



**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
January 15, 2019**

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the City Council Chambers, 445 Marsac Avenue, Park City, Utah 84060 for the purposes and at the times as described below on Tuesday, January 15, 2019.

CLOSED SESSION - 2:00 p.m.

WORK SESSION - 2:05 p.m.

Planning Commission Vacancy Interviews
[Interview Schedule](#)

CLOSED SESSION - 3:55 p.m.

REGULAR MEETING - 6:00 p.m.

I. ROLL CALL

II. APPOINTMENTS

1. Consideration to Reappoint Hans Fuegi to the Board of Adjustment, with a Term Ending June 2023
(A) Public Input (B) Action
[BOA Appointment Staff Report](#)
2. Consideration to Appoint a Mayor Pro Tem and Alternate for Calendar Year 2019
(A) Public Input (B) Action

III. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Council Questions and Comments

Staff Communications Reports

1. Quarterly Budget Report- FY2019 Second Quarter
[Budget Monitoring Staff Report](#)
[Attachment A: Expenditure Report](#)
[Attachment B: Revenue Report](#)

2. Park City Municipal Website Redesign Project Overview
[Website Redesign Staff Report](#)

IV. PUBLIC INPUT (ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON THE AGENDA)

V. CONSIDERATION OF MINUTES

Consideration to Approve the City Council Meeting Minutes from December 20, 2018
[December 20, 2018 Minutes](#)

VI. CONSENT AGENDA

1. Request to Approve Late Single Event Temporary Liquor License Applications for Operation During the 2019 Sundance Film Festival
[Liquor Applications Staff Report](#)
[Exhibit A: Liquor List](#)
2. Request to Approve Type 2 Convention Sales Licenses for Operation During the 2019 Sundance Film Festival
[CSL Staff Report](#)
[Exhibit A: CSL List](#)

VII. OLD BUSINESS

1. Park City Vision 2020 - Community Visioning Project Update
(A) Public Input

VIII. NEW BUSINESS

1. Consideration to Hold a Special Meeting on January 22, 2019 to Approve Late Type 2 Convention Sales Licenses
(A) Public Input (B) Action
[Special Meeting Staff Report](#)
2. Consideration to Adopt Resolution 01-2019, a Resolution Authorizing the Issuance of General Obligation Bonds in the Amount of \$48,000,000 for the Purchase of Treasure Hill and Armstrong/Snow Ranch Pasture Properties
(A) Public Hearing (B) Action
[General Obligation Bonds Staff Report](#)
[Authorizing Resolution](#)
3. Consideration to Adopt Resolution 02-2019, a Resolution Authorizing the Issuance and Sale of Not More than \$32,000,000 Aggregate Principal Amount of Sales Tax Revenue Bonds, Series 2019; to Fund a Portion of the Treasure Hill Open Space Acquisition and to Fund Affordable and Attainable Housing Plan Projects
(A) Public Hearing (B) Action
[Sales Tax Revenue Bonds Staff Report](#)

Sales Tax Revenue Bonds Resolution

4. Consideration to Approve Ordinance No. 2019-03, an Ordinance Approving the 510 Ontario Avenue Plat Amendment, located at 510 Ontario Avenue, Park City, Utah, and Consideration to Approve Ordinance No. 2019-04, an Ordinance Amending Ordinance No. 15-12 and Approving the Roundabout Condominiums First Amendment, Located at 300 Deer Valley Drive, Park City, Utah
(A) Public Hearing (B) Action
[510 Ontario Ave Plat Amendment Staff Report and Ordinances](#)
[510 Ontario Ave Plat Amendment Exhibits](#)
5. Consideration to Approve Ordinance No. 2019-05, an Ordinance Approving the North Silver Lake Amended and Restated Condominium Plat 2nd Amendment, located at 7101 Silver Lake Drive, Park City, Utah
(A) Public Hearing (B) Action
[North Silver Lake Amended and Restated Condominium Plat 2nd Amendment Staff Report](#)
[North Silver Lake Amended and Restated Condominium Plat 2nd Amendment Exhibits](#)
6. Consideration to Approve Ordinance 2019-06, an Ordinance Approving Land Management Code Amendments regarding Section 15-13 Design Guidelines for Historic Districts and Historic Sites and 15-15 Definitions
(A) Public Hearing (B) Action
[Design Guideline Revisions Staff Report and Ordinance](#)
7. Consideration to Approve Ordinance 2019-07, 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
(A) Public Hearing (B) Action
[LMC Amendments - Historic Districts Staff Report](#)
[LMC Amendments Ordinance](#)
8. Consideration to Review and Amend the Proposed 2019 Legislative Platform Policy Guidelines
(A) Public Input (B) Action
[2019 Legislative Platform Staff Report](#)
[PCMC Legislative Platform and Policy Guidelines](#)

IX. ADJOURNMENT

A majority of City Council members may meet socially after the meeting. If so, the location will be announced by the Mayor. City business will not be conducted. 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 Council meeting attendees that park in the China Bridge parking structure.**

Council Agenda Item Report

Meeting Date: January 15, 2019

Submitted by: Laura Newberry

Submitting Department: Planning

Item Type: Staff Report

Agenda Section:

Subject:

Planning Commission Vacancy Interviews

Suggested Action:

Attachments:

[Interview Schedule](#)

Planning Commissioner Interview Schedule

START	END	INTERVIEW
<i>2:00</i>	<i>2:05</i>	<i>Closed Session - Council interview Prep</i>
2:05	2:20	Jeremy Sheppe
2:20	2:35	Richard Luskin
2:35	2:50	Christin Van Dine
2:50	3:05	Karen West Ellis
3:05	3:20	David Ludema
3:20	3:35	David Greenholtz
3:35	3:55	BREAK
<i>3:55</i>		<i>Closed Session</i>

Planning Commission
 Sarah Hall
 John Kenworthy
 John Phillips
 Laura Suesser
 Mark Sletten
 Douglas Thimm

Term Ending
 July, 2020
 July, 2021
 July, 2022
 July, 2022
 July, 2020
 September, 2018 – Applied for reappointment

There are two (2) commissioner vacancies on the Planning Commission, one of which may be filled by re-appointment. Members of the Planning Commission shall serve four (4) years. Members shall continue to serve until their successors are appointed and qualified.

Council Agenda Item Report

Meeting Date: January 15, 2019

Submitted by: Laura Newberry

Submitting Department: Planning

Item Type: Staff Report

Agenda Section:

Subject:

Consideration to Reappoint Hans Fuegi to the Board of Adjustment, with a Term Ending June 2023

(A) Public Input (B) Action

Suggested Action:

Based on City Council's direction, staff recommends that the City Council reappoint Hans Fuegi to serve on the Board of Adjustment, with the board member term ending in June 2023.

Attachments:

[BOA Appointment Staff Report](#)

City Council Staff Report

Subject: Board of Adjustment (BOA) Appointments
Author: Laura Newberry, Planner I
Date: January 15, 2019
Type of Item: Administrative



Summary Recommendations

Based on City Council's direction, staff recommends that the City Council reappoint Hans Fuegi to serve on the Board of Adjustment, with the board member term ending in June 2023.

Executive Summary

There is one (1) Board of Adjustment (BOA) vacancy available for appointment. Staff received one application from Hans Fuegi, who is eligible for reappointment. Staff is recommending the City Council reappoint Hans Fuegi for a term ending in June 2023.

Background

In order to avail the City of the powers provided in Chapter 9 of Title 10 of the Utah Code (1953, as amended), there is hereby created a Board of Adjustment, which shall consist of five (5) members. There shall also be one non-voting alternate to vote when a regular member is absent. Members shall be appointed by the Mayor with the advice and consent of the City Council. The Council may fix per diem compensation for the members of the Board of Adjustment by resolution, based on necessary and reasonable expenses for meetings actually attended. All members of the Board of Adjustment shall reside within the City limits, and are deemed to have resigned if they move their residence from the City limits. The Board of Adjustment was created pursuant to the Utah Code with the following authority:

(A) The Board of Adjustment shall hear and decide:

- (1) Appeals from zoning decisions applying Title 15, Land Management Code;
- (2) Variances from the terms of the Land Management Code.
- (3) Appeals and call-ups of Final Action by the Planning Commission at the request of the City Council for City Development.
- (4) Appeals of Final Action by the Planning Staff on Historic District Design Review applications when the Historic Preservation Board takes part in the review and Final Action.
- (5) Appeals of Final Action by the Historic Preservation Board on Determination of Significance applications.

(B) The Board of Adjustment shall make determinations regarding the modification of Non-Conforming Uses and shall hear appeals on the determination of Non-Conforming or Non-Complying status by the Director of the Planning Department, as provided in Title 15, Chapter 9.

Analysis

Staff noticed the one (1) Board of Adjustment vacancy on the City's website, through the Park Record, as well as posting the vacancy at City Hall from June 27, 2018 through July 25, 2018. The application period was reopened on September 12, 2018 and closed again on September 21, 2018. Staff received an application from Hans Fuegi, who is eligible for reappointment. Based on City Council's direction, Staff is recommending City Council reappoint Hans Fuegi for another term on the Board of Adjustment, ending in January 2024.

Department Review

City Manager, Legal Department, and Planning Department

Alternatives

- The City Council may approve the recommended reappointment to ensure a fully staff and legally constituted Board of Adjustment.
- The City Council may deny the recommended reappointment and make an alternative appointment or reopen the recruitment process.
- The City Council may continue the appointment to a future date.

Recommendation

Based on City Council's direction, staff recommends that the City Council reappoint Hans Fuegi to serve on the Board of Adjustment, with the board member term ending in June 2023.

Council Agenda Item Report

Meeting Date: January 15, 2019

Submitted by: Michelle Kellogg

Submitting Department: Executive

Item Type: Staff Report

Agenda Section:

Subject:

Consideration to Appoint a Mayor Pro Tem and Alternate for Calendar Year 2019

(A) Public Input (B) Action

Suggested Action:

In accordance with the Park City Officials' Handbook, "The Mayor Pro Tem and Alternate Mayor Pro Tem are appointed annually by the City Council; those positions have voting privileges in all circumstances."

Please consider who should be nominated for these positions. There are no attachments with this item.

Attachments:

Council Agenda Item Report

Meeting Date: January 15, 2019

Submitted by: Todd Andersen

Submitting Department: Budget, Debt & Grants

Item Type: Staff Report

Agenda Section:

Subject:

Quarterly Budget Report- FY2019 Second Quarter

Suggested Action:

The attachments within this report consist of Monthly Expenditure and Revenue Reports detailed by Fund and Major Object Type. The format of these reports follows the audit procedure from the State Compliance Audit Guide, the Utah statute and sample summary reports found in the Utah Uniform Accounting Manual. These summary reports should be prepared and reviewed by Council Quarterly for all funds.

Attachments:

[Budget Monitoring Staff Report](#)

[Attachment A: Expenditure Report](#)

[Attachment B: Revenue Report](#)

MEMO



To: City Council
From: Budget Department
Date: January 2, 2019
Subject: Quarterly Budget Reporting

Budget, Debt, & Grants

445 Marsac Ave.
P.O. Box 1480
Park City, UT 84060
Tel 435.615.5154
www.parkcity.org

State Compliance Monthly Budget Reporting

The attachments within this report consist of Monthly Expenditure and Revenue Reports detailed by Fund and Major Object Type. The format of these reports follows the audit procedure from the State Compliance Audit Guide, the Utah statute and sample summary reports found in the Utah Uniform Accounting Manual. These summary reports should be prepared and reviewed by Council Quarterly for all funds.

The beginning and ending (*399 Beginning Balance*) fund balances (*09 Interfund transfer*) have not been calculated for the FY19 YTD actuals and thus do not show up in the report. We typically calculate these when we begin balancing the budget in April.

Notable Observations:

- 47% of the Personnel budget for the general fund has been spent, which means personnel expenditures have been underspent so far in FY 2019.
- 42% of the General Fund Materials budget has been spent, which means materials have been underspent so far in FY 2019.
- 33% of the total General Fund budget has been spent, which means the General Fund budget has been underspent so far in FY 2019.
- The Expenditure and Revenue Summaries (*attachments A and B*) include the most recent budget adjustments that were approved by Council on December 11, 2018.
- Planning, Building, & Engineering fee revenue has increased from last FY.
- YTD actuals of Recreation fee revenue do not include December revenue.

Attachment A: Expenditure Summary by Object and Type
Attachment B: Revenue Summary by Object and Type

Expenditures by Object Type- Q2 FY2019

January 3, 2019

Object Type	Actuals FY 2017	Actuals FY 2018	YTD Actual FY 2019	Annual Budget FY 2019	Adjusted Budget FY 2019	Remaining Budget FY 2019
011 GENERAL FUND						
01 PERSONNEL SERVICES	21,202,442	21,791,626	10,626,043	22,414,429	22,702,429	12,076,386
02 MATERIALS, SUPPLIES AND SERVICES	1,127,179	1,129,937	540,844	1,282,370	1,282,370	741,526
03 UTILITIES	1,446,258	1,488,716	347,044	1,562,677	1,562,677	1,215,633
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC	1,901,002	3,180,593	1,621,721	3,934,231	3,856,231	2,234,510
05 PARTS/MAINTENANCE SUPPLIES	992,267	993,181	397,544	1,150,480	1,150,480	752,936
06 SPECIAL SERV CONTRACT/MISC CHARGES	972,346	1,274,034	478,902	995,925	995,925	517,023
07 CAPITAL OUTLAY	283,095	188,497	74,507	407,978	407,978	333,471
09 INTERFUND TRANSFER	13,829,567	17,808,628	2,859,180	17,482,895	18,274,786	15,415,606
Total 011 GENERAL FUND	41,754,156	47,855,212	16,945,784	49,230,985	50,232,876	33,287,092
012 QUINNS RECREATION COMPLEX						
01 PERSONNEL SERVICES	777,025	814,063	427,305	921,758	921,758	494,453
02 MATERIALS, SUPPLIES AND SERVICES	55,247	74,606	28,952	60,770	60,770	31,818
03 UTILITIES	156,878	147,234	64,192	161,700	161,700	97,508
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC	78,772	57,709	25,919	72,070	72,070	46,151
05 PARTS/MAINTENANCE SUPPLIES	54,725	43,432	26,976	46,275	46,275	19,299
06 SPECIAL SERV CONTRACT/MISC CHARGES	15,104	20,335	7,989	15,000	15,000	7,011
07 CAPITAL OUTLAY	2,048	924		6,000	6,000	6,000
09 INTERFUND TRANSFER	-4,129,592	-4,450,108		-4,878,112	-4,844,681	-4,844,681
Total 012 QUINNS RECREATION COMPLEX	-2,989,793	-3,291,804	581,332	-3,594,539	-3,561,108	-4,142,440
021 POLICE SPECIAL REVENUE FUND						
09 INTERFUND TRANSFER	33,604	34,404			34,404	34,404
Total 021 POLICE SPECIAL REVENUE FUND	33,604	34,404			34,404	34,404
022 CRIMINAL FORFEITURE RESTRICTED ACCOUNT						
07 CAPITAL OUTLAY		25,851				
09 INTERFUND TRANSFER	26,071	23,168			23,168	23,168
Total 022 CRIMINAL FORFEITURE RESTRICTED ACCOUNT	26,071	49,019			23,168	23,168
023 LOWER PARK AVE RDA SPECIAL REVENUE FUND						
01 PERSONNEL SERVICES	41,082	22,877	11,677	57,740	151,740	140,063
02 MATERIALS, SUPPLIES AND SERVICES	11,200	12,320	7,100	20,000	20,000	12,900
03 UTILITIES	10,006	9,666	9,428	18,300	18,300	8,873
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC	57,780	29,781		150,000	150,000	150,000
06 SPECIAL SERV CONTRACT/MISC CHARGES	456,142	528,668		568,000	568,000	568,000
09 INTERFUND TRANSFER	1,963,479	2,498,680	957,320	1,886,786	2,363,307	1,405,987
Total 023 LOWER PARK AVE RDA SPECIAL REVENUE FUND	2,539,689	3,101,992	985,524	2,700,826	3,271,347	2,285,823

Expenditures by Object Type- Q2 FY2019

January 3, 2019

Object Type	Actuals FY 2017	Actuals FY 2018	YTD Actual FY 2019	Annual Budget FY 2019	Adjusted Budget FY 2019	Remaining Budget FY 2019
024 MAIN STREET RDA SPECIAL REVENUE FUND						
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC	12,309	4,710	921	80,000	80,000	79,079
06 SPECIAL SERV CONTRACT/MISC CHARGES	276,177	262,566		405,000	405,000	405,000
09 INTERFUND TRANSFER	1,212,052	1,482,611	438,669	1,222,052	1,487,611	1,048,942
Total 024 MAIN STREET RDA SPECIAL REVENUE FUND	1,500,538	1,749,887	439,590	1,707,052	1,972,611	1,533,021
031 CAPITAL IMPROVEMENT FUND						
01 PERSONNEL SERVICES	68,537	46,395	25,481			-25,481
07 CAPITAL OUTLAY	48,658,602	35,749,161	6,311,184	65,868,694	65,868,694	59,557,510
09 INTERFUND TRANSFER	32,428,411	44,219,314	1,951,474	77,550,052	51,101,566	49,150,092
Total 031 CAPITAL IMPROVEMENT FUND	81,155,550	80,014,870	8,288,139	143,418,746	116,970,260	108,682,121
033 REDEVELOPMENT AGENCY-LOWER PRK						
01 PERSONNEL SERVICES	2,624	32,488	13,872			-13,872
07 CAPITAL OUTLAY	1,658,650	2,610,928	87,066	105,000	105,000	17,934
09 INTERFUND TRANSFER	738,741	1,731,350	413,126	28,222,765	8,468,150	8,055,024
Total 033 REDEVELOPMENT AGENCY-LOWER PRK	2,400,015	4,374,766	514,064	28,327,765	8,573,150	8,059,086
034 REDEVELOPMENT AGENCY-MAIN ST						
07 CAPITAL OUTLAY		95,695	208,223	52,000	52,000	-156,223
09 INTERFUND TRANSFER	2,015,089	1,883,453	469,679	1,376,511	1,773,963	1,304,284
Total 034 REDEVELOPMENT AGENCY-MAIN ST	2,015,089	1,979,148	677,902	1,428,511	1,825,963	1,148,061
035 BUILDING AUTHORITY						
07 CAPITAL OUTLAY	34,056	1,430				
09 INTERFUND TRANSFER	424,783	429,917		423,484	429,917	429,917
Total 035 BUILDING AUTHORITY	458,839	431,347		423,484	429,917	429,917
038 EQUIPMENT REPLACEMENT CIP						
07 CAPITAL OUTLAY	1,421,831	516,654	890,127	1,325,600	1,325,600	435,473
09 INTERFUND TRANSFER	1,352,711	1,990,746		950,811	1,738,846	1,738,846
Total 038 EQUIPMENT REPLACEMENT CIP	2,774,542	2,507,400	890,127	2,276,411	3,064,446	2,174,319
051 WATER FUND						
01 PERSONNEL SERVICES	2,687,654	2,887,816	1,387,118	3,232,386	3,232,386	1,845,268
02 MATERIALS, SUPPLIES AND SERVICES	296,663	199,443	96,334	301,962	301,962	205,628
03 UTILITIES	977,391	932,097	414,253	1,402,066	1,402,066	987,813
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC	952,883	852,687	480,969	1,195,183	1,195,183	714,214
05 PARTS/MAINTENANCE SUPPLIES	752,213	843,626	385,687	877,927	877,927	492,240
06 SPECIAL SERV CONTRACT/MISC CHARGES	46,602	60,906	34,129	52,000	52,000	17,871
07 CAPITAL OUTLAY	8,282,947	11,120,598	2,359,690	17,085,809	17,085,809	14,726,119

Expenditures by Object Type- Q2 FY2019

January 3, 2019

Object Type	Actuals FY 2017	Actuals FY 2018	YTD Actual FY 2019	Annual Budget FY 2019	Adjusted Budget FY 2019	Remaining Budget FY 2019
08 DEBT SERVICE	4,501,047	4,509,004	80,634	4,517,579	4,517,579	4,436,945
09 INTERFUND TRANSFER	7,543,319	4,080,700	586,684	9,840,369	4,876,884	4,290,200
Total 051 WATER FUND	26,040,720	25,486,876	5,825,496	38,505,281	33,541,796	27,716,300
052 STORM WATER FUND						
01 PERSONNEL SERVICES	539,043	629,068	366,349	699,711	699,711	333,363
02 MATERIALS, SUPPLIES AND SERVICES	29,478	29,891	9,696	60,000	60,000	50,304
03 UTILITIES	18,799	20,181	34,533	39,700	39,700	5,167
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC	76,063	84,354	21,128	157,000	157,000	135,872
05 PARTS/MAINTENANCE SUPPLIES	31,840	18,403	5,108	51,300	51,300	46,192
06 SPECIAL SERV CONTRACT/MISC CHARGES		18				
07 CAPITAL OUTLAY	33,094	500	6,414	235,350	235,350	228,936
09 INTERFUND TRANSFER	8,501,046	677,027	60,669	8,628,256	604,966	544,297
Total 052 STORM WATER FUND	9,229,363	1,459,442	503,896	9,871,317	1,848,027	1,344,131
055 GOLF COURSE FUND						
01 PERSONNEL SERVICES	740,673	795,591	461,549	958,936	958,936	497,386
02 MATERIALS, SUPPLIES AND SERVICES	74,360	86,856	40,113	74,900	74,900	34,787
03 UTILITIES	57,782	51,108	22,268	67,700	67,700	45,432
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC	70,504	79,448	24,241	33,910	33,910	9,669
05 PARTS/MAINTENANCE SUPPLIES	196,704	218,413	128,802	240,800	240,800	111,998
06 SPECIAL SERV CONTRACT/MISC CHARGES	27,288	27,408	25,011	30,500	30,500	5,489
07 CAPITAL OUTLAY	255,845	163,918	-8,507	114,565	114,565	123,072
08 DEBT SERVICE	8,094	32,377	32,377	32,377	32,377	0
09 INTERFUND TRANSFER	1,373,577	1,338,952	83,363	1,262,046	1,252,700	1,169,337
Total 055 GOLF COURSE FUND	2,804,828	2,794,071	809,217	2,815,734	2,806,387	1,997,170
057 TRANSPORTATION & PARKING FUND						
01 PERSONNEL SERVICES	6,418,646	8,507,085	4,528,721	10,383,394	10,392,735	5,864,014
02 MATERIALS, SUPPLIES AND SERVICES	399,158	553,217	317,792	788,650	788,650	470,858
03 UTILITIES	153,819	292,995	143,223	260,244	260,244	117,021
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC	974,144	1,813,092	844,763	1,342,900	1,775,875	931,112
05 PARTS/MAINTENANCE SUPPLIES	31,167	49,566	4,473	94,000	94,000	89,527
06 SPECIAL SERV CONTRACT/MISC CHARGES	81,263	90,128	77,551	69,000	69,000	-8,551
07 CAPITAL OUTLAY	16,332,826	10,530,088	1,263,996	8,685,894	8,685,894	7,421,898
09 INTERFUND TRANSFER	22,016,989	16,517,986	1,766,765	16,956,781	13,555,833	11,789,068
Total 057 TRANSPORTATION & PARKING FUND	46,408,012	38,354,157	8,947,284	38,580,863	35,622,231	26,674,947
062 FLEET SERVICES FUND						
01 PERSONNEL SERVICES	977,316	1,005,388	488,659	992,706	992,706	504,048

Expenditures by Object Type- Q2 FY2019

January 3, 2019

Object Type	Actuals FY 2017	Actuals FY 2018	YTD Actual FY 2019	Annual Budget FY 2019	Adjusted Budget FY 2019	Remaining Budget FY 2019
02 MATERIALS, SUPPLIES AND SERVICES	78,954	74,478	33,360	73,500	73,500	40,140
03 UTILITIES	749,784	829,582	300,554	827,600	827,600	527,046
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC	3,573	3,187		3,200	3,200	3,200
05 PARTS/MAINTENANCE SUPPLIES	689,314	641,356	257,476	647,230	647,230	389,754
07 CAPITAL OUTLAY	720			10,000	10,000	10,000
09 INTERFUND TRANSFER	1,196,395	1,207,403		1,217,443	1,218,167	1,218,167
Total 062 FLEET SERVICES FUND	3,696,056	3,761,395	1,080,048	3,771,679	3,772,403	2,692,355
064 SELF INSURANCE FUND						
02 MATERIALS, SUPPLIES AND SERVICES	36,341	31,600	18,342	50,500	50,500	32,158
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC	449,027	151,962	80,464	816,000	816,000	735,536
06 SPECIAL SERV CONTRACT/MISC CHARGES	650,981	607,269	545,520	710,000	710,000	164,480
09 INTERFUND TRANSFER	793,923	1,163,647		48,212	895,821	895,821
Total 064 SELF INSURANCE FUND	1,930,271	1,954,479	644,326	1,624,712	2,472,321	1,827,995
070 SALES TAX REV BOND - DEBT SVS FUND						
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC		223,553				
08 DEBT SERVICE	2,255,381	5,031,081	5,659	5,034,465	5,034,465	5,028,806
09 INTERFUND TRANSFER	2,866,625	37,600,193		7,177,001	7,382,946	7,382,946
Total 070 SALES TAX REV BOND - DEBT SVS FUND	5,122,006	42,854,827	5,659	12,211,466	12,417,411	12,411,752
071 DEBT SERVICE FUND						
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC	155,239					
08 DEBT SERVICE	4,210,345	6,420,934	833,275	6,043,635	6,043,635	5,210,360
09 INTERFUND TRANSFER	28,352,049	710,461		739,258	755,397	755,397
Total 071 DEBT SERVICE FUND	32,717,633	7,131,395	833,275	6,782,893	6,799,032	5,965,757
TOTAL	259,617,190	262,602,884	47,971,664	340,083,186	282,116,643	234,144,979

Revenues by Revenue Type- Q2 FY2019

January 3, 2019

Revenue Type	Actuals FY 2017	Actuals FY 2018	YTD Actual FY 2019	Annual Budget FY 2019	Adjusted Budget FY 2019	Remaining Budget FY 2019
011 GENERAL FUND						
Property Taxes	10,733,553	10,675,672	3,217,325	10,976,165	10,976,165	7,758,840
Sales Tax	9,863,502	13,247,915	2,653,858	14,070,969	14,070,969	11,417,111
Franchise Tax	3,194,392	3,147,847	899,215	3,322,000	3,322,000	2,422,785
Licenses	341,390	431,744	329,427	529,000	529,000	199,573
Planning Building & Engineering Fees	2,023,651	2,904,453	2,454,807	2,824,000	2,974,000	519,193
Special Event Fees	100,320	58,971	48,764	110,000	110,000	61,236
Federal Revenue	37,713	46,689	3,125	65,000	65,000	61,875
State Revenue	81,180	65,019	33,836	95,000	95,000	61,164
County/SP District Revenue	50,000	17,000	5,000	22,000	22,000	17,000
Cemetery Charges for Services	31,018	29,186	10,551	37,000	37,000	26,450
Recreation	1,948,698	2,061,268	746,606	2,044,000	2,044,000	1,297,394
Other Service Revenue	69,426	57,470	17,687	92,000	92,000	74,313
Library Fines & Fees	32,249	27,946	10,445	27,000	27,000	16,555
Misc. Revenues	391,403	847,128	560,179	911,000	911,000	350,821
Interfund Transactions (Admin)	2,397,547	2,577,182	1,142,554	2,673,663	2,673,663	1,531,109
Special Revenues & Resources	60,384	100,939	51,777	18,000	18,000	-33,777
Beginning Balance	10,522,730	11,558,783	12,266,079	11,414,188	12,266,079	
Total 011 GENERAL FUND	41,879,156	47,855,212	24,451,235	49,230,985	50,232,876	25,781,641
012 QUINNS RECREATION COMPLEX						
Recreation	5,330	4,691	3,581	3,000	3,000	-581
Ice	818,339	833,126	334,106	886,000	886,000	551,894
Misc. Revenues	-109	-29	-153			153
Special Revenues & Resources	819					
Beginning Balance	-3,814,171	-4,129,592	-4,450,108	-4,483,539	-4,450,108	
Total 012 QUINNS RECREATION COMPLEX	-2,989,793	-3,291,804	-4,112,574	-3,594,539	-3,561,108	551,466
021 POLICE SPECIAL REVENUE FUND						
State Revenue	1,350	800				
Beginning Balance	32,254	33,604	34,404		34,404	
Total 021 POLICE SPECIAL REVENUE FUND	33,604	34,404	34,404		34,404	
022 CRIMINAL FORFEITURE RESTRICTED ACCOUNT						
State Revenue	9,685	22,948				
Beginning Balance	16,386	26,071	23,168		23,168	
Total 022 CRIMINAL FORFEITURE RESTRICTED ACCOUNT	26,071	49,019	23,168		23,168	
023 LOWER PARK AVE RDA SPECIAL REVENUE FUND						
Property Taxes	2,279,414	2,763,710	4,999	2,413,792	2,413,792	2,408,793

Revenues by Revenue Type- Q2 FY2019

January 3, 2019

Revenue Type	Actuals FY 2017	Actuals FY 2018	YTD Actual FY 2019	Annual Budget FY 2019	Adjusted Budget FY 2019	Remaining Budget FY 2019
Misc. Revenues	6,228	15,928				
Beginning Balance	254,047	322,354	857,555	287,034	857,555	
Total 023 LOWER PARK AVE RDA SPECIAL REVENUE FUND	2,539,689	3,101,992	862,554	2,700,826	3,271,347	2,408,793
024 MAIN STREET RDA SPECIAL REVENUE FUND						
Property Taxes	1,234,273	1,277,777	14,342	1,242,000	1,242,000	1,227,658
Misc. Revenues	5,819	12,058				
Beginning Balance	260,447	460,052	730,611	465,052	730,611	
Total 024 MAIN STREET RDA SPECIAL REVENUE FUND	1,500,539	1,749,887	744,953	1,707,052	1,972,611	1,227,658
031 CAPITAL IMPROVEMENT FUND						
Sales Tax	8,010,452	7,159,183	1,299,196	9,540,207	9,540,207	8,241,011
Planning Building & Engineering Fees	308,787	432,381	380,566	373,000	373,000	-7,566
Federal Revenue	11,140	1,044				
State Revenue	520,721	431,761	150,481	360,000	360,000	209,519
County/SP District Revenue	637,316	2,520,580		1,680,000	1,680,000	1,680,000
Misc. Revenues	2,837,006	4,303,532	223,870	1,198,000	1,198,000	974,130
Interfund Transactions (CIP/Debt)	28,171,029	33,203,271	1,374,940	2,357,042	2,357,042	982,102
Special Revenues & Resources	3,737,067	813,486	69,636	302,500	302,500	232,864
Bond Proceeds				60,300,000	60,300,000	60,300,000
Beginning Balance	36,922,033	31,142,544	40,866,598	67,307,997	40,859,511	-7,087
Total 031 CAPITAL IMPROVEMENT FUND	81,155,551	80,007,783	44,365,287	143,418,746	116,970,260	72,604,973
033 REDEVELOPMENT AGENCY-LOWER PRK						
Misc. Revenues	12,139	1,994,901		6,000,000	6,000,000	6,000,000
Interfund Transactions (CIP/Debt)	1,641,125	1,641,125	957,320	1,641,125	1,547,125	589,805
Beginning Balance	746,751	738,741	1,026,025	20,686,640	1,026,025	
Total 033 REDEVELOPMENT AGENCY-LOWER PRK	2,400,015	4,374,767	1,983,345	28,327,765	8,573,150	6,589,805
034 REDEVELOPMENT AGENCY-MAIN ST						
Misc. Revenues	12,859	18,148				
Interfund Transactions (CIP/Debt)	752,000	752,000	438,669	752,000	752,000	313,331
Beginning Balance	1,250,230	1,209,001	1,073,963	676,511	1,073,963	
Total 034 REDEVELOPMENT AGENCY-MAIN ST	2,015,089	1,979,149	1,512,632	1,428,511	1,825,963	313,331
035 BUILDING AUTHORITY						
Misc. Revenues	4,752	6,564				
Beginning Balance	454,087	424,783	429,917	423,484	429,917	
Total 035 BUILDING AUTHORITY	458,839	431,347	429,917	423,484	429,917	
038 EQUIPMENT REPLACEMENT CIP						

Revenues by Revenue Type- Q2 FY2019

January 3, 2019

Revenue Type	Actuals FY 2017	Actuals FY 2018	YTD Actual FY 2019	Annual Budget FY 2019	Adjusted Budget FY 2019	Remaining Budget FY 2019
Misc. Revenues	124,131	80,989	38,036			-38,036
Interfund Transactions (CIP/Debt)	1,023,700	1,073,700	626,325	1,073,700	1,073,700	447,375
Beginning Balance	1,626,711	1,352,711	1,990,746	1,202,711	1,990,746	
Total 038 EQUIPMENT REPLACEMENT CIP	2,774,542	2,507,400	2,655,107	2,276,411	3,064,446	409,339
051 WATER FUND						
Planning Building & Engineering Fees	1,091,022	1,255,340	1,194,564	1,000,000	1,000,000	-194,564
Federal Revenue						
Water Charges for Services	17,193,875	17,881,316	11,219,426	17,448,500	17,448,500	6,229,074
Misc. Revenues	480,329	444,863	51,802	178,023	178,023	126,221
Special Revenues & Resources			169,305			-169,305
Bond Proceeds				12,500,000	12,500,000	12,500,000
Beginning Balance	7,275,494	5,905,357	2,456,159	7,378,758	2,415,273	-40,886
Total 051 WATER FUND	26,040,720	25,486,876	15,091,256	38,505,281	33,541,796	18,450,540
052 STORM WATER FUND						
Water Charges for Services	979,419	1,277,767	782,789	1,250,000	1,250,000	467,211
Misc. Revenues	331	5,242				
Special Revenues & Resources	8,249,613					
Beginning Balance		176,433	598,027	8,621,317	598,027	
Total 052 STORM WATER FUND	9,229,363	1,459,442	1,380,816	9,871,317	1,848,027	467,211
055 GOLF COURSE FUND						
Recreation	1,418,870	1,491,988	1,037,442	1,519,596	1,519,596	482,154
Misc. Revenues	35,724	31,079	537	51,350	51,350	50,813
Interfund Transactions (CIP/Debt)	25,000	25,000	14,581	25,000	25,000	10,419
Beginning Balance	1,325,234	1,246,003	1,210,441	1,219,788	1,210,441	
Total 055 GOLF COURSE FUND	2,804,828	2,794,071	2,263,001	2,815,734	2,806,387	543,386
057 TRANSPORTATION & PARKING FUND						
Sales Tax	5,233,194	5,617,865	1,039,427	5,551,893	5,551,893	4,512,466
Licenses	764,407	956,011	888,160	810,959	810,959	-77,201
Planning Building & Engineering Fees	126,244	14,000				
Special Event Fees	2,848	1,726	2,360			-2,360
Federal Revenue	15,972,589	2,686,154		5,838,251	5,838,251	5,838,251
Transit Charges for Services	3,206,611	6,247,276	2,320,164	6,186,031	6,186,031	3,865,867
Fines & Forfeitures	1,077,415	2,240,548	1,027,771	2,893,282	2,893,282	1,865,511
Misc. Revenues	280,456	522,498	53,519	309,643	309,643	256,125
Special Revenues & Resources	362,886	805,272	133,802	384,986	384,986	251,184
Beginning Balance	19,381,363	19,262,807	13,641,086	16,605,818	13,647,186	6,100

Revenues by Revenue Type- Q2 FY2019

January 3, 2019

Revenue Type	Actuals FY 2017	Actuals FY 2018	YTD Actual FY 2019	Annual Budget FY 2019	Adjusted Budget FY 2019	Remaining Budget FY 2019
Total 057 TRANSPORTATION & PARKING FUND	46,408,012	38,354,157	19,106,288	38,580,863	35,622,231	16,515,943
062 FLEET SERVICES FUND						
Interfund Transactions (Admin)	2,572,200	2,565,000	1,496,259	2,565,000	2,565,000	1,068,741
Beginning Balance	1,123,856	1,196,395	1,207,403	1,206,679	1,207,403	
Total 062 FLEET SERVICES FUND	3,696,056	3,761,395	2,703,662	3,771,679	3,772,403	1,068,741
064 SELF INSURANCE FUND						
Misc. Revenues	275,000	275,000	160,419	275,000	275,000	114,581
Interfund Transactions (Admin)	686,997	885,556	607,677	1,041,733	1,033,674	425,997
Beginning Balance	968,274	793,923	1,163,647	307,979	1,163,647	
Total 064 SELF INSURANCE FUND	1,930,271	1,954,479	1,931,743	1,624,712	2,472,321	540,578
070 SALES TAX REV BOND - DEBT SVS FUND						
Misc. Revenues	26,965	195,670	75,922			-75,922
Interfund Transactions (Admin)	160,058	159,826	94,325	161,703	161,703	67,378
Interfund Transactions (CIP/Debt)	2,091,955	4,867,531	2,834,279	4,858,763	4,858,763	2,024,484
Bond Proceeds		35,227,871				
Beginning Balance	2,843,028	2,403,929	7,396,945	7,191,000	7,396,945	
Total 070 SALES TAX REV BOND - DEBT SVS FUND	5,122,006	42,854,827	10,401,471	12,211,466	12,417,411	2,015,940
071 DEBT SERVICE FUND						
Property Taxes	4,220,158	6,432,184		6,036,374	6,036,374	6,036,374
Misc. Revenues	58,998	55,495	24,845	52,197	52,197	27,352
Bond Proceeds	27,863,698					
Beginning Balance	574,778	643,716	710,461	694,322	710,461	
Total 071 DEBT SERVICE FUND	32,717,633	7,131,395	735,306	6,782,893	6,799,032	6,063,726
TOTAL	259,742,190	262,595,797	126,563,572	340,083,186	282,116,642	155,553,071

Council Agenda Item Report

Meeting Date: January 15, 2019

Submitted by: Linda Jager

Submitting Department: Community & Public Affairs

Item Type: Staff Report

Agenda Section:

Subject:

Park City Municipal Website Redesign Project Overview

Suggested Action:

Attachments:

[Website Redesign Staff Report](#)

City Council Staff Report



Subject: Park City Municipal Website Redesign Project Overview
Authors: Shannon Dale, IT Specialist; Linda Jager, Community Engagement Manager; Emma Prysunka, Communications Specialist; Scott Robertson, IT Director
Department: Community Engagement & IT
Date: January 15, 2019
Type of Item: Informational

Summary

Integral to advancing Park City Municipal's community engagement [strategic plan](#), the Community Engagement and IT departments are collaborating to lead and launch a redesign of the City's website in coordination with [Granicus](#) (formerly Vision), the City's website provider. The project team looks forward to involvement and feedback from community members, Council, and internal staff throughout the redesign process.

The first, and subsequently most frequent, interaction between residents and Park City Municipal (PCMC) is our website. It is the go-to source for schedule and transit-related information, with Park City Transit, Park City Ice Arena, Park City MARC, and parking the most frequently visited pages, respectively, on our website according to a January 7, 2019 Google analytics report.

In addition to providing logistical information, the City's website offers a primary platform to communicate, seek feedback, and share progress on our community critical/top priorities and trending issues, which has not been maximized in its current design. A website redesign will also provide staff with the opportunity to design and manage a timely and engaging newsroom, calendar of events, and meeting schedule.

Evolving digital advances and website capabilities - especially in the area of civic communication, coupled with the City's goal to foster transparent, concise, and consistent dialogue between PCMC and our community has led the Community Engagement and IT departments to recommend and secure funding to implement the website redesign during FY2019. The previous website redesign was completed in 2015.

Proposed Website Redesign Goals

Based on feedback from external and internal stakeholders, initial goals for the website redesign are outlined below. Staff seeks Council feedback on these goals and invites discussion on additional goals and outcomes desired in the redesign process. It is important to the project team to invite and incorporate feedback from all stakeholder groups in the redesign process.

- Improve the user navigation experience, making it easier for users to quickly find departments and information;
- Optimize search functionality - particularly with Granicus integration - making it easier for residents to search and find City Council, Board and Commission minutes, as well as navigate municipal code;
- Create an engaging platform to share timely news, events, progress made on the communities critical and top priorities, and enhance community dialogue;
- Present information in a clear and user-friendly way, while integrating city branding and current imagery; and
- Design an efficient and simple CMS system to enable staff to update content on department pages in a timely manner.

Project Timeline:

The redesign process is estimated to take a minimum of 21 weeks (please see implementation timeline below). Our internal project team recently held a kickoff meeting with the Granicus team on December 11, 2018. Based on the projected redesign timeline, we anticipate a launch date in May 2019. Staff will return to Council for a work session presentation to discuss the project in more detail, and will provide a monthly update to Council on the progress of the project.

The project is currently in the Phase 1, which includes a Granicus-authored user [survey](#) for internal and external stakeholders launched on January 11.

Implementation Timeline Target for Site Redesign



Department Review

Community Engagement, Executive, IT and Legal.

Council Agenda Item Report

Meeting Date: January 15, 2019

Submitted by: Michelle Kellogg

Submitting Department: Executive

Item Type: Minutes

Agenda Section:

Subject:

Consideration to Approve the City Council Meeting Minutes from December 20, 2018

Suggested Action:

Attachments:

[December 20, 2018 Minutes](#)



PARK CITY COUNCIL MEETING MINUTES - DRAFT
445 MARSAC AVENUE
PARK CITY, SUMMIT COUNTY, UTAH 84060

December 20, 2018

REGULAR MEETING - 6:00 p.m.

I) ROLL CALL

Attendee Name	Status
Council Member Becca Gerber Council Member Tim Henney Council Member Steve Joyce Council Member Lynn Ware Peek Mayor Pro Tem Nann Worel Diane Foster, City Manager Matt Dias, Assistant City Manager Mark Harrington, City Attorney Michelle Kellogg, City Recorder	Present
Mayor Andy Beerman	Excused

II) COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Council Questions and Comments

Council Member Henney stated he would abstain from Consent Item One. He attended the event at the Transit Center where he distributed thank you gifts to transit riders.

Council Member Gerber indicated she attended the Transit Center event as well.

Council Member Ware Peek attended the Transit Center event. She also expressed concern about the J1 employees being scammed on housing and related a couple of experiences that some of these employees faced. She felt the employers needed to help the young people coming here to work. Council Member Henney stated Consent Item Three, Page 94, talked about the top employers in town and he felt a message should be sent to the employers. Foster asked if some of the Council members wanted to talk with the resorts or did they want to let the housing team do some research and come back to Council in a month. Council Member Gerber suggested having a preliminary discussion between Council members, and thought there might be ways the City could help the J1 employees help themselves. She preferred having a work session

on this topic. Chief Carpenter stated it was hard to verify housing when it was found online. Law enforcement had been sent to pre-employment meetings to discuss how employees could protect themselves from becoming victims. Council favored having a work session to discuss this further.

Mayor Pro Tem Worel stated the mental health provider RFP was ready to go out. The Social Equity advisory group and the Community Foundation were in the process of refining the definition of social equity. Branded PC opened and she stated there were many gift ideas available there. The Library Board voted to approve the fine free program. She also met with the internal group and discussed a plan to move forward with a program to employ people with different abilities.

Staff Communications Report

1. My Sustainable Year Campaign Brief:

Mayor Pro Tem Worel stated the staff report included three questions. Council agreed to email their responses to Celia Peterson.

III) PUBLIC INPUT (ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON THE AGENDA)

Mayor Pro Tem Worel opened the meeting for those who wished to address the Council on items not on the agenda. No comments were given. Mayor Pro Tem Worel closed the public input portion of the meeting.

IV) CONSIDERATION OF MINUTES

Consideration to Approve the City Council Meeting Minutes from November 29, 2018:

Council Member Gerber moved to approve the City Council Meeting minutes from November 29, 2018. Council Member Ware Peek seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek, and Worel

V) APPOINTMENT

1. Consideration to Appoint Tim Council Member Henney as the Mayor Pro Tem for Saturday, December 22, 2018:

Mayor Pro Tem Worel opened the meeting for public input. No comments were given.
Mayor Pro Tem Worel closed the public input portion of the meeting.

Council Member Gerber moved to appoint Tim Henney as the Mayor Pro Tem for Saturday, December 22, 2018. Council Member Joyce seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Joyce and Worel

ABSTAIN: Council Members Henney and Ware Peek

VI) CONSENT AGENDA

1. Request to Approve Single Event Temporary Liquor License Approvals for Operation During the 2019 Sundance Film Festival:

2. Request to Approve Type 2 Convention Sales License Applications for Operation During the 2019 Sundance Film Festival:

3. Request to Approve and Accept the Fiscal Year 2018 Comprehensive Annual Financial Report:

4. Request to Approve Resolution 33-2018, a Resolution Honoring Bob Wheaton by Renaming Guardsman Connector Street and Designating it as Wheaton Way:

Council Member Joyce commented on the financial summary and noted all the great information found in that report. Council Member Ware Peek agreed and indicated it was like a State of the City report.

Council Member Joyce moved to approve the Consent Agenda. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek, and Worel

ABSTAIN: Council Member Henney from Item 1

VII) OLD BUSINESS

1. Consideration to Approve a New Letter of Consent for the Inter-local Agreement with the Snyderville Basin Recreation District, which will Amend the Contribution Level for Park City Municipal Corporation:

1 Amanda Angevine, Ice Rink General Manager, stated this agreement was renewed
2 every three years. She discussed the budget process and meetings with Basin Rec. It
3 was decided to ask each entity to raise the Ice Arena budget from \$50,000 to \$80,000.
4 The Basin did not approve the request to increase the budget. Angevine explained the
5 reasoning behind the decision to request the budget increase, including
6 recommendations that came from an energy audit and a facilities assessment, cost
7 estimate updates, technology, etc.

8
9 Council Member Henney stated he was concerned because the original agreement was
10 to pay an equal amount with the County to fund the budget. Angevine stated the 2004
11 interlocal agreement stated the annual budget would be \$50,000 and it did not have a
12 provision for an increase. In 2015, the Basin was the only contributor to the Capital
13 Fund and then the City matched it. Now, the City approved the additional increase but
14 the Basin would not match it. She felt the budgeted items were needed and maintaining
15 the \$50,000 contributions would put the Ice Arena in a reactive mode for operations.

16
17 Council Member Henney asked how the Basin arrived at its decision. Angevine stated
18 the County reduced its funding to Basin Rec. There was no tax increase for several
19 years, and projects needed to be prioritized. They stated that if there was a particular
20 project that couldn't happen, then a request could be made to the Basin and they would
21 consider it.

22
23 Mayor Pro Tem Worel stated she talked to a member of the Basin Board who explained
24 that there was additional money set aside for capital expenditures. She asked if a
25 written commitment from the Basin Board could be drafted to ensure the funds would be
26 allocated. Angevine indicated the Basin informed her to not plan on them allocating the
27 additional \$30,000 extra per year.

28
29 Council Member Joyce stated \$30,000 was not too much to ask, but he perceived that
30 they were not interested in being equal partners. He thought a conversation should take
31 place with the County Council. Council Member Gerber stated she was the liaison on
32 the Master Rec Plan Board and she suggested calling that board back together for a
33 discussion on the future of the Master Rec Plan if the partnership on the Ice Arena was
34 in question.

35
36 Council Member Ware Peek read the part of the letter that stated "to mutually agree
37 upon allocations" and indicated that was important and part of the relationship between
38 the City and County. She noted there was not a lot of growth in the City but so much
39 growth in the County and their constituents would be the majority of the Ice Arena
40 users.

Angevine stated the Basin Board was open in their discussions with the City on long-term planning, but were uncomfortable with making commitments when the expansion had yet to be solidified.

Council Member Henney stated the City was subsidizing the Ice Arena and it was used 2/3 County residents and 1/3 City residents. He suggested keeping the contributions 50/50 for now and then working on the project list with the County on a project-by-project basis for contributions.

Mayor Pro Tem Worel stated the Basin's extra money had certain capital restrictions, which had to be taken into consideration. Council Member Joyce suggested taking a big capital project to them for consideration. Foster stated Angevine had gone back to her Basin counterpart and did not get a favorable reaction. She felt it would be beneficial talking with the County Council.

Mayor Pro Tem Worel opened the meeting for public input. No comments were given. Mayor Pro Tem Worel closed the public input portion of the meeting.

Council Member Henney moved to approve the 50/50 alternative non-staff recommended Letter of Consent until there could be conversations between the City Council, County Council, and Basin Rec Board to come to a shared understanding of the City priorities and allocation of funds. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek, and Worel

Ken Fisher, Recreation Manager, indicated there was a regional recreation committee made up of the Basin Board, School Board, and the City, and indicated that might be the group that could look at this.

VIII) NEW BUSINESS

1. Consideration to Approve an Open Space Donation to Park City Municipal of Lot 61, Solamere Subdivision No.1:

Heinrich Deters and Debbie Duke presented this item. Deters stated the owners of this parcel approached the City about donating this parcel as open space. A restriction to the donation was that it would remain in its natural state. Duke stated her family owned the parcel for 27 years and they wanted to honor her father's memory by donating the parcel.

Council Member Gerber indicated the City's goal was to keep the building in town and off the mountains and she felt this would set a precedent as empty lots were being used

as open space. Open space should be on the hill and houses should go in the neighborhoods to infill those vacant spaces.

Council Member Joyce discussed this with Deters because he was concerned about the City's policy on land donations. He stated each parcel should be evaluated to see what it would bring to the City. This parcel was not contiguous with other open space and was isolated. He agreed with Council Member Gerber that this was a location where there should be homes.

Council Member Ware Peek stated this open space parcel would benefit the neighborhood and HOA, and asked if the HOA costs would increase. Deters stated there were open lots in every neighborhood and it was a benefit to those neighborhoods. The Dukes agreed to pay the \$900 HOA fee for the next year. He felt this was a great opportunity to have this open space parcel. Foster stated there were several parcel donations that the City received over the years, and offered to schedule a discussion on setting policy for future donations.

Council Member Gerber felt like this was an open space versus housing issue. Council Member Henney also thought that way, but indicated the difference with this parcel was that this was a gift. This also aligned with the plea for less development. He thought the open space donation was a good thing.

Mayor Pro Tem Worel opened the meeting for public input.

Doug MacDonald, Board of Trustees for Solamere Subdivision HOA, felt this was an asset to the neighborhood and the trail by it was contiguous with other trails in the neighborhood. He also addressed the HOA dues and indicated the board agreed to forego future dues and the City would just be responsible for weed control.

Mayor Pro Tem Worel closed the public input portion of the meeting.

Council Member Ware Peek asked if the trail could be modified to go through the lot, to which the response was affirmative.

Council Member Ware Peek moved to approve an open space donation to Park City Municipal of Lot 61, Solamere Subdivision No. 1. Council Member Henney seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek, and Worel

2. Consideration to Approve the 2019 Sundance Film Festival Supplemental Plan for the Sundance Film Festival to be held January 24 through February 3, 2019:

Jenny Diersen, Special Events Manager, and Betsy Wallace and Tina Graham with Sundance, presented this item. Diersen reviewed the community outreach, beginning with a debrief after the festival ended last year and subsequent monthly meetings where outreach efforts were discussed and made. Diersen noted the changes to this year's festival including a new space next to Walgreens, events at the Utah Film Studios, additional drop off/pick up locations, and festival village changes to operations. She noted the paid parking would change on China Bridge the second half of the festival.

Wallace stated the relationship Sundance had with Park City was so valuable. She noted Lyft was coming back as a sponsor. The goal was to improve on last year's results, and she explained all the trainings they would provide their drivers.

Council Member Joyce referred to Exhibit D in the packet and asked what was being set up three weeks before the festival began. Diersen noted some facilities were being set up ahead of time, but the majority of set up occurred after the Martin Luther King holiday. Council Member Joyce asked why the film studio was not an official venue because they had three events there. Diersen stated those events were under the Master Festival License (MFL) but there were other events being held at that location that were not Sundance related.

Council Member Joyce asked if the Variable Message Sign (VMS) center would be running by the festival. Diersen stated it was beginning this weekend so it should be running during the festival. Foster clarified that staff might be sending the messages and the Salt Lake Center would be posting them.

Council Member Ware Peek asked if Lyft would be working through the Ski Event being held February 2-10. Diersen indicated they would be breaking down during that time. Council Member Ware Peek also asked what the plan would be for Homestake Road pedestrians. Diersen indicated there would be security and police patrolling the area to help with that. Also a management company would help with parking.

Council Member Gerber asked about the festival tent. Graham stated there would be smaller tents, but there would be a large tent over the stage. Diersen noted that would help with sound mitigation.

Council Member Henney asked that Public Works be kept in the loop to clear roads and sidewalks so pedestrians could walk safely. Diersen indicated the security company would help with the shoveling as well. Foster stated the level of coordination between departments was strong and would continue this year. There was a coordination meeting with all departments and entities involved with the festival at the Emergency Operations Center (EOC) on a daily basis. She invited Council to see those meetings.

Mayor Pro Tem Worel opened the meeting for public input. No comments were given.
Mayor Pro Tem Worel closed the public input portion of the meeting.

Council Member Gerber moved to approve the 2019 Sundance Film Festival
Supplemental Plan for the Sundance Film Festival to be held January 24 through
February 3, 2019. Council Member Ware Peek seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek, and Worel

IX) ADJOURNMENT

With no further business, the meeting was adjourned.

Michelle Kellogg, City Recorder

Council Agenda Item Report

Meeting Date: January 15, 2019

Submitted by: Beth Bynan

Submitting Department: Finance & Accounting

Item Type: Staff Report

Agenda Section:

Subject:

Request to Approve Late Single Event Temporary Liquor License Applications for Operation During the 2019 Sundance Film Festival

Suggested Action:

Attachments:

[Liquor Applications Staff Report](#)

[Exhibit A: Liquor List](#)



City Council Staff Report

Subject: Local Consent for Special Event Temporary Alcoholic Beverage Licenses during the 2019 Sundance Film Festival
Author: Beth Bynan, Business License Specialist
Department: Finance
Date: January 15, 2018
Type of Item: Consent

Summary Recommendation

Staff is requesting Council approval of the Special Event Temporary Alcoholic Beverage License (License) applications listed in Exhibit A for operation during the 2019 Sundance Film Festival (Festival).

These applications are considered “late” as they were submitted after the December 14, 2018 deadline. Staff recommends approval of the applicants in Exhibit A as they worked to find appropriate locations to operate and are submitting applications for the appropriate permits and licenses.

Executive Summary

Exhibit A lists all License applicants to date pending approval. These applicants have completed all requirements for application, including insurance requirements and paid the applicable license fee. The locations in Exhibit A has been considered vibrant or has meet one of the one-year vibrancy exceptions listed in the code and are eligible to be approved for a Single Event Temporary Liquor permit.

Background

In the June 6, 2013, [Minutes](#), Council passed amendments to the requirement for a Single Event Temporary Liquor License during the time period of the Festival. One of those amendments requires City Council approval of all applications. There are instances in which Park City Municipal (City) requires a License and the Department of Alcoholic Beverage Control (DABC) does not (i.e. private parties). As stated in Municipal Code 4-6-2-(B)(1), all Single Event Temporary Liquor permit applications for the dates during the Sundance Film Festival are required to obtain Council approval no later than the last regularly scheduled meeting in the month of December.

Complete applications are accepted by the Finance Department and are then review by multiple departments. After full department approval, all applications must also receive City Council approval. City Municipal Code 4-6-2(B)(2) allows City Council to choose to hold an emergency meeting to hear no more than twelve (12) applications for late approval.

Condition of Approval:

In order to maintain life safety standards, staff recommends that security personnel (at a ratio of 1 security officer per 50 occupants) be required for all Single Event Temporary Alcoholic Beverage Licenses, for nightclubs, bars and similar uses. Staff recommends that this security be included as a condition of approval for these identified sites if highlighted in Exhibit A. Staff included this condition of approval information in the 2019 Rules of the Road document to encourage compliance and reduce last minute surprises for event organizers and applicants. The Fire Marshall will be monitoring the security plan implementation occupancy ratios of these locations ensuring compliance.

Sites approved through the Special Event process are separately regulated; security is addressed during that application process.

Vibrancy:

In accordance with 4-2-15 [Vibrant Commercial Storefronts](#), locations that have been deemed “dark” for two or more consecutive quarters and which do not meet any of the one-year allowed exceptions will not be eligible for a Single Event Temporary Liquor permit at that location. All of the locations listed in Exhibit A are either vibrant or have met one of the following exceptions from the Ordinance:

1. Open building, planning, or construction permit; or
2. Property is actively being offered for sale, lease, or rent

There are no locations on Exhibit A with vibrancy concerns.

Alternatives for City Council to Consider

- 1. Recommended Alternative:** Approve the Single Event Liquor Permit locations listed in Exhibit A

Pros

- a. The applicants will be able to serve liquor at their permitted locations.

Cons

- a. There are no anticipated negative impacts associated with approving the locations on Exhibit A.

- b. Null Alternative:** If Council does nothing and does not grant approval, the applicants will not be permitted to serve liquor at the specified locations.

Pros: There are no perceived positive impacts from doing nothing.

Cons: The applicants will not be able to serve liquor at their locations during the 2019 Sundance Film Festival.

Department Review

Finance, Special Events, Building, Sustainability, Legal, Executive

Attachments

Exhibit A- List of locations

	Applicant Name	Location Address	Regular Tenant	Storefront Property
	To Be Approved - 12 LATE			
6	Latino Reel 2019	710 Main	-	n
7	Purity of Play	738 Main Street	Paint Mixer	n
8	Purity of Play	738 Main Street	Paint Mixer	n
9				
10				
11				
12				
	Previously Approved			
1	Sundance Institute (week 1)	1895 Sidewinder Drive	PC Marriott	No
2	Sundance Institute (week 2)	1895 Sidewinder Drive	PC Marriott	No
3	Sundance Institute (week 1)	1167 Woodside Ave	The Shop	No
4	Sundance Institute (week 2)	1167 Woodside Ave	The Shop	No
5	Sundance Institute (week 1)	1401 Kearns Blvd	Kimball Art Center	No
6	Sundance Institute (week 2)	1401 Kearns Blvd	Kimball Art Center	No
7	Slamdance, Inc. (week 1)	255 Main Street, Suite C	Eagle Nails	No
8	Slamdance, Inc. (week 2)	255 Main Street, Suite C	Eagle Nails	No
9	Slamdance, Inc. (week 1)	255 Main Street, Great Room	Treasure Mountain Inn	No
10	Precious Entertainment/Music Lodge	710 Main Street, Suite 3-103	N/A	No
11	Egyptian Theatre (1/25-1/27)	328 Main Street	Egyptian Theater	Yes
12	Egyptian Theatre (1/28-1/30)	328 Main Street	Egyptian Theater	Yes
13	Egyptian Theatre (1/31- 2/2)	328 Main Street	Egyptian Theater	Yes
14	Sundance Institute (Women in Sundance Brunch)	4001 Kearns Blvd	Utah Film Studios	No
15	Sundance Institute (Shorts Awards Party)	4001 Kearns Blvd	Utah Film Studios	No
16	Sundance Institute (An Artist at the Table)	4001 Kearns Blvd	Utah Film Studios	No
17	TAO (Top Shelf Services)	1251 Kearns Boulevard	The Yard	No
18	Sundace Premiere Receptions (Do to Your Taste)	1283 Deer Valley Dr	Park City	No
19	Slamdance, Inc. (week 2)	255 Main Street, Great Room	Treasure Mountain Inn	No
20	EcoLuxe Lounge (Durkin Entertainment)	255 Main Street	Tekila Grill	Yes
21	Academy Reception/Impact Brunch/Sundance Reception (DTYT)	260 Main Street	Susan Swartz Studios	Yes
22	Sundance TV (Done to Your Taste)	268 Main Street	-	Yes
23	Movie Media Group - Beyond Cinema (Top Shelf Services)	305 Main Street	Firewood	Yes
24	The Girls Lounge @ Sundance (Top Shelf Services) (Week 1)	314 Main Street	David Beavis Gallery	Yes
25	The Girls Lounge @ Sundance (Top Shelf Services) (Week 2)	314 Main Street	David Beavis Gallery	Yes
26	Stella Lounge (Brilliant Consulting)	364 Main Street	Elegante	Yes
27	Disney Hospitality Pop-up Center (Done To Your Taste)	408 Main Street	J-Go Gallery	No
28	Chef Dance	427 Main Street	Chef Dance	Yes
29	Chef Dance	427 Main Street	Chef Dance	Yes
30	Canada Goose (Top Shelf Services)	449 Main Street	Robert Kelly Gallery	Yes
31	Acura (Top Shelf Services) (Week 1)	480 Swede Alley	Bob Wells Plaza	No
32	Acura (Top Shelf Services) (Week 2)	480 Swede Alley	Bob Wells Plaza	No
33	Meredith Marks (Week 1)	511 Main Street	Meredith Marks Studio	Yes
34	Meredith Marks (Week 2)	511 Main Street	Meredith Marks Studio	Yes
35	Dell (Top Shelf Services)	528 Main Street	PC Museum	Yes
36	NVE Experience (Culinary Crafts)/Lyft	556 Main Street	Found on Main	Yes
37	Chase Sapphire (Brilliant Consulting) (Week 1)	573 Main Street	Old Town Gallery	Yes
38	Chase Sapphire (Brilliant Consulting) (Week 2)	573 Main Street	Old Town Gallery	Yes
39	Project Green, Inc.	580 Main Street	Galleria Mall	Yes
40	New York Magazine (Top Shelf Services)	591 Main Street	Lunds Fine Art	Yes
41	Canon Creative Studio/The Blended Table	592 Main Street	Habit	Yes
42	Root'd	596 Main Street	Root'd	Yes
43	IndieWire Studio	625 Main Street	Terzian Gallery	Yes
44	MACRO	625 Main Street	Summit Sotheby's	Yes
45	Vice Studios & Ryot Films (Brilliant Consulting)	639 Main Street	-	Yes
46	iMovie (Top Shelf Services)	657 Park Ave	Big Moose Yacht Club	Yes
47	DC Berridge LLC (Tent)	660 Main Street	-	Yes
48	DC Berridge LLC (Building)	660 Main Street	-	Yes
49	NVE (Done To Your Taste)	692 Main Street	-	Yes
50	Hollywood Reporter Studio (Top Shelf Services)	692 Main Street	-	Yes
51	Music Lodge (Precious Entertainment)	710 Main Street Unit 2101	Marriott Summit Watch	No
52	ASCAP Music Café (Top Shelf Services) (Week 1)	751 Main Street	Rich Haines Galleries	Yes
53	ASCAP Music Café (Top Shelf Services) (Week 2)	751 Main Street	Rich Haines Galleries	Yes
54	Blackhouse	804 Main Street	Trove	No
55	Netflix Lounge (Week 1)	890 Main Street	Engel & Volkers	No
56	Netflix Lounge (Week 2)	890 Main Street	Engel & Volkers	No
57	A-List Communications	890 Main Street	The Mustang	No
58	New Frontier (Top Shelf Services) (Week 1)	950 Iron Horse Drive	Vacant	No

59	New Frontier (Top Shelf Services) (Week 2)	950 Iron Horse Drive	Vacant	No
60	Utah Film Studios (week 1)	4001 Kearns Blvd	Utah Film Studios	No
61	Utah Film Studios (week 2)	4001 Kearns Blvd	Utah Film Studios	No
62	Luxe Marketing, LLC	136 Heber Ave	Dressed Design	No
Late Previously Approved				
1	Wanderluxxe	221 Main Street	Riverhorse Provisions	
2	Top Shelf Services - NY Magazine	675 Main Street	-	n
3	Rio Management LLC / Coin Film Lounge (week 1)	440 Main Street	-	n
4	Rio Management LLC / Coin Film Lounge (week 2)	440 Main Street	-	n
5	Park City Live	427 Main Street	PC LIVE	y
	*Currently under Vibrancy Ordinance Exception			

Council Agenda Item Report

Meeting Date: January 15, 2019

Submitted by: Beth Bynan

Submitting Department: Finance & Accounting

Item Type: Staff Report

Agenda Section:

Subject:

Request to Approve Type 2 Convention Sales Licenses for Operation During the 2019 Sundance Film Festival

Suggested Action:

Attachments:

[CSL Staff Report](#)

[Exhibit A: CSL List](#)



City Council Staff Report

Subject: Council Approval of Type 2 Convention Sales Licenses
Author: Beth Bynan, Business License Specialist
Department: Finance
Date: January 15, 2019
Type of Item: Consent

Summary Recommendation

Staff is requesting Council approval of the Type 2 Convention Sales License (CSL) applications listed in Exhibit A for operation during the 2019 Sundance Film Festival (Festival) contingent on passing the Final Inspection Post Application (FIPA).

Executive Summary

The Type 2 Convention Sales License applicants to date pending approval are shown in Exhibit A. The applicants have obtained a pre-inspection prior to application (PIPA), provided a site/floor plan stamped by a design professional with occupant load and paid the applicable license fees. Staff is requesting approval of the applications for Convention Sales Licenses during the 2019 Sundance Film Festival (Festival).

Background

The Sundance Film Festival attracts an increasing number of businesses/entities which conduct business within the Park City (City) limits on a short-term basis. These entities are not affiliated with the Sundance Film Festival nor are they official sponsors. The increase in number of these entities has created health, safety and wellness concerns for the City and its residents, including the City's ability to provide basic Police, safety and emergency services. The Finance Department as well as other City staff is inundated with Type 2 Convention Sales License applications in the months and weeks before the Festival starts.

Municipal Code 4-7-3(B)(2) retains Council authority to approve Type 2 CSL licenses. Prior to Council's consideration of the Type 2 CSL license application, the applicant must have a pre-inspection prior to application (PIPA). This inspection will highlight any issues related to the space prior to their final inspection. The inspection must accompany the license application along with accurate floor plans stamped by a design professional including the occupant load.

The process for a Type 2 CLS is as follows:

1. Obtain floor plans stamped by a design professional
2. Obtain a PIPA
3. Obtain receipt showing payment to Republic Services in the amount of \$100 to cover trash impacts (one receipt per location)
4. Make application with site plan, PIPA, and pay the appropriate fee
5. Finance requests approval from City Council
6. Obtain Council approval

7. Obtain a FIPA
8. Issue license

The Municipal Code for Type 2 CSL's allows the City to address issues related to adverse impacts or carrying capacity issues related to the licensed activity and volume. It also allows service departments, event staff and public safety to obtain a more adequate picture of the total public service demands for the Festival in a timeframe that provides for service level and cost adjustments. Staff has reviewed the applications for accuracy and completeness. Staff recommends that Council reviews and approves the applicants listed in Exhibit A. The applicant(s) listed has received a PIPA and if approved by Council, must receive a FIPA prior to the license being issued.

Conventional Chain Businesses (CCBs)

There are two CCBs in the Historic Commercial Business (HCB) District for approval listed in Exhibit A. The HCB is south of Heber Avenue, also known as upper Main Street. In total, there is a cap of 17 CCBs in the HCB District. Currently, with the CSLs listed for approval in Exhibit A, the cap in the HCB will be reached (17). After Sundance, the two HCB District CCBs listed in Exhibit A will vacate; therefore, the total number of CCBs in the HCB District will lower back to a total of 15 out of 17.

There is one CCB in the Historic Recreation Commercial (HRC) District listed in Exhibit A. The HRC is north of Heber Avenue, also known as lower Main Street. In total, there is a cap of 7 CCBs in the HRC District. Currently, with the approved CSLs, the HRC has 3 out of 7 CCBs. After Sundance, the one HRC District CCB listed in Exhibit A will vacate; therefore, the total number of CCBs in the HRC District will lower back to a total of 2 out of 7.

Alternatives for City Council to Consider

- 1. Recommended Alternative:** Approve the Type 2 CSL applications listed in Exhibit A subject to passing the FIPA.

Pros

- a. The applicants will be able to operate during the Festival.

Cons

- a. There are no anticipated negative impacts associated with approving the locations on Exhibit A.
- b. Null Alternative: If Council does nothing and does not grant approval, the applicants will not be permitted to operate at the specified host locations.

Pros: There are no perceived positive impacts from doing nothing.

Cons: The applicants will not be able to operate during the 2019 Festival.

Department Review

Finance, Special Events, Planning, Building, Sustainability, Legal, Executive

Attachments

Exhibit A - List of Locations-CSL

	Applicant Name	Location Address	Regular Tenant	Storefront
	To Be Approved			
29	TAO/VIP Event Mgmt	1251 Kearns Blvd	The Yard	n
30	We Rise Up/Success, LLC	1251 Kearns Blvd	The Yard	n
31	Postmates Inc.	1251 Kearns Blvd	The Yard	n
32	Turner	136 Heber Ave	Dressed Design	n
33	Bella Twins	136 Heber Ave	Dressed Design	n
34	Rand Luxury Inc.	2300 Deer Valley Drive E	St. Regis	n
35	Jet Aviation	2300 Deer Valley Drive E	St. Regis	n
36	Vita-Mix Corporation	2300 Deer Valley Drive E	St. Regis	n
37	Mochi Ice Cream	2300 Deer Valley Drive E	St. Regis	n
38	Vitalize America	2300 Deer Valley Drive E	St. Regis	n
39	Oribe Hair Care	2300 Deer Valley Drive E	St. Regis	n
40	Silver Car	2300 Deer Valley Drive E	St. Regis	n
41	Temi USA	2300 Deer Valley Drive E	St. Regis	n
42	OC Tanner Jewelers	2300 Deer Valley Drive E	St. Regis	n
43	Wine Cab, LLC	2300 Deer Valley Drive E	St. Regis	n
44	Durkin Entertainment/Ecoluxe Lounge	255 Main Street	Tekila Mexican Restaurant	n
45	The Spa Dr.	255 Main Street	Tekila Mexican Restaurant	n
46	BudTrader.com	255 Main Street	Tekila Mexican Restaurant	n
47	Stevie Wren, LLC	255 Main Street	Tekila Mexican Restaurant	n
48	TNT	268 Main Street	OP Rockwell	n
49	STARZ	268 Main Street	OP Rockwell	n
50	Montana Film Office	305 Main Street	Meyer Gallery	y
51	Beyond Cinema	305 Main Street	Meyer Gallery	y
52	Oklahoma Film Office	305 Main Street	Meyer Gallery	y
53	Miami-Dade County	305 Main Street	Meyer Gallery	y
54	Savannah Film and Music	305 Main Street	Meyer Gallery	y
55	Cinelease	305 Main Street	Meyer Gallery	y
56	Virginia Film Office	305 Main Street	Meyer Gallery	y
57	Newport Beach Film Office	305 Main Street	Meyer Gallery	y
58	Texas Film Commission	305 Main Street	Meyer Gallery	y
59	ScreenVision Media	314 Main Street	David Beavis Gallery	y
60	Female Quotient	314 Main Street	David Beavis Gallery	y
61	NYU TISCH	317 Main Street	The Eating Establishment	y
62	Legion M	322 Main Street	Red Banjo	y
63	Company X Marketing	322 Main Street	Red Banjo	y
64	Pizza Hut/RQ Media	322 Main Street	Red Banjo	y
65	WME	350 Main Street	350 Main	y
66	Utah Film Studios	4001 Kearns Blvd	Film Studios	n
67	The Walt Disney Company	408 Main Street	-	y
68	Postmates	427 Main Street	Chefdance	y
69	Airthereum	427 Main Street	Chefdance	y
70	GBY, Inc.	427 Main Street	Chefdance	y
71	NUGL	427 Main Street	Chefdance	y
72	AR Wall	427 Main Street	Chefdance	y
73	TRIPP	427 Main Street	Chefdance	y
74	Blue Sky Properties/Bottlecap/Last Call Beverages	427 Main Street	PC Live	y
75	Complex Media	427 Main Street	PC Live	y
76	Mirrored Media	427 Main Street	PC Live	y
77	Palms Resort & Casino/FP Holdings	427 Main Street	PC Live	y
78	Topshop Topman	427 Main Street	PC Live	y
79	The Lemon Perfect Company	427 Main Street	PC Live	y
80	Bodega Taqueria y Tequila	427 Main Street	PC Live	y
81	Safe Movement	440 Main Street	-	y
82	Edgeworks Inc/CoinFilm Lounge	440 Main Street	-	y
83	CNN Films Lounge	562 Main Street	Fletcher's	y
84	Young Living Sip + Lip	580 Main Street	Galleria Mall	n
85	The League App	580 Main Street	Willie Holdman	n
86	Black House Studios, LLC	580 Main Street	Willie Holdman	n
87	JC Jewelers	580 Main Street	Willie Holdman	n
88	Host Galleries of London	580 Main Street	Willie Holdman	n
89	NFP Property & Casualty Services	580 Main Street	Willie Holdman	n
90	Sundial Brands	625 Main Street	The Downstairs	n
91	Color of Change	625 Main Street	The Downstairs	n
92	Corporacion Para la Promocion De Puerto Rico	625 Main Street	Sotheby's	y
93	Vulture/IFC	675 Main Street	-	n
94	Brilliant Consulting/Vice/Ryot	690 Main Street	-	n
95	In Oklahoma	692 Main Street	-	y
96	Heineken	692 Main Street	-	y
97	Coppla	692 Main Street	-	y
98	Rudsack	692 Main Street	-	y
99	Bartesian	692 Main Street	-	y

CCB

CCB

100	Postmates Inc.	692 Main Street	-	y	
101	DPR/VOX Communications for Latino Reel	710 Main Street	-	n	
102	Louisiana Seafood Promotional/Mrktng Board	710 Main Street	-	n	
103	New Orleans Tourism & Mrktng Board	710 Main Street	-	n	
104	New Orleans & Company	710 Main Street	-	n	
105	Krewe Sunglasses	710 Main Street	-	n	
106	A Tuba to Cuba/Blue Fox Entertainment	710 Main Street	-	n	
107	Atelier ACE Hotel	710 Main Street	-	n	
108	State of Louisiana	710 Main Street	-	n	
109	Zezel Water	710 Main Street	-	n	
110	Blackhouse Foundation	804 Main Street	Buona Vita	n	
111	Blackhouse Foundation	804 Main Street	Trove Gallery	n	
112	OWN (Oprah Winfrey Network)	804 Main Street	Trove Gallery	n	
113	OWN (Oprah Winfrey Network)	804 Main Street	Buona Vita	n	
114	360 Agency dba AT&T	804 Main Street	Buona Vita	n	
115	Black Entertainment Television (BET)	804 Main Street	Buona Vita	n	
116	Facebook	804 Main Street	Buona Vita	n	
117	A-List Communications	890 Main Street	The Mustang	n	
118	Kia Motors/Zeno Group	890 Main Street	The Mustang	n	CCB
119	Blue Moon Brewing Company	890 Main Street	The Mustang	n	
120	Collider, Inc.	890 Main Street	The Mustang	n	
121	The Creative Coalition	890 Main Street	The Mustang	n	
122	Clique Palms Restaurant/Greene Street Kitchen	890 Main Street	The Mustang	n	
123	Comisario Tequila/Sensi Wines/Elite Beverage Int'l	890 Main Street	The Mustang	n	
124	Lifewtr/Omnicom Media Group	890 Main Street	The Mustang	n	
125	Mou Footwear/Phillips Public Relations	890 Main Street	The Mustang	n	
126	Wild Immersion VR/Blue Mind Fund	890 Main Street	The Mustang	n	
Previously Approved					
1	Slamdance	255 Main Street	TMI	No	
2	The Visionary Group	314 Main Street	PC Vaction Rentals	n	
3	HBO	508 Main Street	Tupelo	y	
4	TNT	508 Main Street	Tupelo	y	
5	TBS	508 Main Street	Tupelo	y	
6	Otter	508 Main Street	Tupelo	y	
7	Turner	508 Main Street	Tupelo	y	
8	Project Green/Prairie Organic Spirits	580 Main Street	Willie Holdman Gallery	n	
9	New York Magazine	591 Main Street	Lund Fine Art	Yes	
10	Woolrich	591 Main Street	Lund Fine Art	Yes	
11	Roku Inc.	591 Main Street	Lund Fine Art	Yes	
12	MACRO	625 Main St	Terzian Gallery	Yes	
13	Carl Zeiss SBE, LLC	625 Main Street	Downstairs	No	
14	Americal Civil Liberties Union (ACLU)	625 Main Street	Sotheby's	y	
15	MACRO	625 Main Street	The Downstairs	No	
16	Apple/NVE Inc.	657 Park Ave	Big Moose Yacht Club	Yes	CCB
17	The Hollywood Reporter/NVE Inc.	692 Main Street	-	Yes	
18	Precious Entertainment dba Music Lodge	710 Main Street	-	No	
19	RAADD (Recording Artists Against Drunk Driving)	710 Main Street	-	No	
20	Preservation Hall Foundation	710 Main Street	-	No	
21	The Leonardo Arts Center @Music Lodge	710 Main Street	-	N	
22	Salesforce	710 Main Street	-	n	
23	Qyksonic Skin Care	710 Main Street	-	n	
24	doTERRA Essential Oils	710 Main Street	-	n	
25	KANPE	710 Main Street	-	n	
26	Salesforce	710 Main Street/Courtyard	-		
27	Preservation Hall Foundation	710 Main Street/Courtyard	-		
28	KANPE	710 Main Street/Courtyard	-		

Council Agenda Item Report

Meeting Date: January 15, 2019

Submitted by: Michelle Kellogg

Submitting Department: Executive

Item Type: Staff Report

Agenda Section:

Subject:

Park City Vision 2020 - Community Visioning Project Update

(A) Public Input

Suggested Action:

Staff will update Council on the selection process of a firm to facilitate the Park City Vision 2020 project.

Attachments:

Council Agenda Item Report

Meeting Date: January 15, 2019

Submitted by: Rebecca Gillis

Submitting Department: Finance & Accounting

Item Type: Staff Report

Agenda Section:

Subject:

Consideration to Hold a Special Meeting on January 22, 2019 to Approve Late Type 2 Convention Sales Licenses

(A) Public Input (B) Action

Suggested Action:

Attachments:

[Special Meeting Staff Report](#)



City Council Staff Report

Subject: Request to hold a Special Meeting on January 22, 2019 to approve late Type 2 Convention Sales Licenses
Author: Beth Bynan, Business License Specialist
Department: Finance
Date: January 15, 2019
Type of Item: New Business

Summary Recommendation

Staff is requesting Council hold a Special Meeting on January 22, 2019 to approve any late Type 2 Convention Sales Licenses (CSL).

Executive Summary

Type 2 CSL applications were due on January 10, 2019. Municipal Code [4-7-3\(B\)\(2\)](#) retains Council authority to approve Type 2 CSL. Any late applicants would have to be heard at a Special Meeting. Council should hold a Special Meeting on January 22, 2019 to approve any late applicants.

Background

Municipal Code [4-7-3\(B\)\(2\)](#) retains Council authority to approve Type 2 CSL. All Type 2 CSL applications must be received at least seven (7) days prior to a regular scheduled meeting and three (3) days prior to a Special Meeting. Council should consider holding a Special Meeting on January 22, 2019 to hear and consider approval of any late Type 2 CSL applications. This Special Meeting would be to consider approval of CSL application received between January 11, 2019 and January 17, 2019. All application received after January 10, 2019, have/will be charged an additional \$76 according to the fee schedule. Prior to Council's consideration of the Type 2 CSL license application, the applicant must have a pre-inspection (PIPA). This inspection will highlight any issues related to the space prior to their final inspection. The inspection report must accompany the license application along with accurate floor plans stamped by a design professional including the occupant load and receipt for \$100 from Republic Services for trash removal.

Alternatives for City Council to Consider

- 1. Recommended Alternative:** Hold a Special Meeting on January 22, 2019.

Pros

- a. The applicants will be able to operate during the Festival.

Cons

- a. There are no anticipated negative impacts associated holding a Special Meeting.
- b. Null Alternative: If Council does not hold a Special Meeting any late applicants would not be approved to operate during the Sundance Film Festival.

Pros: There are no perceived positive impacts from doing nothing.

Cons: The applicants will not be able to operate during the 2019 Festival.

Department Review

Finance, Legal, Executive

Council Agenda Item Report

Meeting Date: January 15, 2019

Submitted by: Nate Rockwood

Submitting Department: Budget, Debt & Grants

Item Type: Resolution

Agenda Section:

Subject:

Consideration to Adopt Resolution 01-2019, a Resolution Authorizing the Issuance of General Obligation Bonds in the Amount of \$48,000,000 for the Purchase of Treasure Hill and Armstrong/Snow Ranch Pasture Properties (A) Public Hearing (B) Action

Suggested Action:

Attachments:

[General Obligation Bonds Staff Report](#)

[Authorizing Resolution](#)

City Council Staff Report



Subject: 2019 General Obligation Bonds – Authorizing Resolution
Author: Nate Rockwood
Department: Budget Department
Date: January 15, 2019
Type of Item: Legislative

Summary Recommendation

Staff recommends that City Council approve the attached Authorizing Resolution for the 2019 Series \$48 million General Obligation (GO) bonds for the purchase of Treasure Hill and Armstrong/Snow Ranch Pasture properties. The resolution begins the issuance process and authorizes the pricing and sale of the bonds, which is expected on or around February 20, 2019.

Background

In November of 2018, the voters of Park City approved a \$48 Million Treasure Hill and Armstrong/Snow Ranch Pasture GO bond proposition. The issuance bonds were authorized by an affirmative vote of 78% of the voters at a special bond election held for that purpose on November 6, 2019. The proposition submitted to the voters was as follows:

Shall Park City, Utah be authorized to issue general obligation bonds to acquire, improve and forever preserve open space, park and recreational land located in Treasure Hill and Armstrong/Snow Ranch Pasture in order to protect the conservation values thereof, to eliminate any future commercial or residential development, and to make limited improvements for public access, trailhead parking and use, in an amount not to exceed \$48,000,000 and to mature in no more than 16 years from the date or dates of such bonds?

Analysis

The attached authorizing resolution sets the parameters of the GO bond issuance, delegates final approval of bond terms to the City Manager as the *Designated Officer*, and initiates the process required for the issuance of the bonds. The resolution sets the maximum principal issuance amount at \$48,000,000 and defines the purpose as follows:

For the issuance of \$48,000,000 principal amount of general obligation bonds authorized for the purpose of acquiring, improving and forever preserving open space, park and recreational land located in Treasure Hill and Armstrong/Snow Ranch Pasture (the “Project”).

The resolution also establishes maximum terms of 6% interest, not more than 16 years, and 2% discount from par. These terms are intentionally set high to allow flexibility in the bond pricing structure. While markets are difficult to predict, staff anticipates that the actual interest rate of the bonds would be closer to the current rate between 3.0 to 3.4%, than the maximum. The maturity of the bond is expected to be 15 years. The parameters allow for a maximum 2% discount from par, which would be necessary if interest rates were higher than the coupon rate on the bond.

It is anticipated that the sale of the bonds would occur on or around February 20, 2019. Staff would proceed with the bond closing on or after March 6, 2019. The bonds will be sold by competitive sale.

Funding Source

The bond resolution is the first step in initiating a bond issuance. This bond issuance is anticipated and voter-approved as the funding source for the purpose of purchasing Treasure Hill and Armstrong/Snow Ranch Pasture properties. The authorizing resolution will allow staff to continue with the current timing of the issuance in order to make payment on the purchase of the Treasure Hill property by April 1, 2019. The City has the ability to stop the bond issuance process or adjust the amount down, if necessary, on or before the pricing of the bonds on February 20, 2019.

As part of the 2019 budget process City Council and staff evaluated the City budget and 5-year Capital Improvement Plan (CIP) projects. As part of this process the City de-obligated, deferred and delayed planned capital improvement projects freeing up additional funds to lower the amount of the GO ballot proposition to \$48 million. The majority of the additional funding required for the \$64 million purchase price of the Treasure Hill property will be funded through the use of sales revenue bonds which were anticipated in the budget for projects related to the Addition Resort Communities Sales Tax Plan. The Additional Resort Communities Sales Tax was approved by Park City voters in 2013 to be used for capital improvement projects and the purchase of open space.

The following table summarizes the project cost and funding allocation dedicated to the purchase of the Treasure Hill and Armstrong/Snow Ranch Pasture properties. The table also details the anticipated uses of both the 2019 Series Treasure Hill and Armstrong/Snow Ranch Pasture GO bonds and the related 2019 Series Sales Revenue bonds, which are being issued for the Treasure Hill property and the City's affordable and attainable housing projects:

Project and Bond Allocation Table 2019 Series GO Bonds & 2019 Series Sales Tax Revenue Bonds			
	Treasure Hill	Armstrong/Snow Ranch Pastures	Affordable Housing (RDA)
Project Costs	\$ 64,000,000	\$ 3,000,000	\$ 21,700,000
2019 GO Proceeds	\$ 45,000,000	\$ 3,000,000	
2019 GO Bond Premium (estimate)	\$ 1,000,000		
2017 Sales Tax Bonds (ARCST)	\$ 6,000,000		
Sale of Assets (Land)	\$ 1,000,000		
2018 Year-End Surplus	\$ 700,000		
2019 Sales Tax Bonds (ARCST)	\$ 10,300,000		
2019 Sales Tax Bonds (LPA RDA)			\$ 21,700,000
Total	\$ 64,000,000	\$ 3,000,000	\$ 21,700,000

Utah Open Lands is currently working with donors and other entities to close the \$3 million funding gap for the total purchase price of Armstrong/Snow Ranch Pasture property of \$6 million. The City will contribute up to \$3 million in GO bond proceeds towards the \$6 million. If the total funding amount of \$6 million is not in place by the sale of the 2019 GO bonds on February 20, 2019, the City will not issue the Armstrong/Snow Ranch Pasture portion of the GO bond authorization. In this scenario, the total amount of issuance for the 2019 Series GO bonds will be reduced to \$45 million. The City may issue a second series of GO bonds for \$3 million once the funding is secured for the total purchase price required for the Armstrong/Snow Ranch Pasture property. The voter approved authorization for \$3 million is valid for 10 years from the time the ballot initiative was approved.

Attachments

A – Authorizing Resolution

PARK CITY, UTAH

Resolution

**Authorizing the Issuance and Sale of
General Obligation Bonds, Series 2019**

Adopted January 15, 2019

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RESOLUTION 01-2019

A RESOLUTION AUTHORIZING THE SALE AND ISSUANCE OF UP TO \$48,000,000 GENERAL OBLIGATION BONDS, SERIES 2019 OF PARK CITY, UTAH; AND PROVIDING FOR RELATED MATTERS.

*** *** ***

WHEREAS, at the 2018 Bond Election, the issuance of \$48,000,000 principal amount of general obligation bonds was authorized for the purpose of acquiring, improving and forever preserving open space, park and recreational land located in Treasure Hill and Armstrong/Snow Ranch Pasture (the “*Project*”);

WHEREAS, the Issuer has not heretofore authorized any of the bonds voted at the 2018 Bond Election and the Issuer has determined to authorize the issuance and sale at this time of \$48,000,000 principal amount of the bonds voted at the 2018 Bond Election;

WHEREAS, pursuant to the applicable provisions of the Act, and the authorization of the 2018 Bond Election, the Issuer has the authority to issue its general obligation bonds for the purpose of paying all or a part of the cost of acquiring, constructing, improving and modifying the Project;

WHEREAS, a notice inviting electronic bids for the purchase of the Bonds will be advertised by electronic dissemination through the PARITY® electronic bid submission system;

WHEREAS, in the opinion of the Issuer, it is in the best interests of the Issuer that (a) the Designated Officer be authorized to (i) accept or reject the bids received for the Bonds pursuant to the PARITY® electronic bid submission system and determine the best bid received that conforms to the parameters, deadlines and procedures set forth in the notice of sale prepared in connection with the advertisement for sale of the Bonds and (ii) approve the final principal amount, maturity amounts, interest rates, dates of maturity and other terms and provisions relating to the Bonds and to execute the Certificate of Determination containing such terms and provisions and (b) the Mayor be authorized to execute the Official Statement with respect to the Bonds;

WHEREAS, Sections 11-14-316 of the Utah Code provides for the publication of a Notice of Bonds to be Issued, and the Issuer desires to cause the publication of such a notice at this time in compliance with said Section with respect to such Bonds;

NOW, THEREFORE, Be It Resolved by the City Council of Park City, Utah, as follows:

ARTICLE I

DEFINITIONS

Section 101. Definitions. As used in this Bond Resolution (including the preambles hereto), unless the context shall otherwise require, the following terms shall have the following meanings:

“2018 Bond Election” means the special bond election duly and lawfully called and held in the Issuer on November 6, 2018, at which the issuance and sale by the Issuer of \$48,000,000 of general obligation bonds was authorized for the purpose of acquiring, improving and forever preserving open space, park and recreational land located in Treasure Hill and Armstrong/Snow Ranch Pasture in order to protect the conservation values thereof, to eliminate any future commercial or residential development, and to make limited improvements for public access, trailhead parking and use, the results of which election were declared by the City Council of the Issuer, sitting as a Board of Canvassers, on November 20, 2018.

“Act” means, collectively, the Local Government Bonding Act, Chapter 14 of Title 11 of the Utah Code, and the Registered Public Obligations Act, Chapter 7 of Title 15 of the Utah Code, the applicable provisions of Title 10 of the Utah Code.

“Bond Account” means the Bond Account established in Section 213 hereof.

“Bond Counsel” means Farnsworth Johnson PLLC or another attorney or a firm of attorneys of nationally recognized standing in matters pertaining to the tax-exempt status of interest on obligations issued by states and their political subdivisions, duly admitted to the practice of law before the highest court of any state of the United States.

“Bond Registrar” means each Person appointed by the Issuer as bond registrar and agent for the transfer, exchange and authentication of the Bonds. Pursuant to Section 206 hereof, the initial Bond Registrar is Zions Bancorporation, National Association, of Salt Lake City, Utah.

“Bond Resolution” means this Resolution of the Issuer adopted on January 15, 2019 authorizing the issuance and sale of the Bonds.

“Bondowner” or *“owner”* means the registered owner of any Bond as shown in the registration books of the Issuer kept by the Bond Registrar for such purpose.

“Bonds” means the Issuer’s General Obligation Bonds, Series 2019 authorized by the Bond Resolution.

“Cede” means Cede & Co., the nominee of DTC, and any successor nominee of DTC with respect to the Bonds pursuant to Section 401 hereof.

“*Certificate of Determination*” means the Certificate of Determination, a form of which is attached hereto as *Exhibit 4*, of the Designated Officer delivered pursuant to Article 2 of this Resolution, setting forth certain terms and provisions of the Bonds.

“*City Manager*” means the duly qualified and acting City Manager of the Issuer.

“*City Recorder*” means the duly qualified and acting City Recorder of the Issuer or in the absence or disability of such person, such other official as shall be duly authorized to act in the City Recorder’s stead.

“*City Treasurer*” means the duly qualified and acting City Treasurer of the Issuer.

“*Closing Date*” means the date of the initial issuance of the Bonds.

“*Code*” means the Internal Revenue Code of 1986, as amended.

“*Continuing Disclosure Undertaking*” means the Continuing Disclosure Undertaking of the Issuer, in substantially the form attached hereto as *Exhibit 1*, dated the Closing Date, for the purpose of providing continuing disclosure information under Rule 15c2-12 adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as may be amended from time to time.

“*Depository Account*” means the Depository Account established in Section 213 hereof.

“*Designated Officer*” means the City Manager, or, in the event of the absence or incapacity of the City Manager, the City Treasurer, or in the event of the absence or incapacity of both the City Manager and the City Treasurer, the Mayor.

“*DTC*” means The Depository Trust Company, New York, New York, and its successors and assigns.

“*Exchange Bond*” means any Exchange Bond as defined in Section 209 hereof.

“*Issuer*” means Park City, Utah.

“*Letter of Representations*” means the Blanket Issuer Letter of Representations from the Issuer to DTC, dated August 26, 1999.

“*Mayor*” means the duly qualified and acting Mayor of the Issuer or in the absence or disability of such person, the duly qualified and acting Mayor Pro Tem of the Issuer.

“*Moody’s*” means Moody’s Investors Service, Inc., a corporation organized and existing under the laws of the State of Delaware, its successors and their assigns, and, if such corporation shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, “*Moody’s*” shall be deemed to refer to any other nationally recognized securities rating agency designated by the Issuer to the Paying Agent.

“*Official Statement*” means the Official Statement with respect to the Bonds, in substantially the form attached hereto as *Exhibit 2*.

“*Participants*” means those broker dealers, banks and other financial institutions from time to time for which DTC holds Bonds as securities depository.

“*Paying Agent*” means each Person appointed by the Issuer as paying agent with respect to the Bonds. Pursuant to Section 206 hereof, the initial Paying Agent is Zions Bancorporation, National Association, of Salt Lake City, Utah.

“*Person*” means natural persons, firms, partnerships, associations, corporations, trusts, public bodies and other entities.

“*Project Account*” means the Project Account established in Section 213 hereof.

“*Purchaser*” means the initial purchaser or purchasers of the Bonds from the Issuer.

“*Rating Agencies*” means Moody’s, if the Bonds are then rated by Moody’s and S&P, if the Bonds are then rated by S&P.

“*Record Date*” means (a) in the case of each interest payment date, the day that is 15 days preceding such interest payment date, or if such day is not a business day for the Bond Registrar, the next preceding day that is a business day for the Bond Registrar, and (b) in the case of each redemption, such record date as shall be specified by the Bond Registrar in the notice of redemption required by Section 207 hereof, *provided* that such record date shall be not less than 15 calendar days before the mailing of such notice of redemption.

“*Regulations*” means United States Treasury Regulations dealing with the tax-exempt bond provisions of the Code.

“*Standard & Poor’s*” or “*S&P*” means Standard & Poor’s, a division of The McGraw-Hill Companies, Inc., a corporation organized and existing under the laws of the State of New York, its successors and their assigns, and, if such corporation shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, “*Standard & Poor’s*” or “*S&P*” shall be deemed to refer to any other nationally recognized securities rating agency designated by the Issuer to the Paying Agent.

“*Tax Certificate*” means any agreement or certificate of the Issuer that the Issuer may execute in order to establish and maintain the excludability of interest on the Bonds from gross income of the owners thereof for federal income tax purposes.

“*United States*” means the government of the United States of America.

“*Utah Code*” means Utah Code Annotated 1953, as amended.

Section 102. Rules of Construction. Unless the context otherwise requires:

- (a) references to Articles and Sections are to the Articles and Sections of this Bond Resolution;
- (b) the singular form of any word, including the terms defined in Section 101, includes the plural, and vice versa, and a word of any gender includes all genders; and
- (c) the terms “*hereby*,” “*hereof*,” “*hereto*,” “*herein*,” “*hereunder*” and any similar terms as used in this Bond Resolution refer to this Bond Resolution.

Section 103. Authority for Bond Resolution. This Bond Resolution is adopted pursuant to the provisions of the Act.

ARTICLE II

AUTHORIZATION, TERMS AND ISSUANCE OF BONDS

Section 201. Authorization of Bonds, Principal Amount, Designation and Series. In accordance with and subject to the terms, conditions and limitations established by the Act and in the Bond Resolution, a series of General Obligation Bonds of the Issuer is hereby authorized to be issued in the aggregate principal amount of Forty-Eight Million Dollars (\$48,000,000). Such series of bonds shall be designated “*General Obligation Bonds, Series 2019.*” If the Designated Officer determines pursuant to Sections 204(b)(i) and 209 hereof that the principal amount to be issued shall be less than Forty-Eight Million Dollars (\$48,000,000), then the principal amount of such series of bonds shall be limited to the amount so determined by the Designated Officer.

Section 202. Purpose. The Bonds are hereby authorized to be issued under authority of the Act for the purpose of (i) acquiring, constructing, improving and modifying the Project and (ii) paying certain costs related to the issuance and sale of the Bonds.

Section 203. Issue Date. The Bonds shall be dated as of the Closing Date.

Section 204. Bond Details; Delegation of Authority. (a) The Bonds shall mature on the dates and in the principal amounts, and shall bear interest (calculated on the basis of a year of 360 days consisting of twelve 30-day months) from the Closing Date, payable semiannually each year, at the rates per annum, all as provided in the Certificate of Determination.

(b) There is hereby delegated to the Designated Officer, subject to the limitations contained in the Bond Resolution, the power to determine and effectuate the following with respect to the Bonds and the Designated Officer is hereby authorized to make such determinations and effectuations:

- (i) the principal amount of the Bonds necessary to accomplish the purpose of the Bonds set forth in Section 202 herein and the aggregate principal amount of the Bonds to be executed and delivered pursuant to Section 209 herein; *provided* that the

aggregate principal amount of the Bonds shall not exceed Forty-Eight Million Dollars (\$48,000,000);

(ii) the maturity date or dates and principal amount of each maturity of the Bonds to be issued; *provided, however*, that the final maturity of all Bonds shall not be later than sixteen years from their date or dates;

(iii) the interest rate or rates of the Bonds, *provided, however*, that the interest rate or rates to be borne by any Bond shall not exceed five and one half percent (5.50%) per annum;

(iv) the sale of the Bonds to the Purchaser and the purchase price to be paid by the Purchaser for the Bonds; *provided, however*, that the discount from par of the Bonds shall not exceed two percent (2.00%) (expressed as a percentage of the principal amount);

(v) the Bonds, if any, to be retired from mandatory sinking fund redemption payments and the dates and the amounts thereof;

(vi) the optional redemption date of the Bonds, if any; and

(vii) the use and deposit of the proceeds of the Bonds; and

(viii) any other provisions deemed advisable by the Designated Officer not materially in conflict with the provisions of the Bond Resolution.

(c) Immediately following the date and time specified in the Official Notice of Bond Sale attached to the Official Statement for the receipt of bids for the purchase of the Bonds, the Designated Officer shall obtain such information as he or she deems necessary to make such determinations as provided above and to determine the bid of the responsible bidder that results in the lowest effective interest rate to the Issuer (the "*Best Bidder*"). Thereupon, the Designated Officer shall make such determinations as provided above, shall award the bid to the Best Bidder and shall execute the Certificate of Determination containing such terms and provisions of the Bonds, which execution shall be conclusive evidence of the awarding of such bid to the Best Bidder and the action or determination of the Designated Officer as to the matters stated therein. The provisions of the Certificate of Determination shall be deemed to be incorporated in Article II hereof. If the Designated Officer determines that it is in the best interest of the Issuer, the Designated Officer may (i) waive any irregularity or informality in any bid or in the electronic bidding process; and (ii) reject any and all bids for the Bonds.

(d) Each Bond shall bear interest from the interest payment date next preceding the date of registration and authentication thereof unless (i) it is registered and authenticated as of an interest payment date, in which event it shall bear interest from the date thereof, or (ii) it is registered and authenticated prior to the first interest payment date, in which event it shall bear interest from its date, or (iii) as shown by the records of the Bond Registrar, interest on the Bonds shall be in default, in which event it shall bear interest from the date to which interest has been paid in full. The Bond Registrar shall insert the date of registration and authentication of

each Bond in the place provided for such purpose in the form of Bond Registrar's certificate of authentication on each Bond. The Bonds shall bear interest on overdue principal at the respective rates provided in the Certificate of Determination.

Section 205. Denominations and Numbers. The Bonds shall be issued as fully-registered bonds, without coupons, in the denomination of \$5,000 or any whole multiple thereof, not exceeding the amount of each maturity. The Bonds shall be numbered with the letter prefix "R-" and from one (1) consecutively upwards in order of issuance.

Section 206. Paying Agent and Bond Registrar. Zions Bancorporation, National Association, of Salt Lake City, Utah, is hereby appointed the initial Paying Agent and Bond Registrar for the Bonds. The Issuer may remove any Paying Agent and any Bond Registrar, and any successor thereto, and appoint a successor or successors thereto. Each Paying Agent and Bond Registrar shall signify its acceptance of the duties and obligations imposed upon it by the Bond Resolution by executing and delivering to the Issuer a written acceptance thereof. The principal of, and premium, if any, and interest on the Bonds shall be payable in any coin or currency of the United States of America that, at the respective dates of payment thereof, is legal tender for the payment of public and private debts. The principal of and premium, if any, on the Bonds shall be payable when due to the owner of each Bond upon presentation and surrender thereof at the principal corporate trust office of the Paying Agent. Payment of interest on each Bond shall be made to the Person that, as of the Record Date, is the owner of the Bond and shall be made by check or draft mailed to the Person that, as of the Record Date, is the owner of the Bond, at the address of such owner as it appears on the registration books of the Issuer kept by the Bond Registrar, or at such other address as is furnished to the Bond Registrar in writing by such owner on or prior to the Record Date.

Section 207. Redemption and Redemption Price; Notice of Redemption. (a) The Bonds may be subject to redemption prior to maturity, at the election of the Issuer, on the date specified in the Certificate of Determination (the "*First Redemption Date*"), and on any date thereafter, in whole or in part, from such maturities or parts thereof as shall be selected by the Issuer, upon notice given as provided below, at a redemption price equal to 100% of the principal amount of the Bonds to be redeemed, plus accrued interest thereon to the date fixed for redemption. Bonds maturing on or prior to the First Redemption Date are not subject to optional redemption.

(b) The Bonds may be subject to mandatory redemption by operation of sinking fund installments as provided in the Certificate of Determination. If the Bonds are subject to mandatory sinking fund redemption and less than all of the Bonds then outstanding are redeemed in a manner other than pursuant to a mandatory sinking fund redemption, the principal amount so redeemed shall be credited at 100% of the principal amount thereof by the Bond Registrar against the obligation of the Issuer on such mandatory sinking fund redemption dates for the Bonds in such order as directed by the Issuer.

(c) If less than all of the Bonds of any maturity are to be redeemed, the particular Bonds or portion of Bonds of such maturity to be redeemed shall be selected at random by the Bond Registrar in such manner as the Bond Registrar in its discretion may deem fair and appropriate. The portion of any registered Bond of a denomination of more than \$5,000 to be

redeemed will be in the principal amount of \$5,000 or a whole multiple thereof, and in selecting portions of such Bonds for redemption, the Bond Registrar will treat each such Bond as representing that number of Bonds of \$5,000 denomination that is obtained by dividing the principal amount of such Bond by \$5,000.

(d) Notice of redemption shall be given by the Bond Registrar by registered or certified mail, not less than thirty (30) nor more than forty-five (45) days prior to the redemption date, to the owner, as of the Record Date, of each Bond that is subject to redemption, at the address of such owner as it appears in the registration books of the Issuer kept by the Bond Registrar, or at such other address as is furnished to the Bond Registrar in writing by such owner on or prior to the Record Date. Each notice of redemption shall state the Record Date, the principal amount, the redemption date, the place of redemption, the redemption price and, if less than all of the Bonds are to be redeemed, the distinctive numbers of the Bonds or portions of Bonds to be redeemed, and shall also state that the interest on the Bonds in such notice designated for redemption shall cease to accrue from and after such redemption date and that on the redemption date there will become due and payable on each of the Bonds to be redeemed the principal thereof and interest accrued thereon to the redemption date. Each notice of optional redemption may further state that such redemption shall be conditional upon the receipt by the Paying Agent, on or prior to the date fixed for such redemption, of moneys sufficient to pay the principal of and premium, if any, and interest on such Bonds to be redeemed and that if such moneys shall not have been so received said notice shall be of no force and effect and the Issuer shall not be required to redeem such Bonds. In the event that such notice of redemption contains such a condition and such moneys are not so received, the redemption shall not be made and the Bond Registrar shall within a reasonable time thereafter give notice, in the manner in which the notice of redemption was given, that such moneys were not so received. Any notice mailed as provided in this Section shall be conclusively presumed to have been duly given, whether or not the owner receives such notice. Failure to give such notice or any defect therein with respect to any Bond shall not affect the validity of the proceedings for redemption with respect to any other Bond.

(e) In addition to the foregoing notice under subsection (c) above, further notice of such redemption shall be given by the Bond Registrar as set out below, but no defect in such further notice nor any failure to give all or any portion of such further notice shall in any manner affect the validity of a call for redemption if notice thereof is given as prescribed above.

(i) Each further notice of redemption given hereunder shall contain the information required above for an official notice of redemption plus (A) the CUSIP numbers of all Bonds being redeemed; (B) the date of issue of the Bonds as originally issued; (C) the rate of interest borne by each Bond being redeemed; (D) the maturity date of each Bond being redeemed; and (E) any other descriptive information needed to identify accurately the Bonds being redeemed.

(ii) Each further notice of redemption shall be sent at least thirty-five (35) days before the redemption date to DTC in accordance with the operating procedures then in effect for DTC, and to all other registered securities depositories then in the business of holding substantial amounts of obligations of types comprising the Bonds designated to the Bond Registrar by the Issuer, to the Rating Agencies and to any other

nationally recognized information services as designated by the Issuer to the Bond Registrar.

(f) If notice of redemption shall have been given as described above and the condition described in Section 207(c) hereof, if any, shall have been met, the Bonds or portions thereof specified in said notice shall become due and payable at the applicable redemption price on the redemption date therein designated, and if, on the redemption date, moneys for the payment of the redemption price of all the bonds to be redeemed, together with interest to the redemption date, shall be available for such payment on said date, then from and after the redemption date interest on such bonds shall cease to accrue and become payable.

(g) Upon the payment of the redemption price of Bonds being redeemed, each check or other transfer of funds issued for such purpose shall bear the CUSIP number or numbers identifying, by issue and maturity, the Bonds being redeemed with the proceeds of such check or other transfer.

(h) The Bond Registrar shall also give any notice of the “defeasance” or redemption of the Bonds that may be required by the Continuing Disclosure Undertaking provided that the Issuer shall provide to the Bond Registrar any documents or other information that the Bond Registrar requests to provide such notice.

Section 208. Issuance, Sale and Delivery of Bonds. Under authority of the Act, the Bonds shall be issued by the Issuer for the purpose set forth in Section 202 hereof. The Bonds shall be delivered to the Purchaser and the proceeds of sale thereof applied as provided in Section 210 hereof.

Section 209. Execution of Bonds. The Bonds shall be executed on behalf of the Issuer by the Mayor and attested and countersigned by the City Recorder (the signatures of the Mayor and City Recorder being either manual or by facsimile) and the official seal of the Issuer or a facsimile thereof shall be impressed or printed thereon. The use of such manual or facsimile signatures of the Mayor and the City Recorder and such facsimile or impression of the official seal of the Issuer on the Bonds are hereby authorized, approved and adopted by the Issuer as the authorized and authentic execution, attestation, countersignature and sealing of the Bonds by said officials on behalf of the Issuer. The Bonds shall then be delivered to the Bond Registrar for manual authentication by it. Only such of the Bonds as shall bear thereon a certificate of authentication, manually executed by the Bond Registrar, shall be valid or obligatory for any purpose or entitled to the benefits of the Bond Resolution, and such certificate of the Bond Registrar shall be conclusive evidence that the Bonds so authenticated have been duly authenticated and delivered under, and are entitled to the benefits of, this Bond Resolution and that the owner thereof is entitled to the benefits of this Bond Resolution. The certificate of authentication of the Bond Registrar on any Bond shall be deemed to have been executed by it if (i) such Bond is signed by an authorized officer of the Bond Registrar, but it shall not be necessary that the same officer sign the certificate of authentication on all of the Bonds issued hereunder or that all of the Bonds hereunder be authenticated by the same Bond Registrar, and (ii) the date of registration and authentication of the Bond is inserted in the place provided therefor on the certificate of authentication.

The Mayor and the City Recorder are authorized to execute, countersign, attest and seal from time to time, in the manner described above, Bonds (the “*Exchange Bonds*”) to be issued and delivered for the purpose of effecting transfers and exchanges of Bonds pursuant to Article III hereof. At the time of the execution, countersigning, attestation and sealing of the Exchange Bonds by the Issuer, the payee, principal amount, maturity and interest rate may be in blank. Upon any transfer or exchange of Bonds pursuant to Article III hereof, the Bond Registrar shall cause to be inserted in appropriate Exchange Bonds the appropriate payee, principal amount, maturity and interest rate. The Bond Registrar is hereby authorized and directed to hold the Exchange Bonds and to complete, authenticate and deliver the Exchange Bonds for the purpose of effecting transfers and exchanges of Bonds; *provided* that any Exchange Bonds authenticated and delivered by the Bond Registrar shall bear the same series, maturity and interest rate as Bonds delivered to the Bond Registrar for exchange or transfer and shall bear the name of such payee as the Bondowner requesting an exchange or transfer shall designate; and *provided further* that upon the delivery of any Exchange Bonds by the Bond Registrar a like principal amount of Bonds submitted for transfer or exchange, and of like series and having like maturity dates and interest rates, shall be cancelled. The execution, countersignature, attestation and sealing by the Issuer and delivery to the Bond Registrar of any Exchange Bond shall constitute full and due authorization of such Bond containing such payee, principal amount, maturity and interest rate as the Bond Registrar shall cause to be inserted, and the Bond Registrar shall thereby be authorized to authenticate and deliver such Exchange Bond in accordance with the provisions hereof.

In case any officer whose signature or a facsimile of whose signature shall appear on any Bond (including any Exchange Bond) shall cease to be such officer before the issuance or delivery of such Bond, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until such issuance or delivery, respectively.

Section 210. Delivery of the Bonds; Application of Proceeds. The City Manager, City Treasurer, Budget Officer or other officer of the Issuer is hereby authorized and instructed to make delivery of the Bonds to the Purchaser and to receive payment therefor in accordance with the terms of sale and the Certificate of Determination and to set the proceeds of sale of the Bonds aside for deposit into the Project Account to be used for the purpose for which the Bonds are herein authorized.

Section 211. Continuing Disclosure Undertaking. The Mayor is hereby authorized, empowered and directed to execute and deliver, and the City Recorder to seal, countersign, and attest, the Continuing Disclosure Undertaking (the “*Continuing Disclosure Undertaking*”) in substantially the same forms as now before the City Council of the Issuer and attached hereto as *Exhibit 1*, respectively, or with such changes therein as the Mayor shall approve, his execution thereof to constitute conclusive evidence of his approval of such changes. When the Continuing Disclosure Undertaking is executed and delivered on behalf of the Issuer as herein provided, the Continuing Disclosure Undertaking will be binding on the Issuer and the officers, employees and agents of the Issuer, and the officers, employees and agents of the Issuer are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Continuing Disclosure

Undertaking as executed. Notwithstanding any other provision of this Bond Resolution, the sole remedies for failure to comply with the Continuing Disclosure Undertaking shall be the ability of the beneficial owner of any Bond to seek mandamus or specific performance by court order, to cause the Issuer to comply with its obligations under the Continuing Disclosure Undertaking.

Section 212. Further Authority. The Mayor and the City Recorder and other officers of the Issuer are, and each of them is, hereby authorized to do or perform all such acts and to execute all such certificates, documents and other instruments as may be necessary or advisable to provide for the issuance, sale, registration and delivery of the Bonds and to fulfill the obligations of the Issuer hereunder and thereunder.

Section 213. Establishment of Accounts. (a) The following accounts on the accounting records of the Issuer are hereby created, which are to be held as follows:

- (i) Bond Account, to be held by the Issuer;
- (ii) Depository Account, to be held by the Paying Agent; and
- (iii) Project Account, to be held by the Issuer.

(b) Pending application for the purposes contemplated hereby, moneys on deposit in the Bond Account, Depository Account and Project Account shall be invested as permitted by law in investments approved by the City Manager or other authorized officer of the Issuer.

ARTICLE III

TRANSFER AND EXCHANGE OF BONDS; BOND REGISTRAR

Section 301. Transfer of Bonds. (a) Any Bond may, in accordance with its terms, be transferred, upon the registration books kept by the Bond Registrar pursuant to Section 303 hereof, by the Person in whose name it is registered, in person or by such owner's duly authorized attorney, upon surrender of such Bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the Bond Registrar. No transfer shall be effective until entered on the registration books kept by the Bond Registrar. The Issuer, the Bond Registrar and the Paying Agent may treat and consider the Person in whose name each Bond is registered in the registration books kept by the Bond Registrar as the holder and absolute owner thereof for the purpose of receiving payment of, or on account of, the principal or redemption price thereof and interest due thereon and for all other purposes whatsoever.

(b) Whenever any Bond or Bonds shall be surrendered for transfer, the Bond Registrar shall authenticate and deliver a new fully-registered Bond or Bonds (which may be an Exchange Bond or Bonds pursuant to Section 209 hereof) of the same series, designation, maturity and interest rate and of authorized denominations duly executed by the Issuer, for a like aggregate principal amount. The Bond Registrar shall require the payment by the Bondowner requesting

such transfer of any tax or other governmental charge required to be paid with respect to such transfer. With respect to each Bond, no such transfer shall be required to be made (i) after the Record Date with respect to any interest payment date to and including such interest payment date, or (ii) after the Record Date with respect to any redemption of such Bond.

(c) The Bond Registrar shall not be required to register the transfer of or exchange any Bond selected for redemption, in whole or in part, except the unredeemed portion of Bonds being redeemed in part. Upon surrender of any Bond redeemed in part only, the Issuer shall execute, and the Bond Registrar shall authenticate and deliver to the Bondowner at the expense of the Issuer, a new Bond or Bonds (which may be an Exchange Bond or Bonds pursuant to Section 209 hereof) of the same series, designation, maturity and interest rate and of authorized denominations equal in aggregate principal amount to the unredeemed portion of the Bond surrendered.

Section 302. Exchange of Bonds. Bonds may be exchanged at the principal corporate trust office of the Bond Registrar for a like aggregate principal amount of fully-registered Bonds (which may be an Exchange Bond or Bonds pursuant to Section 209 hereof) of the same series, designation, maturity and interest rate of other authorized denominations. The Bond Registrar shall require the payment by the Bondowner requesting such exchange of any tax or other governmental charge required to be paid with respect to such exchange. With respect to each Bond, no such exchange shall be required to be made (a) after the Record Date with respect to any interest payment date to and including such interest payment date, or (b) after the Record Date with respect to any redemption of such Bond.

Section 303. Bond Registration Books. This Bond Resolution shall constitute a system of registration within the meaning and for all purposes of the Registered Public Obligations Act, Chapter 7 of Title 15 of the Utah Code. The Bond Registrar shall keep or cause to be kept, at its principal corporate trust office, sufficient books for the registration and transfer of the Bonds, which shall at all times be open to inspection by the Issuer; and, upon presentation for such purpose, the Bond Registrar shall, under such reasonable regulations as it may prescribe, register or transfer, or cause Bonds to be registered or transferred on those books as herein provided.

Section 304. List of Bondowners. The Bond Registrar shall maintain a list of the names and addresses of the owners of all Bonds and upon any transfer shall add the name and address of the new Bondowner and eliminate the name and address of the transferor Bondowner.

Section 305. Duties of Bond Registrar. If requested by the Bond Registrar, the Mayor and the City Recorder are authorized to execute the Bond Registrar's standard form of agreement between the Issuer and the Bond Registrar with respect to the compensation, obligations and duties of the Bond Registrar hereunder, which may include the following:

(a) to act as bond registrar, authenticating agent, paying agent and transfer agent as provided herein;

(b) to maintain a list of Bondowners as set forth herein and to furnish such list to the Issuer upon request, but otherwise to keep such list confidential;

- (c) to give notice of redemption of Bonds as provided herein;
- (d) to cancel and/or destroy Bonds that have been paid at maturity or upon earlier redemption or submitted for exchange or transfer;
- (e) to furnish the Issuer at least annually a certificate with respect to Bonds cancelled and/or destroyed;
- (f) to furnish to the Issuer, at its request, at least annually an audit confirmation of Bonds paid, Bonds outstanding and payments made with respect to interest on the Bonds; and
- (g) to comply with all applicable provisions of DTC's operational arrangements, as provided in Section 402 hereof.

ARTICLE IV

BOOK-ENTRY SYSTEM; LIMITED OBLIGATION OF ISSUER; LETTER OF REPRESENTATIONS

Section 401. Book-Entry System; Limited Obligation of Issuer. (a) The Bonds shall be initially issued in the form of a separate, single, certificated, fully-registered Bond for each of the maturities set forth in Section 204 hereof. Upon initial issuance, the ownership of each such Bond shall be registered in the registration books kept by the Bond Registrar in the name of Cede, as nominee of DTC. Except as provided in Section 403 hereof, all of the outstanding Bonds shall be registered in the registration books kept by the Bond Registrar in the name of Cede, as nominee of DTC.

(b) With respect to Bonds registered in the registration books kept by the Bond Registrar in the name of Cede, as nominee of DTC, the Issuer, the Bond Registrar and the Paying Agent shall have no responsibility or obligation to any such Participant or to any Person on behalf of which such a Participant holds an interest in the Bonds. Without limiting the immediately preceding sentence, the Issuer, the Bond Registrar and the Paying Agent shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede or any Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any Participant or any other Person, other than a Bondowner, as shown in the registration books kept by the Bond Registrar, of any notice with respect to the Bonds, including any notice of redemption, or (iii) the payment to any Participant or any other Person, other than a Bondowner, as shown in the registration books kept by the Bond Registrar, of any amount with respect to the principal of or premium, if any, or interest on the Bonds. The Issuer, the Bond Registrar and the Paying Agent may treat and consider the Person in whose name each Bond is registered in the registration books kept by the Bond Registrar as the holder and absolute owner of such Bond for the purpose of payment of principal, premium and interest with respect to such Bond and other matters with respect to such Bond, for the purpose of registering transfers with respect to such Bond, for the purpose of giving notices of redemption and for all other purposes whatsoever.

The Paying Agent shall pay all principal of, and premium, if any, and interest on, the Bonds only to the respective Bondowners, as shown in the registration books kept by the Bond Registrar, or their respective attorneys duly authorized in writing, as provided in Section 206 hereof, and all such payments shall be valid and effective to fully satisfy and discharge the Issuer's obligations with respect to payment of principal of, and premium, if any, and interest on, the Bonds to the extent of the sum or sums so paid. No Person other than a Bondowner, as shown in the registration books kept by the Bond Registrar, shall receive a certificated Bond evidencing the obligation of the Issuer to make payments of principal, premium, if any, and interest pursuant to the Bond Resolution.

(c) Upon delivery by DTC to the Issuer of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede, and subject to the provisions herein with respect to Record Dates, the word "*Cede*" in this Bond Resolution shall refer to such new nominee of DTC; and upon receipt of such a notice the Issuer shall promptly deliver a copy of the same to the Bond Registrar and the Paying Agent.

Section 402. Letter of Representations. The Issuer's prior execution and delivery of the Letter of Representations shall not in any way limit the provisions of Section 401 hereof or in any other way impose upon the Issuer any obligation whatsoever with respect to Persons having interests in the Bonds other than the Bondowners, as shown on the registration books kept by the Bond Registrar. In the written acceptance of each Paying Agent and Bond Registrar referred to in Section 206 hereof, such Paying Agent and Bond Registrar, respectively, shall agree to take all action necessary for all of DTC's operational arrangements pertaining to the Paying Agent and Bond Registrar, respectively, to at all times be complied with.

Section 403. Transfers Outside Book-Entry System. At the option of the Issuer or upon receipt by the Issuer of written notice from DTC that DTC is unable or unwilling to discharge its responsibilities, and no substitute depository willing to undertake the functions of DTC hereunder can be found that is willing and able to undertake such functions upon reasonable and customary terms, the Bonds shall no longer be restricted to being registered in the registration books kept by the Bond Registrar in the name of Cede, as nominee of DTC, but may be registered in whatever name or names Bondowners transferring or exchanging Bonds shall designate, in accordance with the provisions of Article III hereof.

Section 404. Payments to Cede. Notwithstanding any other provision of this Bond Resolution to the contrary, so long as any Bond is registered in the name of Cede, as nominee of DTC, all payments with respect to principal of and premium, if any, and interest on such Bond and all notices with respect to such Bond shall be made and given, respectively, in the manner provided in the Letter of Representations.

ARTICLE V

COVENANTS AND UNDERTAKINGS

Section 501. Covenants of Issuer. All covenants, statements, representations and agreements contained in the Bonds and all recitals and representations in the Bond Resolution are hereby considered and understood, and it is hereby confirmed that all such covenants, statements, representations and agreements are the covenants, statements, representations and agreements of the Issuer.

Section 502. Levy of Taxes; Bond Account The Issuer covenants and agrees that to pay the interest falling due on the Bonds as the same becomes due, and also to provide a sinking fund for the payment of the principal of the Bonds at maturity, there shall be levied on all taxable property in the City in addition to all other taxes, a direct annual tax sufficient to pay the interest on the Bonds and to pay and retire the same. These taxes when collected shall be applied solely for the purpose of the payment of the interest on and principal of the Bonds, respectively, and for no other purpose whatsoever until the indebtedness so contracted under the Bond Resolution, principal and interest, shall have been fully paid, satisfied and discharged, but nothing herein contained shall be so construed as to prevent the Issuer from applying any other funds that may be in the Issuer's treasury and available for that purpose to the payment of such interest and principal as the same respectively become due and mature. The levy or levies herein provided for may thereupon be diminished to that extent. The sums herein provided for to meet the interest on the Bonds and to discharge the principal thereof when due are hereby appropriated for that purpose, and the required amount for each year shall be included by the Issuer in its annual budget and its statement and estimate as certified to the Board of County Commissioners of Summit County, Utah and the Board of County Commissioners of Wasatch County, Utah, in each year. Principal or interest falling due at any time when there shall not be available from the proceeds of the levies described in this Section money sufficient for the payment thereof shall, to the extent of such deficiency, be paid from other funds of the Issuer available for such purpose, and such other funds shall be reimbursed when the proceeds of such levies become available.

On or prior to the second business day next preceding each date on which payment of principal of or interest on the Bonds is to be made, the Issuer shall deposit into the Bond Account an amount sufficient to pay principal of and interest on the Bonds on such payment date. Moneys remaining on deposit immediately after each such payment date, including any investment earnings thereon earned during the period of such deposit, shall be immediately withdrawn from the Bond Account by the Issuer and commingled with the general funds of the Issuer. The Issuer has established the Bond Account primarily to achieve a proper matching of revenues and debt service on the Bonds. The Bond Account shall be depleted at least once each year by the Issuer, except for a reasonable carryover amount not to exceed the greater of one year's earnings on the Bond Account or one-twelfth of the annual debt service on the Bonds.

Section 503. Arbitrage Covenant; Covenant to Maintain Tax-Exemption. (a) The Mayor, the City Recorder and other appropriate officials of the Issuer are hereby authorized and directed to execute such Tax Certificates as shall be necessary to establish that (i) the Bonds are not "arbitrage bonds" within the meaning of Section 148 of the Code and the Regulations, (ii) the

Bonds are not and will not become “private activity bonds” within the meaning of Section 141 of the Code, (iii) all applicable requirements of Section 149 of the Code are and will be met, (iv) the covenants of the Issuer contained in this Section will be complied with and (v) interest on the Bonds is not and will not become includible in gross income of the owners thereof for federal income tax purposes under the Code and applicable Regulations.

(b) The Issuer covenants and certifies to and for the benefit of the owners from time to time of the Bonds that:

(i) it will at all times comply with the provisions of any Tax Certificates;

(ii) it will at all times comply with the rebate requirements contained in Section 148(f) of the Code and the Regulations, including, without limitation, the entering into any necessary rebate calculation agreement to provide for the calculations of amounts required to be rebated to the United States, the keeping of records necessary to enable such calculations to be made, the creation of any rebate fund to provide for the payment of any required rebate and the timely payment to the United States of all amounts, including any applicable penalties and interest, required to be rebated, except to the extent that the Bonds are not subject to such arbitrage rebate requirements;

(iii) no use will be made of the proceeds of the issue and sale of the Bonds, or any funds or accounts of the Issuer that may be deemed to be proceeds of the Bonds, pursuant to Section 148 of the Code and applicable Regulations, which use, if it had been reasonably expected on the date of issuance of the Bonds, would have caused the Bonds to be classified as “arbitrage bonds” within the meaning of Section 148 of the Code;

(iv) it will not use or permit the use of any of its facilities or properties in such manner that such use would cause the Bonds to be “private activity bonds” described in Section 141 of the Code;

(v) no bonds or other evidences of indebtedness of the Issuer (other than the Bonds) have been or will be issued, sold or delivered within a period beginning 15 days prior to the sale of the Bonds and ending 15 days following the delivery of the Bonds, other than the Bonds;

(vi) it will not take any action that would cause interest on the Bonds to be or to become ineligible for the exclusion from gross income of the owners of the Bonds as provided in Section 103 of the Code, nor will it omit to take or cause to be taken in timely manner any action, which omission would cause interest on the Bonds to be or to become ineligible for the exclusion from gross income of the owners of the Bonds as provided in Section 103 of the Code;

(vii) it recognizes that Section 149(a) of the Code requires the Bonds to be issued and to remain in fully registered form in order that interest thereon is excludable from gross income of the owners thereof for federal income tax purposes under laws in force at the time the Bonds are initially delivered and the Issuer agrees that it will not

take any action to permit the Bonds to be issued in, or converted into, bearer or coupon form without an opinion of Bond Counsel to the effect that such action will not adversely affect the excludability of interest on the Bonds from the gross income of the owners thereof for federal income tax purposes; and

(viii) it acknowledges that, in the event of an examination by the Internal Revenue Service of the exemption from federal income taxation for interest paid on the Bonds, under present rules, the Issuer may be treated as a “taxpayer” in such examination and agrees that it will respond in a commercially reasonable manner to any inquiries from the Internal Revenue Service in connection with such an examination.

Pursuant to these covenants, the Issuer obligates itself to comply throughout the term of the issue of the Bonds with the requirements of Section 103 of the Code and the Regulations proposed or promulgated thereunder.

ARTICLE VI

FORM OF BONDS

Section 601. Form of Bonds. Each fully-registered Bond shall be, respectively, in substantially the following form, with such insertions or variations as to any redemption or amortization provisions and such other insertions or omissions, endorsements and variations as may be required (including, but not limited to, such changes as may be necessary if the Bonds at any time are no longer held in book-entry form as permitted by Section 403 hereof):

[FORM OF BOND]

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the Issuer or its agent for registration of transfer, exchange, or payment, and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

Registered

Registered

UNITED STATES OF AMERICA

STATE OF UTAH

PARK CITY

GENERAL OBLIGATION BOND, SERIES 2019

Number R-_____

\$_____

INTEREST RATE:

MATURITY DATE:

DATED DATE:

CUSIP:

_____%

_____, ____

_____, 2019

REGISTERED OWNER:

PRINCIPAL AMOUNT: ----- DOLLARS-----

KNOW ALL MEN BY THESE PRESENTS that Park City, Utah (the "Issuer"), a duly organized and existing municipal corporation and a political subdivision of the State of Utah, acknowledges itself indebted and for value received hereby promises to pay to the registered owner identified above, or registered assigns, on the maturity date identified above, upon presentation and surrender hereof, the principal amount identified above (the "Principal Amount"), and to pay the registered owner hereof interest on the balance of the Principal Amount from time to time remaining unpaid from the interest payment date next preceding the date of registration and authentication of this Bond, unless this Bond is registered and authenticated as of an interest payment date, in which event this Bond shall bear interest from such interest payment date, or unless this Bond is registered and authenticated prior to the first interest payment date, in which event this Bond shall bear interest from the dated date identified above (the "Dated Date"), or unless, as shown by the records of the hereinafter referred to Bond Registrar, interest on the hereinafter referred to Bonds shall be in default, in which event this Bond shall bear interest from the date to which interest has been paid in full, at the interest rate

per annum (calculated on the basis of a year of 360 days consisting of twelve 30-day months) identified above (the “*Interest Rate*”), payable semiannually on _____ 1 and _____ 1 in each year, commencing _____ 1, 2017, until payment in full of the Principal Amount, except as the provisions set forth in the hereinafter defined Bond Resolution with respect to redemption prior to maturity may become applicable hereto. This Bond shall bear interest on overdue principal at the Interest Rate. Principal of and premium, if any, on this Bond shall be payable upon presentation and surrender hereof at the principal corporate trust office of Zions Bancorporation, National Association, of Salt Lake City, Utah, as Paying Agent for the Bonds, or at the principal corporate trust office of any successor who is at the time the Paying Agent of the Issuer, in any coin or currency of the United States of America that at the time of payment is legal tender for the payment of public and private debts; and payment of the interest hereon shall be made to the registered owner hereof and shall be paid by check or draft mailed to the person who is the registered owner of record on the Record Date.

This Bond is one of the General Obligation Bonds, Series 2019 of the Issuer (the “*Bonds*”), limited to the aggregate principal amount of _____ Dollars (\$_____), dated as of the Dated Date, issued under and by virtue of the Local Government Bonding Act, Chapter 14 of Title 11, Utah Code Annotated 1953, as amended (the “*Utah Code*”), the Registered Public Obligations Act, Chapter 7 of Title 15 of the Utah Code, and the applicable provisions of Title 10 of the Utah Code (collectively, the “*Act*”), and under and pursuant to a resolution of the Issuer adopted on January 15, 2019 (the “*Bond Resolution*”), after having been authorized at a special bond election held on November 6, 2018, in the Issuer by a vote of the qualified electors thereof, for the purpose of acquiring, constructing, improving and modifying pathways, roads and related improvements for use by pedestrians and cyclists (the “*Project*”). The acquisition, improvement and preservation of the Project is for one or more public purposes.

Zions Bancorporation, National Association, of Salt Lake City, Utah, is the initial bond registrar and paying agent of the Issuer with respect to the Bonds. This bond registrar and paying agent, together with any successor bond registrar or paying agent, are referred to herein, respectively, as the “*Bond Registrar*” and the “*Paying Agent*.”

The Issuer covenants and is by law required to levy annually a sufficient tax to pay interest on this Bond as it falls due and also to constitute a sinking fund for the payment of the principal hereof as the same falls due.

This Bond is transferable, as provided in the Bond Resolution, only upon the books of the Issuer kept for that purpose at the principal corporate trust office of the Bond Registrar, by the registered owner hereof in person or by such owner’s attorney duly authorized in writing. Such transfer shall be made upon surrender of this Bond, together with a written instrument of transfer satisfactory to the Bond Registrar, duly executed by the registered owner or such duly authorized attorney and upon the payment of the charges prescribed in the Bond Resolution, and thereupon the Issuer shall issue in the name of the transferee a new registered Bond or Bonds of authorized denominations of the same aggregate principal amount, series, designation, maturity and interest rate as the surrendered Bond, all as provided in the Bond Resolution. No transfer of this Bond shall be effective until entered on the registration books kept by the Bond Registrar. The Issuer,

the Bond Registrar and the Paying Agent may treat and consider the person in whose name this Bond is registered on the registration books kept by the Bond Registrar as the holder and absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes whatsoever, and neither the Issuer, the Bond Registrar nor the Paying Agent shall be affected by any notice to the contrary.

The Bonds are issuable solely in the form of registered Bonds in the denomination of \$5,000 or any whole multiple thereof.

[The Bonds maturing on or after _____ 1, _____, are subject to redemption prior to maturity, at the election of the Issuer, on _____ 1, _____ (the "*First Redemption Date*") and on any date thereafter, in whole or in part, from such maturities or parts thereof as shall be selected by the Issuer, upon notice given as provided below, at a redemption price equal to 100% of the principal amount of the Bonds to be redeemed plus accrued interest thereon to the date fixed for redemption. Bonds maturing on or prior to the First Redemption Date are not subject to optional redemption.

Notice of redemption shall be given by the Bond Registrar by registered or certified mail not less than thirty (30) nor more than forty-five (45) days prior to the redemption date, to the registered owner of each Bond that is subject to redemption, at the address of such registered owner as it appears on the registration books kept by the Bond Registrar, or at such other address as is furnished in writing by such registered owner to the Bond Registrar, all as provided in the Bond Resolution.

If notice of redemption shall have been given as aforesaid, the Bonds or portions thereof specified in that notice shall become due and payable at the applicable redemption price on the redemption date therein designated. If on the redemption date, moneys for the payment of the redemption price of all the Bonds to be redeemed, together with interest to the redemption date, shall be available for such payment on that date, then from and after the redemption date interest on such Bonds shall cease to accrue and become payable.

Less than all of a Bond in a denomination in excess of \$5,000 may be so redeemed. In such case, upon the surrender of such Bond, there shall be issued to the registered owner thereof, without charge therefor, for the unredeemed balance of the principal amount of such Bond, registered Bonds of any of the authorized denominations, at the option of such owner, all as more fully set forth in the Bond Resolution. In selecting portions of any registered Bond that is of a denomination of more than \$5,000 for redemption, the Bond Registrar will treat each such Bond as representing that number of Bonds of \$5,000 denomination that is obtained by dividing the principal amount of such Bond by \$5,000.

Except as otherwise provided herein and unless the context clearly indicates otherwise, words and phrases used herein shall have the same meanings as such words and phrases in the Bond Resolution.

This Bond and the issue of Bonds of which it is a part are issued in conformity with and after full compliance with the Constitution of the State of Utah and pursuant to the provisions of the Act and all other laws applicable thereto. It is hereby certified and recited that all conditions, acts and things required by the Constitution or laws of the State of Utah and by the Act and the Bond Resolution to exist, to have happened or to have been performed precedent to or in connection with the issuance of this Bond exist, have happened and have been performed and that the issue of Bonds, together with all other indebtedness of the Issuer, is within every debt and other limit prescribed by the Constitution and laws referenced above, and that the full faith and credit of the Issuer are hereby irrevocably pledged to the punctual payment of the principal of and interest on this Bond according to its terms.

This Bond shall not be valid until the Certificate of Authentication hereon shall have been manually signed by the Bond Registrar.

IN WITNESS WHEREOF, PARK CITY, UTAH, has caused this Bond to be signed in its name and on its behalf by its Mayor and countersigned and attested by the City Recorder, and has caused its official seal or a facsimile thereof to be impressed or imprinted hereon, all as of the Dated Date.

PARK CITY, UTAH

By _____ (manual signature)
Mayor

[SEAL]

COUNTERSIGN AND ATTEST:

By _____ (manual signature)
City Recorder

[FORM OF BOND REGISTRAR’S CERTIFICATE OF AUTHENTICATION]

This Bond is one of the Bonds described in the within-mentioned Bond Resolution and is one of the General Obligation Bonds, Series 2019 of Park City, Utah.

ZIONS BANCORPORATION, NATIONAL
ASSOCIATION, as Bond Registrar

By
Authorized Officer

Date of registration
and authentication: _____, 2017.

Bond Registrar and Paying Agent:

Zions Bancorporation, National Association
Corporate Trust Department
One South Main Street, 12th Floor
Salt Lake City, Utah 84133

[FORM OF ASSIGNMENT]

The following abbreviations, when used in the inscription on the face of the within Bond, shall be construed as though they were written out in full according to applicable laws or regulations.

TEN COM	—	as tenants in common		UNIF TRAN MIN ACT—
TEN ENT	—	as tenants by the entirety		_____ Custodian _____
JT TEN	—	as joint tenants with right		(Cust) (Minor)
		of survivorship and not as		under Uniform Transfers to Minors Act of
		tenants in common		_____
				(State)

Additional abbreviations may also be used though not in the above list.

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

Insert Social Security or Other
Identifying Number of Assignee

(Please Print or Typewrite Name and Address of Assignee)

the within Bond of PARK CITY, UTAH, and hereby irrevocably constitutes and appoints _____
_____ attorney, to register the transfer of said
Bond on the books kept for registration thereof, with full power of substitution in the premises.

DATED: _____

SIGNATURE: _____

SIGNATURE GUARANTEED:

NOTICE: Signature(s) must be guaranteed by an “eligible guarantor institution” meeting the requirements of the Bond Registrar, which requirements include membership or participation in STAMP or such other “signature guarantee program” as may be determined by the Bond Registrar in addition to, or in substitution for, STAMP, all in accordance with the Securities and Exchange Act of 1934, as amended.

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

ARTICLE VII

MISCELLANEOUS

Section 701. Final Official Statement. The Official Statement of the Issuer is hereby authorized in substantially the form presented at this meeting and in the form attached hereto as *Exhibit 2*, with such changes, omissions, insertions and revisions as the Mayor shall deem advisable, including the completion thereof with the information established at the time of the sale of the Bonds by the Designated Officer and set forth in the Certificate of Determination. The Mayor shall sign and deliver the Official Statement to the Purchaser for distribution to prospective purchasers of the Bonds and other interested persons. The approval of the Mayor of any such changes, omissions, insertions and revisions shall be conclusively established by the Mayor's execution of the Official Statement.

Section 702. Preliminary Official Statement Deemed Final. The use and distribution of the Official Statement in preliminary form (the "*Preliminary Official Statement*"), in substantially the form presented at this meeting and in the form attached hereto as *Exhibit 2*, is hereby authorized and approved, with such changes, omissions, insertions and revisions as the City Treasurer shall deem advisable. The Mayor, the City Recorder and the City Treasurer are, and each of them is, hereby authorized to do or perform all such acts and to execute all such certificates, documents and other instruments as may be necessary or advisable to deem final the Preliminary Official Statement within the meaning and for purposes of paragraph (b)(1) of Rule 15c2-12 of the Securities and Exchange Commission, subject to completion thereof with the information established at the time of the sale of the Bonds. The Mayor, the City Recorder and the City Treasurer are, and each of them is, hereby authorized to do or perform all such acts and to execute all such certificates, documents and other instruments as may be necessary or advisable to provide for the issuance, sale and delivery of the Bonds, and any actions taken thereby for purposes of deeming the Official Statement to be final for purposes of Rule 15c2-12 of the Securities and Exchange Commission are hereby authorized, ratified and confirmed.

Section 703. Notice of Bond to be Issued In accordance with the provisions of Section 11-14-316 of the Local Government Bonding Act, the City Recorder shall cause the "Notice of Bonds to be Issued," in substantially the form attached hereto as *Exhibit 3*, to be published one time in *The Park Record*, a newspaper of general circulation in the City, and shall cause a copy of this Bond Resolution (together with all exhibits hereto) to be kept on file in her office for public examination during the regular business hours of the City until at least thirty (30) days from and after the date of publication thereof.

For a period of thirty (30) days from and after publication of the Notice of Bonds to be Issued, any person in interest shall have the right to contest the legality of this Bond Resolution or the Bonds hereby authorized or any provisions made for the security and payment of the Bonds. After such time, no one shall have any cause of action to contest the regularity, formality or legality of this Bond Resolution or the Bonds or any provisions made for the security and payment of the Bonds for any cause.

Section 704. Payments Due on Non-Business Days. If a payment date is not a business day, then payment may be made on the next business day, and no interest shall accrue for the intervening period.

Section 705. Ratification. All proceedings, resolutions and actions of the Issuer and its officers taken in connection with the sale and issuance of the Bonds are hereby ratified, confirmed and approved, including, without limitation, the publication of the notice of sale for the Bonds as set out in the preambles hereto.

Section 706. Severability. It is hereby declared that all parts of this Bond Resolution are severable, and if any section, paragraph, clause or provision of this Bond Resolution shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or provision shall not affect the remaining sections, paragraphs, clauses or provisions of this Bond Resolution.

Section 707. Conflict. All resolutions, orders and regulations or parts thereof heretofore adopted or passed that are in conflict with any of the provisions of this Bond Resolution are, to the extent of such conflict, hereby repealed.

Section 708. Captions. The table of contents and captions or headings herein are for convenience of reference only and in no way define, limit or describe the scope or intent of any provisions or sections of this Bond Resolution.

Section 709. Effective Date. This Bond Resolution shall take effect immediately.

ADOPTED AND APPROVED on January 15, 2019.

PARK CITY, UTAH

By _____
Mayor

ATTEST AND COUNTERSIGN:

By _____
City Recorder

APPROVED AS TO FORM:

By _____
City Attorney

EXHIBIT 1

[CONTINUING DISCLOSURE UNDERTAKING]

EXHIBIT 2

[OFFICIAL STATEMENT]

EXHIBIT 3

NOTICE OF BONDS TO BE ISSUED

NOTICE IS HEREBY GIVEN pursuant to the provisions of Sections 11-14-316 and 11-27-4, Utah Code Annotated 1953, as amended, that on January 15, 2019, the City Council (the “*Council*”) of Park City, Utah (the “*City*”), adopted a resolution (the “*Resolution*”) in which it authorized and approved the issuance of its general obligation bonds (the “*Bonds*”), in the aggregate principal amount of not to exceed Forty-Eight Million Dollars, to bear interest at a rate or rates of not to exceed five and one half percent per annum, to mature over a period not to exceed sixteen years from their date or dates and to be sold at a discount from par, expressed as a percentage of the principal amount, of not to exceed two percent.

Pursuant to the Resolution, the Bonds are to be issued for the purpose of acquiring, improving and forever preserving open space, park and recreational land located in Treasure Hill and Armstrong/Snow Ranch Pasture (the “*Project*”).

The City proposes to pledge the full faith and credit of the City for the payment of its general obligation bonds and may be obligated to levy and collect ad valorem taxes without limitation as to rate or amount in order to pay the general obligation bonds, as provided by law.

The total par amount of the City’s currently outstanding general obligation bonds is \$_____. More detailed information relating to the outstanding general obligation bonds of the City is available from the City Treasurer. The estimated total cost to the City of the Bonds, if such Bonds are held until maturity and based on estimated interest rates currently in effect, is \$_____.

The Bonds are to be issued and sold by the City pursuant to the Resolution. A copy of the Resolution is on file in the office of the City Recorder of the City, located in the Marsac Municipal Building, at 445 Marsac Avenue, Park City, Utah, where the Resolution may be examined during regular business hours of the City Recorder from 8:00 a.m. to 5:00 p.m. The Resolution shall be so available for inspection for a period of at least thirty days from and after the date of the publication of this notice.

NOTICE IS FURTHER GIVEN that pursuant to law for a period of thirty days from and after the date of the publication of this notice, any person in interest shall have the right to contest the legality of the above-described Resolution (including the final bond resolution attached thereto) of the City or the Bonds authorized thereby or any provisions made for the security and payment of the Bonds. After such time, no one shall have any cause of action to contest the regularity, formality or legality of the Resolution, the Bonds or the provisions for their security or payment for any cause.

DATED January 15, 2019.

PARK CITY, UTAH

EXHIBIT 4

[CERTIFICATE OF DETERMINATION]

Council Agenda Item Report

Meeting Date: January 15, 2019

Submitted by: Nate Rockwood

Submitting Department: Budget, Debt & Grants

Item Type: Resolution

Agenda Section:

Subject:

Consideration to Adopt Resolution 02-2019, a Resolution Authorizing the Issuance and Sale of Not More than \$32,000,000 Aggregate Principal Amount of Sales Tax Revenue Bonds, Series 2019; to Fund a Portion of the Treasure Hill Open Space Acquisition and to Fund Affordable and Attainable Housing Plan Projects
(A) Public Hearing (B) Action

Suggested Action:

Attachments:

[Sales Tax Revenue Bonds Staff Report](#)

[Sales Tax Revenue Bonds Resolution](#)

City Council Staff Report



Subject: 2019 Sales Revenue Bonds – Authorizing Resolution
Author: Nate Rockwood
Department: Budget Department
Date: January 15, 2019
Type of Item: Legislative

Summary Recommendation

Staff recommends that City Council approve the attached Authorizing Resolution for the 2019 Series Sales Revenue bonds in an amount not to exceed \$32,000,000 to fund the a portion of the Treasure Hill Open Space acquisition and to Fund Affordable and Attainable Housing Plan projects. The resolution begins the issuance process and authorizes the pricing and sale of the bonds, which is expected on or around February 21, 2019.

Background

The 2019 sales revenue bonds issuance consists of two individual bond issuances, which will be bundled and sold collectively to take advantage of market conditions, and reduced cost of issuance. The bonds will be secured by two primary funding sources. The Treasure Hill Open Space portion of the bonds is funded through pledged revenue from de-obligated, deferred or delayed project funding from the additional resort communities sales tax, in the amount of \$10,300,000. The Affordable and Attainable Housing Plan portion of the bonds is funded through tax increment generated by the Lower Park Ave RDA, in the amount of \$21,700,000.

Additional Resort Communities Sale Tax Project Plan

After the approval by the voters in 2012, City Council unanimously passed an ordinance adopting an additional .5% Resort Communities Sales and Use Tax to be levied beginning April 1, 2013. At that time, Council confirmed that all revenue generated with the additional .5% Resort Communities Sales Tax be received directly in to the Capital Improvement Fund to be used for but not limited to the following capital projects, Historic Park City/ Main Street & Downtown Projects, Old Town Improvement Study Street Improvement Projects (OTIS), Storm Drain Improvements, Open Space Acquisition and other capital improvement projects as determined appropriate by City Council.

The adopted additional resort communities sales tax (ARCST) plan is reviewed each year as part of the budget process and 5-year capital improvement plan. The ARCST plan anticipates project funding through the use of cash and the issuance of debt against the ARCST revenue. The City Council has confirmed that the amount of debt issued should not exceed more than 65% of the pledged revenue in any one year. This policy helps determine the amount of debt capacity available for projects or open space acquisition in the 5-year CIP and the ARCST plan, and protects the City in the case of a down cycle in the economy which could result in reduced sales tax revenue.

As part of the 2019 budget process City Council and staff evaluated the City budget and 5-year Capital Improvement Plan (CIP) projects. As part of this process the City de-obligated, deferred and delayed planned capital improvement projects freeing up additional funds to

lower the amount of the GO ballot proposition to \$48 million. The majority of the additional funding required for the \$64 million purchase price of the Treasure Hill property will be funded through the use of sales revenue bonds, which were anticipated in the budget for projects planned and funded as part of the Addition Resort Communities Sales Tax Plan.

The City has issued three sales revenue bonds against the pledge of the Additional Resort Communities Sales Tax in 2014 for \$6,000,000, 2015 for \$12,000,000 and 2017 for \$7,500,000. These funds were used for open space acquisition, OTIS, Deer Valley Drive reconstruction, Main Street improvements and affordable housing land acquisitions. \$6,000,000 of the 2017 Sales Revenue Bonds have been used for the initial payment on Treasure Hill Open Space purchase. The full amount of this \$6 million payment is included in the \$64 million purchase price.

Lower Park Ave RDA Affordable and Attainable Housing Plan

City Council has set affordable and attainable housing as a critical City priority. The City and Redevelopment Authority has dedicated significant redevelopment tax increment funds towards a revolving funding program for affordable housing construction. The 2019 Sales Revenue Bonds will be issued by the City and reimbursed by the Lower Park RDA. This will allow the City and RDA to realize much lower interest rates than would be available with typical RDA tax increment bonds. In 2017, the City and RDA entered into agreements outlining and authorizing the reimbursement agreement.

Park City with tax increment pledge from the Lower Park RDA will issues approximately \$21,700,000 in sales revenue bonds to fund the construction of the affordable and attainable housing within the City, as currently outlined in the adopted budget and the housing project schedule (housing pipeline). This funding, along with the housing funds revolving from the 2017 sales revenue bonds (originally issued for \$8 million) will be needed for the construction of the Woodside phase II project.

Analysis

The attached bond resolution sets the parameters of the sales revenue bond issuance, delegates final approval of bond terms to the City Manager as the *Designated Officer*, and initiates the process required for the issuance of the bonds. The resolution sets the maximum principal issuance amount not to exceed \$32,000,000 and defines the purpose as follows (the uses are broad to include all potential uses originally designated by the additional resort sales tax improvement plan):

to (a) financing (i) a portion of the costs of a revolving program of the Issuer of acquiring and constructing affordable housing units within the Issuer, (ii) additional parking and plaza improvements within the Issuer, (iii) road improvements within the Issuer, (iv) open space acquisition and related improvements and (v) park, recreation and community center improvements (collectively, the “Series 2019 Project”), (b) funding any debt service reserve funds, as necessary, and (c) paying costs of issuance of the Bonds.

The resolution also establishes maximum terms of 5.5% interest, not more than 15 years, and 2% discount from par. These terms are intentionally set high to allow flexibility in the

bond pricing structure. While markets are difficult to predict, staff anticipates that the actual interest rate of the bonds would be closer to the current rate between 2.7 to 3.0%, than the maximum. The maturity of the bond is expected to be 15 years. The parameters allow for a maximum 2% discount from par, which would be necessary if interest rates were higher than the coupon rate on the bond. It is anticipated that the total amount of project to be funded and proceeds of the bonds will be sold at \$32,000,000.

It is anticipated that the sale of the bonds would occur on or around February 21, 2019. Staff would proceed with the bond closing on or after March 7, 2019. The bonds will be sold tax-exempt. The bonds will be sold by competitive sale.

Funding Source

The bond resolution is the first step in initiating a bond issuance. This bond issuance is anticipated in the budget and all funding sources have been approved by City Council for the purpose of land acquisition and/or project development. The authorizing resolution will allow staff to continue with the current timing of the issuance in order to make payment on the Treasure Hill land purchase on or before April 1, 2019 and continue with the financing of currently adopted housing projects as outlined in the 5-year Capital Improvement Plan.

Attachments

A. 2019 Sales Revenue Bonds Authorizing Resolution

Park City, Utah

January 15, 2019

The City Council (the “Council”) of Park City, Utah, met in regular public session at the regular meeting place of the Council in Park City, Utah, on Tuesday, January 15, 2019, at the hour of 6:00 p.m., with the following members of the Council being present:

Andy Beerman	Mayor
Becca Gerber	Councilmember
Tim Henney	Councilmember
Steve Joyce	Councilmember
Lynn Ware-Peek	Councilmember
Nann Worel	Councilmember

Also present:

Michelle Kellogg	City Recorder
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After the meeting had been duly called to order and after other matters not pertinent to this resolution had been discussed, the City Recorder presented to the Council a Certificate of Compliance with Open Meeting Law with respect to this January 15, 2019, meeting, a copy of which is attached hereto as Exhibit A.

The following resolution was then introduced in written form, was fully discussed, and pursuant to motion duly made by Councilmember _____ and seconded by Councilmember _____, was adopted by the following vote:

AYE:

NAY:

The resolution is as follows:

RESOLUTION NO. 02-2019

A RESOLUTION OF THE CITY COUNCIL OF PARK CITY, UTAH (THE “ISSUER”), AUTHORIZING THE ISSUANCE AND SALE OF NOT MORE THAN \$32,000,000 AGGREGATE PRINCIPAL AMOUNT OF SALES TAX REVENUE BONDS, SERIES 2019; FIXING THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF THE BONDS, THE MAXIMUM NUMBER OF YEARS OVER WHICH THE BONDS MAY MATURE, THE MAXIMUM INTEREST RATE WHICH THE BONDS MAY BEAR, AND THE MAXIMUM DISCOUNT FROM PAR AT WHICH THE BONDS MAY BE SOLD; DELEGATING TO CERTAIN OFFICERS OF THE ISSUER THE AUTHORITY TO APPROVE THE FINAL TERMS AND PROVISIONS OF THE BONDS WITHIN THE PARAMETERS SET FORTH HEREIN; PROVIDING FOR A PUBLIC HEARING AND THE PUBLICATION OF A NOTICE OF PUBLIC HEARING AND BONDS TO BE ISSUED; PROVIDING FOR THE RUNNING OF A CONTEST PERIOD; AUTHORIZING AND APPROVING A SUPPLEMENTAL INDENTURE, A PRELIMINARY OFFICIAL STATEMENT, AN OFFICIAL STATEMENT, A BOND PURCHASE AGREEMENT, AN OFFICIAL NOTICE OF BOND SALE AND OTHER DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION; AND RELATED MATTERS.

WHEREAS, the City Council (the “Council”) of the Issuer desires to (a) finance (i) a portion of the costs of a revolving program of acquiring and constructing affordable housing units within the Issuer, (ii) additional parking and plaza improvements within the Issuer, (iii) road improvements within the Issuer, (iv) open space acquisition and related improvements and (v) park, recreation and community center improvements (collectively, the “Series 2019 Project”), (b) fund any necessary debt service reserve funds and (c) pay costs of issuance with respect to the Series 2019 Bonds herein described; and

WHEREAS, in connection with the housing improvements described above, the Council has determined that there is a need for the Issuer to work with its Housing Authority (including as authorized by Section 35A-8-425 of the Utah Code Annotated 1953, as amended (the “Utah Code”)), its Redevelopment Agency (including as authorized by Sections 17C-1-411 and 412 of the Utah Code) and others to facilitate the development of additional affordable and attainable housing units within the Issuer in order to preserve the core community values of Park City and for the Issuer to use appropriate means to assure that such housing units remain affordable including through the Issuer retaining an interest in such units by deed restrictions and otherwise; and

WHEREAS, the Issuer is permitted by the provisions of Utah law, including Utah Code Section 10-8-2 to purchase, improve and dispose of real and personal property that

is in the public interest and the Council has determined that the land and improvements to be financed as provided herein is all in the public interest; and

WHEREAS, in connection with such housing improvements, the Issuer may use a portion of the proceeds of the Series 2019 Bonds for the construction of housing within a redevelopment project area, for redevelopment purposes and that is intended to be sold without deed or other restrictions, and the proceeds of such sale used to acquire and construct additional affordable housing units with such restrictions; and

WHEREAS, to accomplish the purposes set forth in the preceding recitals, and subject to the limitations set forth herein, the Issuer desires to issue its Sales Tax Revenue Bonds, Series 2019 (the “Series 2019 Bonds”) (to be issued from time to time as one or more series and with such other series or title designation(s) as may be determined by the Issuer), pursuant to (a) the Local Government Bonding Act, Title 11, Chapter 14, Utah Code (the “Act”), (b) this Resolution, and (c) a previously executed General Indenture of Trust (the “General Indenture”), and a Supplemental Indenture (the “Supplemental Indenture” and together with the General Indenture, the “Indenture”), each between the Issuer and Zions Bancorporation, National Association (the “Trustee”), with such Supplemental Indenture in substantially the form presented to the meeting at which this Resolution was adopted and which is attached hereto as Exhibit B; and

WHEREAS, the Act provides that prior to issuing bonds, an issuing entity must (a) give notice of its intent to issue such bonds and (b) hold a public hearing to receive input from the public with respect to (i) the issuance of the bonds and (ii) the potential economic impact that the improvement, facility or property for which the bonds pay all or part of the cost will have on the private sector; and

WHEREAS, the Issuer desires to call a public hearing for this purpose and to publish a notice of such hearing with respect to the Series 2019 Bonds, including a notice of bonds to be issued, in compliance with the Act; and

WHEREAS, there has been presented to the Council at this meeting a form of a bond purchase agreement (the “Bond Purchase Agreement”), in substantially the form attached hereto as Exhibit C to be entered into between the Issuer and the underwriter or the purchaser (the “Underwriter/Purchaser”) selected by the Issuer for any portion of the Series 2019 Bonds in the event that the Series 2019 Bonds are not sold pursuant to a public bid with an official notice of bond sale or similar document; and

WHEREAS, in the event that the Designated Officers (defined below) determine that it is in the best interests of the Issuer to publicly offer all or a portion of the Series 2019 Bonds, the Issuer desires to authorize the use and distribution of one or more of a Preliminary Official Statement (the “Preliminary Official Statement”) in substantially the form attached hereto as Exhibit D, including a form of an Official Notice of Bond Sale or a substantially similar document for use with or without a Preliminary Official Statement (the “Official Notice of Bond Sale”) in the case where the Series 2019 Bonds are sold at a competitive sale, and to approve a final Official Statement (the “Official Statement”) in

substantially the form as the Preliminary Official Statement, and other documents relating thereto; and

WHEREAS, in order to allow the Issuer flexibility in setting the pricing date of the Series 2019 Bonds to optimize debt service costs to the Issuer, the Council desires to grant to any one of the Mayor, any authorized Mayor Pro Tem, the City Manager, and the Finance Manager (collectively, the “Designated Officers”), the authority to (a) determine whether all or a portion of the Series 2019 Bonds should be sold pursuant to a private placement or a public offering (including via a negotiated underwriting or public bid); (b) approve the principal amounts, interest rates, terms, maturities, redemption features, and purchase price at which the Series 2019 Bonds shall be sold; (c) select the Underwriter/Purchaser of the Series 2019 Bonds or execute a Certificate of Award confirming the sale of the Series 2019 Bonds to the winning bidder pursuant to the Official Notice of Bond Sale; (d) determine whether the Series 2019 Bonds shall be issued as federally tax-exempt or taxable bonds; and (e) make any changes with respect to the Series 2019 Bonds and the documents approved herein from those terms which were before the Council at the time of adoption of this Resolution, provided such terms do not exceed the parameters set forth for such terms in this Resolution (the “Parameters”);

NOW, THEREFORE, it is hereby resolved by the City Council of Park City, Utah, as follows:

Section 1. For the purpose of (a) financing the Series 2019 Project, (b) funding a deposit to a debt service reserve fund, if necessary, and (c) paying costs of issuance of the Series 2019 Bonds, the Issuer hereby authorizes the issuance of the Series 2019 Bonds which shall be designated “Park City, Utah Sales Tax Revenue Bonds, Series 2019” (to be issued from time to time as one or more series and with such other series or title designation(s) as may be determined by the Issuer) in the aggregate principal amount of not to exceed \$32,000,000. The Series 2019 Bonds shall mature in not more than fifteen (15) years from their date or dates, shall be sold at a price not less than ninety-eight percent (98%) of the total principal amount thereof, and shall bear interest at a rate or rates of not to exceed five and a half percent (5.5%) per annum, all as shall be approved by the Designated Officers, within the Parameters set forth herein.

Section 2. The Designated Officers are hereby authorized to select the Underwriter/Purchaser and specify and agree as to the method of sale (among competitive sale or negotiated sale (including a private placement without the use of an Official Statement), the final principal amounts, terms, discounts, maturities, interest rates, redemption features, and purchase price with respect to the Series 2019 Bonds and whether the Series 2019 Bonds shall be issued as federally tax-exempt or taxable bonds, for and on behalf of the Issuer, provided that such terms are within the Parameters set by this Resolution. The selection of the method of sale via a private placement, negotiated underwriting, or competitive sale, the selection of the Underwriter/Purchaser and the determination of the final terms and redemption provisions for the Series 2019 Bonds by the Designated Officers shall be evidenced by the execution of a Certificate of Award (the “Certificate of Award”) in substantially the form attached hereto as Exhibit E in the

case where the Series 2019 Bonds are sold at a competitive sale or the Bond Purchase Agreement if the Series 2019 Bonds are sold at a private or negotiated underwriting sale in substantially the form attached hereto as Exhibit C. The form of the Certificate of Award and of the Bond Purchase Agreement are hereby authorized, approved and confirmed.

Section 3. The Supplemental Indenture and the Bond Purchase Agreement in substantially the forms presented to this meeting and attached hereto as Exhibits B and C, respectively, are hereby authorized, approved, and confirmed. The Mayor or Mayor pro tem (the “Mayor”) and City Recorder or Deputy City Recorder (the “City Recorder”) are hereby authorized to execute and deliver the Supplemental Indenture in substantially the form and with substantially the content as the form presented at this meeting for and on behalf of the Issuer, with final terms as may be established by the Designated Officers within the Parameters set forth herein, and with such alterations, changes or additions as may be necessary or as may be authorized by Section 5 hereof.

Section 4. Should the Designated Officers determine to have the Series 2019 Bonds underwritten, as a public offering, the Issuer hereby authorizes the utilization of the Preliminary Official Statement (including an Official Notice of Bond Sale, as needed) in the form attached hereto as Exhibit D in the marketing of the Series 2019 Bonds and hereby approves the Official Statement in substantially the same form as the Preliminary Official Statement. The Mayor is hereby authorized to execute the Official Statement evidencing its approval by the Issuer.

Section 5. The appropriate officials of the Issuer are authorized to make any alterations, changes or additions to the Indenture, the Series 2019 Bonds, the Preliminary Official Statement (including, but not limited to, the addition of an official notice of bond sale), the Official Statement, the Series 2019 Bonds, the Bond Purchase Agreement, the Certificate of Award or any other document herein authorized and approved which may be necessary to conform the same to the final terms of the Series 2019 Bonds (within the Parameters set by this Resolution), to conform to any applicable bond insurance or reserve instrument or to remove the same, to correct errors or omissions therein, to complete the same, to remove ambiguities therefrom, or to conform the same to other provisions of said instruments, to the provisions of this Resolution or any resolution adopted by the Council or the provisions of the laws of the State of Utah or the United States.

Section 6. The form, terms, and provisions of the Series 2019 Bonds and the provisions for the signatures, authentication, payment, registration, transfer, exchange, redemption, and number shall be as set forth in the Indenture. The Mayor and the City Recorder are hereby authorized and directed to execute and seal the Series 2019 Bonds and to deliver said Series 2019 Bonds to the Trustee for authentication. The signatures of the Mayor and the City Recorder may be by facsimile or manual execution.

Section 7. The appropriate officials of the Issuer are hereby authorized and directed to execute and deliver to the Trustee the written order of the Issuer for

authentication and delivery of the Series 2019 Bonds in accordance with the provisions of the Indenture.

Section 8. Upon their issuance, the Series 2019 Bonds will constitute special limited obligations of the Issuer payable solely from and to the extent of the sources set forth in the Series 2019 Bonds and the Indenture. No provision of this Resolution, the Indenture, the Series 2019 Bonds, or any other instrument, shall be construed as creating a general obligation of the Issuer, or of creating a general obligation of the State of Utah or any political subdivision thereof, or as incurring or creating a charge upon the general credit of the Issuer or its taxing powers.

Section 9. The appropriate officials of the Issuer, and each of them, are hereby authorized and directed to execute and deliver for and on behalf of the Issuer any or all additional certificates, documents and other papers and to perform all other acts they may deem necessary or appropriate in order to implement and carry out the matters authorized in this Resolution and the documents authorized and approved herein.

Section 10. After the Series 2019 Bonds are delivered by the Trustee to the Underwriter/Purchaser and upon receipt of payment therefor, this Resolution shall be and remain irrevocable until the principal of, premium, if any, and interest on the Series 2019 Bonds are deemed to have been duly discharged in accordance with the terms and provisions of the Indenture.

Section 11. The Issuer shall hold a public hearing on February 14, 2019 to receive input from the public with respect to (a) the issuance of the Series 2019 Bonds and (b) the potential economic impact that the improvements to be financed with the proceeds of the Series 2019 Bonds will have on the private sector, which hearing date shall not be less than fourteen (14) days after notice of the public hearing is first published, such notice to be published (i) once a week for two consecutive weeks in The Park Record, a newspaper of general circulation in the Issuer, (ii) on the Utah Public Notice Website created under Section 63F-1-701, Utah Code Annotated 1953, as amended, and (iii) on the Utah Legal Notices website (www.utahlegals.com) created under Section 45-1-101, Utah Code Annotated 1953, as amended. The City Recorder shall cause a copy of this Resolution (together with all exhibits hereto) to be kept on file in the Issuer's offices, for public examination during the regular business hours of the Issuer until at least thirty (30) days from and after the last date of the newspaper publication thereof. The Issuer directs its officers and staff to publish a "Notice of Public Hearing and Bonds to be Issued" in substantially the following form:

NOTICE OF PUBLIC HEARING AND BONDS TO BE ISSUED

NOTICE IS HEREBY GIVEN pursuant to the provisions of the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended (the “Act”), that on January 15, 2019, the City Council (the “Council”) of Park City, Utah (the “Issuer”), adopted a resolution (the “Resolution”) in which it authorized the issuance of the Issuer’s Sales Tax Revenue Bonds, Series 2019 (the “Bonds”) (to be issued in one or more series and with such other series or title designation(s) as may be determined by the Issuer), and called a public hearing to receive input from the public with respect to the Bonds.

PURPOSE, TIME, PLACE AND LOCATION OF PUBLIC HEARING

The Issuer shall hold a public hearing on February 14, 2019, at the hour of 6:00 p.m. at 445 Marsac Avenue, Park City, Utah. The purpose of the hearing is to receive input from the public with respect to (a) the issuance of the Bonds and (b) any potential economic impact that the Project to be financed with the proceeds of the Bonds may have on the private sector. All members of the public are invited to attend and participate.

PURPOSE FOR ISSUING THE BONDS

The Bonds will be issued for the purpose of (a) financing (i) a portion of the costs of a revolving program of the Issuer of acquiring and constructing affordable housing units within the Issuer, (ii) additional parking and plaza improvements within the Issuer, (iii) road improvements within the Issuer, (iv) open space acquisition and related improvements and (v) park, recreation and community center improvements (collectively, the “Series 2019 Project”), (b) funding any debt service reserve funds, as necessary, and (c) paying costs of issuance of the Bonds.

In connection with the housing improvements described above, (i) the Council has determined that there is a need for the Issuer to work with its Housing Authority, its Redevelopment Agency and others to facilitate the development of additional affordable and attainable housing units within the Issuer in order to preserve the core community values of Park City and for the Issuer to use appropriate means to assure that such housing units remain affordable including through the Issuer retaining an interest in such units by deed restriction and otherwise and (ii) the Issuer may use a portion of the proceeds of the Bonds for the construction of housing within a redevelopment project area, for redevelopment purposes and that is intended to be sold without deed or other restrictions, and the proceeds of such sale used to acquire and construct additional affordable housing units with such restrictions.

PARAMETERS OF THE BONDS

The Issuer intends to issue the Bonds in the aggregate principal amount of not more than Thirty-Two Million Dollars (\$32,000,000) to mature in not more than fifteen (15) years from their date or dates, to be sold at a price not less than ninety-eight percent (98%) of the total principal amount thereof, and bearing interest at a rate or rates not to exceed five and a half percent (5.5%) per annum. The Bonds are to be issued and sold by the Issuer pursuant to the Resolution, including as part of said Resolution, a General

Indenture of Trust (previously entered into) and a Supplemental Indenture of Trust (together, the “Indenture”) which were before the Council and attached to the Resolution with the Supplemental Indenture in substantially final form at the time of the adoption of the Resolution and said Supplemental Indenture is to be executed in such form and with such changes thereto as shall be approved by designated officers of the Issuer; provided that the principal amount, interest rate or rates, maturity, and discount of the Bonds will not exceed the maximums set forth above.

EXCISE TAXES PROPOSED TO BE PLEDGED

The Issuer proposes to pledge (i) 100% of the Local Option Sales and Use Tax revenues received by the Issuer pursuant to Title 59, Chapter 12, Part 2, Utah Code Annotated 1953, as amended (the “Utah Code”), (ii) 100% of the Resort Communities Tax and Additional Resort Communities Tax revenues received by the Issuer pursuant to Title 59, Chapter 12, Part 4 of the Utah Code, and (iii) 100% of the Transient Room Taxes received by the Issuer pursuant to Title 59, Chapter 12, Part 352, of the Utah Code (collectively, the “Revenues”) to the payment of the Bonds.

OUTSTANDING BONDS SECURED BY PLEDGED TAXES

The Issuer currently has \$48,015,000 of bonds outstanding secured by all or a portion of the Revenues.

OTHER OUTSTANDING BONDS OF THE ISSUER

Additional information regarding the Issuer’s outstanding bonds may be found in the Issuer’s financial report (the “Financial Report”) at: <https://reporting.auditor.utah.gov/searchreport>. For additional information, including any information more recent than as of the date of the Financial Report, please contact Rebecca Gillis, Finance Manager at (435) 615-5229.

TOTAL ESTIMATED COST OF BONDS

Based on the Issuer’s current plan of finance and a current estimate of interest rates, the total principal and interest cost of the Bonds if held until maturity, is approximately \$40,300,000.

A copy of the Resolution and the Indenture are on file in the office of the Park City Recorder, 445 Marsac Avenue, Park City, Utah, where they may be examined during regular business hours of the City Recorder from 8:00 a.m. to 5:00 p.m. Monday through Friday, for a period of at least thirty (30) days from and after the date of publication of this notice.

NOTICE IS FURTHER GIVEN that a period of thirty (30) days from and after the date of the publication of this notice is provided by law during which (i) any person in interest shall have the right to contest the legality of the Resolution, the Indenture (but only as it relates to the Bonds), or the Bonds, or any provision made for the security and payment of the Bonds, and that after such time, no one shall have any cause of action to contest the regularity, formality, or legality thereof for any cause whatsoever and (ii) registered voters within Park City, Utah may sign a written petition requesting an

election to authorize the issuance of the Bonds. If written petitions which have been signed by at least 20% of the registered voters of Park City, Utah are filed with the Issuer during said 30-day period, the Issuer shall be required to hold an election to obtain voter authorization prior to the issuance of the Bonds. If fewer than 20% of the registered voters of Park City, Utah file a written petition during said 30-day period, the Issuer may proceed to issue the Bonds without an election.

DATED this January 15, 2019.

/s/ Michelle Kellogg
City Recorder

Section 12. The Issuer hereby reserves the right to opt not to issue the Series 2019 Bonds for any reason, including without limitation, consideration of the opinions expressed at the public hearing.

Section 13. All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Resolution shall be in full force and effect immediately upon its approval and adoption.

Section 14. The Issuer hereby declares its intention and reasonable expectation to use proceeds of tax-exempt bonds to reimburse itself for initial expenditures for costs of the Project. The Series 2019 Bonds are to be issued, and the reimbursements made, by the later of 18-months after the payment of the costs or after the Project is placed in service, but in any event, no later than three years after the date the original expenditure was paid. The maximum principal amount of the Series 2019 Bonds which will be issued to finance the reimbursed costs of the Project is not expected to exceed \$32,000,000.

APPROVED AND ADOPTED this January 15, 2019.

(SEAL)

By: _____
Mayor

ATTEST:

By: _____
City Recorder

(Other business not pertinent to the foregoing appears in the minutes of the meeting.)

Upon the conclusion of all business on the Agenda, the meeting was adjourned.

(SEAL)

By: _____
Mayor

ATTEST:

By: _____
City Recorder

STATE OF UTAH)
 : ss.
COUNTY OF SUMMIT)

I, Michelle Kellogg, the duly appointed and qualified City Recorder of Park City, Utah (the “City”), do hereby certify according to the records of the City Council of the City (the “City Council”) in my official possession that the foregoing constitutes a true and correct excerpt of the minutes of the meeting of the City Council held on January 15, 2019, including a resolution (the “Resolution”) adopted at said meeting as said minutes and Resolution are officially of record in my possession.

I further certify that the Resolution, with all exhibits attached, was deposited in my office on January 15, 2019.

IN WITNESS WHEREOF, I have hereunto subscribed my signature and impressed hereon the official seal of said City, this January 15, 2019.

(SEAL)

By: _____
City Recorder

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH
OPEN MEETING LAW

I, Michelle Kellogg, the undersigned City Recorder of Park City, Utah (the “City”), do hereby certify, according to the records of the City in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, Utah Code Annotated, 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time and place of the January 15, 2019, public meeting held by the City Council of the City (the “City Council”) as follows:

(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the principal offices at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting;

(b) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be delivered to The Park Record at least twenty-four (24) hours prior to the convening of the meeting; and

(c) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be posted on the Utah Public Notice Website (<http://pmn.utah.gov>) at least twenty-four (24) hours prior to the convening of the meeting.

In addition, the Notice of 2019 Annual Meeting Schedule for the City Council (attached hereto as Schedule 2) was given specifying the date, time, and place of the regular meetings of the City Council to be held during the year, by causing said Notice to be (a) posted on _____, at the principal office of the City Council, (b) provided to at least one newspaper of general circulation within the City on _____, and (c) published on the Utah Public Notice Website (<http://pmn.utah.gov>) during the current calendar year.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this January 15, 2019.

(SEAL)

By: _____
City Recorder

SCHEDULE 1

NOTICE OF MEETING

SCHEDULE 2
ANNUAL MEETING SCHEDULE

EXHIBIT B

FORM OF INDENTURE

EXHIBIT C

FORM OF BOND PURCHASE AGREEMENT

EXHIBIT D

FORM OF PRELIMINARY OFFICIAL STATEMENT

EXHIBIT E

CERTIFICATE OF AWARD

Council Agenda Item Report

Meeting Date: January 15, 2019

Submitted by: Francisco Astorga

Submitting Department: Planning

Item Type: Staff Report

Agenda Section:

Subject:

Consideration to Approve Ordinance No. 2019-03, an Ordinance Approving the 510 Ontario Avenue Plat Amendment, located at 510 Ontario Avenue, Park City, Utah, and Consideration to Approve Ordinance No. 2019-04, an Ordinance Amending Ordinance No. 15-12 and Approving the Roundabout Condominiums First Amendment, Located at 300 Deer Valley Drive, Park City, Utah

(A) Public Hearing (B) Action

Suggested Action:

Attachments:

[510 Ontario Ave Plat Amendment Staff Report and Ordinances](#)

[510 Ontario Ave Plat Amendment Exhibits](#)

City Council Staff Report

Subject: 510 Ontario Avenue Plat Amendment &
Roundabout Condominiums First Amendment
Author: Francisco Astorga, AICP, Senior Planner
Project Number: PL-16-03410
Date: 15 January 2019
Type of Item: Legislative – Plat Amendment

Recommendation

Staff recommends that the City Council 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 approval 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. During the December 12, 2018 Planning Commission meeting, the Commission reviewed the application, opened a public hearing, and voted unanimously (6-0) by forwarding a positive recommendation to the City Council. The Planning Commission meeting minutes are found [here](#).

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

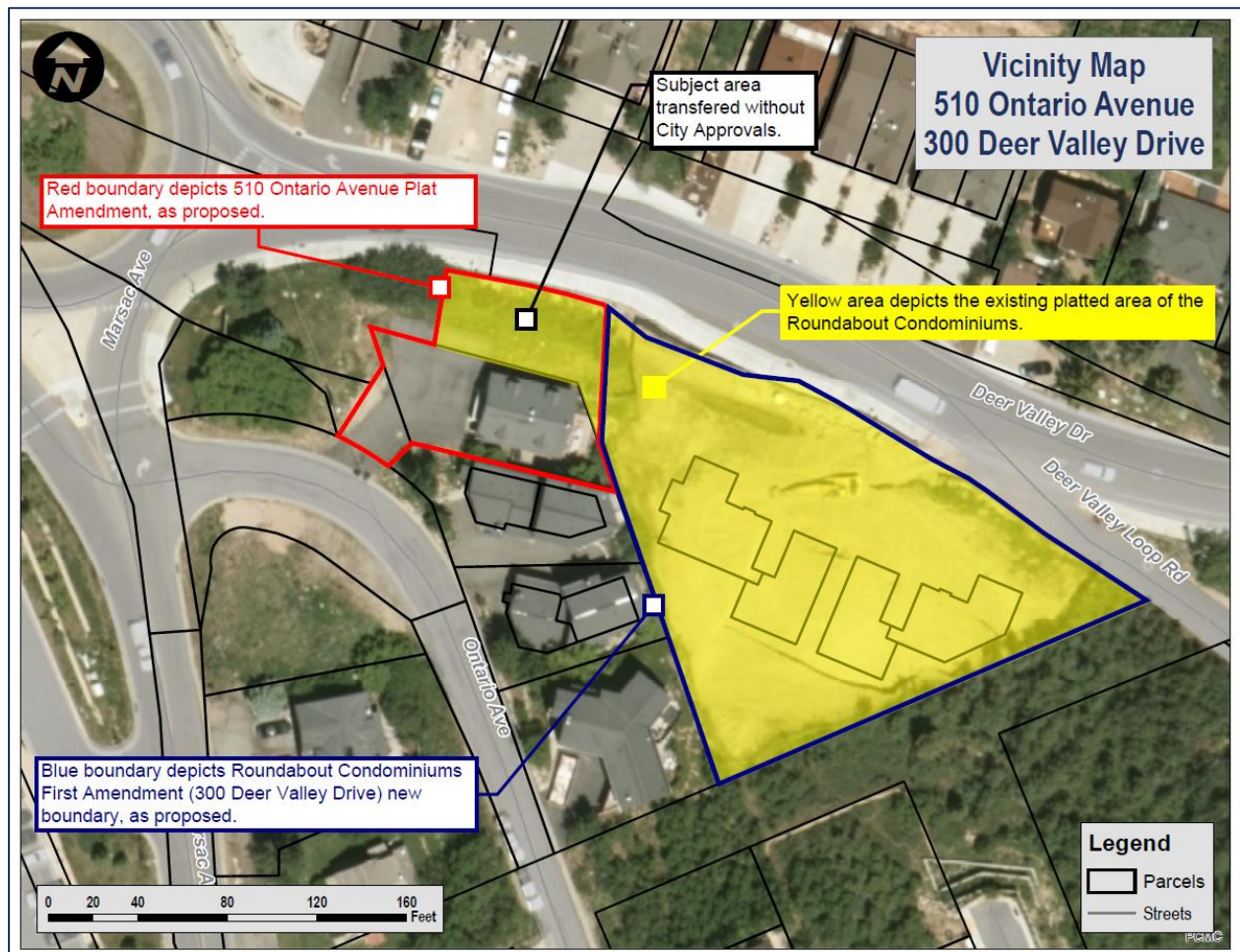
Address: 300 Deer Valley Drive
Size: 2731.8 square feet
Owner: Eliot Realty LLC (Ron Dichter, registered agent)
Use: Part of Roundabout Condominiums **common space**
Proposal: **510 Ontario Ave. Plat Amendment, one (1) lot subdivision plat**

3B. Part of Serial Nos. RNDABTC-A, RNDABTC-B, RNDABTC-C and RNDABTC-D

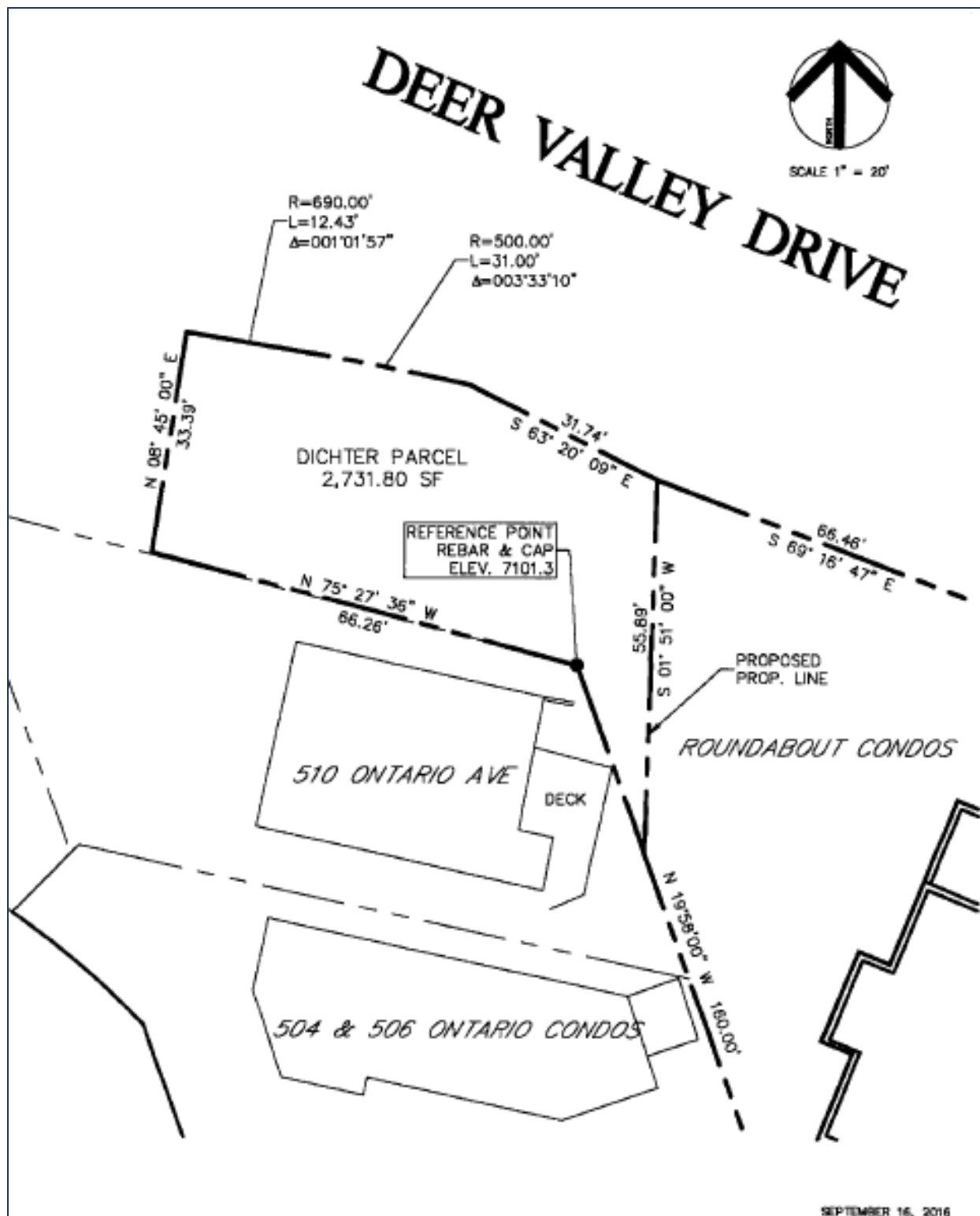
Address: 300 Deer Valley Drive
Owners: Unit A, B & C - The Roundabout LLC
Unit D - Kurt Campisano and Jenny Lepore
Use: 4 residential units, Roundabout Condominiums
Proposal: **Roundabout About Condominiums First Amendment reflecting the common area transferred over to Eliot Realty LLC (-2,731.8 square 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

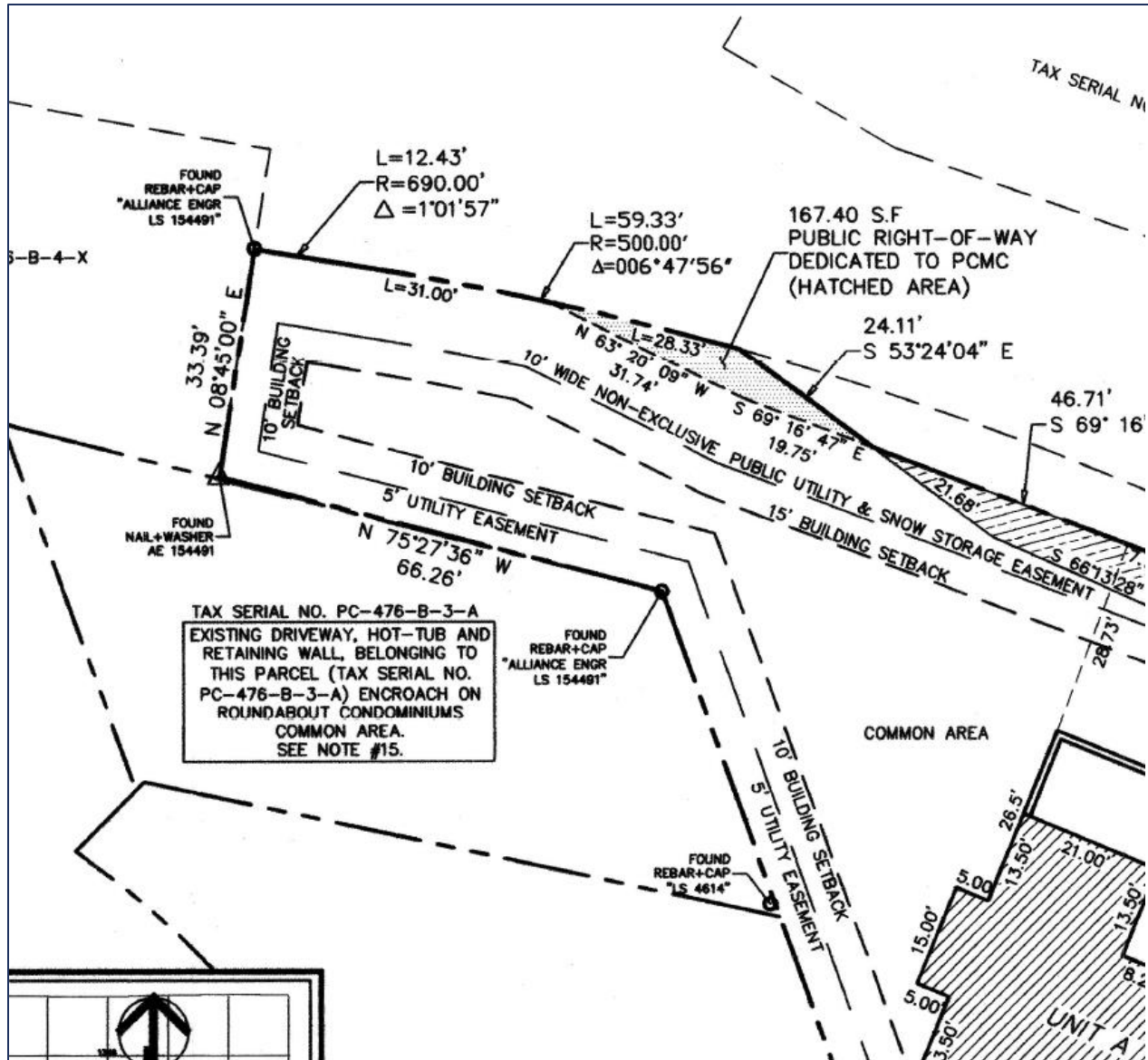
The subject site, Roundabout Condominiums, is located at 300 Deer Valley Drive. Roundabout Condominiums was approved as two (2) condominium buildings, consisting of two (2) units in each building for a total of four (4) units. On June 14, 2007 the City Council approved the Roundabout Subdivision Plat, 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 City Council may approve the proposed Plat Amendments, as conditioned or amended; or
- The City Council may deny the proposed Plat Amendments, and direct staff to make Findings for this decision; or
- The City Council may continue the discussion on the proposed Plat Amendments, and request additional information or analysis in order to take final action; or
- The City Council may remand the proposed Plat Amendments to the Planning Commission with specific direction

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 that the City Council 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 approval 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. 2019-03

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 positive recommendation to the City Council; and,

WHEREAS, on January 15, 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 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 15th of January, 2019.

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. 2019-04

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 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 the Plat Amendment; and

WHEREAS, the Planning Commission on December 12, 2018, forwarded a positive recommendation to the City Council; and,

WHEREAS, on January 15, 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 15th day of January, 2019.

PARK CITY MUNICIPAL CORPORATION

Andy Beerman, MAYOR

ATTEST:

Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

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 _____ } ss

The foregoing instrument was acknowledged before me this ____ day of _____, 20____.

by _____, the _____ of ROUNABOUT HOMEOWNERS

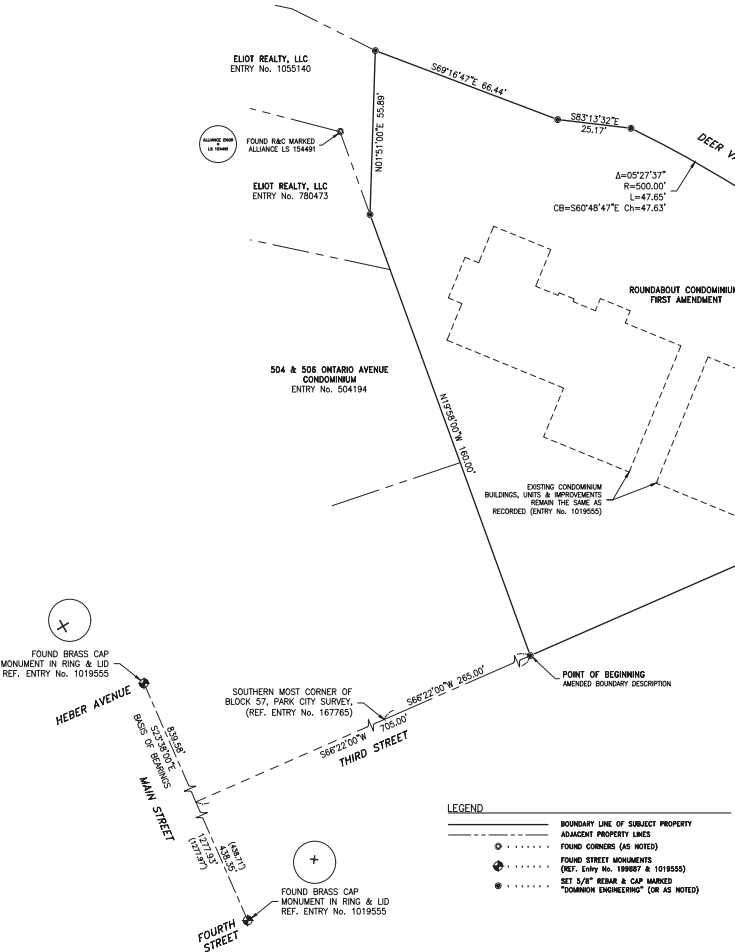
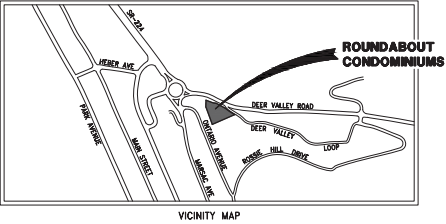
ASSOCIATION, INC.

A Notary Public Commissioned in _____

My Commission Expires _____

Commission Number _____

Printed Name _____



PROJECT NO.	PREPARED BY	CITY ENGINEER	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	CITY PLANNING COMMISSION	APPROVAL AS TO FORM	COUNCIL APPROVAL & ACCEPTANCE	CERTIFICATE OF ATTEST	SUMMIT COUNTY RECORDER
2953-01	Dominion Engineering Associates, L.C. 5684 South Green Street Murray, Utah 84123 801-713-3000	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____	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS ____ DAY OF _____ A.D. 20____	APPROVED BY THE PARK CITY PLANNING COMMISSION ON THIS ____ DAY OF _____ A.D. 20____	APPROVED AS TO FORM THIS ____ DAY OF _____ A.D. 20____	APPROVED AND ACCEPTED BY THE PARK CITY COUNCIL THIS ____ DAY OF _____ A.D. 20____	I CERTIFY THIS WAS APPROVED BY PARK CITY COUNCIL THIS ____ DAY OF _____ A.D. 20____	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	
FILE NAME: 44 ROUNDABOUT	SCALE: 1"=20'							



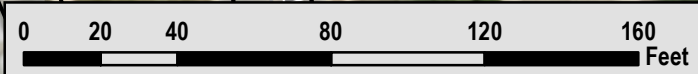
Vicinity Map
510 Ontario Avenue
300 Deer Valley Drive

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.

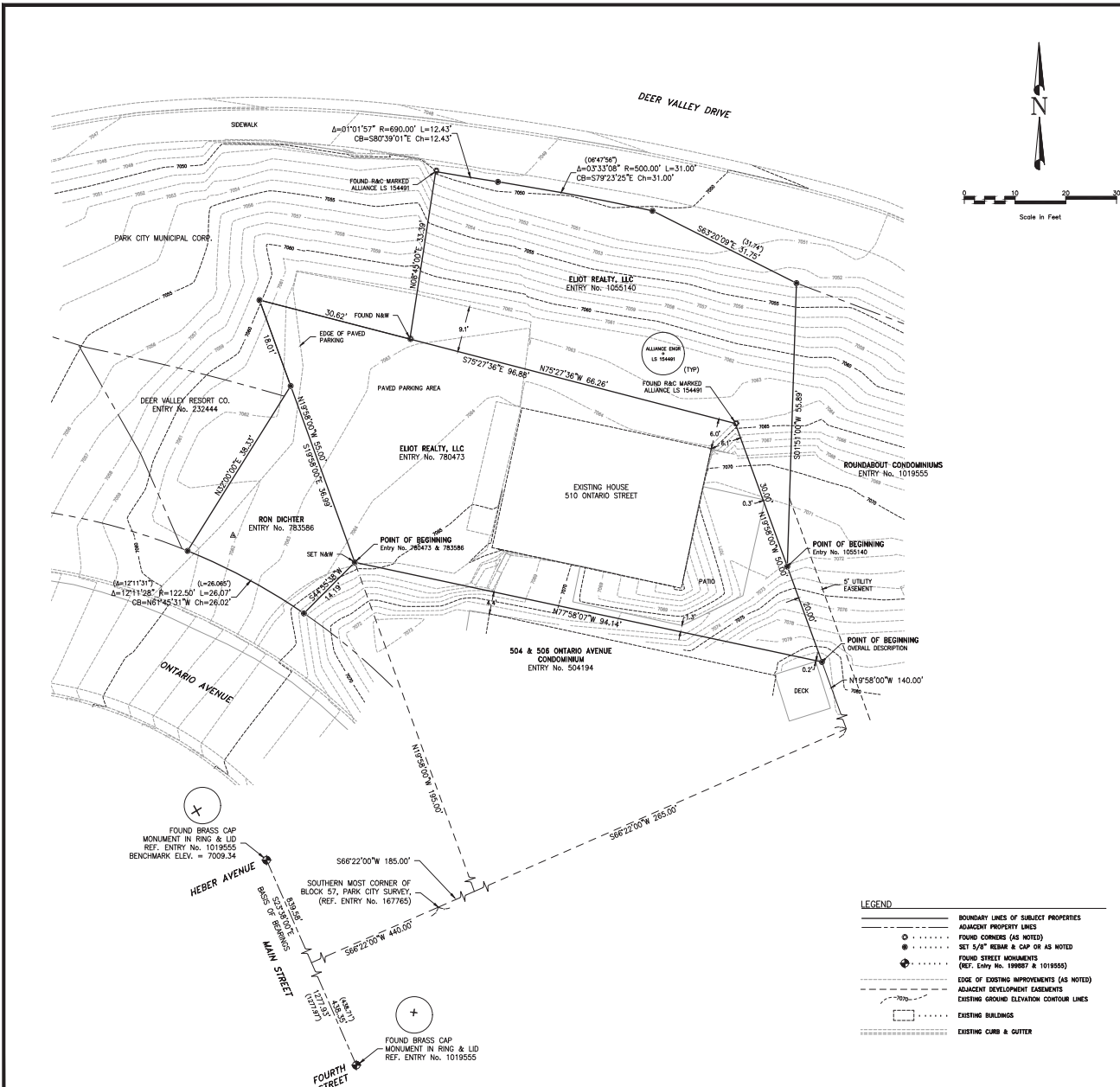
Blue boundary depicts Roundabout Condominiums First Amendment (300 Deer Valley Drive) new boundary, as proposed.



Legend 126

- 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 96.86 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 36.33 feet; thence South 18 degrees 58 minutes East 36.39 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 36.33 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.

BOUNDARY LINES OF SUBJECT PROPERTIES	---
ADJACENT PROPERTY LINES	---
FOUND CORNERS (AS NOTED)	○
SET 5/0" REBAR & CAP OR AS NOTED	●
FOUND STREET MONUMENTS	●
(REF. Entry No. 199887 & 1019555)	
EDGE OF EXISTING IMPROVEMENTS (AS NOTED)	---
ADJACENT DEVELOPMENT EASEMENTS	---
EXISTING GROUND ELEVATION CONTOUR LINES	---
EXISTING BUILDINGS	---
EXISTING CURB & GUTTER	---

DRAWN	JDP April 2018	CHECKED	
DATE		DATE	
DESIGNED		PROJECT ENGINEER	
DATE			
APPROVED		PROJECT MANAGER	
DATE			

NORTHSTAR BUILDERS
PARK CITY, SUMMIT COUNTY, UTAH



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
FILED AT SUMMIT COUNTY	JDP 05.23.18
NO.	REVISIONS
BY	DATE
FILE NAME	SCALE
DATE	1"=10'

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;

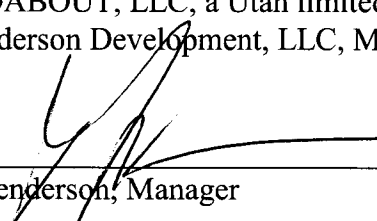
Said property is located within the Park City Neighborhood Development Plan as set forth in Ordinance 82-3, recorded February 16, 1982, as Entry No. 188603, in Book 212, at Page 148, and Redevelopment Area as disclosed on plat recorded April 15, 1983, as Entry No. 204659, Summit County Recorder's Office. 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.

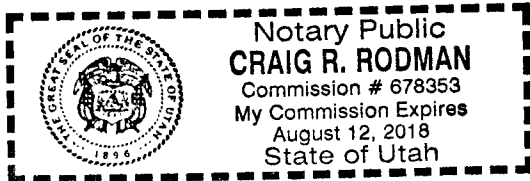
WITNESS the hand of said Grantor this 3rd day of October, 2016.

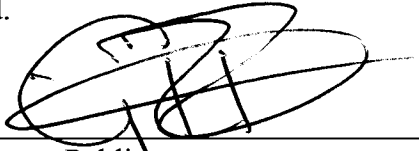
ROUNDABOUT, LLC, a Utah limited liability company
By: Henderson Development, LLC, Manager

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

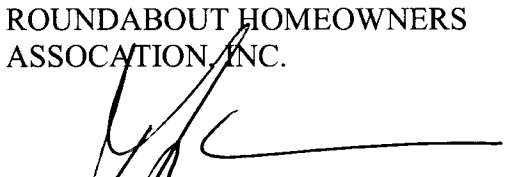
ROUNABOUT HOMEOWNERS ASSOCIATION, INC., a Utah Nonprofit Corporation, Grantor, hereby quitclaims to ELIOT REALTY, LLC, a Utah Limited Liability Company, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, all of its right, title and interest in and to the real property located 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.

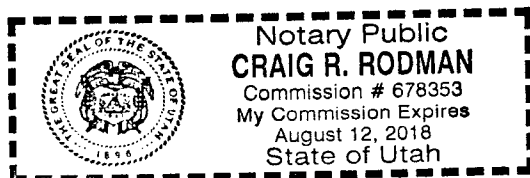
October

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.



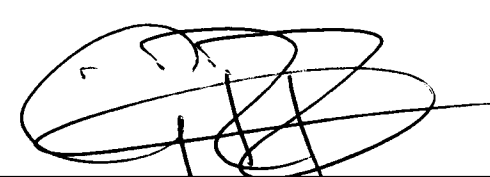

NOTARY PUBLIC

Exhibit "A"
Legal Description

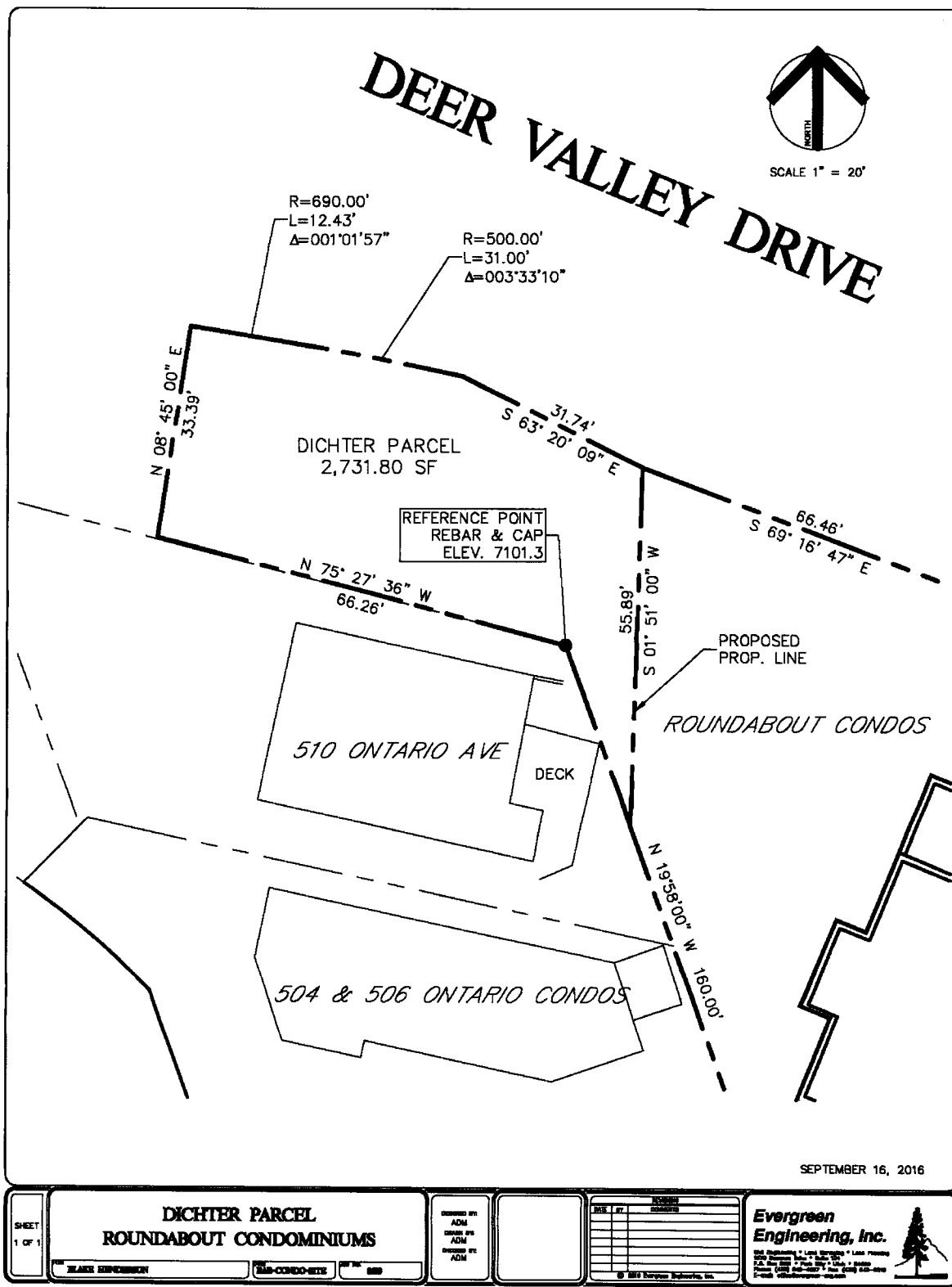
A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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 ROUNDABOUT 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 UTAH CONDOMINIUM PROJECT -
A PARCEL OF LAND LOCATED WITHIN SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

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.

[illegible]

SURVEYORS CERTIFICATE

I, GREGORY R. WOLBACK, of PARK CITY, UTAH, CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 187789, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE JOINT ACT OF OWNERS, HAVE PREPARED A SURVEY OF THE HEREIN SHOWN AND DESCRIBED TRACT OF LAND, AND BY THAT SAME AUTHORITY, HAVE PREPARED A CONDOMINIUM PLAT, CONTAINING PRIVATE AREA (UNIT), COMMON AREA AND LIMITED COMMON AREA, HEREAFTER 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.

Gregory R. Wolsbach
GREGORY R. WOLSBA
STATE OF UTAH
JULY 1, 2014
GREGORY R. WOLSBA
JULY 1, 2014
DEC. 10, 2014

OWNERS DEDICATION AND CONSENT TO RECORD

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 RECORDATION OF THIS CONDOMINIUM AND CERTIFY THAT THE SAME ARE AS SHOWN ON THE PLAT HEREIN, AND I/WE HEREBY AGREE TO HOLD THE TRACT, UNITS, COMMON AND LIMITED COMMON AREAS AS INDICATED, HEREIN AND HEREON, TO THE USE OF THE PUBLIC IN ACCORDANCE WITH AN APPLICABLE ORDER OF DESIGNATION.

BY: BLAKE HENDERSON, MANAGER
ROUNDABOUT LLC, A UTAH LIMITED LIABILITY COMPANY

ACKNOWLEDGMENT

STATE OF Utah } BLAKE HENDERSON, MANAGER
COUNTY OF San Juan } 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 proven on the basis of satisfactory evidence) AND WHO BY ME DULY SWORN/AFFIRMED, DID SAY THAT HE IS 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

SYMBOL LEGEND

300 ADDRESS ON DEER VALLEY DRIVE

HATCHING LEGEND

☐ COMMON AREA

 LIMITED COMPANY PRIVATE AREA

NOTARY PUBLIC
MY COMMISSION EXPIRES 12/31/2016
RESIDING IN WISCONSIN COUNTY, DAVENPORT STATE

* **Signing in a Representative Capacity.** An authorized officer, agent, partner, trustee, member or other representative may sign on behalf of their 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

SHEET 1 OF 4

[illegible]

NOTES

- [illegible]

**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

Luuk Thomas
MAYOR

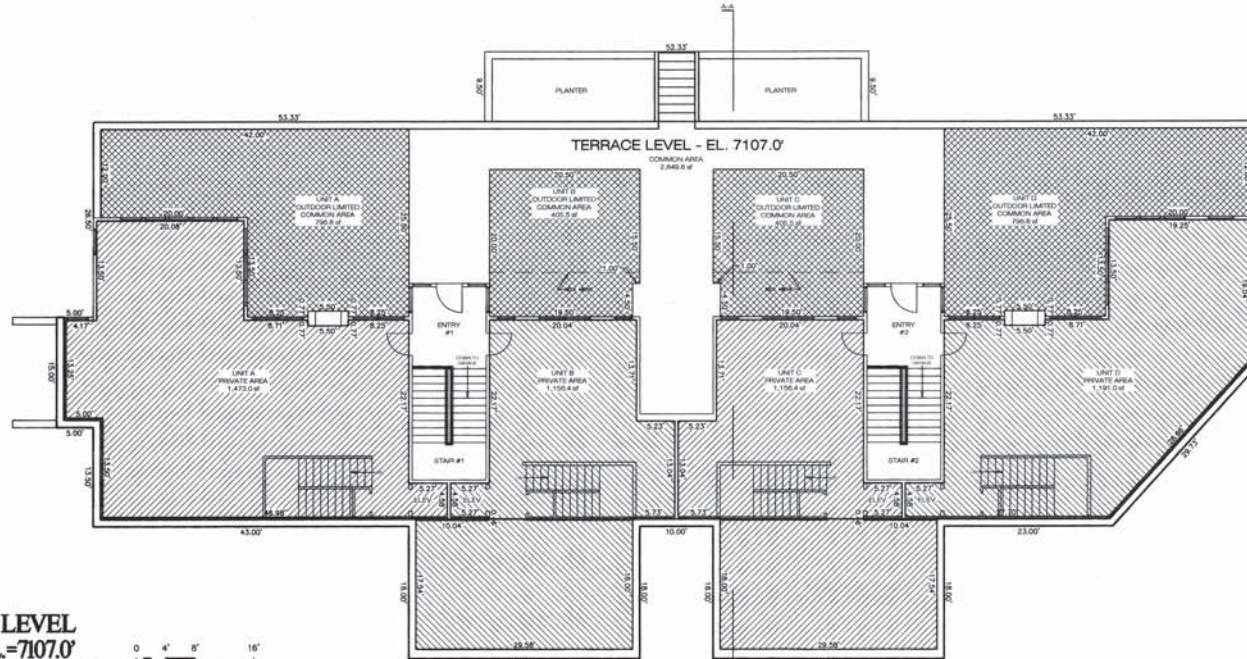
CERTIFICATE OF
ATTEST

TESTIFY THIS WAS APPROVED BY PARK
COUNCIL THIS 22nd DAY OF
May A.D. 2014S.

Mariaail
CITY RECORDER

RECORDED

19655 \$124.00
OF UTAH 5/21/2015
OF SUMMIT 1:51 PM
ED, AND FILED AT THE REQUEST OF:
ACTION TITLE COMPANY
Rhonda M. Hines, Deputy
COUNTY RECORDER



**TERRACE LEVEL
FLOOR EL.=7107.0'**
SCALE: 1" = 8'

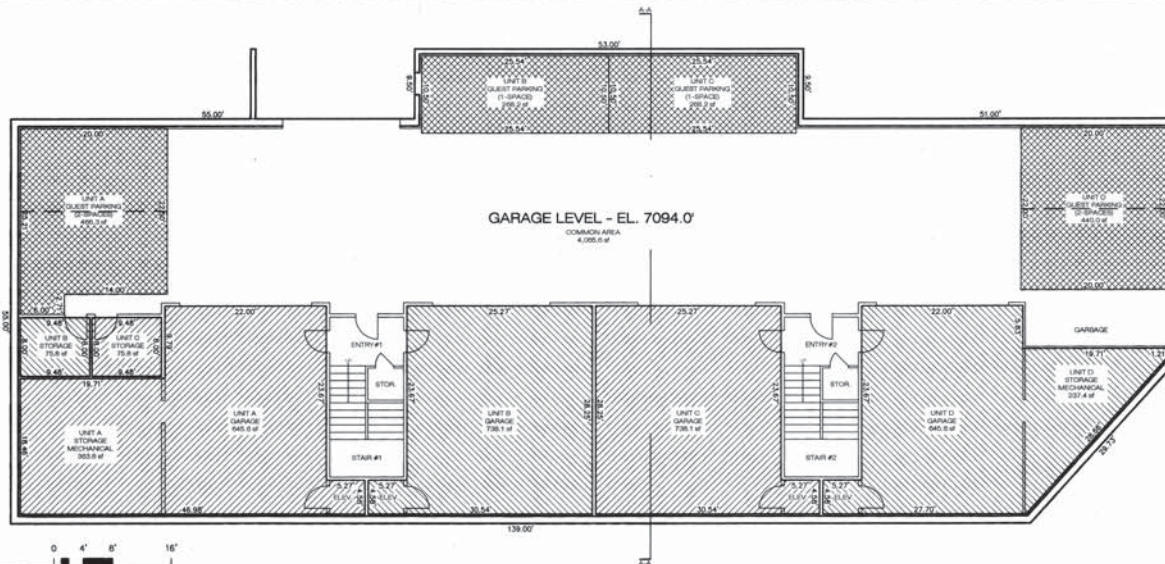


**AREA TABULATIONS
• TERRACE LEVEL**

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 Pattern]	COMMON AREA
[Cross-hatched Pattern]	LIMITED COMMON AREA
[Diagonal Hatched Pattern]	PRIVATE AREA - UNIT



**GARAGE LEVEL
FLOOR EL.=7094.0'**
SCALE: 1" = 8'



**AREA TABULATIONS
• GARAGE LEVEL**

UNIT A	
PRIVATE AREA	1,009.4 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	3,520.2 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 THE _____
 COUNTY RECORDER _____



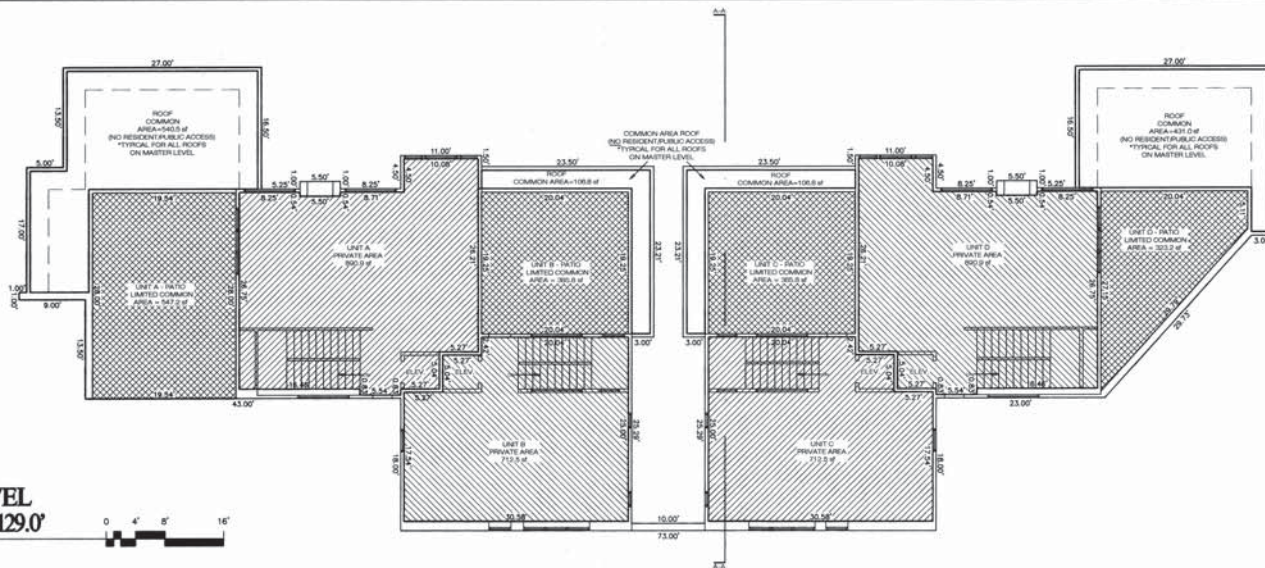
DATE	BY	COMMENTS



SUBMITTED BY: GRW/ADM
 DRAWN BY: GRW
 CHECKED BY: GRW

**ROUNDABOUT CONDOMINIUMS
FLOOR PLANS
GARAGE LEVEL AND TERRACE LEVEL**

BLAKE HENDERSON
 ROUNDABOUT LLC
 0609



AREA TABULATIONS
• MASTER LEVEL

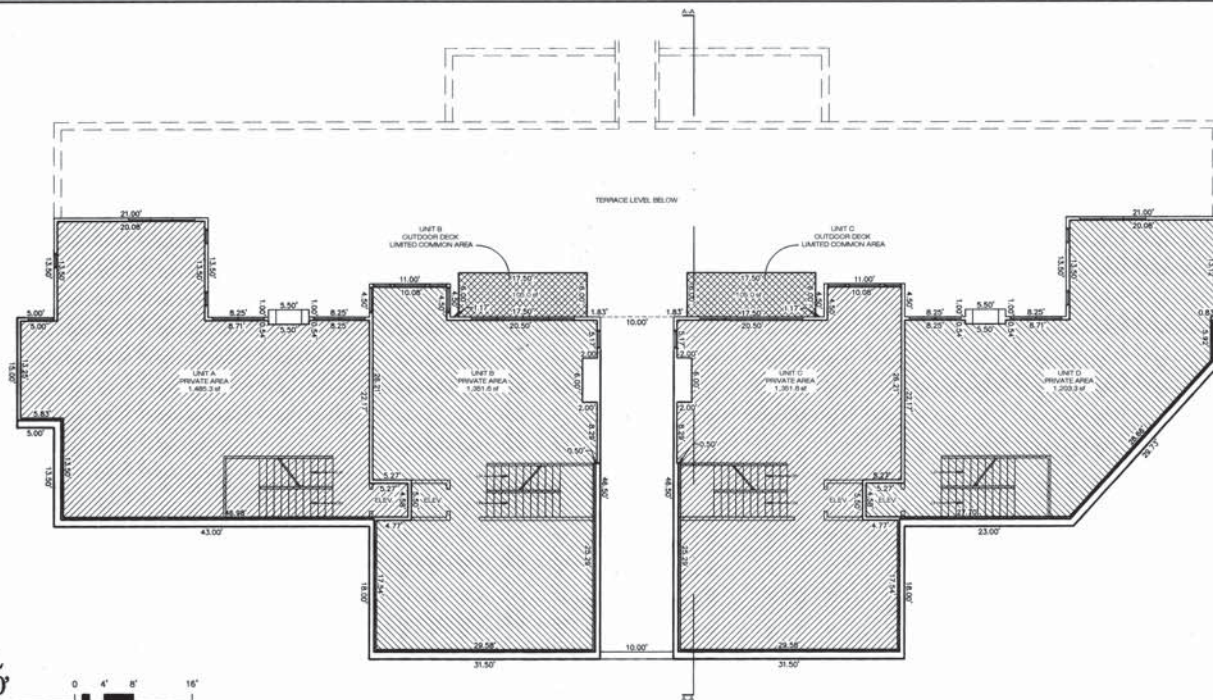
UNIT A	
PRIVATE AREA	= 890.9 SF
LIMITED COMMON AREA	= 547.2 SF
UNIT B	
PRIVATE AREA	= 712.5 SF
LIMITED COMMON AREA	= 385.8 SF
UNIT C	
PRIVATE AREA	= 712.5 SF
LIMITED COMMON AREA	= 385.8 SF
UNIT D	
PRIVATE AREA	= 890.9 SF
LIMITED COMMON AREA	= 323.2 SF
COMBINED TOTAL	
PRIVATE AREA	= 3,206.8 SF
LIMITED COMMON AREA	= 1,642.0 SF
COMMON AREA	= 1,740.4 SF

HATCHING LEGEND

[Common Area Hatch]	COMMON AREA
[Limited Common Area Hatch]	LIMITED COMMON AREA
[Private Area Unit Hatch]	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	= 1,351.6 SF
LIMITED COMMON AREA	= 105.0 SF
UNIT C	
PRIVATE AREA	= 1,351.6 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 ENTRY NO. 01019555

20/21/2019 01:51:47 PM S: 2294 P: 1918

FILED _____

PLATTED: DECEMBER 16, 2014

FILED _____

Evergreen Engineering, Inc.
Civil Engineering • Land Surveying • Land Planning
P.O. Box 3881 • Fort Worth, Texas 76101
Phone: 817.342.1111 • Fax: 817.342.1112
E-mail: info@evergreen-engineering.com

STATE OF TEXAS
COUNTY OF TARRANT
SHERIFF'S OFFICE
NO. 187788
10-0-0
PLAT FOR
CONDOMINIUM LOTS

SURVEYED BY: GRW/ADM
DRAWN BY: GRW
CHECKED BY: GRW

ROUNDABOUT CONDOMINIUMS
FLOOR PLANS
SECOND LEVEL AND MASTER LEVEL

BLAKE HENDERSON, ROUNDABOUT LLC
PNC BAB-CONDO-PP
DSS NO. 0669

SHEET 3 OF 4



 COMMON AREA
 LIMITED COMMON AREA
 PRIVATE AREA - UNIT

FILED
NO. _____
DATE _____
STATE OF _____
CITY OF _____
RECORDED AT _____
FILED _____

RECORDED
ENTRY NO. 01019555
01-25-2010 01:01:47 PM E. 2294 P. 1818
PAGE 173
NEW YORK COUNTY CLERK'S OFFICE
FILED 124 98 91 00611310N TITLE
CITY RECORDS

FILED DECEMBER 16 2014



**Evergreen
Engineering, Inc.**

Civil Engineering • Land Surveying • Land Planning
P.O. Box 1000 • Ft. Worth, TX 76101 • 817/342-0505
Phone: 432.548.4667 • Fax: 432.548.9218
e-mail: info@evergreen-eng.com

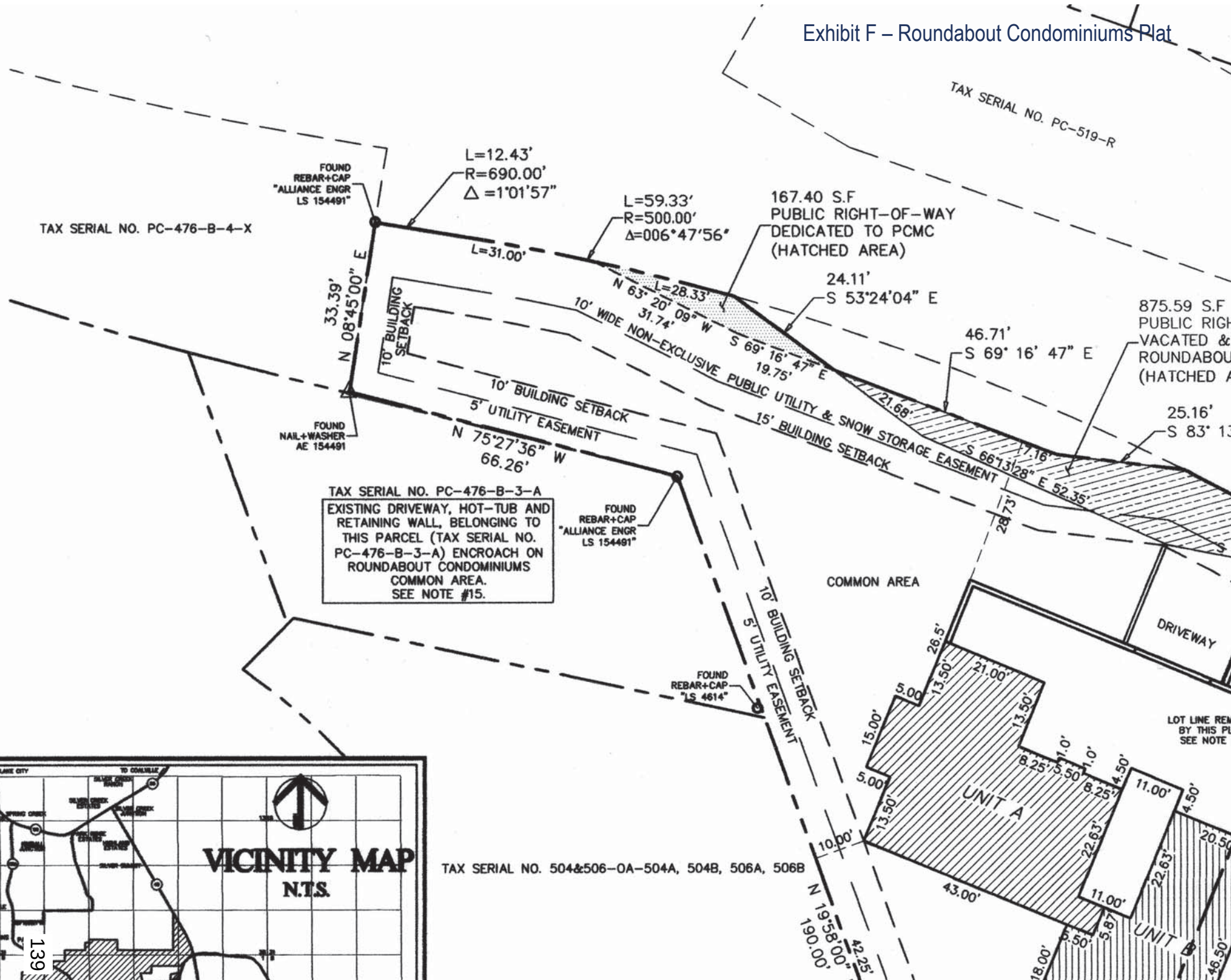
[illegible]

SURVEYED BY
GRW/ADM
DRAWN BY
GRW
CHECKED BY
GRW

WE BLAKE HENDERSON,	ROUNDABOUT LLC	PAU-CONTO-SEC	0000
------------------------	----------------	---------------	------

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 ¾ 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:

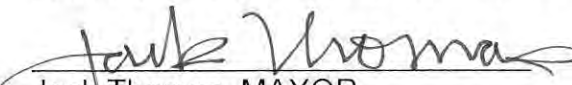
1. The City Attorney and City Engineer will review and approve the final form of the condominium plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at Summit County within two months from 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

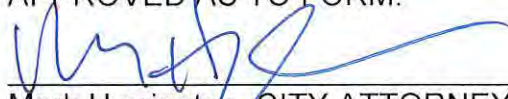
ATTEST:



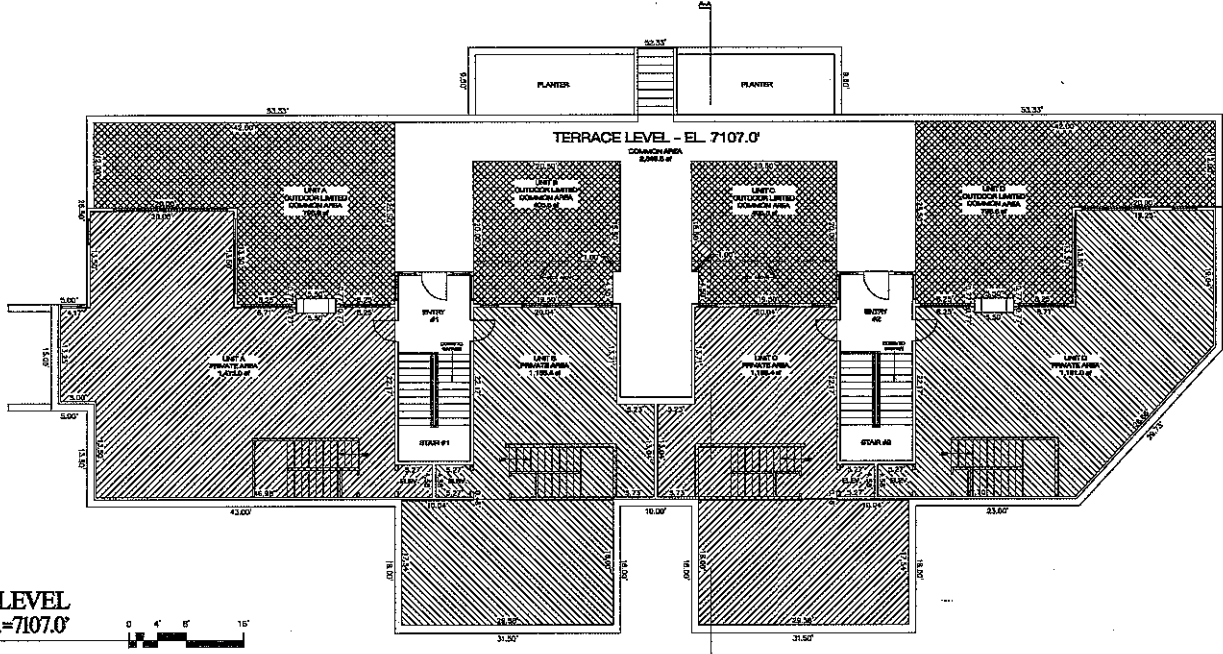
Marci Heil, CITY RECORDER



APPROVED AS TO FORM:



Mark Harrington, CITY ATTORNEY

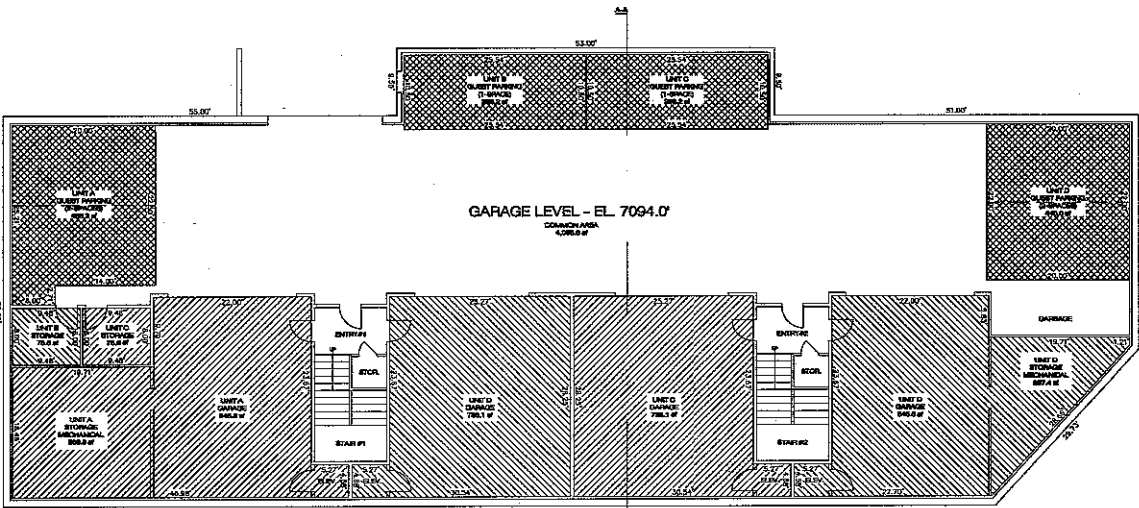


**AREA TABULATIONS
* TERRACE LEVEL**

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 _____

Evergreen Engineering, Inc.

15400 Evergreen Lane, Suite 100, #1000
Dallas, Texas 75244-1000
Phone: (214) 343-1000
Fax: (214) 343-1001
Email: info@evergreeneng.com

DATE: _____

BY: _____

FOR: _____

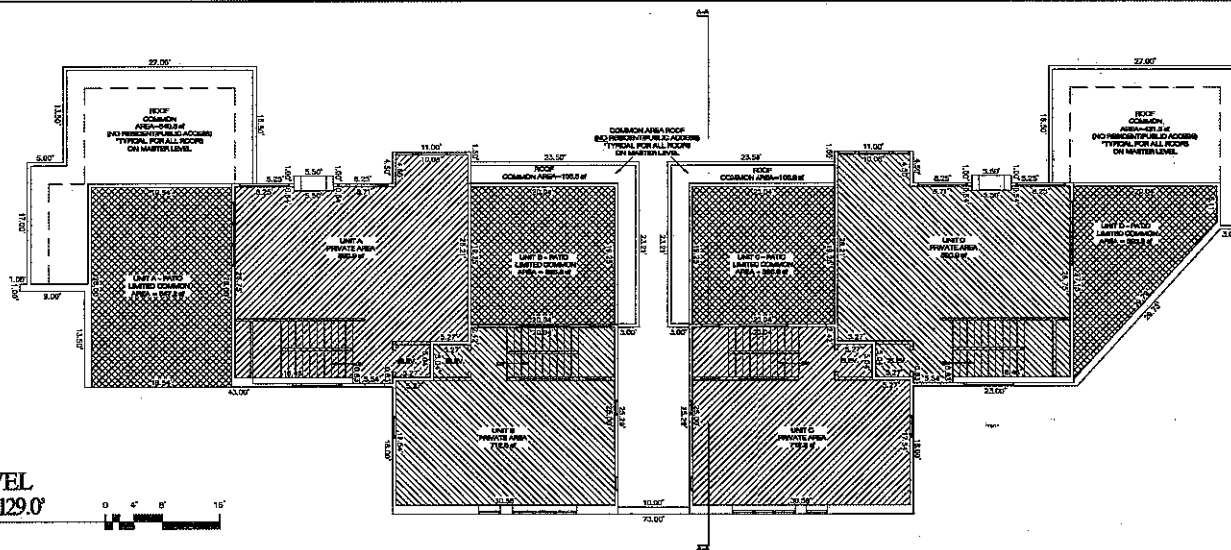
PROJECT: _____

SCALE: 1" = 8'

ROUNDABOUT CONDOMINIUMS
FLOOR PLANS
GARAGE LEVEL AND TERRACE LEVEL

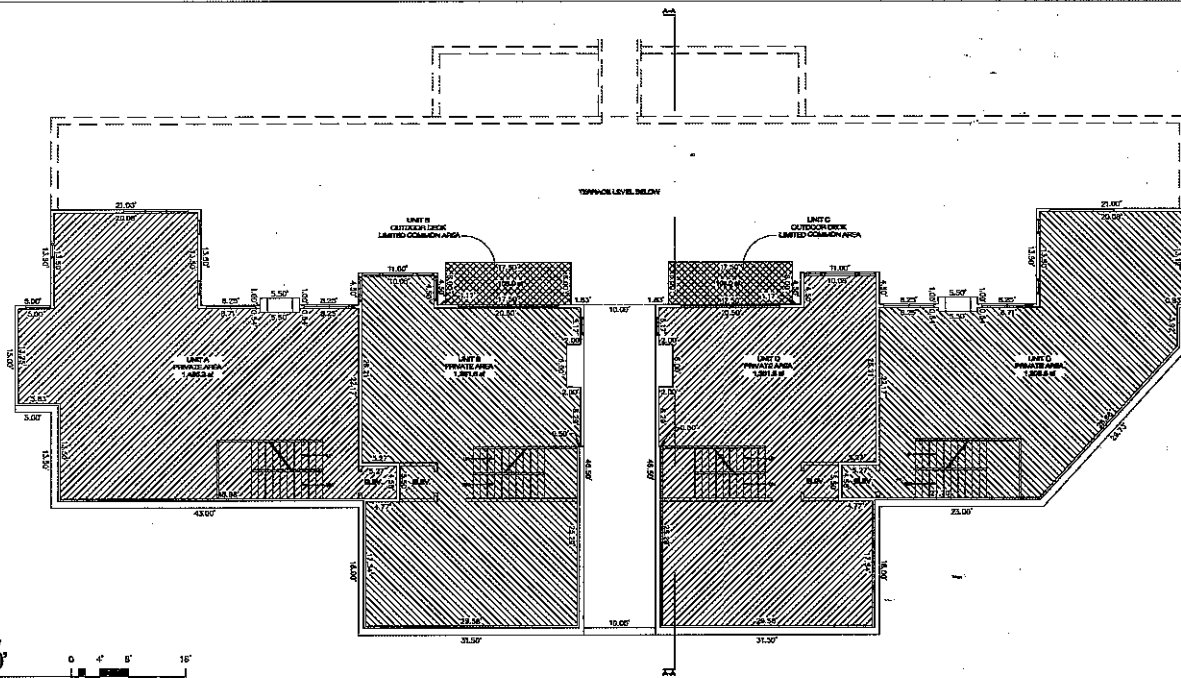
BLAKE HENDERSON, THE ROUNDABOUT LLC

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



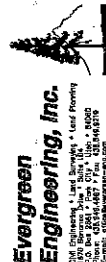
HATCHING LEGEND

- 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

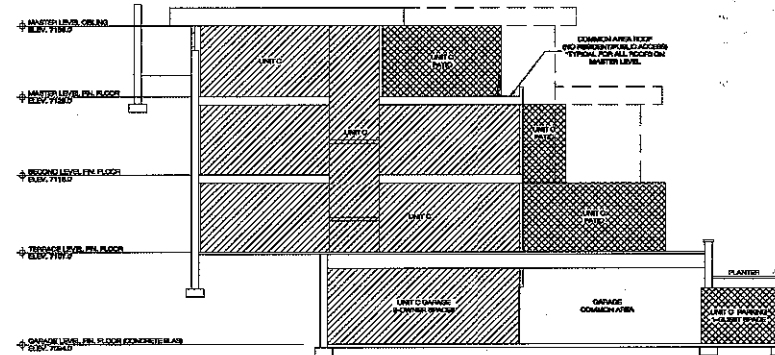


DESIGNED BY _____
CHECKED BY _____
DATE _____



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

PLATTED: NOVEMBER 15, 2014

NO. _____ RECORDED _____
 DATE _____
 STATE OF _____
 CITY OF _____
 RECORDED AT THE REQUEST OF _____
 FEES _____ CHY RECORDER _____

**Evergreen
Engineering, Inc.**
1011 Evergreen Way, Suite 100 • Kent, WA 98032
 Tel: 206.835.1234 • Fax: 206.835.1235
 E-mail: info@evergreen-engineering.com

PREPARED BY DATE: 11/15/14 CHECKED BY:	DESIGNED BY DRAWING NO. CHECKED BY:
--	---

GREGORY A. WINKLER
 NO. 157788
 WASHINGTON LAND SURVEYOR

SUBMITTED BY
 GRW/ADM
 DRAWING BY
 GRW
 CHECKED BY
 GRW

ROUNABOUT CONDOMINIUMS
BUILDING SECTION AA
 PREPARED BY: THE ROUNABOUT LLC
 PROJECT NO.: 5009
 SHEET 4 OF 4

Council Agenda Item Report

Meeting Date: January 15, 2019

Submitted by: Francisco Astorga

Submitting Department: Planning

Item Type: Staff Report

Agenda Section:

Subject:

Consideration to Approve Ordinance No. 2019-05, an Ordinance Approving the North Silver Lake Amended and Restated Condominium Plat 2nd Amendment, located at 7101 Silver Lake Drive, Park City, Utah
(A) Public Hearing (B) Action

Suggested Action:

Attachments:

[North Silver Lake Amended and Restated Condominium Plat 2nd Amendment Staff Report](#)

[North Silver Lake Amended and Restated Condominium Plat 2nd Amendment Exhibits](#)

City Council Staff Report

Subject: North Silver Lake 2nd Amendment
Author: Francisco Astorga, AICP, Senior Planner
Project Number: PL-18-03938
Date: 15 January 2019
Type of Item: Legislative – Condominium Plat Amendment

Recommendation

Staff recommends the City Council 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 approval, 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

The background / Timeline of this application was outlined in the [December 12, 2018 Planning Commission Staff Report \(page 597\)](#), also found in Exhibit G – December 12, 2018 Planning Commission Staff Report, where the Commission reviewed the application, opened a public hearing, and voted unanimously (6-0) by forwarding a positive recommendation to the City Council.

Purpose

The purpose of the Residential Development District is found in [Land Management Code § 15-2.13-1](#).

Analysis

Staff has also outlined the Analysis in the [December 12, 2018 Planning Commission Staff Report \(page 600\)](#), also found in Exhibit G – December 12, 2018 Planning Commission Staff Report.

Good Cause

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](#).

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 City Council may approve the proposed Condominium Plat Amendment, as conditioned or amended; or

- The City Council may deny the proposed Condominium Plat Amendment, and direct staff to make Findings for this decision; or
- The City Council may continue the discussion on the proposed Condominium Plat Amendment, and request additional information or analysis in order to take final action; or
- The City Council may remand the proposed Condominium Plat Amendment to the Planning Commission with specific direction.

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 City Council review and hold a public hearing for the North Silver Lake Amended and Restated Condominium Plat 2nd Amendment and consider approval based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Attachments / 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 G – [Dec. 12, 2018 Planning Commission Staff Report \(printed & link\)](#)

Exhibit H – [Dec. 12, 2018 Planning Commission Meeting Minutes, pg.49 \(link only\)](#)

Exhibit A – Draft Ordinance

Ordinance No. 2019-05

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 positive recommendation to the City Council; and,

WHEREAS, on January 15, 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 15th day of January, 2019.

PARK CITY MUNICIPAL CORPORATION

Andy Beerman, MAYOR

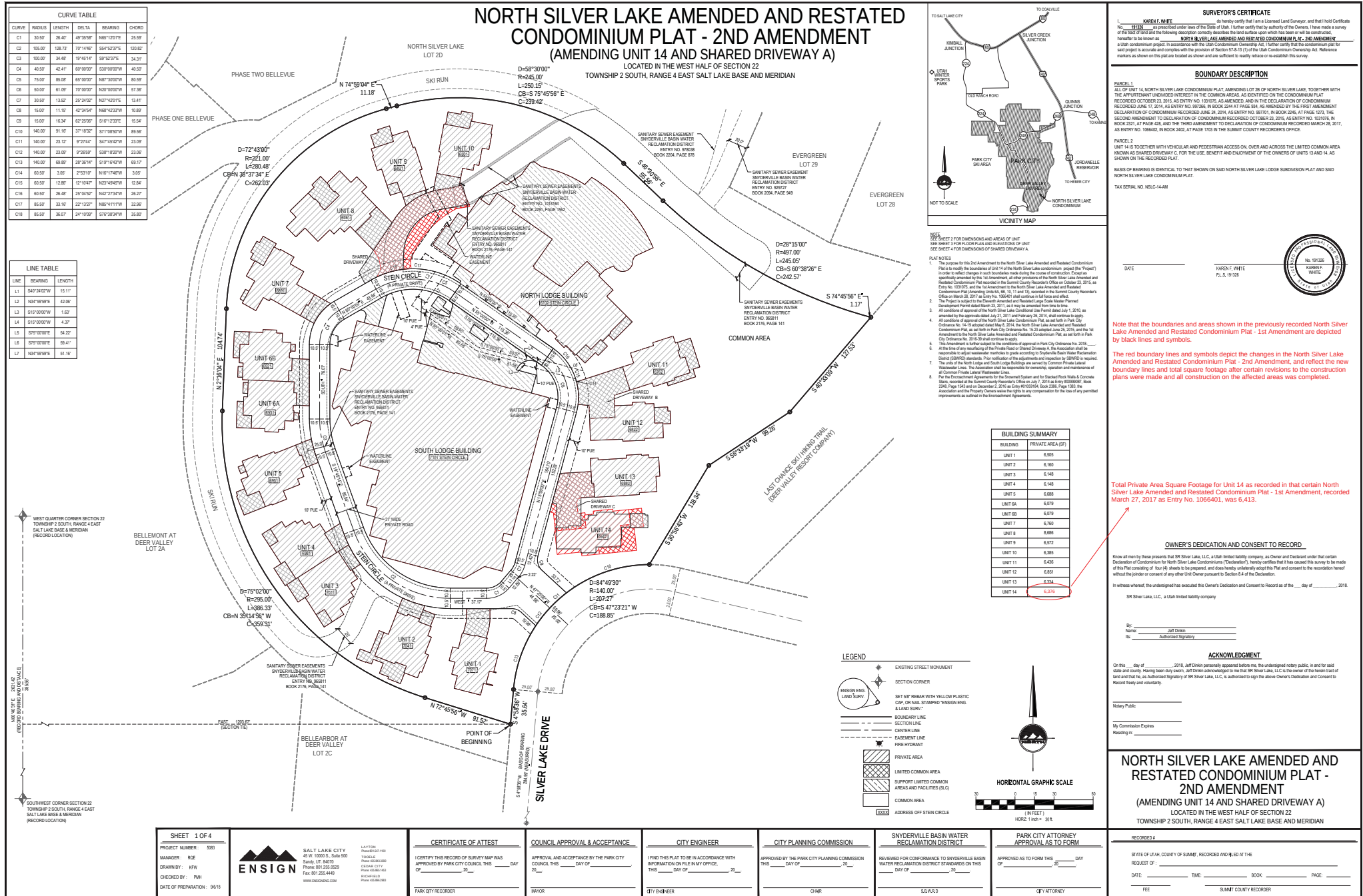
ATTEST:

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	146.87	23.12	9°22'44"	S47°48'47"W	23.87
C2	146.87	23.87	9°29'59"	S38°10'27"W	20.87
C3	16.87	16.87	88°12'29"	M87°12'29"E	16.58
C4	36.87	13.87	25°34'52"	N27°42'01"E	13.41
C5	20.87	17.37	48°33'55"	N85°12'01"E	16.75
C6	20.87	8.87	25°34'52"	N27°42'01"E	8.79
C7	15.87	15.38	62°29'58"	S16°12'33"E	15.56
C8	5.87	8.57	92°30'52"	S40°10'50"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 10 20

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

ENSIGN

SALT LAKE CITY
45 W. 10000 S., Suite 500
Sandy, UT 84070
Phone: 801.255.0529
Fax: 801.255.4449
WWW.ENSIGNCNC.COM

LAYTON
PO BOX 100
TODDLE
Phone: 801.458.0381
CELEBRITY CITY
Phone: 801.458.0381
RICHFIELD
Phone: 801.458.0381

RECORDED #

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE

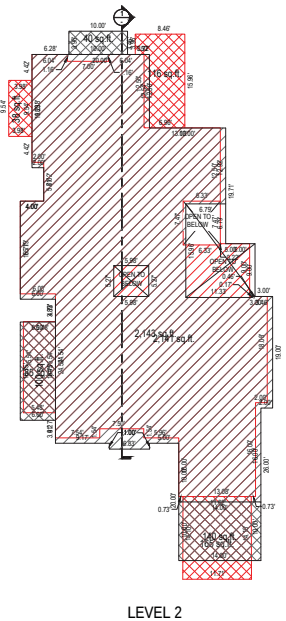
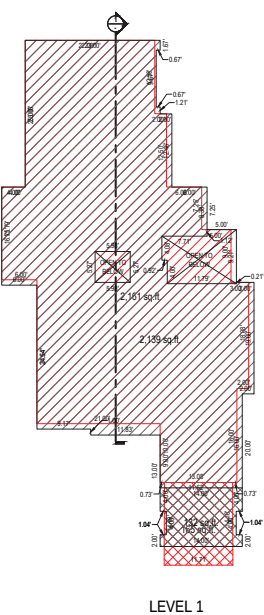
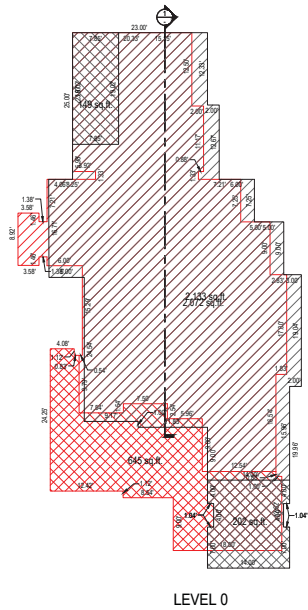
REQUEST OF:

DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

FEE: _____ SUMMIT COUNTY RECORDER

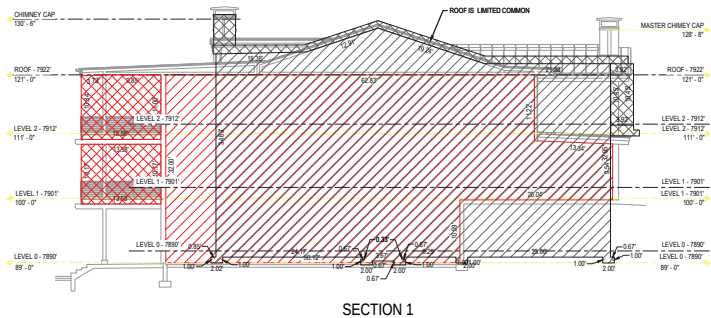
NORTH SILVER LAKE AMENDED AND RESTATED
CONDOMINIUM PLAT - 2ND AMENDMENT
(AMENDING UNIT 14 AND SHARED DRIVEWAY A)

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



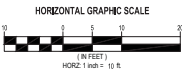
LEGEND

- 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



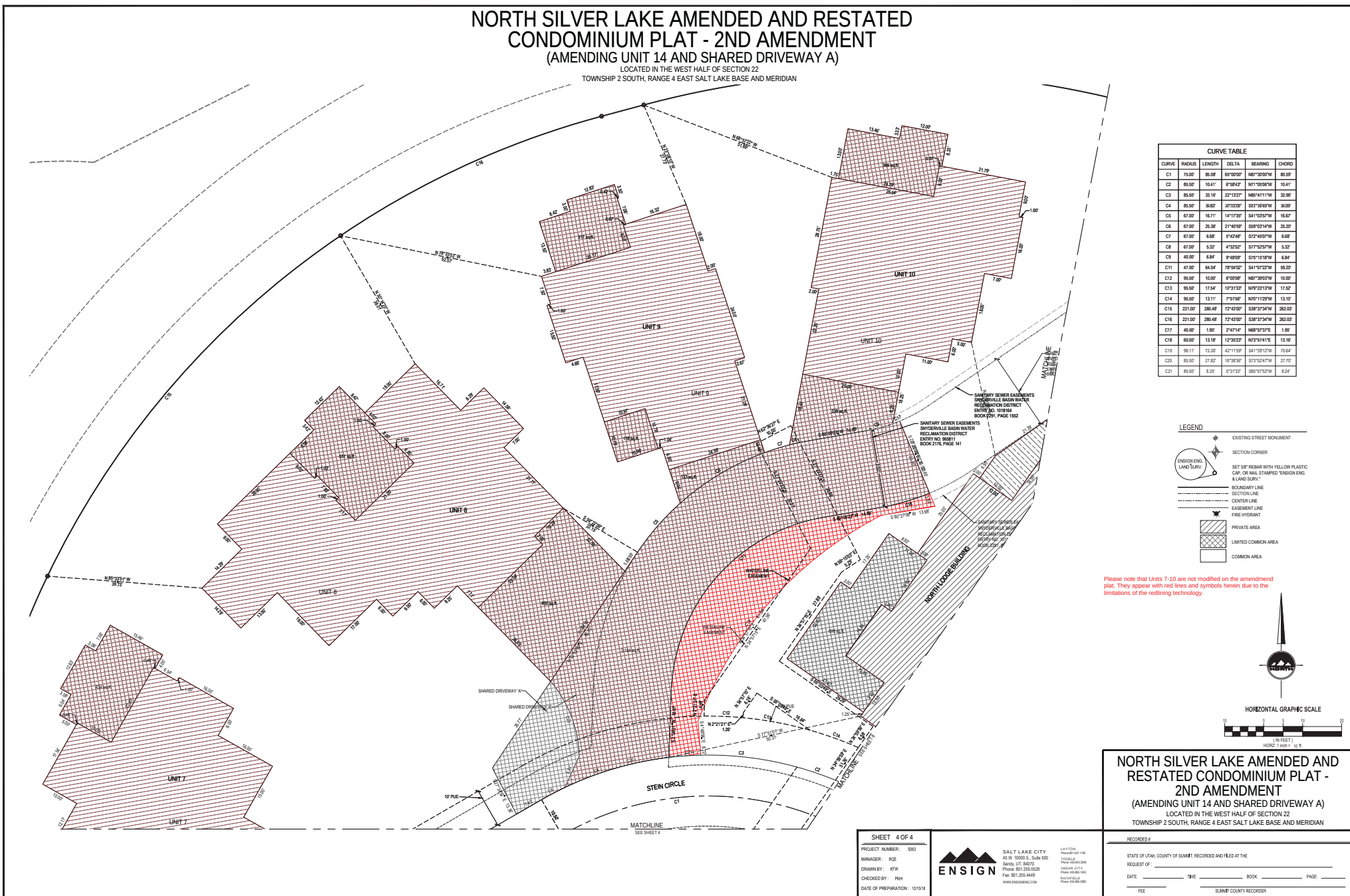
SHEET 3 OF 4
PROJECT NUMBER: 593
MANAGER: RDE
DRAWN BY: KFW
CHECKED BY: PWH
DATE OF PREPARATION: 10/15/18



SALT LAKE CITY
45 W. 1000 S. Suite 500
Bldg. 117, 84070
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Phone: 801.933.1155
TODDLE
Phone: 801.636.0388
CELESTINE CITY
Phone: 801.636.0388
RICHTERFIELD
Phone: 801.636.0388

RECORDED # _____
STATE OF UTAH, COUNTY OF SUMMIT, RECORDERS AND FILED AT THE
REQUEST OF: _____
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____
FEE: _____ SUMMIT COUNTY RECORDER



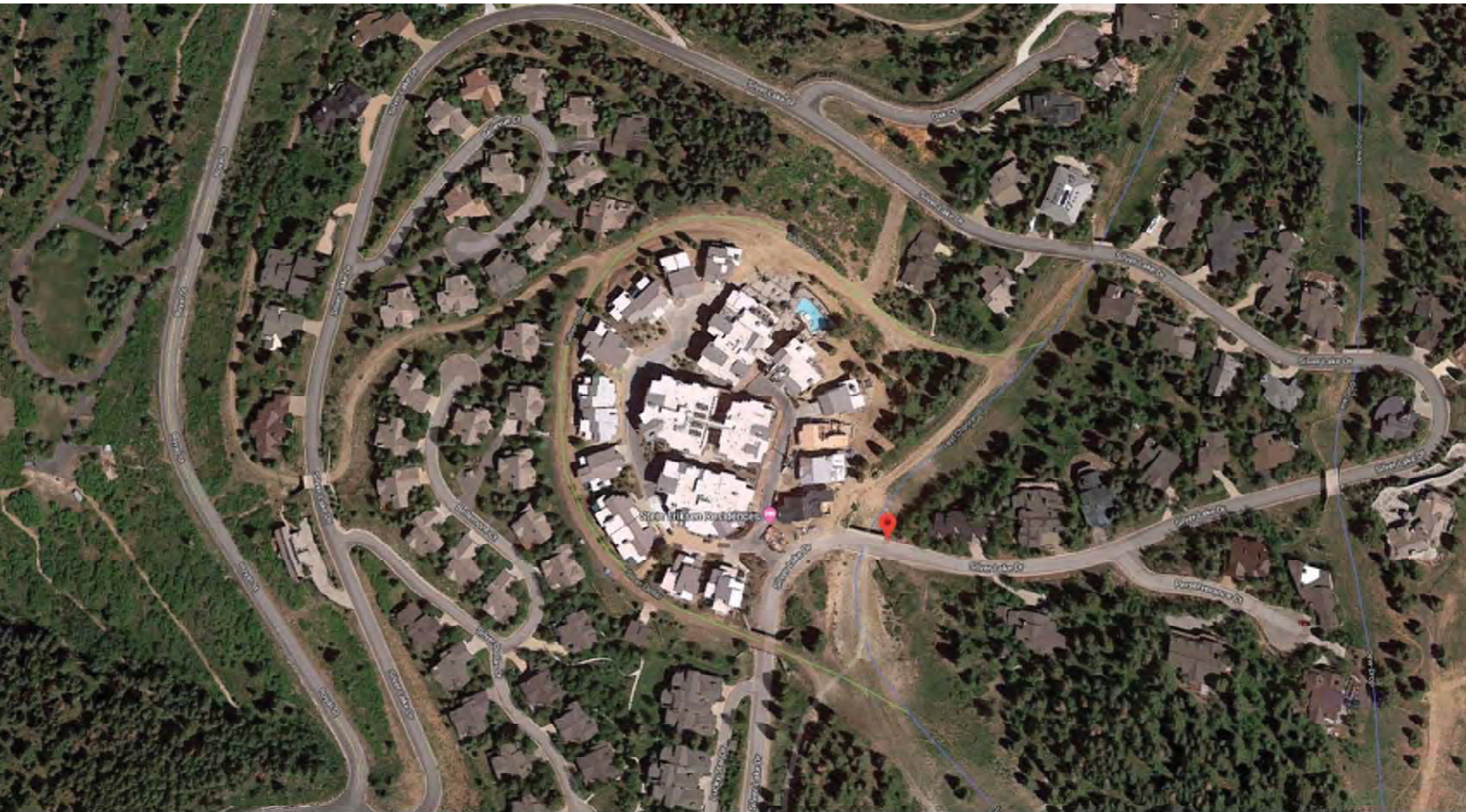
PROJECT AND PLAT DESCRIPTION

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: 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:

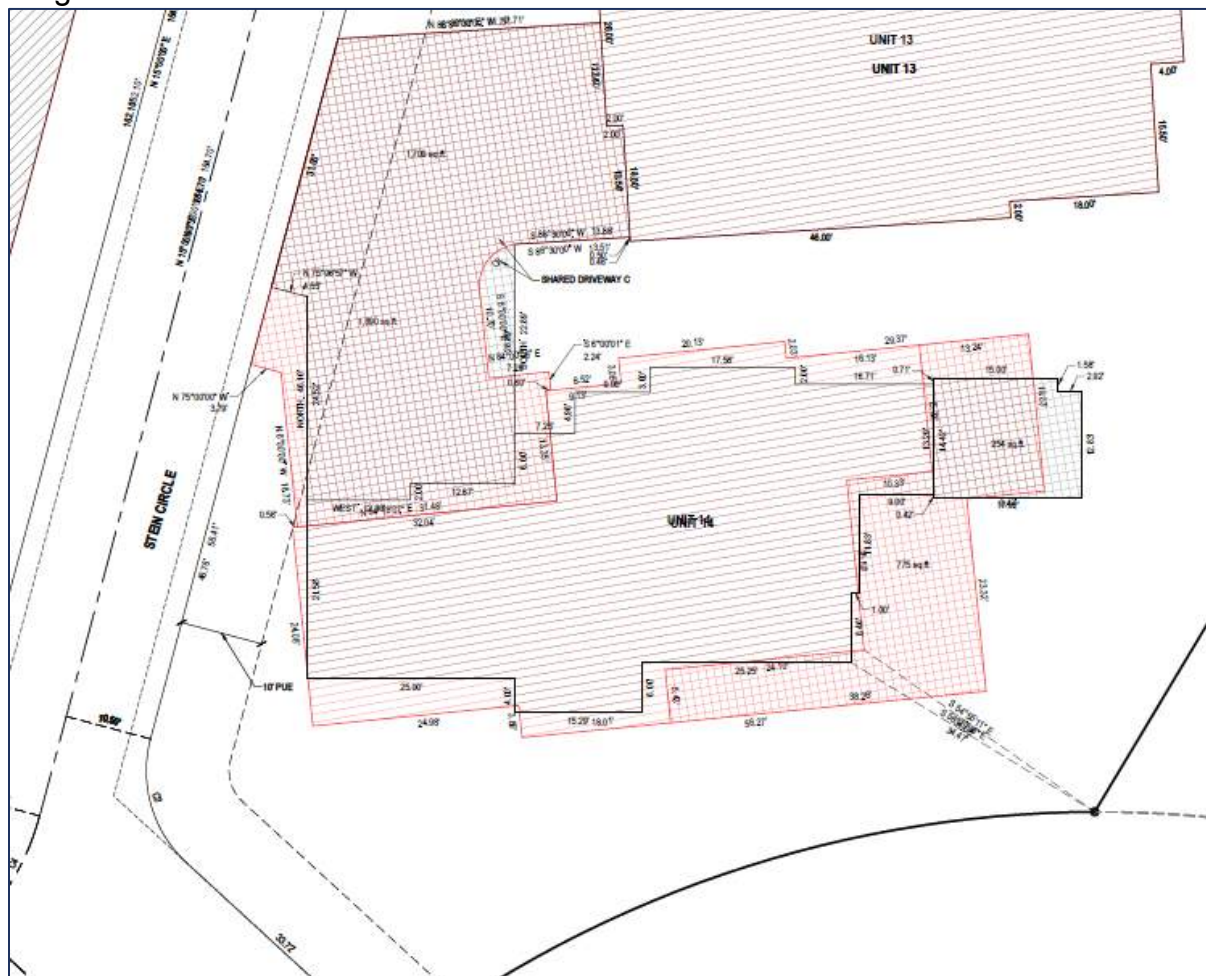
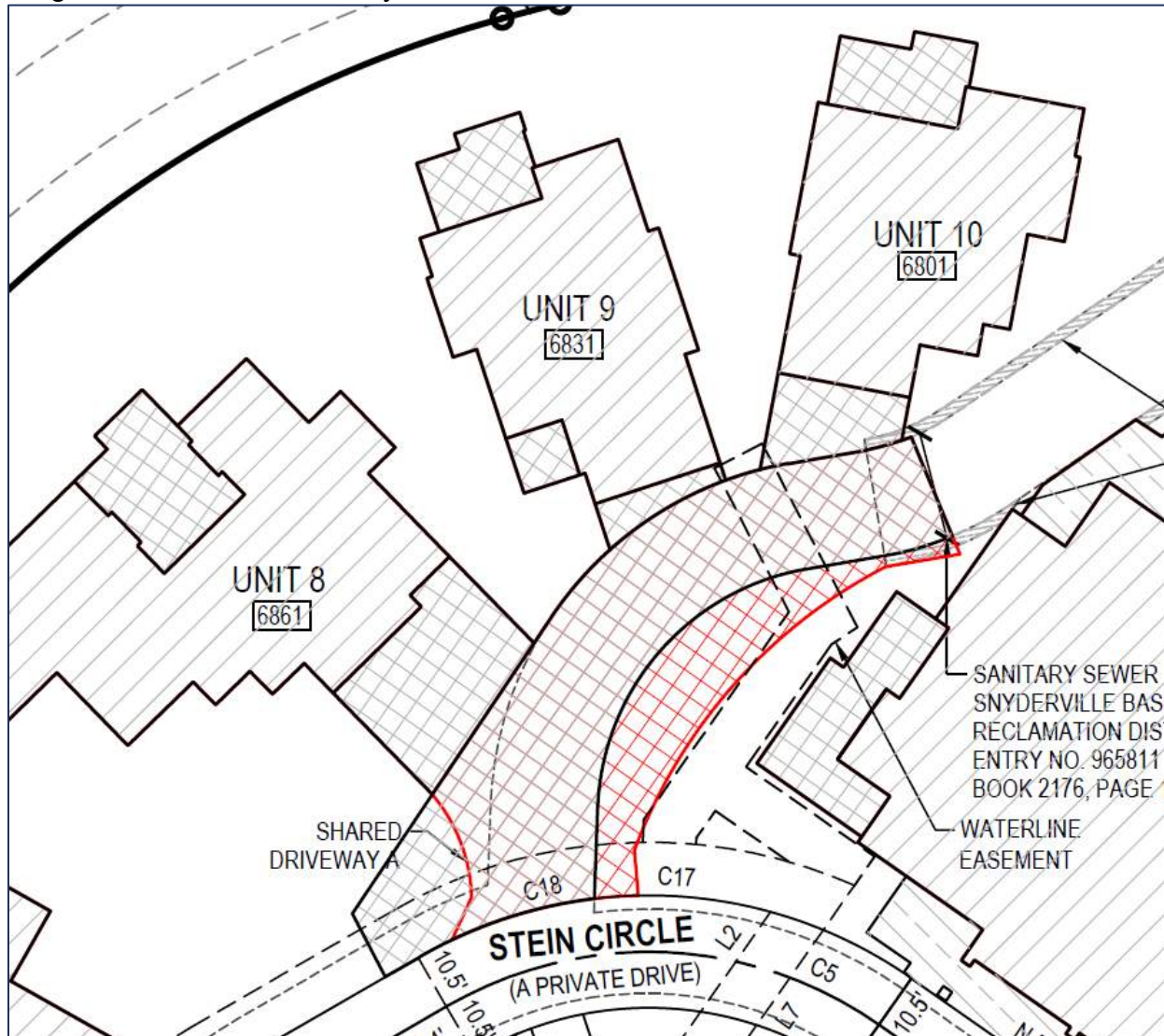


Diagram 2 - Shared Driveway A Amendment:



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

Council Agenda Item Report

Meeting Date: January 15, 2019

Submitted by: Anya Grahm

Submitting Department: Planning

Item Type: Staff Report

Agenda Section:

Subject:

Consideration to Approve Ordinance 2019-06, an Ordinance Approving Land Management Code Amendments regarding Section 15-13 Design Guidelines for Historic Districts and Historic Sites and 15-15 Definitions (A) Public Hearing (B) Action

Suggested Action:

Attachments:

[Design Guideline Revisions Staff Report and Ordinance](#)



City Council Staff Report

Subject: LMC Amendments
Author: Hannah Tyler, Planner II
Anya Grahn, Senior Historic District Planner
Department: Planning Department
Date: January 15, 2019
Type of Item: Legislative—Land Management Code Amendment

Summary Recommendation

Staff recommends City Council hold a public hearing and consider approving the proposed administrative and substantive amendments to the Land Management Code (LMC) regarding LMC Section 15-13 Design Guidelines for Historic Districts and Historic Sites and Title 15 Chapter 15 Definitions.

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.

Executive Summary

Historic Preservation regulations in Park City date to the 1960s, however, our modern preservation movement largely began in 2009 with the adoption of the Historic Sites Inventory and the [Design Guidelines for Historic Districts and Historic Sites](#). These Design Guidelines were intended to be a living document; however, they have not been reviewed and revised since their adoption. Due to changes to the state legislature, Park City incorporated the Design Guidelines into the Land Management Code in 2017. Based on feedback staff received from the City Council and Historic Preservation Board (HPB), staff began working on amending the Design Guidelines in 2015 and 2016 with the HPB. Staff created a website and began holding office hours dedicated to these revisions; however, we did not receive much public interest.

Staff has made two major changes to the Design Guidelines through these amendments: (1) staff has reorganized the Guidelines into four sections dedicated to

Historic Residential, Historic Commercial, New Infill Residential, and New Infill Commercial; and (2) staff also sought to increase clarity and consistency within the Design Guidelines. The intent of the Design Guidelines has not been substantially changed.

Acronyms

HPB	Historic Preservation Board
HSI	Historic Sites Inventory
LMC	Land Management Code

Background

The [Design Guidelines for Historic Districts and Historic Sites](#) were adopted in 2009. The purpose of the Design Guidelines is to provide direction 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. They were adopted into the LMC through [Ordinance 2017-42](#) on August 3, 2017.

More background information was provided in the December 12, 2018 Planning Commission [staff report](#) (starting page 102).

The Park City Planning Commission reviewed the LMC revisions on December 12, 2018. They made minor suggestions and amendments that are reflected in the attached redlines. The Planning Commission unanimously forwarded a positive recommendation to City Council for the LMC changes with a five-to-zero vote; the Planning Commission Chair does not vote. [See [Planning Commission Report](#) (starting page 395) and [Minutes](#) (starting page 10).]

Analysis

A full analysis was provided in the December 12th Planning Commission [staff report](#) (starting page 102).

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 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 including, but not limited to:

- Greater consistency between the Design Guidelines for Historic Sites and New Construction.
- Greater transparency in developing compatible design.

- 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).

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

On Saturday, December 1, 2018 a legal notice was published in the Park Record and placed on the City's website as well as on the Utah Public Notice website.

Public Input

Public input has been provided during past Historic Preservation Board meetings. It is included as Exhibit 2.

Alternatives

- The City Council may approve Amendments related to LMC Section 15-13 Design Guidelines for Historic Districts and Historic Sites and Title 15 Chapter 15 Definitions; or
- The City Council may deny these Amendments; or
- The City Council may continue the public hearing and discussion to a date certain.

Significant Impacts

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

Consequences of Not Taking Recommended Action

The Land Management Code would not reflect the changes made by the Historic Preservation Board and Planning Commission.

Summary Recommendation

Staff recommends City Council hold a public hearing and consider approving the proposed administrative and substantive amendments to the Land Management Code (LMC) regarding LMC Section 15-13 Design Guidelines for Historic Districts and Historic Sites and Title 15 Chapter 15 Definitions.

Exhibits

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

Exhibit 2 – Public Comment

**AN ORDINANCE AMENDING 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 positive 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 Chapter 15-13 Design Guidelines for Historic Districts and Historic Sites. The recitals above are incorporated herein as findings of fact. Chapters 15-13 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 15th day of January, 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) Consider avoiding 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-of-way, 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 C~~ 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~~ car wide 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~~ car wide 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. Please 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~~ 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~~ car wide 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) Consider avoiding paving up to a building's foundation 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 ~~be 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 ~~should~~ 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 ~~should~~ 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, ~~should~~ shall not be located on the primary façade. Window or egress wells ~~should~~ 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 ~~should~~ 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 ~~should~~ 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 building'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. Consider avoiding paving up to a building foundation 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:

DO NOT:

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.

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 or liquid chemical solutions when there is

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 deteriorated or missing parts of masonry

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.

Repoint with a synthetic caulking

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.

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, horizontal surfaces or accumulate on

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.

Radically change the type of finish or

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 patching, splicing, or otherwise reinforcing

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.

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~~ Whenever possible, 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 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) Consider avoiding paving up to the building foundation 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. Hillside 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. 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.
 - 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 shall be compatible with ~~the a building's~~ building's style and ~~should 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~~ car wide 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~~ car wide 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 car wide 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 car wide 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) Consider avoiding paving up to a building foundation 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, galbe, shed—are appropriate. Roos 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 ~~these 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) ~~1.3 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) Whenever possible, 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 in addition to those found in Municipal Code 14:

<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.

City Council 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 I

Application: PL-18-03895

Date: January 15, 2019

Type of Item: Legislative – LMC Amendments

Summary Recommendation

Staff recommends the City Council review the proposed LMC amendments, open a public hearing and approve 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
15-15 Defined Terms

Reason for Review: LMC Amendments require Planning Commission review, public hearing, and recommendation plus City Council review, public hearing, and final action

Executive Summary

The Planning Department recommends updating the Land Management Code (LMC) 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.

Acronyms

Admin CUP	Administrative Conditional Use Permit
CUP	Conditional Use Permit
LMC	Land Management Code
SRI	Solar Reflective Index

Background

On [November 7, 2018](#), the Historic Preservation Board unanimously forwarded a positive recommendation to Planning Commission to approve these LMC amendments.

The Planning Commission reviewed these proposed amendments on [December 12, 2018](#). There was public comment concerning metal materials in LMC 15-5-5. The Planning Commission unanimously forwarded a positive recommendation to City Council, with the condition that Staff finds a solution to the copper siding question brought up by the public.

One additional change was made after the Public Hearing at Planning Commission, regarding required handrails on steps and decks within the Setback area. This change can be seen in the redlines and has been outlined in the analysis below.

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/deck/steps exception in Setbacks. Many of the zones do not include a minimum distance from the Rear or Side Lot Lines. After Planning Commission reviewed the proposed

amendments, Staff determined that an additional clarification was required for this section. Staff is also proposing to exclude required handrails from the height of decks and steps within the Setback area. This exclusion already exists in the Front Setback Exceptions, but was not included in the Rear or Side Setback Exceptions. Staff is recommending adding the following language to be more consistent.

Patios, decks, pathways, steps, or similar Structures not more than thirty inches (30") in height from Final Grade, not including any required handrail, and located at least one foot (1') from the Side 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(I) 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 also reviewing the Night Sky Ordinance and plans to bring forward recommendations at a future meeting to amend the LMC Section 15-5-5(J) 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 was provided at the Historic Preservation Board meeting on November 7, 2018.

During the December 12, 2018 Planning Commission Public Hearing, Mr. Mammen was concerned that copper, which does not have an SRI value, would not be a permitted siding. Planning Commission agreed and recommended that Staff find a solution for this. Staff has determined that all metal siding and roofing shall be non-reflective and shall be treated. The exception to this would be copper, as it typically patinas within one year. The redlines in Exhibit H reflect this change.

Alternatives

- The City Council may approve the proposed Land Management Code as presented or as amended at the meeting; or
- The City Council may deny the proposed amendments; or
- The City Council 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 City Council review the proposed LMC amendments, open a public hearing and approve 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

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 2019-07

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.

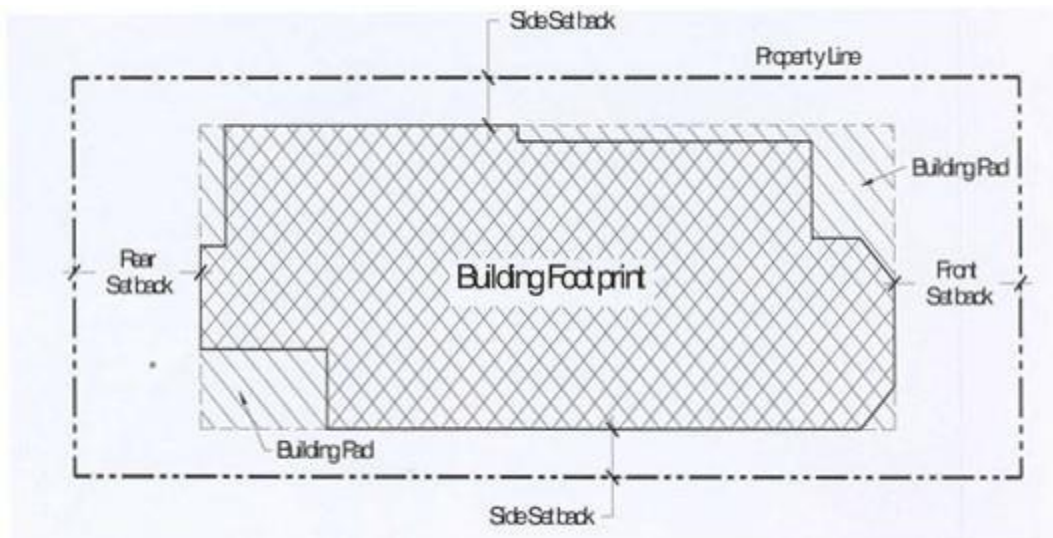
See the following Table 15-2.1. for a schedule equivalent of this formula.

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.



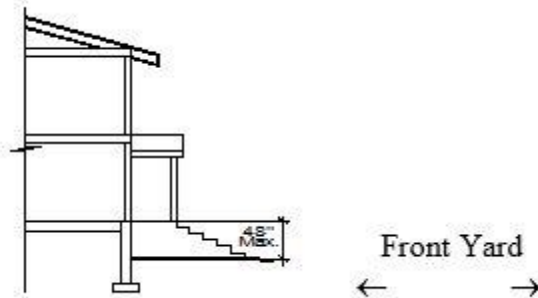
F. **FRONT AND REAR SETBACKS.** Front and Rear Setbacks are as follows:

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:

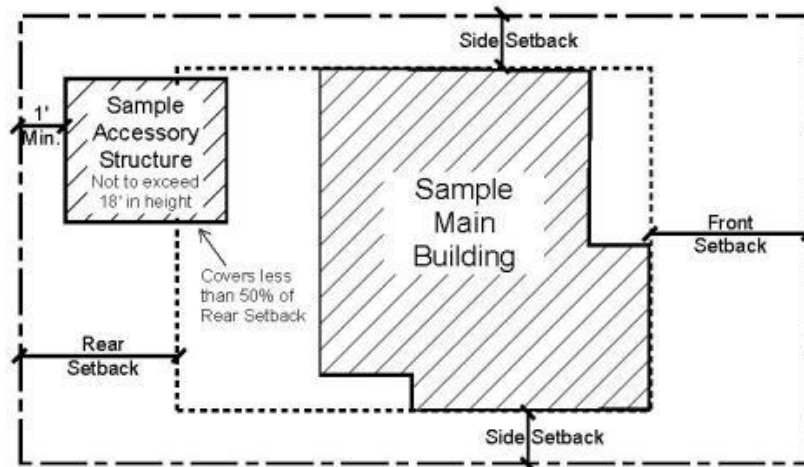
1. Fences and walls not more than four feet (4') in height, or as permitted in Section 15-4-2 Fences and Walls. On Corner Lots, Fences more than three feet (3') in height are prohibited within twenty-five feet (25') of the intersection, at back of curb.
2. Uncovered steps leading to the Main Building, 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, not including any required handrail, and 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.

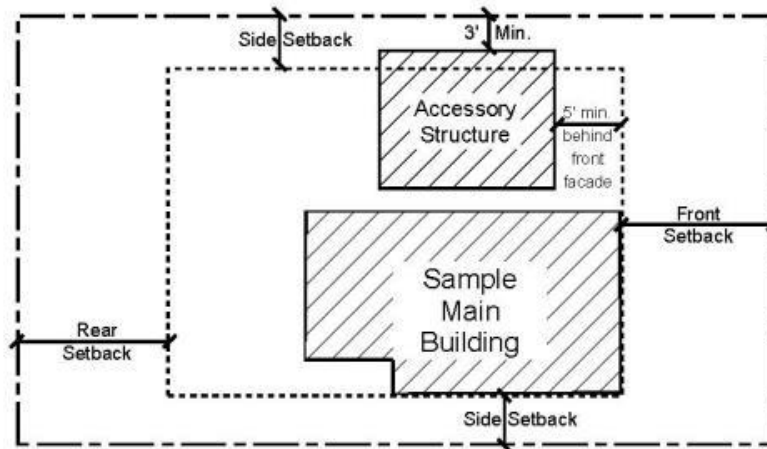
1. ~~The minimum Side Setback is three feet (3'), but increases for Lots greater than thirty seven and one-half feet (37.5') in Width, as per Table 15-2.1.above.~~
2. On Corner Lots, the ~~Side Yard that faces a Street or platted Right-of-Way is considered a Front Yard and~~ the minimum Side Setback 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, not including any required handrail, and 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

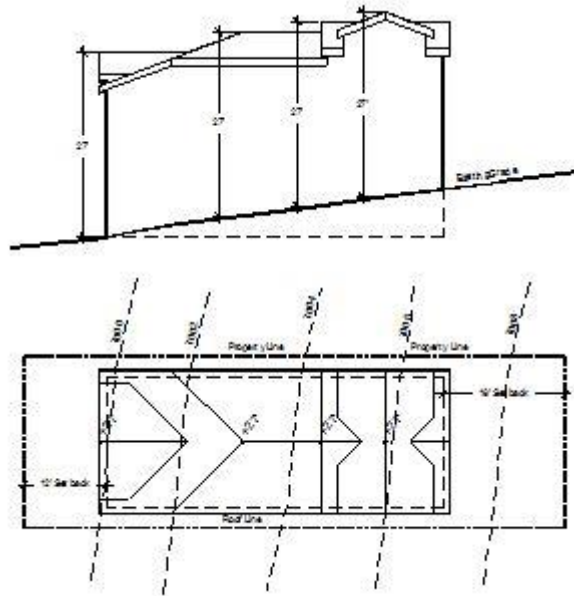
Amended by Ord. 2016-44 on 9/15/2016

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.

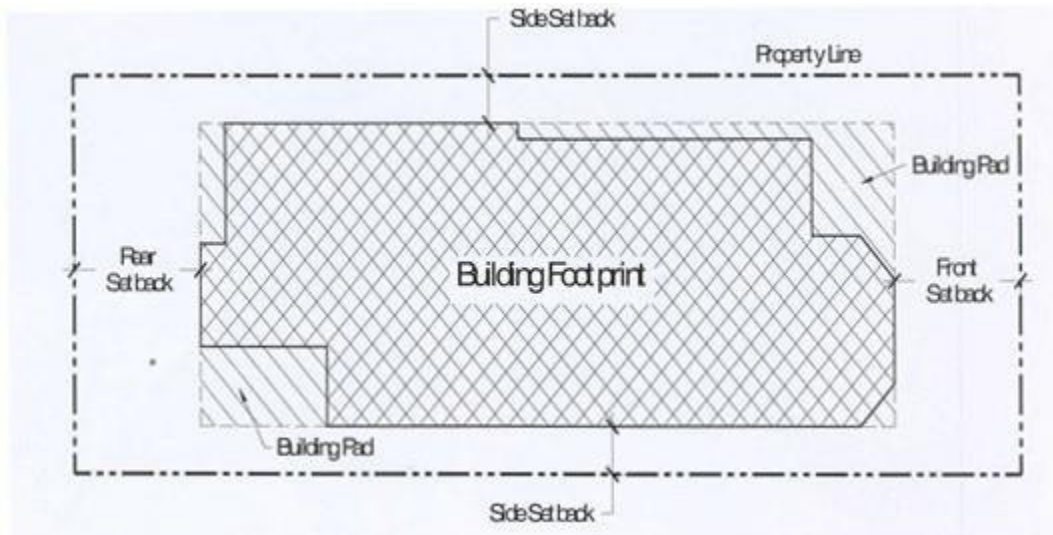
Example: 3,750 sq. ft. lot: $(3,750/2) \times 0.9^{(3750/1875)} = 1,875 \times 0.81 = 1,519$ sq. ft.

~~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:

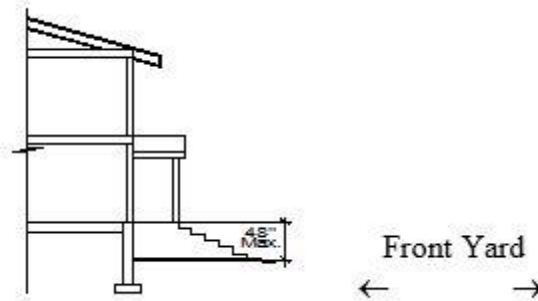
TABLE 15-2.2a

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.

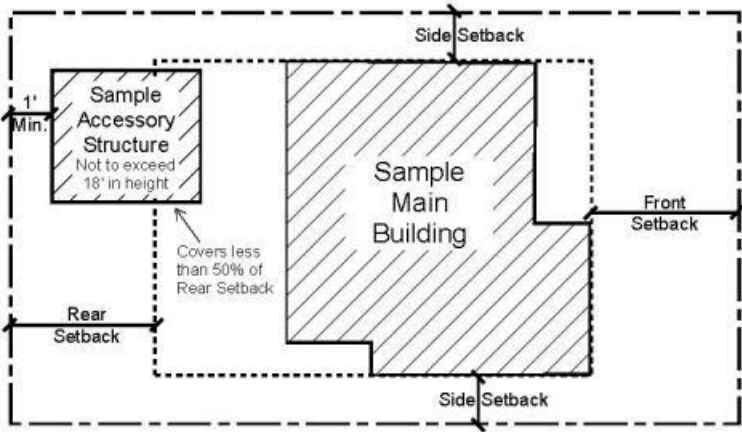


3. Decks, porches, or Bay Windows not more than ten feet (10') wide, and projecting not more than three feet (3') into the Front Setback.
4. Roof overhangs, eaves or cornices projecting not more than three feet (3') into the Front Setback.
5. Sidewalks and pathways.
6. Driveways leading to a Garage or 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, not including any required handrail, and 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>

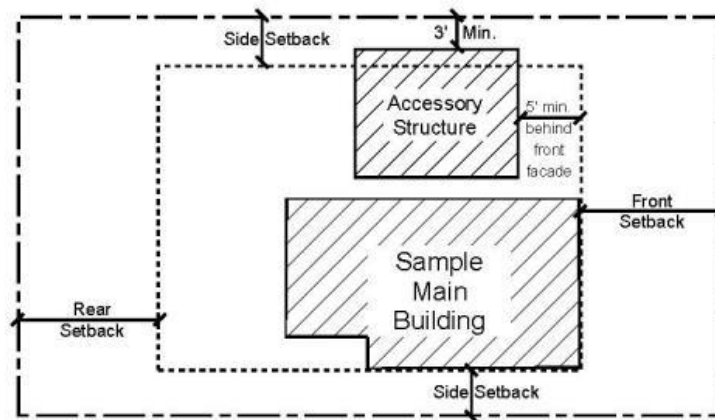
<u>75 ft.</u>	<u>62.5</u>	<u>5 ft.</u>	<u>14 ft.</u>
<u>75 ft.</u>	<u>75.0</u>	<u>5 ft.</u>	<u>18 ft.</u>
<u>75 ft.</u>	<u>87.5</u>	<u>10 ft.</u>	<u>24 ft.</u>
<u>75 ft.</u>	<u>100.0</u>	<u>10 ft.</u>	<u>24 ft.</u>
<u>75 ft.</u>	<u>Greater than 100.0</u>	<u>10 ft.</u>	<u>30 ft.</u>

- ~~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, not including any required handrail, and 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

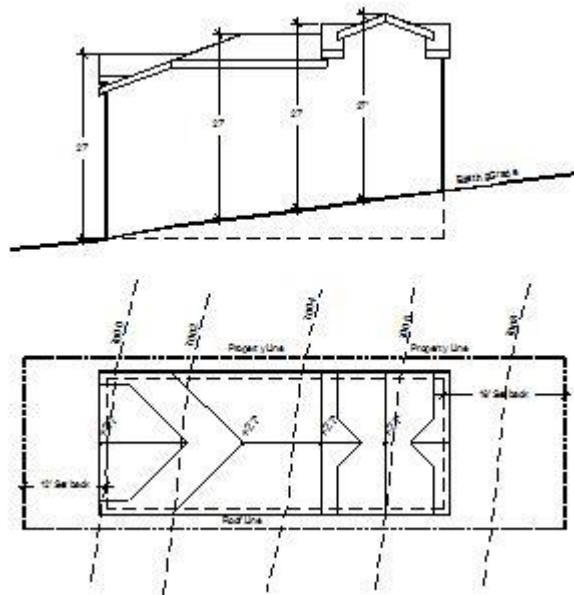
15-2.2-5 Building Height

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.

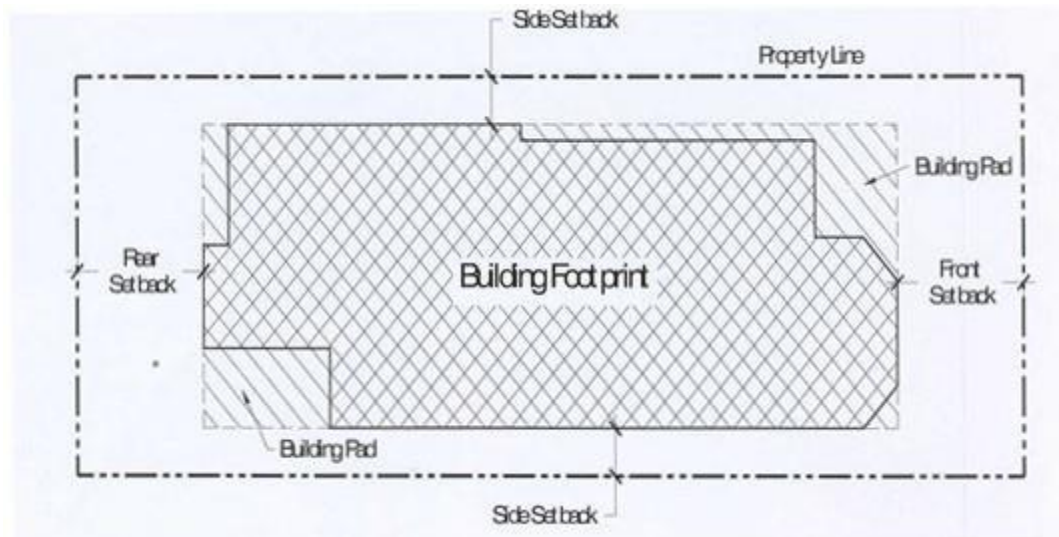
~~See the following Table 15-2.3. for a schedule equivalent of this formula.~~

~~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:

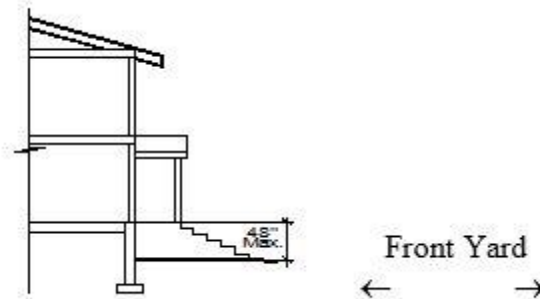
TABLE 15-2.3.a

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.

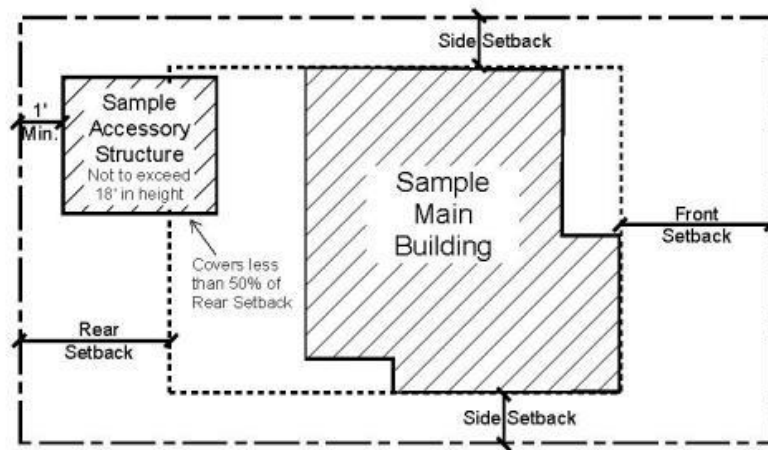


3. Decks, porches, or Bay Windows not more than ten feet (10') wide, and projecting not more than three feet (3') into the Front Setback.
4. Roof overhangs, eaves or cornices projecting not more than three feet (3') into the Front Setback.
5. Sidewalks and pathways.
6. Driveways leading to a Garage or 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, not including any required handrail, and 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

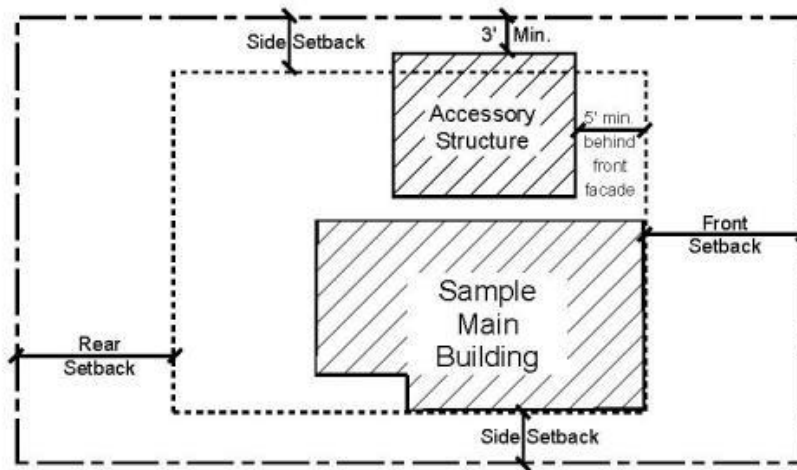
increasing exterior Side Setbacks during Conditional Use Permit review to mitigate potential impacts on adjacent Property. Side Setback exceptions continue to apply.

- 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, not including any required handrail, and 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

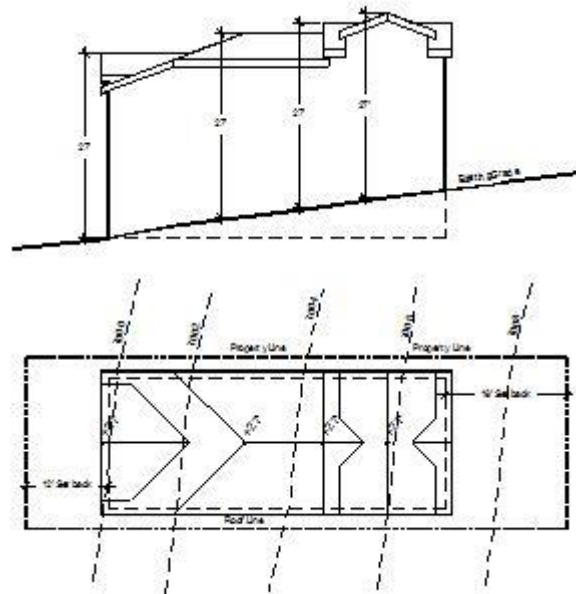
No Structure shall be erected to a height greater than twenty-seven feet (27') from Existing Grade. This is the Zone Height. Final Grade must be within four vertical feet (4') from Existing Grade ~~around the periphery of the Structure~~, except for the placement of approved window wells, emergency egress, 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.

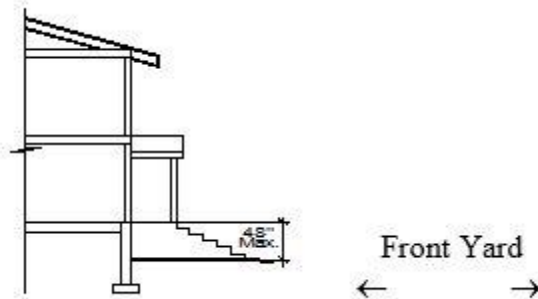
- C. **LOT WIDTH.** The minimum width of a Lot is 37.50 feet, measured fifteen feet (15') from the Front Lot Line. Existing platted Lots of record, with a minimum width of at least twenty five feet (25'), are considered legal Lots in terms of Lot Width. In the case of unusual Lot configurations, Lot 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.

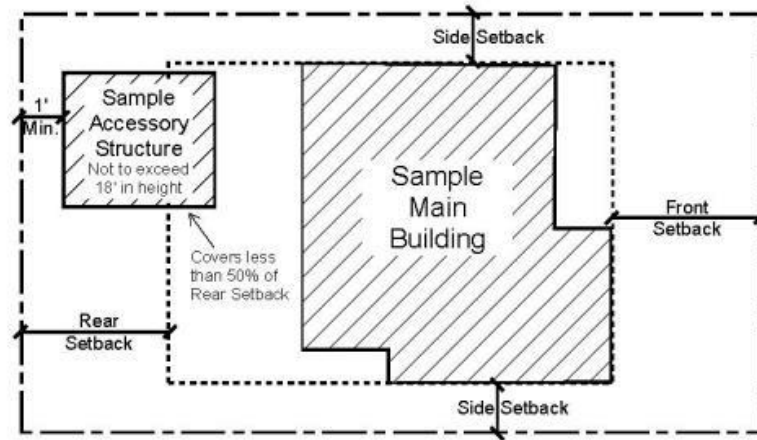
F. **REAR SETBACK.**

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:

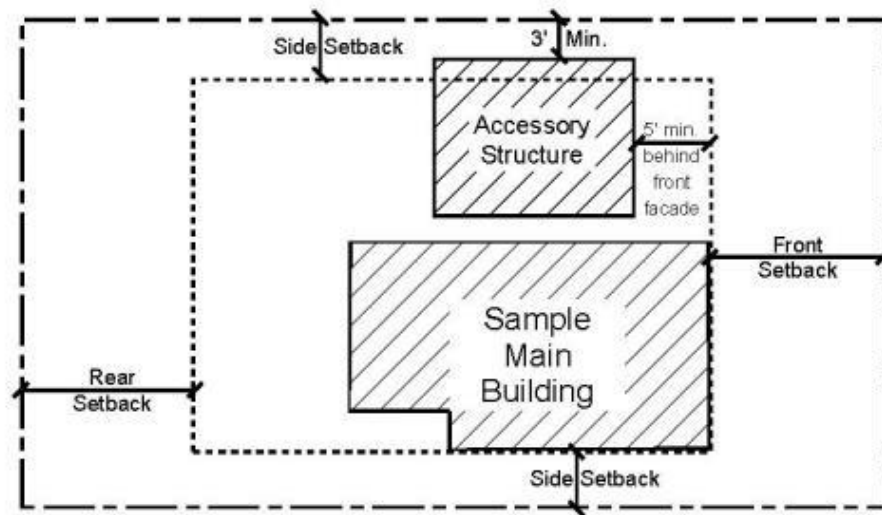


7. A Hard-Surfaced Parking Area subject to the same location requirements as a detached Accessory Building.
8. Mechanical equipment (which must be screened), hot tubs, or similar Structures, located at least three feet (3') from the Rear Lot Line.
9. Fences, walls, and retaining walls not ~~over~~ more 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, not including any required handrail, and 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:~~



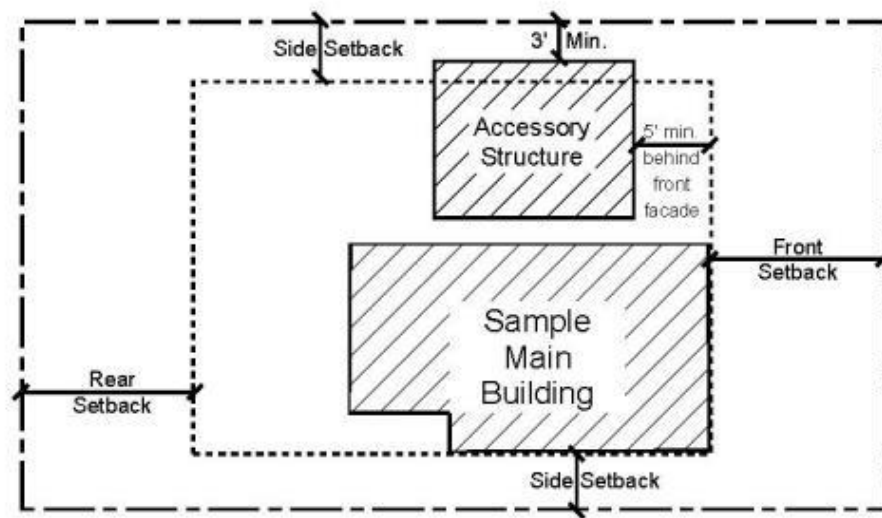
6. ~~On Corner Lots, the minimum Side Yard that faces a Street is ten feet (10') for both Main and Accessory Buildings.~~

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 ~~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, not including any required handrail, and 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

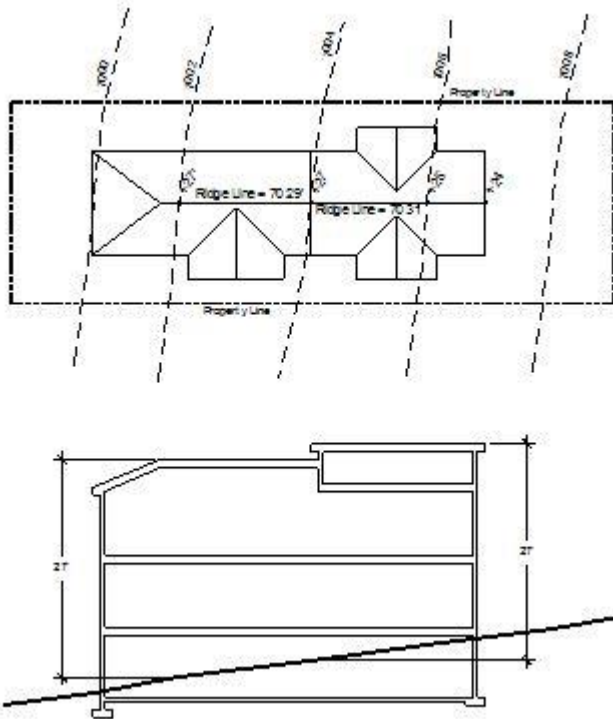
Amended by Ord. [06-69](#) on 10/19/2006

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

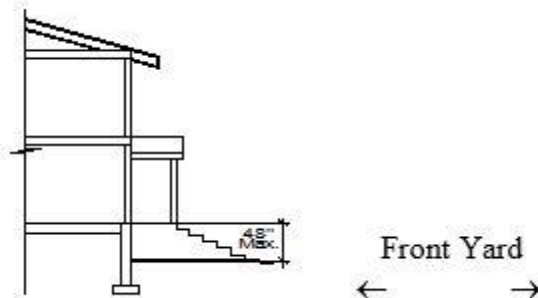
Except as may otherwise be provided in this Code, no Building Permit shall be issued for a Lot unless such Lot has the Area, width, and depth as required, and Frontage on a Street shown as a private or Public Street on the Streets Master Plan, or on a private easement connecting the Lot to a Street shown 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.

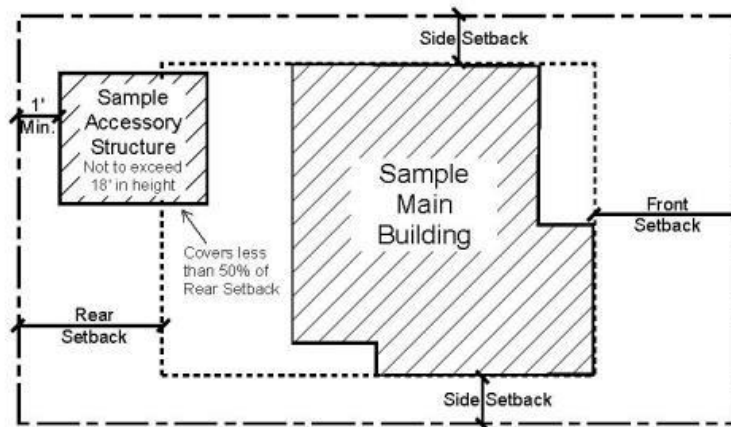


3. Decks, porches, and Bay Windows, not more than ten feet (10') wide, and projecting not more than three feet (3') into the Front Setback.
4. Roof overhangs, eaves, and cornices, projecting not more than three feet (3') into the Front Setback.
5. Sidewalks, patios, and pathways.
6. Driveways leading 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 m~~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, not including any required handrail, and 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.**

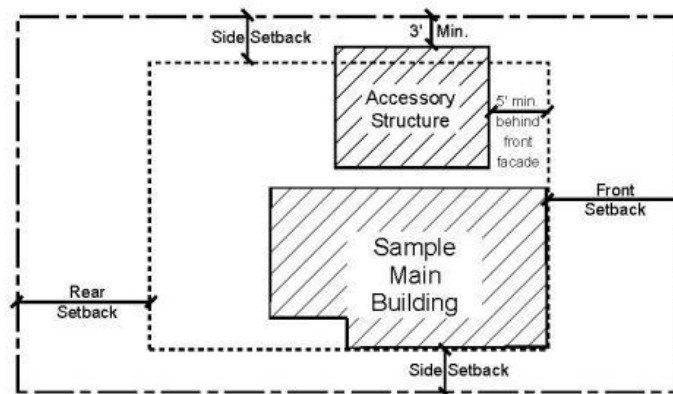
1. The minimum Side Setback is five feet (5').
2. On Corner Lots, the ~~Side Yard that faces a Street or platted Right-of-Way is considered a Front Yard, and the~~ minimum Side Setback that faces a side Street or platted Right-of-Way is ten feet (10') for both Main and Accessory Buildings. A three foot (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

extending 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, not including any required handrail, and 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

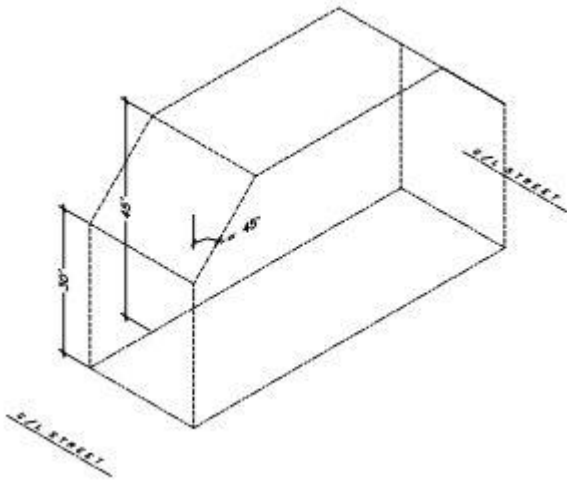
Historic Buildings and/or Structures that do not comply with Building Footprint, Building Height, Building Setbacks, Off-Street parking, and driveway location standards are valid Non-Complying Structures. Additions must comply with Building Setbacks, Building Footprint, driveway location standards and 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

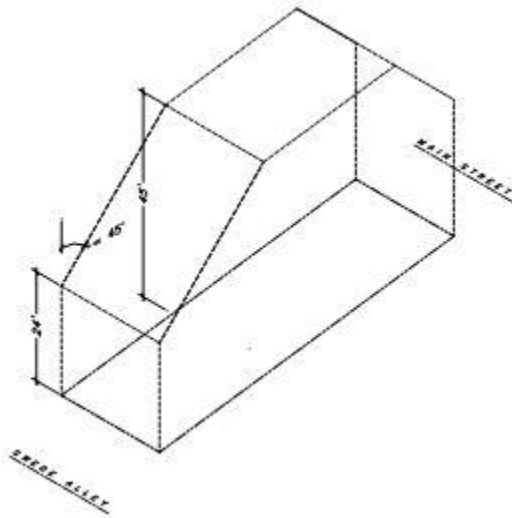
A. The maximum Building volume for each Lot is defined by a plane that rises vertically at the Front Lot Line to a height of thirty feet (30') measured above the average Natural Grade and then proceeds at a forty-five degree (45°) angle toward the rear of the Property until it intersects with a point forty-five feet (45') above the Natural Grade and connects with the rear portion of the bulk plane.



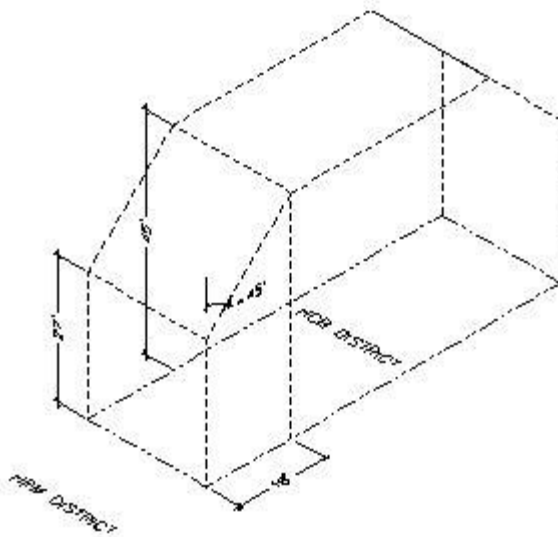
B. The rear portion of the bulk plane for each Lot that does not abut Swede Alley is defined by the plane that rises vertically at the Rear Property Line to a height of thirty feet (30') measured above the average Natural Grade and then proceeds at a forty-five degree (45°) angle toward the Front Lot 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 or other metal siding; ~~is generally not considered an appropriate material. The Planning Director may, however, consider requests for the Use of aluminum 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;~~

11. Vinyl, or other similar material derived from petroleum;
12. Exemption. The Applicant ~~is~~ may request to use a prohibited siding material, but shall be 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.
 - a. ~~Aluminum~~ 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. The Applicant shall submit an exhibit documenting siding materials found in the surrounding neighborhood.
 - b. Metal siding shall have a minimum thickness of .019 inches; shall be backed or insulated with a minimum of 3/8 inch fiberboard of polystyrene foam; shall have a matte or flat finish and/or have a Solar Reflective Index (SRI) value of no greater than 35.
 - c. Plywood siding may be approved by the Planning Director if utilized as a base for board and batten siding.
 - d. 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.

- 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:

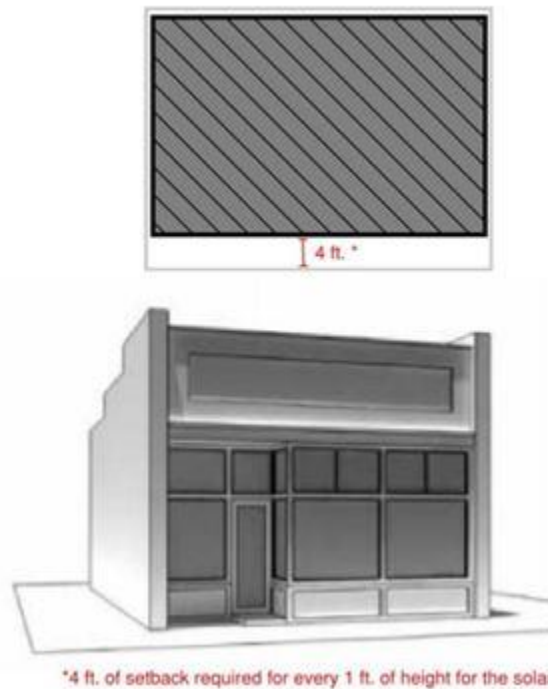
1. Mansard or fake mansard roofs;
 2. Gambrel roofs;
 3. Curvilinear roofs;
 4. Domed roofs;
 5. Geodesic domes;
 6. Conical roofs, greater than 270 degrees around;
 7. A-frame or modified A-frame roofs.
- Mechanical equipment on roofs must be hidden with a visual barrier so it is not readily visible 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

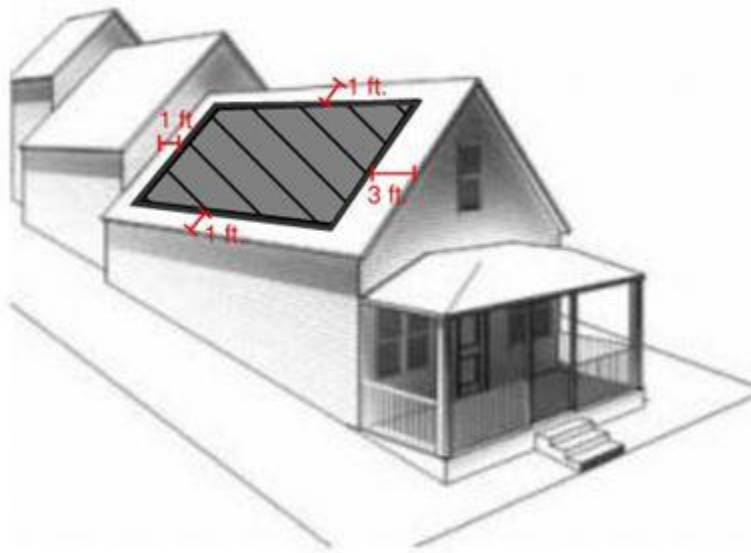
due to the existing roof angle the panel needs to be angled from the roof plane for optimum solar gain, alternative designs may be considered upon review of a visual analysis and mitigation of visual impacts from surrounding properties.

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 ~~historie~~ 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.

Council Agenda Item Report

Meeting Date: January 15, 2019

Submitted by: Michelle Kellogg

Submitting Department: Executive

Item Type: Staff Report

Agenda Section:

Subject:

Consideration to Review and Amend the Proposed 2019 Legislative Platform Policy Guidelines

(A) Public Input (B) Action

Suggested Action:

Attachments:

[2019 Legislative Platform Staff Report](#)

[PCMC Legislative Platform and Policy Guidelines](#)

City Council Staff Report



Subject: 2019 Legislative Update
Author: Matthew Dias
Department: Executive
Date: January 15, 2019
Type of Item: Informational & Legislative

Summary Recommendations:

Review and, as necessary, amend the proposed “2019 Legislative Platform” policy guidelines.

Background:

With the 2019 Legislative Session almost underway, staff anticipates a very active year in terms of impacts to specific areas of local government and regulation, such as sales tax distribution formulas, local land use and regulatory authority, affordable housing, historic districts, transportation, e-bikes and plastic bags. Monitoring and watching the State’s legislative activities require ongoing Council direction and participation from various members of Council and staff throughout the 45 day annual session. Despite the unpredictable nature of future legislative actions, staff recommends Council review and, as necessary, amend the proposed “**2019 Legislative Platform**” policy guidelines.

Further, pursuant to a request made by Council during its review of the 2018 Legislative Platform, two additions were made in respect to social equity. Those additions are highlighted in the attached Platform in red ink and also below.

Legislative Platform:

The Legislative Platform (“Platform”) was drafted in order to better define the City’s legislative strategies, and to provide a more solid foundation for staff- and Council-led advocacy efforts at the Federal, State, and local level. Staff has successfully deployed this Platform for several years in order to help identify legislative subject areas of general concern, as well as to make recommendations to Council on specific legislation using overarching policy guidelines. In addition, in the frequent event that it is necessary for staff or Council to respond to a legislative proposal and take a formal position prior to Council direction (realistically, this often happens between Council meetings), staff would only express positions that are generally consistent with these guidelines, and then seek subsequent Council reaffirmation at the next available meeting.

Policy Guidelines

Park City Municipal generally supports:

1. Legislation that leads to greater financial independence from Federal and State entities, and protects local resources from Federal, State, and other governmental controls;
2. Legislation maintaining maximum local flexibility in all areas of its day-to-day responsibilities, municipal operations, and local land use authority; and

3. Legislation that advocates fair and proportionate representation on regional/interlocal boards/commissions.
4. Legislation that fosters understanding in our diverse communities and promotes equitable access to resources for all residents.

Park City Municipal generally opposes:

1. Legislation that makes the City more dependent on Federal, State, and other governmental agencies for policy direction;
2. Legislation that erodes the City's broad police power or interferes with the local decision making regarding public safety and land use; and
3. Legislation that imposes intrusive, unnecessary or unfunded mandates that preempts local authority.
4. Legislation that impedes the equitable administration of public services, justice, and social well-being.

Department Review:

Legal & Executive

PCMC Legislative Platform and Policy Guidelines

Park City Municipal generally supports:

1. Legislation that leads to greater financial independence from Federal and State entities, and protects local resources from Federal, State, and other governmental controls;
2. Legislation maintaining maximum local flexibility in all areas of its day-to-day responsibilities, municipal operations, and local land use authority; and
3. Legislation that advocates fair and proportionate representation on regional/interlocal boards/commissions.
4. Legislation that fosters understanding in our diverse communities and promotes equitable access to resources for all residents.

Park City Municipal generally opposes:

1. Legislation that makes the City more dependent on Federal, State, and other governmental agencies for policy direction;
2. Legislation that is inconsistent with the general doctrine of home rule or interferes with the local exercise of powers over public safety and land use; and
3. Legislation that imposes intrusive, unnecessary or unfunded mandates that preempts local authority.
4. Legislation that impedes the equitable administration of public services, justice, and social well-being.