT ALSO BEING ON THE SOUTHERLY BOUNDARY OF THE DEER VALLEY ROAD RIGHT-OF-WAY, ENTRY NO. 165809, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID RIGHT-OF-WAY THE FOLLOWING TWO (2) COURSES: 1) EASTERLY ALONG THE ARC OF SAID CURVE 12.43 FEET THROUGH A CENTRAL ANGLE OF 01°01'57" TO THE A POINT OF A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 500.00 FEET, OF WHICH THE RADIUS POINT BEARS SOUTH 08°50'00" WEST; 2) EASTERLY ALONG THE ARC OF SAID CURVE 59.33 FEET THROUGH A CENTRAL ANGLE OF 06°47'56" TO THE WESTERLY MOST CORNER OF A PARCEL OWNED IN FEE SIMPLE BY PARK CITY MUNICIPAL CORPORATION FOR THE PURPOSE OF A BUS TURNOUT, AS SHOWN ON THE ROUNDABOUT SUBDIVISION, ENTRY NO. 838123, ACCORDING TO THE OFFICIAL PLAT, THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID PARK CITY MUNICIPAL CORPORATION BUS TURNOUT PARCEL SOUTH 53°24'04" EAST 24.11 FEET; THENCE SOUTH 69°16'47" EAST 46.71 FEET; THENCE SOUTH 83°13'32" EAST 25.16 FEET TO THE POINT OF A 500.00' FOOT RADIUS CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT BEARS SOUTH 26°27'24" WEST, SAID POINT ALSO BEING ON SAID SOUTHERLY BOUNDARY OF THE DEER VALLEY ROAD RIGHT-OF-WAY; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID RIGHT-OF-WAY THE FOLLOWING TWO (2) COURSES: 1) EASTERLY ALONG THE ARC OF SAID CURVE 47.65 FEET THROUGH A CENTRAL ANGLE OF 05°27'36" TO THE POINT OF A A REVERSE TO THE LEFT HAVING A RADIUS OF 340.00 FEET, OF WHICH THE RADIUS POINT BEARS NORTH 31°55'00" EAST; 2) EASTERLY ALONG THE ARC OF SAID CURVE 39.35 FEET THROUGH A CENTRAL ANGLE OF 06°37'49" TO THE SOUTHERLY BOUNDARY OF THE DEER VALLEY LOOP ROAD RIGHT-OF-WAY; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID RIGHT-OF-WAY THE FOLLOWING TWO (2) COURSES: 1) SOUTH 53°46'39" EAST 40.08 FEET; 2) SOUTH 57°33'54" EAST 56.94 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID BLOCK 57; THENCE ALONG THE SOUTHERLY LINE OF BLOCK 57 SOUTH 66°22'00" WEST 208.27 FEET TO THE POINT OF BEGINNING.

CONTAINS 28,654.73 SQUARE FEET OR 0.6578 ACRES.

NOTES:

1. BASIS OF BEARING: SOUTH 23°38'00" EAST 1,278.29 FEET BETWEEN A FOUND SURVEY ROAD MONUMENT AT THE INTERSECTION OF THE CENTERLINE OF MAIN STREET AND THE CENTERLINE OF HEBER AVENUE AND A FOUND SURVEY ROAD MONUMENT AT THE INTERSECTION OF THE CENTERLINE OF MAIN STREET AND FOURTH STREET.
2. PROPERTY CORNERS: FOUND AND ACCEPTED SURVEY MONUMENTS AT LOT CORNERS AS SHOWN HEREON.
3. LOCATED WITHIN: THE SOUTHEAST QUARTER OF SECTION 16, T.2S., R.4E., S.L.B.&M., PARK CITY, SUMMIT COUNTY, UTAH.
4. THIS CONDOMINIUM PLAT HEREBY COMBINES LOT 1 AND LOT 2 OF THE ROUNDABOUT SUBDIVISION, ENTRY NO. 838123, ACCORDING TO THE OFFICIAL PLAT, THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER, INTO A SINGLE LOT. BY DOING SO, THIS PLAT REMOVES EASEMENTS ASSOCIATED WITH LINE COMMON TO LOT 1 AND LOT 2. IT ALSO REMOVES THE SHARED DRIVEWAY ACCESS EASEMENT.
5. COVENANTS, CONDITIONS, RESTRICTIONS, REQUIREMENTS, EASEMENTS, OR ITEMS PREVIOUSLY ASSOCIATED WITH THE PROPERTY DESCRIBED HEREON REMAIN IN EFFECT, UNLESS SPECIFICALLY STATED OR SHOWN HEREON. ALL REQUIREMENTS SET FORTH TO THIS CONDOMINIUM PLAT ARE IN ADDITION TO PREVIOUSLY ASSOCIATED ITEMS.
6. THE UNITS OF THIS CONDOMINIUM ARE SERVED BY A COMMON PRIVATE LATERAL WASTEWATER LINE. THE "ROUNDABOUT CONDOMINIUMS OWNERS ASSOCIATION" SHALL BE RESPONSIBLE FOR OWNERSHIP, OPERATION AND MAINTENANCE OF ALL COMMON PRIVATE LATERAL WASTEWATER LINES.
7. CONDITION OF APPROVAL 3.: THE APPLICANT STIPULATES RESTRICTING THE DEVELOPMENT TO TWO (2) CONDOMINIUM BUILDINGS WITH ONE (1) UNDERGROUND SHARED PARKING STRUCTURE.
8. CONDITION OF APPROVAL 4.: THE FOOTPRINT OF EACH CONDOMINIUM BUILDING WILL NOT EXCEED 3,200 SQUARE FEET.
9. CONDITION OF APPROVAL 5.: SHARED ACCESS FOR THE FOUR UNITS WILL BE A SINGLE ACCESS POINT FOR ALL UNITS ON A COMMON DRIVEWAY INTO A SHARED UNDERGROUND PARKING STRUCTURE, ACCESSED FROM DEER VALLEY DRIVE.
10. CONDITION OF APPROVAL 6.: ALL VEHICLES EXITING THE COMMON DRIVEWAY MUST PULL OUT OF THE DRIVEWAY ONTO DEER VALLEY DRIVE FRONT FACING.
11. CONDITION OF APPROVAL 7.: MODIFIED 13-D SPRINKLERS WILL BE REQUIRED FOR NEW CONSTRUCTION BY THE CHIEF BUILDING OFFICIAL AT THE TIME OF REVIEW OF THE BUILDING PERMIT SUBMITTAL.
12. CONDITION OF APPROVAL 8.: A 10 FOOT (10') WIDE PUBLIC SNOW STORAGE EASEMENT IS REQUIRED ALONG THE FRONTAGE OF THE LOT WITH DEER VALLEY DRIVE AND DEER VALLEY LOOP ROAD.
13. CONDITION OF APPROVAL 9.: A FIVE FOOT (5') WIDE PUBLIC UTILITY EASEMENT IS REQUIRED ALONG THE REAR AND SIDE LOT LINES.
14. THIS CONDOMINIUM PLAT IS SUBJECT TO ORDINANCE 15-12 AN ORDINANCE APPROVING THE ROUNDABOUT CONDOMINIUMS.
15. SEE EXISTING "ENCROACHMENT AGREEMENT", ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER, RECORDATION NO. 01004934.
16. THIS CONDOMINIUM PLAT IS SUBJECT TO ORDINANCE 14-22; AN ORDINANCE APPROVING THE VACATION OF A PORTION OF THE PLATTED DEER VALLEY DRIVE ADJACENT TO THE ROUNDABOUT CONDOMINIUMS PLAT, PARK CITY, UTAH.

AREA TABULATIONS

UNIT A:

PRIVATE AREA: 4,858.6 SF
LIMITED COMMON AREA: 1,810.3 SF

UNIT B:

PRIVATE AREA: 4,034.4 SF
LIMITED COMMON AREA: 1,164.5 SF

UNIT C:

PRIVATE AREA: 4,034.4 SF
LIMITED COMMON AREA: 1,164.5 SF

UNIT D:

PRIVATE AREA: 4,168.2 SF
LIMITED COMMON AREA: 1,560.0 SF

HATCHING LEGEND



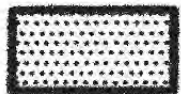
COMMON AREA



LIMITED COMMON AREA



PRIVATE AREA



DEDICATED RIGHT-OF-WAY
PER THIS PLAT



VACATED RIGHT-OF-WAY
PER ORDINANCE 14-22

SYMBOL LEGEND

300

ADDRESS ON DEER
VALLEY DRIVE



FOUND & ACCEPTED
REBAR & PLASTIC CAP
"ALLIANCE ENG"
"LS 154491"



FOUND & ACCEPTED
NAIL & WASHER
"ALLIANCE ENG"
"LS 154491"



FOUND & ACCEPTED
STREET MONUMENT
(AS DESCRIBED)



FOUND & ACCEPTED
NAIL & WASHER
"EVERGREEN ENG"
"LS 187788"

ROUNABOUT HOMEOWNERS ASSOCIATION, INC.

1750 Sun Peak Drive, Suite 175
Park City UT 84098

September 4, 2018

Via Email (fastorga@parkcity.org)

Francisco Astorga, AICO
PARK CITY Planning Department
445 Marsac Avenue
P.O. Box 1480
Park City, Utah 84060-1480

RE: Plat Amendment, Roundabout Condominiums, 300 Deer Valley Drive

Dear Mr. Astorga:

I am the President of the Roundabout Homeowners Association, Inc., which is one of my duties as the managing member of Roundabout, LLC, as developer of Roundabout Condominiums and Declarant under the *Amended & Restated Declaration of Condominium* for Roundabout Condominiums. I understand that the City has requested written confirmation that at least 2/3 of the Members of the Association approved the proposed plat amendment for Roundabout. The purpose of this letter is to offer that assurance.

Roundabout Condominiums is currently under Roundabout, LLC's administrative control pursuant to the Article XI of the Declaration. Section B of Article XI of the Declaration specifically provides that the Roundabout, LLC, as Declarant, shall exercise administrative control until the first date on which fee simple title to three-fourths (3/4) of the undivided interest in the Common Areas and Facilities has been conveyed to Owners or three (3) years after the first Unit is conveyed to an Owner, whichever happens first. As of the date of this letter, Roundabout, LLC still holds a 75% majority interest of the undivided Common Areas and Facilities (or 3/4 interest) of the Project per the terms of the Declaration and we are within the three years after the sale of the first Unit. Roundabout, LLC voted to approve the proposed plat amendment for Roundabout, thus meeting the City's requirement that at least 2/3 of the Owners/Members of the Association approve the amendment.

If you have questions or need additional information to proceed with the plat amendment for Roundabout, please contact me by email at blake@hen-dev.com.

Sincerely,



Blake Henderson

Ordinance No. 15-12

**AN ORDINANCE AMENDING ORDINANCE 14-21 AND APPROVING THE
ROUNABOUT CONDOMINIUMS PLAT, LOCATED AT 300 DEER VALLEY LOOP
ROAD, PARK CITY, UTAH.**

WHEREAS, the owners of the property known as the Roundabout Subdivision, have petitioned the City Council for approval of the Roundabout Condominiums plat, a Utah Condominium project; and

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

WHEREAS, proper legal notice was published in the Park Record and notice letters were sent to all affected property owners, in accordance with the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on March 12, 2014, to receive input on the supplemental plat;

WHEREAS, the Planning Commission held a second public hearing on April 9, 2014, to receive additional input on the supplemental plat;

WHEREAS, the Planning Commission, on April 9, 2014, forwarded a positive recommendation to the City Council; and,

WHEREAS, on May 8, 2014, the City Council held a public hearing on the amended record of survey plat; and

WHEREAS, at the time of Mylar review, a discrepancy in the square footage calculations were found on the Mylar and previous findings of fact and were updated; and

WHEREAS, on April 23, 2015 the City Council held a public hearing on the amended condominium plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Roundabout Condominiums plat, a Utah Condominium project.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Roundabout Condominiums plat, a Utah Condominium project, as shown in Attachment A, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 300 Deer Valley Loop Road.
2. The property is located within the Residential (R-1) District.
3. The R-1 zone is a transitional zone in use and scale between the historic district and the Deer Valley Resort.
4. The condominium plat will create one (1) condominium lot of record containing a total of 31,971.4 square feet for the project.
5. There are no existing structures on the property.
6. Access to the property will be from Deer Valley Drive in a single access point on a common driveway for all units to a shared underground parking structure.
7. The minimum lot size in the R-1 zone is 3,750 square feet for a duplex dwelling.
8. A duplex dwelling is an allowed use in the R-1 zone.
9. The total private area of the condominiums consists of 17,095.6 square feet; the Limited Common Area consists of 5,699.3 square feet.
10. Unit A consists of 4,858.6 square feet of private area and 1,810.3 square feet of limited common area. Unit B consists of 4,034.4 square feet of private area and 1,164.5 square feet of limited common area. Unit C consists of 4,034.4 square feet of private area and 1,164.5 square feet of limited common area. Unit D consists of 4,168.2 square feet of private area and 1,560 square feet of limited common area.
11. The entire project including the parking structure contains 9,176.5 square feet of common area, 17,095.6 square feet of private area, and 5,699.3 square feet of limited common area.
12. The footprints total 3,104 square feet for Units A&B combined and 2,809 square feet for Units C&D combined; with a total footprint of the project being 5,913 square feet.
13. The height of the buildings will be 22 feet above existing grade
14. The front yard setback will be 20 feet, the rear yard setback will be 10 feet and the side yard setbacks will be 10 feet each.
15. The shared parking structure contains a total of 14 parking spaces, exceeding the eight (8) parking space requirement.
16. There are existing encroachments on the property from the owner of 510 Ontario Avenue.
17. The existing shared access easement will be removed with the approval of this plat.
18. Minimal construction staging area is available along Deer Valley Loop Road and Deer Valley Drive.
19. The Geo-technical report was submitted.
20. A Construction Mitigation Plan will be required upon submittal of a Building Permit application.
21. On June 14, 2007, the City Council approved the Roundabout Subdivision Plat. This plat was recorded February 21, 2008.
22. On November 13, 2013, the Planning Department received a complete application for the Roundabout Condominiums plat.
23. Due to the bus pull-out modifications along Deer Valley Drive, the applicant will dedicate 164 square feet of property to the City for ROW improvements and is petitioning the City to vacate 875 square feet of existing ROW which will revert to the applicant.

24. The applicant previously dedicated 3,152.54 square feet to the City with the 2007 Subdivision for the bus pull-out and Deer Valley Drive and Deer Valley Loop ROW improvements.
25. Applicant will build the new bus pull-out to City specifications.
26. As conditioned, this condominium plat is consistent with the conditions of approval of the Roundabout Subdivision plat as per the findings in the Analysis section.

Conclusions of Law:

1. There is good cause for this condominium plat.
2. The condominium plat 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 proposed supplemental plat.
4. Approval of the condominium plat, subject to the conditions of approval stated below, will 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 of the condominium plat 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 plat at Summit County within two months from the date of City Council amending the approval. If recordation has not occurred by July 8, 2015, this approval will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. The applicant stipulates restricting the development to two (2) condominium buildings with one (1) underground shared parking structure. This shall be noted on the plat.
4. The footprint of each condominium building will not exceed 3,200 square feet, to be noted on the plat.
5. Shared access for the four units will be a single access point for all units on a common driveway into a shared underground parking structure, accessed from Deer Valley Drive, to be noted on the plat.
6. All vehicles exiting the common driveway must pull out of the driveway onto Deer Valley Drive front-facing, to be noted on the plat.
7. Modified 13-D sprinklers will be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final mylar prior to recordation.
8. A 10 foot (10') wide public snow storage easement is required along the frontage of the lot with Deer Valley Drive and Deer Valley Loop Road and shall be shown on the plat.
9. A five foot (5') wide public utility easement is required along the rear and side lot lines.
10. The applicant shall submit a financial guarantee, in an amount approved by the City Engineer and in a form approved by the City Attorney, for the public improvements

- including, but not limited to, the fire hydrant, storm drain box, bus pull-out, improvements to Deer Valley Drive, and lighting, prior to plat recordation.
11. An encroachment agreement between the applicant and the owner of 510 Ontario Avenue that addresses all current encroachments (asphalt driveway, rock retaining wall and hot tub) onto the applicant's property shall be remedied prior to plat recordation.
 12. The Construction Mitigation Plan required at Building Permit application shall stipulate that all staging of the project must be done entirely on the applicant's property and that the hours of hauling shall be between 8 am and 6 pm Monday through Friday throughout the duration of the project. The sidewalk on Deer Valley Drive shall remain passible at all times unless explicit approval is given to close the sidewalk by the Building Department.
 13. There shall be a tie breaker mechanism in the CCR's.
 14. Due to the bus pull-out modifications along Deer Valley Drive, the applicant will need to dedicate a portion of property to the City for ROW improvements and petition the City Council to vacate the 875 square feet of ROW prior to plat recordation.
 15. The applicant shall conduct a meeting with surrounding neighbors within one week prior to the commencement of construction to inform them of construction plans. Applicant shall make reasonable efforts to reach all neighbors within 300 feet.

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

PASSED AND ADOPTED this 23rd day of April, 2015.

PARK CITY MUNICIPAL CORPORATION


Jack Thomas, MAYOR

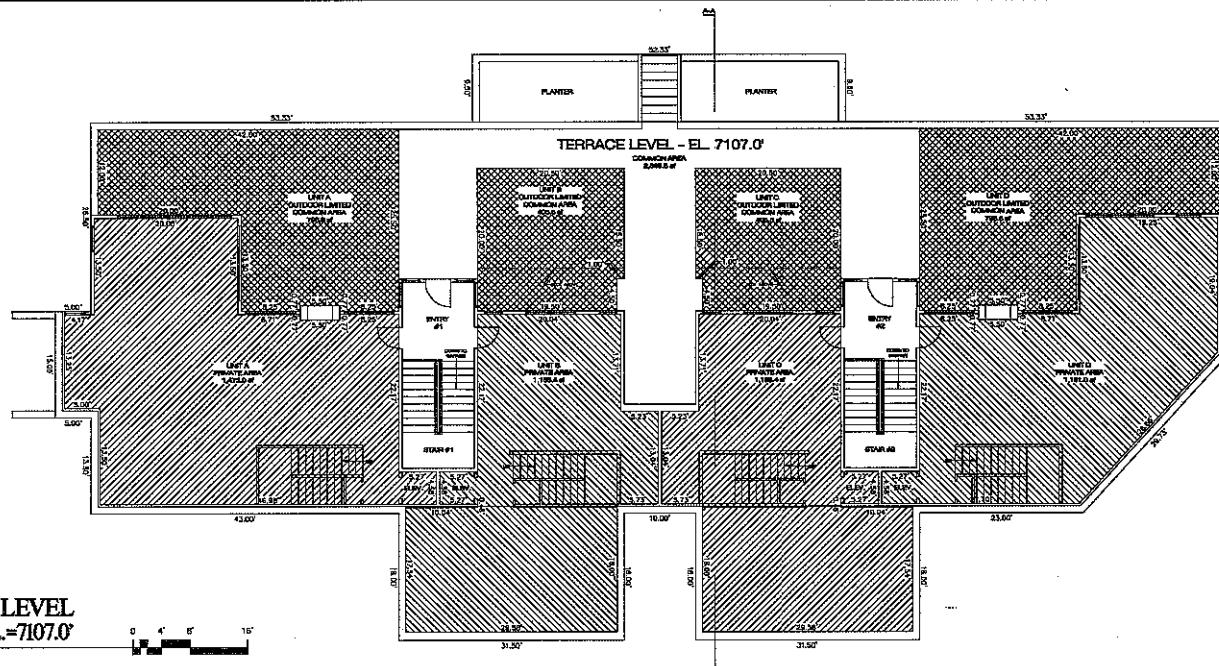
ATTEST:


Marci Heil, CITY RECORDER



APPROVED AS TO FORM:


Mark Harrington, CITY ATTORNEY

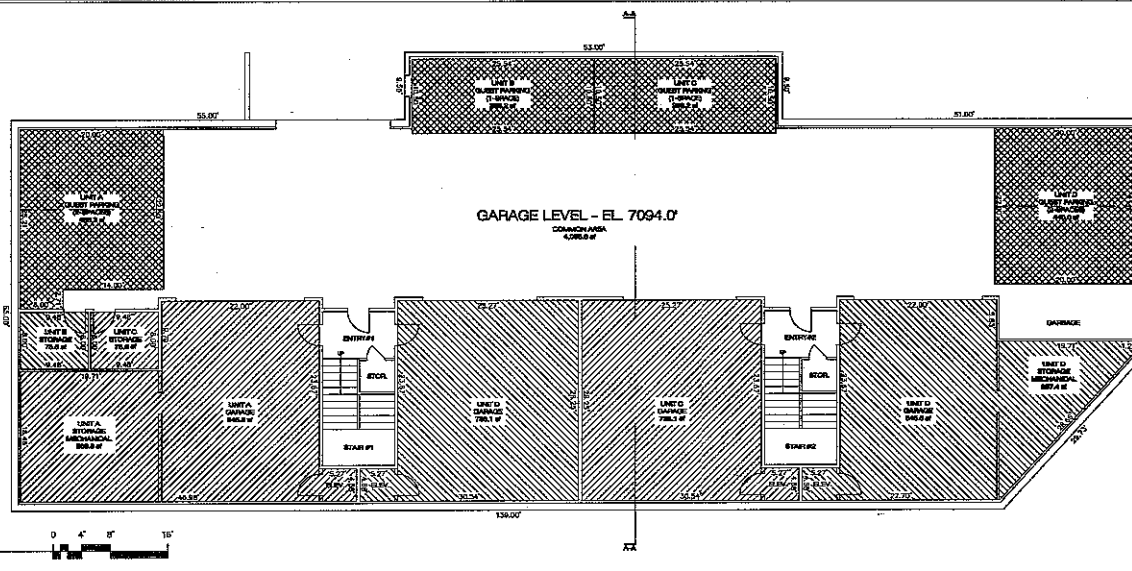


**AREA TABULATIONS
* TERRACE LEVEL**

UNIT A	
PRIVATE AREA	1,473.0 SF
LIMITED COMMON AREA	796.8 SF
UNIT B	
PRIVATE AREA	1,156.4 SF
LIMITED COMMON AREA	405.5 SF
UNIT C	
PRIVATE AREA	1,156.4 SF
LIMITED COMMON AREA	405.5 SF
UNIT D	
PRIVATE AREA	1,191.0 SF
LIMITED COMMON AREA	796.8 SF
COMBINED TOTAL	
PRIVATE AREA	4,976.8 SF
LIMITED COMMON AREA	2,404.6 SF
COMMON AREA	2,849.8 SF

HATCHING LEGEND

- COMMON AREA
- LIMITED COMMON AREA
- PRIVATE AREA - UNIT



**AREA TABULATIONS
* GARAGE LEVEL**

UNIT A	
PRIVATE AREA	1,009.4 SF
LIMITED COMMON AREA	466.8 SF
UNIT B	
PRIVATE AREA	813.9 SF
LIMITED COMMON AREA	268.2 SF
UNIT C	
PRIVATE AREA	813.9 SF
LIMITED COMMON AREA	268.2 SF
UNIT D	
PRIVATE AREA	883.0 SF
LIMITED COMMON AREA	440.0 SF
COMBINED TOTAL	
PRIVATE AREA	3,520.2 SF
LIMITED COMMON AREA	1,442.7 SF
COMMON AREA	4,055.6 SF

RECORDED

NO. _____

DATE _____

CITY OF _____

RECORDED AT THE REQUEST OF _____

FEES _____

CITY RECORDER _____



DATE BY _____

COMMENTS _____

DATE BY _____

COMMENTS _____



DESIGNED BY: GRW/ADM

DRAWN BY: CRW

CHECKED BY: CRW

ROUNDABOUT CONDOMINIUMS

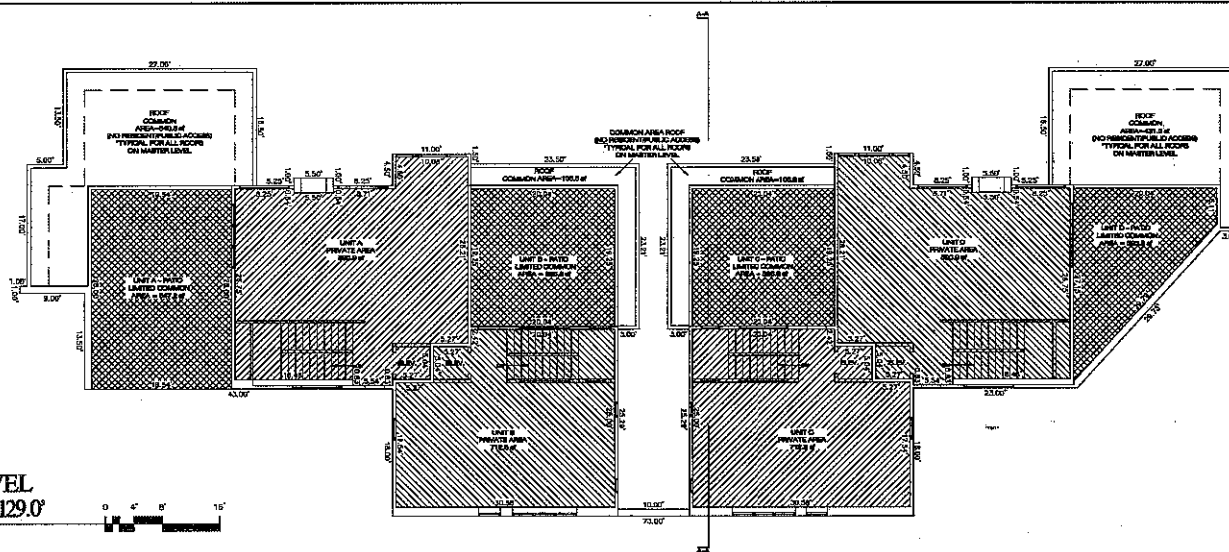
FLOOR PLANS

GARAGE LEVEL AND TERRACE LEVEL

BLAKE HENDERSON, THE ROUNDABOUT LLC

DATE: 08/18/2010

SHEET 2 OF 4

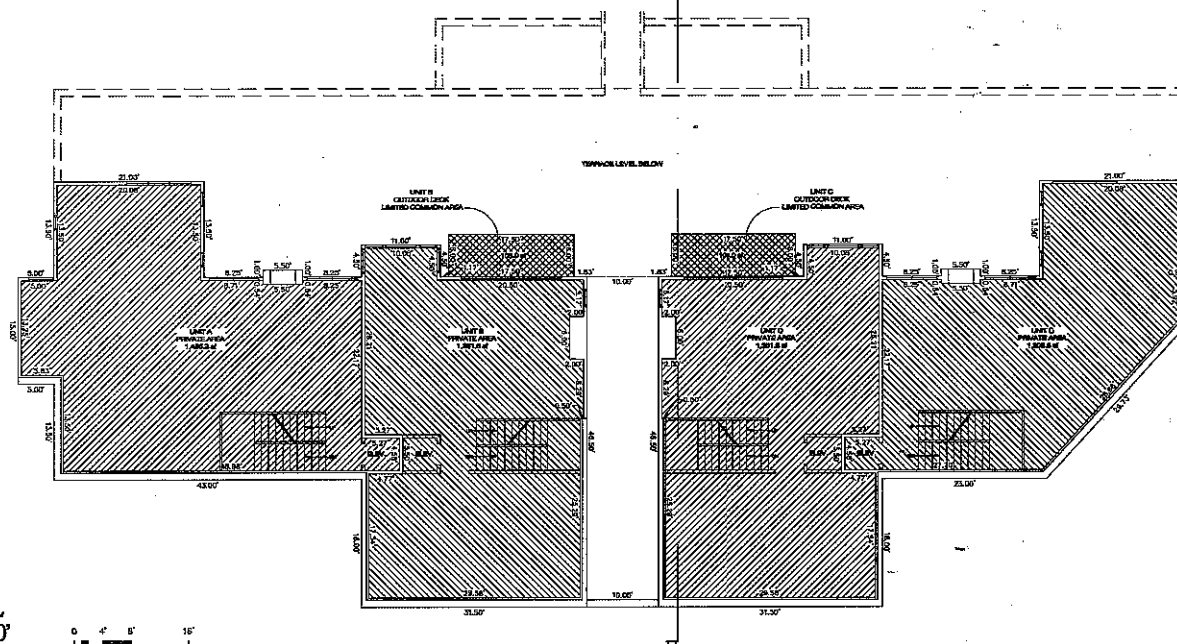


**AREA TABULATIONS
• MASTER LEVEL**

UNIT A	
PRIVATE AREA	890.9 SF
LIMITED COMMON AREA	547.2 SF
UNIT B	
PRIVATE AREA	712.5 SF
LIMITED COMMON AREA	385.8 SF
UNIT C	
PRIVATE AREA	712.5 SF
LIMITED COMMON AREA	385.8 SF
UNIT D	
PRIVATE AREA	890.9 SF
LIMITED COMMON AREA	323.2 SF
COMBINED TOTAL	
PRIVATE AREA	3,206.8 SF
LIMITED COMMON AREA	1,642.0 SF
COMMON AREA	1,740.4 SF

HATCHING LEGEND

- COMMON AREA
- LIMITED COMMON AREA
- PRIVATE AREA - UNIT



**AREA TABULATIONS
• SECOND LEVEL**

UNIT A	
PRIVATE AREA	1,485.3 SF
LIMITED COMMON AREA	0.0 SF
UNIT B	
PRIVATE AREA	1,351.8 SF
LIMITED COMMON AREA	105.0 SF
UNIT C	
PRIVATE AREA	1,351.8 SF
LIMITED COMMON AREA	105.0 SF
UNIT D	
PRIVATE AREA	1,203.3 SF
LIMITED COMMON AREA	0.0 SF
COMBINED TOTAL	
PRIVATE AREA	5,391.8 SF
LIMITED COMMON AREA	210.0 SF
COMMON AREA	520.7 SF

NO. _____
DATE _____
CITY OF _____
RECORDED AT THE REQUEST OF _____
FEE \$ _____ CITY RECORDER _____

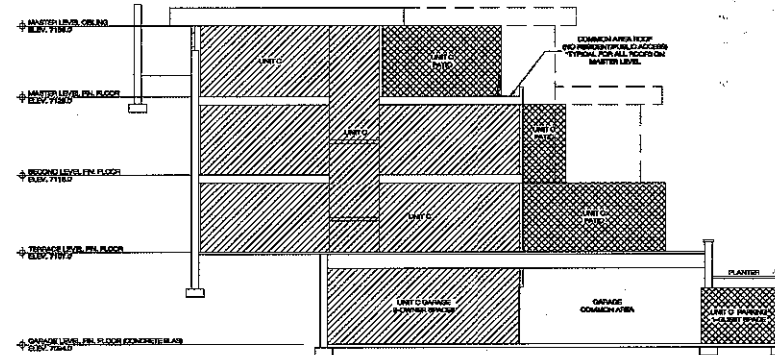


DESIGNED BY _____
CHECKED BY _____
DATE _____



SUPPLIED BY: GRW/ADM
DRAWN BY: GRW
CHECKED BY: GRW

ROUNDABOUT CONDOMINIUMS
FLOOR PLANS
SECOND LEVEL AND MASTER LEVEL
PROJECT: ROUNDABOUT LLC
SHEET 2 OF 4



**BUILDING
SECTION AA**
SCALE: 1" = 8'



HATCHING LEGEND

- COMMON AREA
- LIMITED COMMON AREA
- PRIVATE AREA - UNIT

PLANNED: NOVEMBER 15, 2014

NO. _____ RECORDED _____

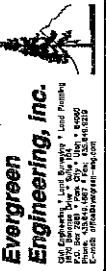
DATE _____

STATE OF _____

CITY OF _____

RECORDED AT THE REQUEST OF _____

FEES _____ CHY RECORDER _____



REVISIONS

NO.	DATE	DESCRIPTION
1		



SUBMITTED BY
GRW/ADM

DRAWN BY
GRW

CHECKED BY
GRW

**ROUNDABOUT CONDOMINIUMS
BUILDING SECTION
AA**

PREPARED BY: THE ROUNDABOUT LLC

PROJECT NO.: 0009

SHEET NO.: 0009

SHEET 4 OF 4