

MEETING RECOMMENDATIONS



COUNCIL AGENDA REPORT

DATE: December 7, 1995
DEPARTMENT: Administrative Services
AUTHOR: Tom Bakaly
TITLE: Audit Report
TYPE OF ITEM: Informational

SUMMARY RECOMMENDATIONS: The City Council should review and accept the Comprehensive Annual Financial Report.

DESCRIPTION:

A. Topic:

Comprehensive Annual Financial Report and response to Auditor's management letter for the Fiscal Year Ended June 30, 1995.

B. Background:

Overview of City's Financial Position as of June 30, 1995

The City's General Fund ended the 1994-1995 fiscal year with a fund balance of \$2,668,363 of which \$1,435,450 has been allocated for use in the fiscal year 1995-96 budget. The ending fund balance of \$2,668,363 was \$2,133,363 more in fund balance than was projected during the budget process. Actual revenues came in \$1,235,000 more than projected (\$267,000 in interest and \$748,000 in property tax) and expenses were \$908,000 under budget. Due to the \$1,435,450 of fund balance dedicated for use in the fiscal year 1995-96 budget, the City's fund balance is within the statutory limitation on the amount we may carry in our fund balance.

The Water Fund ended the year with a debt service coverage rate of 8.17 on the senior debt (1.15 required) and 4.47 on the subordinated debt (1.25 required). Working capital actually increased by \$1,226,088 leaving a balance at year end of \$2,460,048. Net income for the fund was \$318,126 after depreciation expense of \$839,744.

The City's Golf Course Fund ended the Fiscal Year with a net increase in working capital of \$122,062. Net income, including depreciation of \$110,899, was \$110,439 compared to net income from the prior year of \$17,649. As such, this fund continues to be a self-supporting operation which does not require an operating subsidy from the General Fund.

With a \$347,597 subsidy from the General Fund, the Recreation Fund ended the year with a net increase in working capital of \$129,219. Net loss, including depreciation of \$173,327, was (\$31,528) compared to the net loss from the prior year of (\$104,116). The Recreation Fund will require a General Fund subsidy of \$335,421 in fiscal year 1995-96.

The Transportation Fund experienced a \$398,916 increase in working capital. As a result, the total working capital available for future acquisition of buses and equipment at June 30, 1995 is \$2,941,124.

RECAP OF FUND BALANCE AND WORKING CAPITAL BALANCES AT JUNE 30, 1995

#	FUND	ESTIMATED ENDING BAL.	ACTUAL ENDING BAL.	DIFFERENCE
11	General Fund Balance	535,000	2,668,363	2,133,363
51	Water-Working Capital	2,427,481	2,460,048	32,567
55	Golf Course- Working Capital	218,158	345,482	127,324
54	Recreation- Working Capital	187,045	243,758	56,713
57	Transportation- Working Capital	1,783,297	2,941,124	1,157,827
	Grand Total	5,150,981	8,658,775	3,507,794

Comments from the City's Audit Firm of Deloitte and Touche LLP

The comments, expressed by the auditors in their letter to management reflect no areas involving material weakness in the operations or internal control structure of the City. The auditors did identify the areas where some improvements can be made. Listed below are comments from the auditors (underlined), and staff responses follow each comment.

Journal Vouchers

Several journal vouchers had no documentation of supervisory review and approval prior to being posted to the general ledger.

A journal voucher is the form in which accounting entries are made into the City's financial computer system. The City's accountant, Lori Collett, CPA, inputs the majority of the journal vouchers into the computer system. As a result of this recommendation from the auditors, we have implemented a system of review where all journal vouchers are reviewed and approved by the City's accountant and Finance Manager.

Wire Transfer Documentation

Adequate documentation of wire transfers is not always maintained.

The City primarily uses wire transfers to make employee credit union payroll deposits and bond payments. Currently, only the Director of Administrative Services and the Finance Manager are able to make wire transfers. Also, wire transfers cannot physically occur unless both individuals approve the wires. All wire transfers are included in the daily cash flow sheets that are maintained by the Finance Division. Pursuant to the observation made by the auditors, staff is developing a wire transfer form that will serve as formal documentation for wire transfers.

Terminated Employees

There are no formal procedures in place to notify the accounting department and EDP (Electronic Data Processing) managers of the termination of employees from the City.

Each pay period, a termination report is prepared by the Human Resources Division and sent to both the Finance and Technical Services Divisions. This report lists which employees are no longer employed by the City, and appropriate modifications are made to the City's financial computer records. Because Human Resources, Finance and Technical Services are now part of the same department, staff is confident that interaction between these divisions will be enhanced.

Password Controls

The minimum required password length is four characters and no password expiration exists for any of the system users.

Password expirations have been set on the financial system. In the past few years, the passwords were set to expire manually instead of at set times. This was done mainly due to staff support limitations that existed at the time.

Business Continuity Plan

Information systems management is aware of the importance of a well-planned and tested business continuity plan; however, to date, a continuity plan has not been developed for the City Information Systems and user departments. A plan should be formalized which would help to assure continuance of computing capability and user responsibilities in the event of a minor to a catastrophic interruption on-site.

Even though disaster mitigation steps such as the use of fire proof safes and back-up procedures have been implemented, a formal continuity plan does not exist for computer operations. Staff has completed introductory work on such a plan, and it is anticipated that the plan will be completed within the next six months.

State Compliance Findings

There is nothing to report in the current fiscal year.

RECOMMENDATION:

It is recommended that City Council review the comments from the auditors, ask questions regarding the comments or the report and accept the Comprehensive Annual Financial Report.



CITY COUNCIL REPORT

DATE: December 1, 1995
(November 9, 1995 Meeting)

DEPARTMENT: Planning Department

AUTHOR: Patrick Putt

TITLE: HR-1/HR-L Related Land
Management Code Revisions

TYPE OF ITEM: Public Hearing on Ordinance to Amend Land
Management Code

SUMMARY RECOMMENDATION: After conducting a public hearing, adopt the attached ordinance amending the Land Management Code. This action requires a public hearing.

DESCRIPTION:

A. Topic:

This item concerns amendments to the Land Management Code relating to building height, snow shedding, setbacks, parking, and notification of construction to adjacent property owners in the HR-1 and HR-L zones.

B. Background:

The Community Development Department was directed by Council to prepare Land Management Code revisions to address the scale of development, in particular building heights, in the residential portions of the Historic District. Staff has analyzed several

alternative approaches to reduce the impacts of building mass and scale. With suggestions from the Historic District Commission, Planning Commission, local designers, and the public, the Planning Department has developed a recommendation for amendments affecting the HR-1 and HR-L zones. The proposed changes include:

1. reducing overall building heights in the HR-1 and HRL zones to a maximum of 27 feet, measured from natural or final grade (*which ever yields the smaller building*) to the highest ridge line (*current maximum height is 33 ft.-- 28 ft. for the building plus 5 ft. additional for the roof*)
2. flexibility in the height requirement for steeply-sloping downhill lot so that a one-story building element and pitched roof can be developed at the street front. The additional building height is not to be permitted for portions of the structure further back than 34 feet from the street-front property line (*allows for 10 ft. front setback and a 24 ft. deep building element*);
3. flexibility to grant additional building height provided that no more than 20% of a ridge line exceeds the height requirements (*This is intended to promote more historic roof forms and prevent the proliferation of non-historic long sloping roof forms run parallel to the slope*)
4. elimination of the Floor Area Ratios (F.A.R.s) on lots of 25 ft. x 75 ft. or less (permitting a maximum building area of 1687 sq. ft.)
5. revising the setback requirements in the HR-1 zone to require a total front and rear yard setback of 30 feet (*currently 20 ft.*), each with a minimum of 10 feet (*An exception will be made for existing parcels with depths less than 50 feet. In these rare cases, the existing setback criteria would remain in place--total front and rear setback of 20 feet, each with a minimum of 10 feet*)
6. revising the setback requirements in the HRL zone to increase the minimum required rear setback from 10 ft. to 15 ft. (*the current minimum setbacks are 15 ft. front and 10 ft. rear with a minimum total of 30 feet. The 30 ft. total setback will not change*)
7. provisions that snow release issues be addressed to the satisfaction of the Chief Building Official to minimize the impact of snow shedding on adjacent properties and/or improvements
8. a requirement that parking be provided for lock-out units in the HR-1 and HR-L zones at a ratio of one space per bedroom
9. a provision for property posting and the notification of immediately adjacent property owners when plans are submitted for residential construction and/or

remodeling within the Historic District

The Historic District Commission forwarded a positive recommendation on the proposed amendments at its October 16, 1995 meeting. The Planning Commission endorsed the proposed code changes following a public hearing on October 25, 1995. At the November 9, 1995 work session, Council directed Staff to schedule this matter for public hearing and prepare draft ordinance.

C. Analysis:

1. Issues Raised at November 9, 1995 Work Session: The issues outlined below were raised at the November 9 work session. Staff has had the opportunity to review these concerns and offers the following responses. The Planning Department comments are in *italics*:

- a. Consider flexibility in height "standards" that allow for site characteristic differences inherent in uphill, downhill, or flat lots.

The proposed amendments allow for flexibility in building heights, regardless of the terrain, but also set forth an absolute maximum height. Additional flexibility is being permitted for steeply-sloping downhill lots to provide these sites with the same opportunities to develop functional street-front elements which promote desired historical forms. The amendments also include new flexibility for small height increases to promote encouraged roof forms (see report section, Background, items No. 2 & 3.).

- b. Consider identifying "steep" grades by inventory or slope percentage.

The Planning Department is currently inventorying the number of vacant lots in old Town, however, the specific gradients of the lots are not being calculated at this time due to the considerable effort necessary to complete such a task. Approximately 200 vacant Historic District lots have been documented. Approximately 25% of the inventoried lots are uphill, 35% are relatively flat, and 40% are downhill. Staff is continuing to work on the vacant lot count as part of the Comprehensive Plan update.

- c. Consider amending Historic District guidelines to specifically identify elements and structural restrictions for uphill, downhill, or flat 25' x 75' lots.

The present Historic District Design Guidelines and draft Historic District Design Standards currently sets forth a broad range of encouraged design elements, including building form, fenestration, and materials. In Staff's opinion, identifying specific building elements for specific terrains will decrease

design alternatives.

- d. Consider eliminating the LMC requirement for garages and allow off-street parking.

The Land Management Code does not expressly mandate garages, but it does require off-street parking.

- e. Consider snow shedding and other design safety issues to be reviewed and/or permitted by the building inspector and/or department.

The proposed amendments require that snow shedding issues be addressed to the satisfaction of the Chief Building Official (see report section, Background, item No. 7).

- f. Consider an amendment to the LMC and the Historic District Guidelines that permit original historic homes to be modified or renovated to match the new guidelines and coders for new single family construction.

Historic buildings may be modified and renovated under the existing Land Management Code and Historic District Design Guidelines subject to Historic District Commission review and approval. The opportunity for owner's of historic structures to modify and/or renovate their buildings will not change under the proposed amendments.

- g. Consider allowing replicative architectural design for new construction of single family units if new standards are implemented.

Although the existing Historic District Design Guidelines discourage imitations of historic styles, historic building forms can be approved. The draft Historic District Design Standards are much more supportive of buildings that reinforce traditional building forms and elements. The Historic District Commission presently promotes buildings that are more compatible with historic designs, but do not directly copy existing historic or former Park City structures.

- h. Consider eliminating Floor Area Ratios (F. A. R.s) on single family units if new standards are implemented.

The proposed amendments will eliminate the F.A. R.s for 25 ft. x 75 ft. or less and permit a building size of up to 1687 square feet regardless of lot area.

- I. Consider completing and publishing the inventory of Historic District vacant lots and original structures.

Allen Roberts of Historic Projects has recently completed a survey of Park City historic structures which are eligible for nomination to the National Register of

Historic Places. Approximately 850 buildings were recorded on the survey map. Of the 850 surveyed structures, 391 are over 50 years old and 289 are eligible or potentially eligible for nomination. The report is currently being finalized and will be presented to HDC early next year.

As previously stated in this report, Staff is currently finalizing a count of vacant lots in the Historic District as part of the Comprehensive Plan update (see item "b. ").

- j. Consider beginning a dialogue to review Historic District policy that results in a comprehensive plan in which evaluation of site and structural design needs are considered within the context of an overall understanding about the Park City Historic District.

The Planning Department has recently implement changes to the submittal requirements for HDC design review. The new submittal requirements are aimed at provided a much greater level detail for site conditions and nearby historic context. A copy of the new submittal requirements are included in your packet as "Attachment B".

2. Benefits of Proposed Amendments: The Community Development Department finds that the proposed amendments will provide the following benefits:

1. lower maximum building heights by 6 feet overall;
2. preclude three-story (*above ground*) building masses under any roof plane;
3. accommodate a minimum of one-story elevation on steeply-sloping downhill lots;
4. provide greater flexibility for design by allowing for minor height increases;
5. prevent the need for frequent Board of Adjustment reviews;
6. promote a more compatible residential scale in the Historic District (*creates a good transitional scale between currently-allowed scale and historic scale*);
7. allow for the same amount of living space as currently allowed under the Land Management Code;
8. reduce site coverage and provide additional area for parking, yards, building separation, and snow storage; and

9. provide a greater degree of up-front design details and neighborhood context information.

3. Summary: After nearly two years of working with the Historic District and Planning Commissions, and taking input from the public and local designers, the Planning Department believes that effect set of Land Management Code amendments have been developed to address the issue of scale in the Historic District. Staff feels that we have successfully resolved the concern's expressed by Council in February which included the need to:

1. develop a method of measuring building heights that is more easily understood,
2. incorporate requirements that snow shedding issues be addressed,
3. promote appropriate street-front architecture, and
4. provide a method of measuring heights that will not require frequent Board of Adjustment review.

The Planning Department believes that the proposed amendments will also :

1. provide effective transition and improved continuity in scale between small historic residences and larger contemporary structures,
2. increase areas for parking, landscaping, snow storage, and building separation,
3. maintain livable building sizes, and
4. promote a greater balance scale between new construction and remodels/additions to existing historic structures

D. Department Review:

The proposed amendments have been reviewed by the Planning, Engineering and Building Departments. This matter has also been reviewed by the City Attorney's Office. No remaining unresolved issues exist.

ALTERNATIVES:

- A. **Approve the attached ordinance amending the Land Management Code as presented.** Action based on this alternative will implement the amendments effective December 1, 1995.
- B. **Modify the attached ordinance amending the Land Management Code with**

specific direction. Action based on this alternative will amend the proposed ordinance effective December 1, 1995

- C. **Continue this matter pending further discussion and input.** Action based on this alternative should identify the review specifically requested..

SIGNIFICANT IMPACTS OF ADOPTING THE PROPOSED ORDINANCE:

Approval of the attached ordinance will reduce mass in the residential portions of the Historic District and promote a building scale more compatible with existing historic structures.

CONSEQUENCES OF NOT ADOPTING THE PROPOSED ORDINANCE:

Development will continue to occur in the Historic District at the currently-allowed scale along with continuing design problems related to snow shedding, snow storage, parking, and building separation.

RECOMMENDATION:

The Planning Department recommends that the City Council adopt the attached ordinance amending the Land Management Code.

ATTACHMENTS:

- | | |
|-----------------|--|
| Attachment "A": | Draft Ordinance |
| Attachment "B": | Historic District Commission Design Review Application
Submittal Requirements |
| Attachment "C" | Example Building Sections |

Ordinance No. 95-

**AN ORDINANCE AMENDING CHAPTERS 1, 2, 7, 8 AND 13
OF THE LAND MANAGEMENT CODE
RELATING TO BUILDING HEIGHT, SNOW SHEDDING, SETBACKS,
GARAGES/PARKING, NOTIFICATION TO ADJACENT
PROPERTY OWNERS, AND FLOOR AREA RATIOS
IN THE HISTORIC RESIDENTIAL (HR-1)
AND HISTORIC RESIDENTIAL DEVELOPMENT LOW-DENSITY (HRL)
DISTRICTS IN PARK CITY, UTAH**

WHEREAS, protecting the health and safety and preserving the historic integrity in residential areas of the Historic District are values of the community and identified goals of the City Council; and

WHEREAS, the City Council enacted amendments to the Land Management Code dealing with height and floor area ratios in February 1995, but further directed staff, the Historic District Commission, and Planning Commission to explore solutions to mitigate the mass and scale of new development in the Historic District and to develop regulations to ensure compatibility with existing historic structures; and

WHEREAS, consistent with Council direction, public meetings were held with local architects, the Historic District Commission, and the Planning Commission. After several months of public meetings, on October 16, 1995, the Historic District rendered a positive recommendation to the City Council. Following public meetings, and a duly advertised public hearing held on October 25, 1995, the Planning Commission also rendered a positive recommendation to Council; and

WHEREAS, the City Council held public hearings at its regularly scheduled meetings on November 9, 1995 and December 7, 1995 and in consideration of the recommendations of the Historic District Commission, the Planning Commission and public testimony, finds it in the best interest of the residents of Park City, Utah to amend the Land Management Code with regulations that maintain the essence of the Historic District while safeguarding quality of life for its residents;

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

SECTION 1. AMENDMENT TO CHAPTERS 1 OF THE LAND MANAGEMENT CODE. With regard to historic district design review and notification, Chapter 1 is hereby amended as follows:

HISTORIC DISTRICT DESIGN REVIEW AND NOTIFICATION:

Section 1.11--General Provisions/Procedures: Permitted Use Review Process

Permitted Use Review Process: On any proposal to construct a building or other improvement to property which is defined by this Code as a permitted use in the zone in which the building is proposed, the Community Development Department shall review the submission to determine whether the proposal (a.) is a permitted use within the zone for which it is proposed, (b.) complies with the requirements of that zone for building height, setback, front, side, and rear yards, and lot coverage; (c.) that the applicable parking requirements have been satisfied; and (d.) the plan conforms to the Park City Architectural Design Guidelines, the Historic District Design Guidelines, and architectural review process established for that zone. Upon finding that the proposal complies with the applicable zoning requirements, and can be adequately serviced by roads, existing utility systems or lines, the plans shall be reviewed for Building Code compliance and permit issuance procedures. If the submission does not comply with the requirements of the zone, the Community Development Department shall so notify the owner of the project or his agent, if any, stating specifically what requirements of the zone have not been satisfied, and also stating whether the project could be reviewed as submitted as a conditional use for that zone.

SECTION 2. AMENDMENTS TO CHAPTER 2 OF THE LAND MANAGEMENT CODE. With regard to the definition of height, Chapter 2 is hereby amended as follows:

BUILDING HEIGHT:

Chapter 2: Definitions

Height: The vertical distance from natural undisturbed grade to the highest point of a flat roof or to the deck line of a mansard roof or to a point midway between the lowest part of the eaves or cornice and ridge of a hip roof. In no case shall a mansard roof or the parapet wall of a flat roof extend more than 18" above the deck line or maximum zone height, whichever is lower. Roofs not fitting clearly any of the above three classifications shall be classified by the Planning Community Development Department in accordance with the roof it most clearly resembles. Roofs which drain to the center shall be considered as flat or mansard depending on their configuration.

In the HR-1 and HR-L zones, height shall be defined as the vertical distance from natural undisturbed grade or final grade (which ever yields the smaller building) at a point measured three feet out from the foundation wall to the highest point of a flat roof or to the deck line of a mansard roof or to the highest ridge of a hip or gable roof. In no case shall a mansard roof or the parapet wall of a flat roof extend more than 18" above the deck line. Roofs not clearly fitting any of the above three classifications shall be classified by the Community Development Department in accordance with the roof classification it most clearly

resembles. Roofs which drain to the center shall be considered as flat or mansard depending on their configuration. See Section 8.17.

SECTION 3. AMENDMENTS TO CHAPTER 7 OF THE LAND MANAGEMENT CODE. With regard to building height, snow shedding, setbacks, garages/parking, and floor area ratios, Chapter 7 is hereby amended as follows:

A. BUILDING HEIGHT

Chapter 7: Historic Residential (HR-1) District

Section 7.1.5--Building Height

a. Structures shall be erected to a height no greater than 28 27 feet, as defined in Section 8.17. (*See Historic District Design Guidelines for additional design criteria.*) No volume or area above this 28-foot height may be used for facade variation open space.

~~b. Downhill facades may not exceed 28 feet from natural or final grade (whichever is more restrictive) to the peak of the roof. The design of the structure must incorporate a significant facade shift after the 28 foot limit to break up the mass of the structure as viewed from public rights-of-way or properties below. The length of the facade shift should be in proportion to the building mass and may be roughly equal to the difference between natural and final grade at the base of the downhill facade. However, in order to avoid dictating design, no absolute standard for the size of the shift is specified. Rather the Historic District Commission shall review the facade shift during normal design review and may approve lesser or require greater shifts based upon neighborhood compatibility, visibility from public rights-of-way, and other design considerations.~~

Section 7. 14: Historic Residential Development Low-Density

Section 7. 14. 3.g--Building Height

(1) Buildings shall not exceed a maximum height of 28 27 feet, except as provided in the supplemental regulations as defined in Section 8.17. (*See Historic District Design Guidelines for additional design criteria.*) No volume or area above this 28 foot height may be used for facade variation open space.

~~(2) Downhill facades may not exceed 28 feet from natural or final grade (whichever is more restrictive) to the peak of the roof. The design of the structure must incorporate a significant facade shift after the 28 foot limit to break up the mass of the structure as viewed from public rights-of-way or properties below. The length of the facade~~

~~shift should be in proportion to the building mass and may be roughly equal to the difference between natural and final grade at the base of the downhill facade. However, in order to avoid dictating design, no absolute standard for the size of the shift is specified. Rather the Historic District Commission shall review the facade shift during normal design review and may approve lesser or require greater shifts based upon neighborhood compatibility, visibility from public rights-of-way, and other design considerations.~~

B. SIDE-YARD SETBACKS/SNOW-SHEDDING

Chapter 7: Districts and Regulations

Section 7.1.3.c: Historic Residential (HR-1) District - Side Yard

Side Yard: The minimum side yard for a single family structure shall be three feet. The minimum side yard for any structure of two or more units shall be five feet.

For structures on lots from 25 to 50 feet in total width, the sum of the side yard setbacks must total be a minimum of ten feet. For structures on parcels from 51 to 75 feet in width, the total sum of the side yard setbacks must be a minimum of 15 feet with a minimum of five feet on one side. For structures on parcels greater than 76 feet total width, the side setbacks must be a minimum of ten feet each.

1. A side yard shall not be required between structures designed with a common wall on a lot line. The longest dimension of buildings thus joined shall not exceed 50 feet.
2. For side yards of less than five feet, the special side yard exceptions as provided in Section 8.14 shall not apply, except for projections of less than four inches as specified in Section 8.14(a) and for the allowance for a driveway as specified in Section 8.14 (h).
3. On corner lots, any yard which faces on a street for both main and accessory buildings shall not be less than 10 feet.
4. Site plans and building designs shall resolve snow release issues to the satisfaction of the Chief Building Official to minimize the impacts of snow shedding on adjacent properties and/or improvements.

Section 7.14.3 (d): Historic Residential Development Low-Density - Side Yard

Side Yard: The minimum depth of side yard setbacks shall be based on the size of the parcel. For structures on parcels 50 feet wide or less at the front property line, the side yard setbacks must be five feet each. For structures on parcels from 51 to 75 feet wide at the front property

line, the total yard side setbacks must be a minimum of 15 feet with a minimum of five feet on one side. For structures on parcels greater than 76 feet wide at the front property line, the side yard setbacks must be a minimum of ten feet each. Site plans and building designs shall resolve snow release issues to the satisfaction of the Chief Building Official to minimize the impacts of snow shedding on adjacent properties and/or improvements.

C. FRONT/REAR YARD SETBACKS

Section 7.1.3 (d)-- Historic Residential (HR-1) District: Rear Yard

Front and Rear Yards: The minimum depth of the rear yard for all main buildings shall be based upon the size of the parcel. On parcels 100 feet deep or less and 75 feet wide or less, the rear setback must be ten feet. On parcels between 75 feet and 100 feet deep and of than 75 feet width, the front and rear setbacks must total 25 feet with a minimum of ten feet. On parcels deeper than 100 feet, the front and rear setbacks must total 30 feet, with a minimum of ten feet. Front and rear yard setbacks must total a minimum of 30 feet, each with a minimum of ten feet. Parcels with depths of 50 feet or less shall maintain a minimum front and rear yard setback totaling 25 feet, each with a minimum of ten feet.

Section 7.14.3 (e)--Historic Residential Development Low-Density: Front and Rear Yards

Front and Rear Yards: The minimum depth of the front and rear yards for all main buildings shall be based upon the size of the parcel. For structures on parcels 100 feet deep or less, the front setback shall be 15 feet and the rear 10 feet. For structures on parcels deeper than 100 feet, the total front and rear setbacks must be 30 feet, each with a minimum of 15 feet front and rear. The minimum front yard setback is 15 feet. The minimum rear yard setback is 15 feet.

Section 7.1.8--Historic Residential (HR-1) District: Architectural Review

Architectural Review: Prior to the issuance of a building permits for any conditional or permitted uses within this zone, the Community Development Department shall review the proposed plans for compliance with the architectural design guidelines prepared by the Historic District Commission Design Guidelines and adopted by resolution of the City Council as a supplement to this ordinance. When the proposed plans for new residential construction and/or exterior remodeling (excluding decks or stairs) are determined by the Community Development Department to comply with the Historic District Design Guidelines, the subject property shall be posted by the Community Development Department and written notice shall be sent to property owners immediately adjacent to the property (*properties directly abutting and across public streets and/or rights-of-way*) by the Community Development Department. The notice shall state that the Community Development Department staff has made a preliminary determination that the proposed plans

are in compliance with the Historic District Design Guidelines. The property posting and written notice shall include, but are not limited to, the location and description of the proposed project and will establish a ten (10) day period in which the staff's preliminary determination of compliance may be appealed. Appeals by the applicant or public of departmental actions on architectural compliance are shall be heard by the Historic District Commission, and then may be appealed to Council as set forth in Chapter 1.16 of this Code. Appeals shall be by letter or petition and shall contain the name, address, and telephone number of the petitioner, his or her relationship to the project or subject property, and reason for requesting the review. The appeal shall be limited to the specific provisions of this Code that are violated by the action taken.

Property within this zone may be subject to subdivision regulations and covenants that regulate design, materials, yard and height more strictly than this Code. This Code does not supersede more restrictive provisions in private covenants.

In addition, no structure within the zone may be painted or repainted without review and approval of the exterior color scheme by the Community Development Department.

Section 7.14.4--Historic Residential Development Low-Density: Architectural Review

Architectural Review: Prior to the issuance of a building permits for any conditional or permitted uses within this zone, the Community Development Department shall review the proposed plans for compliance with the architectural design guidelines prepared by the Historic District Commission Design Guidelines and adopted by resolution of the City Council as a supplement to this ordinance. When the proposed plans for new residential construction and/or exterior remodeling (excluding decks or stairs) are determined by the Community Development Department to comply with the Historic District Design Guidelines, the subject property shall be posted by the Community Development Department and written notice shall be sent to property owners immediately adjacent to the property (*properties directly abutting and across public streets and/or rights-of-way*) by the Community Development Department. The notice shall state that the Community Development Department staff has made a preliminary determination that the proposed plans are in compliance with the Historic District Design Guidelines. The property posting and written notice shall include, but are not limited to, the location and description of the proposed project and will establish a ten (10) day period in which the staff's preliminary determination of compliance may be appealed. Appeals by the applicant or public of departmental actions on architectural compliance are shall be heard by the Historic District Commission, and then may be appealed to Council as set forth in Chapter 1.16 of this Code. Appeals shall be by letter or petition and shall contain the name, address, and telephone number of the petitioner, his or her relationship to the project or subject property, and reason for requesting the review. The appeal shall be limited to the specific provisions of this Code that are violated by the action taken.

Property within this zone may be subject to subdivision regulations and covenants that regulate design, materials, yard and height more strictly than this Code. This Code does not supersede more restrictive provisions in private covenants.

In addition, no structure within the zone may be painted or repainted without review and approval of the exterior color scheme by the Community Development Department.

D. GARAGES/PARKING

7.1.4. SPECIAL PARKING REGULATIONS.

- (a) Tandem parking is permitted for single family and duplex dwellings in the Historic District.
- (b) To encourage the location of parking in the rear, common driveways may be permitted along shared side yard property lines where those drives provide access to parking in the rear of the main building. Restrictions on the deeds to both properties must provide for the preservation of such a shared drive.
- (c) Common parking facilities may be permitted, upon approval of the Planning Department, where such a grouping may facilitate the development of individual buildings that more closely conform to the scale of historic structures in the district as defined in the design guidelines. Parking structures may be permitted, provided that the structure maintains all yard setbacks above grade, but may occupy below grade side yard areas between participating developments.
- ~~(d) In order to minimize the amount of hard-surfaced paving in front yards, the following limits on the widths of paved areas for driveways and exposed parking that are visible from the street shall apply:~~
 - ~~1. For a single family dwelling on a 25-foot wide lot, the total area of hard surface for drive and parking shall not exceed 12 feet in width. The balance of any parking area or drive area shall be made of porous paving material. Drives shared with adjoining properties shall not exceed 35 feet in total width, regardless of placement on the lots involved.~~
 - ~~2. For all other buildings, the total drive area shall not exceed 27 feet in width for hard surfaced drive and parking area, with additional parking and drive area provided with porous paving material. This hard surfaced width may be divided into separate drives, or in a single drive.~~
 - ~~3. Garage door openings in single family structures on 25 foot lots shall not exceed 10 feet in width. On single lots that are more than 25 feet, but less than 37.5 feet in frontage width, the garage door openings shall not exceed 16 feet in width. Duplex~~

~~structures on 50 foot or wider lots may have one garage door opening (or combination of openings) totaling 18 feet in width for each unit of the duplex, or a total of 36 feet in width for the structure. Triplex structures, which are required to have a common underground parking area, shall have only one garage door opening, which shall not exceed 18 feet. Where garage door openings appear on a facade that does not face a street, so the garage is accessed from a common drive between adjoining properties, the Community Development Department may waive the maximum door width if necessary to make the common drive arrangement function.~~

- (e) It is the City's policy to consider allowing a portion of the length of a code required parking stall to be placed within the City right-of-way, subject to the City Engineer's approval. The City Engineer shall consider the likelihood of future roadway changes, utilities, and any other health/safety considerations which may render parking in the right-of-way unacceptable.

E. FLOOR AREA RATIOS (FAR)

Section 7.1.3(b)-- Floor Area Ratio

- (b) ~~Floor Area Ratio. The floor area of all new structures constructed within the HR-1 District shall be limited by the Floor Area Ratio (FAR) which shall be the Floor Area as defined in Chapter 2, divided by the total area of the lot or parcel. For lots up to 1875 square feet, the maximum FAR shall be .9. For parcels of 1876 square feet or larger, the floor area ratio is equivalent to the maximum floor area for the first 1875 square feet (1687 square feet), plus 30% of additional lot square footage.~~

Floor Area Ratio. For lots 25 feet x 75 feet and smaller, the maximum floor area shall be no greater than 1,687 square feet within the HR-1 Zone. The floor area of all new structures constructed within the HR-1 District on lots greater than 25 feet x 75 feet (1,875 square feet) shall be limited by the Floor Area Ratio (FAR) which shall be the Floor Area as defined in Chapter 2, divided by the total area of the lot or parcel. For lots greater than 25 feet x 75 feet (1875 sq. ft.), the floor area ratio shall be .9 for the first 1875 sq. ft., plus 30% of the additional lot square footage. The maximum square footage is calculated by the following formula:

$$\text{MAXIMUM FLOOR AREA} = 1687 + (.30 \times (\text{Parcel Size} - 1875))$$

Section 7.14.3(b)

- (b) ~~Floor Area Ratio. The floor area of all new structures constructed within the HRL District shall be limited by the Floor Area Ratio (FAR) which shall be the Floor Area as defined in Chapter 2, divided by the total area of the lot or parcel. For lots up to 1875 square feet, the maximum FAR shall be .9. For parcels of 1876 square feet or larger, the floor area ratio is~~

~~equivalent to the maximum floor area for the first 1875 square feet (1687 square feet), plus 30% of additional lot square footage.~~

Floor Area Ratio. For lots 25 feet x 75 feet and smaller, the maximum floor area shall be no greater than 1,687 square feet within the HRL Zone. The floor area of all new structures constructed within the HRL Zone on lots greater than 25 feet x 75 feet (1,875 square feet) shall be limited by the Floor Area Ratio (FAR) which shall be the Floor Area as defined in Chapter 2, divided by the total area of the lot or parcel. For lots greater than 25 feet x 75 feet (1875 sq. ft.), the floor area ratio shall be .9 for the first 1875 sq. ft., plus 30% of the additional lot square footage. The maximum square footage is calculated by the following formula:

$$\text{MAXIMUM FLOOR AREA} = 1687 + (.30 \times (\text{Parcel Size} - 1875))$$

SECTION 4. AMENDMENTS TO CHAPTER 8 OF THE LAND MANAGEMENT CODE. With regard to measuring height, Chapter 8 is hereby amended as follows:

BUILDING HEIGHT:

Chapter 8. Supplementary Regulations

Section 8.17--Height Provisions

The total height of the building shall be measured as the vertical distance from natural grade or final grade (whichever yields the smaller building) at a point three feet out from the foundation wall, as defined in this Code, to the highest point of a flat roof or to the deck line of a mansard roof or to a point midway between the lowest part of the eaves or cornice and the highest ridge of a hip or gable roof. In no case shall a mansard roof or the parapet wall of a flat roof extend more than 18" above the deck line or maximum zone height, whichever is lower. Roofs not clearly fitting clearly any of the above three classifications shall be classified by the Planning Director Community Development Department in accordance with the roof classification it most clearly resembles. Roofs which drain to the center shall be considered as flat or mansard depending on their configuration. To allow for roof pitches and provide usable space within the Structure, the following exceptions apply:

- a. The ridge of a gable, hip, gambrel or similarly pitched roof may extend up to five feet above the specified maximum height limit for the zone.
- b. a. Antennas, chimneys, flues, vents, or similar structures may extend up to five feet above the specified maximum height limit for the zone.

- c. b. Water towers and mechanical equipment may extend up to five feet above the specified maximum height limit.
- d. c. Church spires, bell towers, and like architectural features, as well as flag poles flag poles, and like architectural features as permitted under the Historic District Guidelines, may extend over the specified maximum height limit by up to 50% of the height limit, but shall not contain any habitable spaces above the maximum zone height stated.
- d. In order to accommodate a one-story element and pitched roof with a ridge design running perpendicular to the street, the Community Development Department may permit a building height increase, not to exceed 15 feet to the ridge line when measured from the midpoint of the front/street-side property line. Additional building height, pursuant to this exception, shall not be permitted for portions of the structure further back than 34 feet from the street-front property line. Prior to granting any additional building height, the Community Department shall find that the proposal complies with all requisite policies in the Historic District Design Guidelines and results in a better overall architectural design and neighborhood compatibility.
- e. In order to accommodate a pitched roof running with a ridge design running perpendicular to the street, the Community Development Department may grant additional building height provided that no more than 20% of the ridge line exceeds the height requirements. Prior to granting any additional building height, pursuant to this exception, the Community Department shall find that the proposal complies with all requisite policies in the Historic District Design Guidelines, results in a better overall architectural design, and does not substantially interfere with sight lines of adjacent properties. *(This is intended to promote more historic roof forms and to prevent the proliferation of non-historic, long-sloping roof forms that run parallel to the slope.)*

SECTION 5. AMENDMENTS TO CHAPTER 13 OF THE LAND MANAGEMENT CODE. With regard to parking/garages, Chapter 13 is hereby amended as follows:

PARKING/GARAGES:

13.3. SPECIFIC REQUIREMENT FOR EACH LAND USE.

- (a) ~~Required off-street~~ Off-street parking shall be provided for each land use as listed in this section. Multi-family structure uses are shown on the Multi-Family Parking Requirement Table. When applying the table, the parking requirements stated for each use, or combination of uses applies to each dwelling unit within the structure within the zone as shown. In some

zones, the parking requirement may vary depending on the size of the project and its proximity to major destinations within the City, where experience has shown a greater or lesser demand for parking. Other specific uses, and the parking requirement that applies are shown below:

Accessory apartments	One space per bedroom (see Chapter 8.19)
Lock-out unit (HR-1 and HRL Zones)	One space per bedroom
Single family dwelling:	Two spaces
Duplex:	Two spaces per unit (4)
Triplex:	Two spaces per unit (6)
Multi-Family structures larger than triplex structures	See table
Dormitory:	One space per 200 square feet of area devoted to accommodations

SECTION 6. EFFECTIVE DATE. This Ordinance shall become effective upon adoption and shall apply to all Historic District Design Review applications received on or after December 1, 1995.

PASSED AND ADOPTED this _____ day of December, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Assist City Attorney

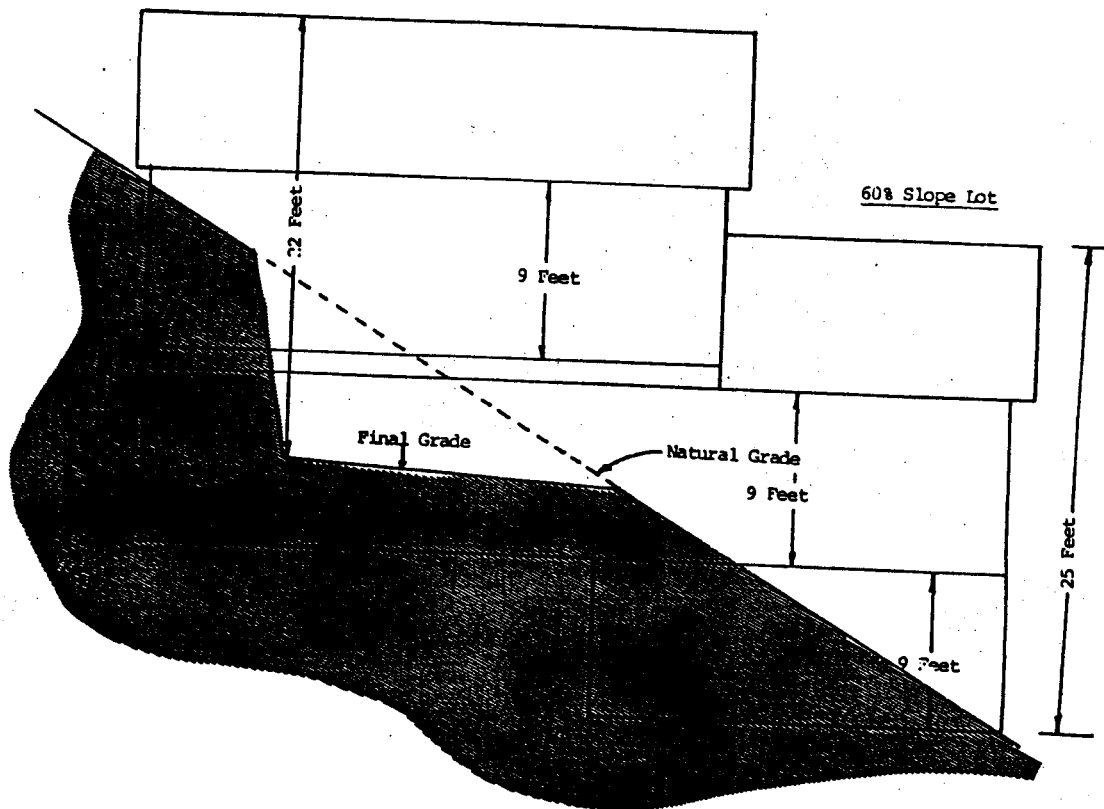
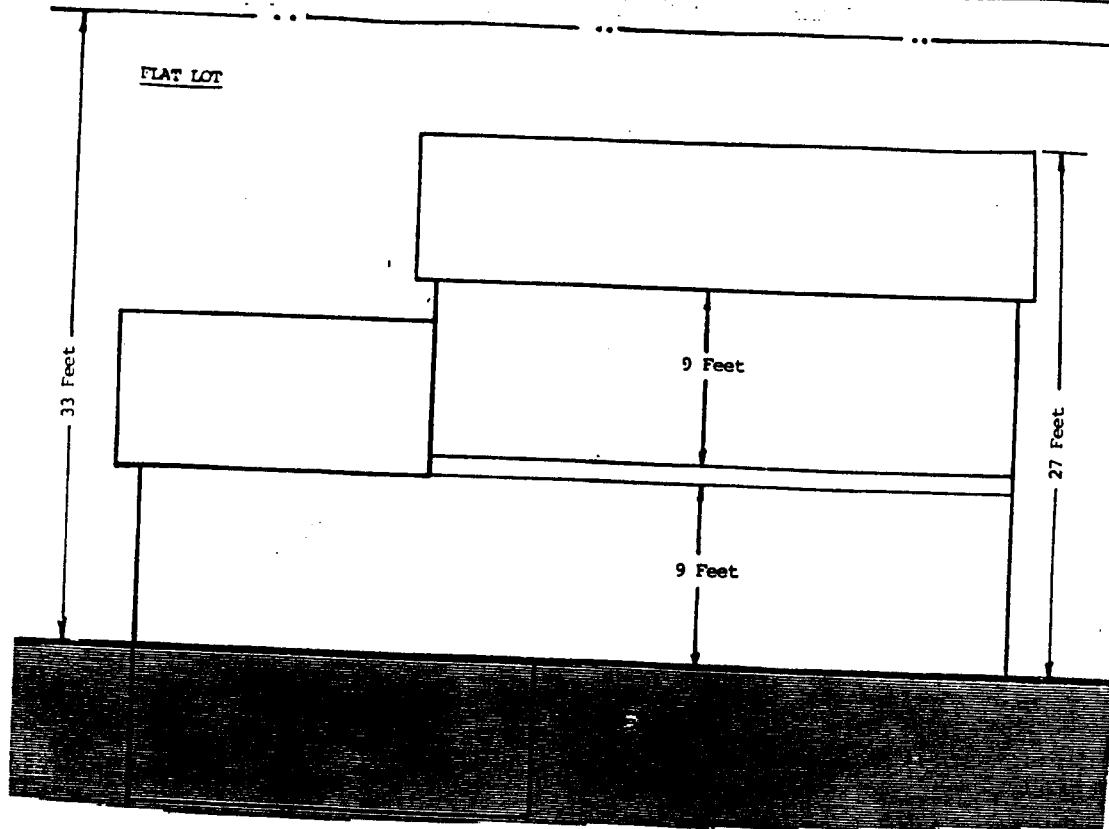
HISTORIC DISTRICT DESIGN REVIEW
SUBMITTAL REQUIREMENTS:

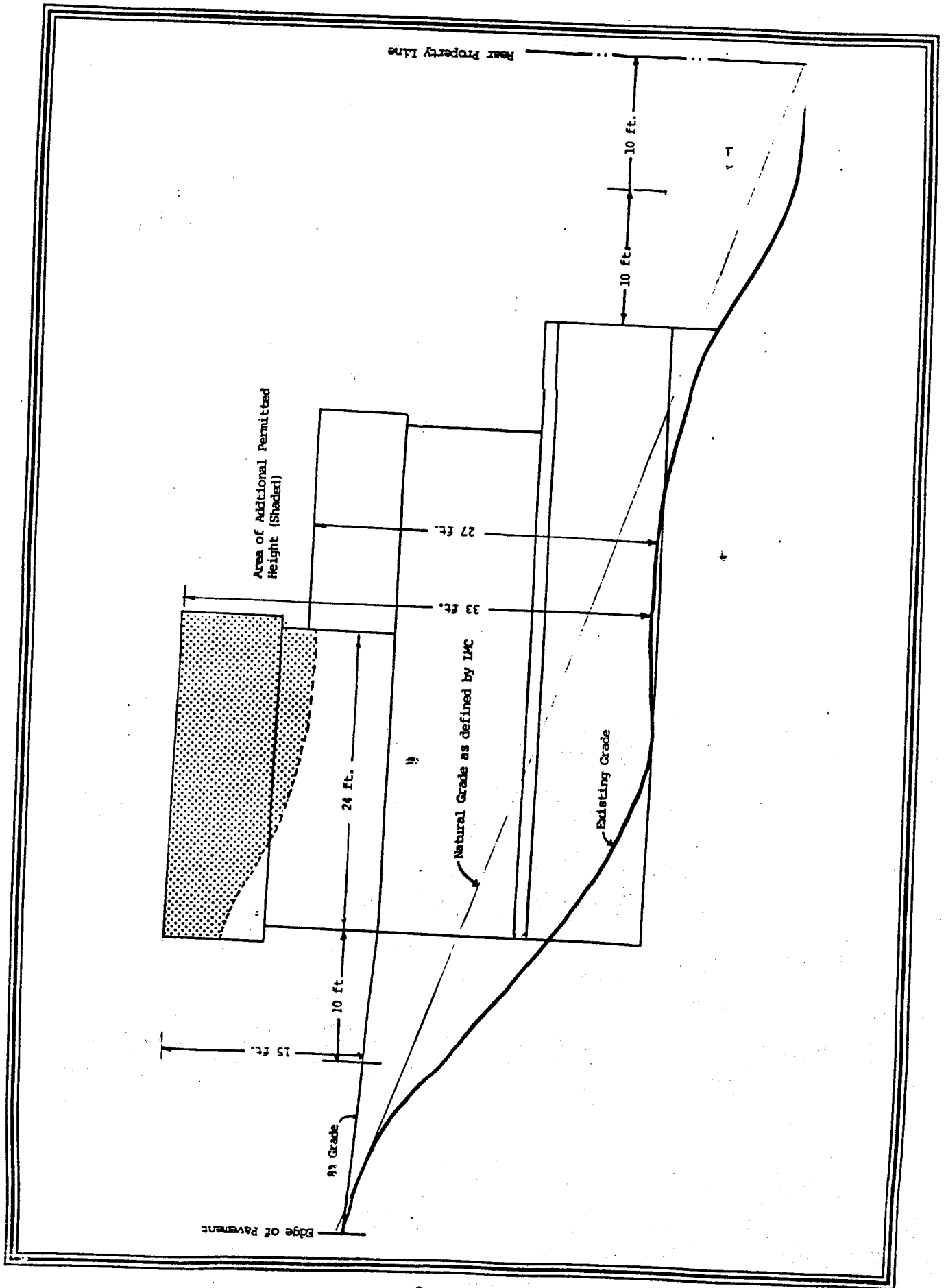
"ATTACHMENT B"

1. A site plan based on a certified topographic boundary survey at 1:10 scale and two foot contours which includes:
 - all existing and proposed improvements;
 - building footprints of adjacent existing and proposed buildings;
 - finished grades;
 - on and off-site circulation;
 - parking;
 - snow storage;
 - existing and proposed easements;
 - utility locations;
 - drainage facilities;
 - all proposed landscaping materials
2. All building elevations drafted to quarter-inch scale with the elevations referenced to USGS datum demonstrating:
 - existing ground surfaces
 - finished grade
 - top of foundation
 - finished floor elevation
 - roof line
 - highest point of structure
3. All floor plans and building sections at quarter-inch scale.
4. Four photographic panoramic views of property showing site from the perimeter of the property from 90 degree compass intervals.
5. Photographs of all existing buildings on-site, adjacent lots, or any other building that may be affected.
6. A streetscape elevation for each side of the street of 1/8 that indicates the height, width, and building separation for all buildings in existence and to be constructed, with all windows and door openings included. The drawing shall encompass an area within 100 feet on either side of the subject property.
7. An architectural impact statement which describes the design intent and how the project meets the Park City Historic District Design Guidelines.

NOTICING REQUIREMENTS:

1. Once the Community Development Department determines the new residential construction complies with the Historic District Design Standards, the subject property shall be posted and written notice sent to property owners immediately adjacent (properties directly abutting and across public streets and/or rights-of-way) to the property. The property posting will establish a 10 day appeal period. *See the Land Management Code for appeal process.*





PAYCHEX®

DATE December 3, 1995
TO Park City - City Council
FROM Ken Duffaut
SUBJECT Height limitations and set backs
in Historic District

Dear Council Members:

I live at 213 Park Avenue in Old Town. Although in the historic district, I do not live in a home on the historic register. The homes built 2 years ago adjacent to my property were built to the maximum height of 33 ft with 3 ft set backs with variances at that for the corner property to get more square footage. When I objected to such a massive structure causing me to live in a fish bowl my pleas were ignored. The lack of adequate parking and increased density made no argument and the buildings were approved. Now that all these massive structures have been granted you want to restrict what few remaining lots or buildings can do. Isn't this like closing the barn door after the animals are already out? To insist that I must build at a 27 ft height with

MEMO

2 additional feet side setbacks and

(over)

33000 9/88

an additional 5 feet front and back setbacks is an effective taking of my property and requiring me to continue living in a fish bowl when I build.

Another idea rather than just setting height and setback limitations in stone would be to allow new buildings to be built to the same height and density of adjacent property so the buildings in old town are compatible with each other and not out of scale with the surroundings.

I feel it is too late to restrict the height. The damage is already done. By restricting those who now want to build, you are taking away any possibility of views or light or future economic benefits while giving unfair advantage to those who have built to the maximum.

Thanks for your consideration.

Sincerely,

Ron Ruffert
P.O. Box 3252

