



**PARK CITY PLANNING COMMISSION MEETING
SUMMIT COUNTY, UTAH
July 22, 2020**

PUBLIC NOTICE IS HEREBY GIVEN that the PLANNING COMMISSION of Park City, Utah will hold its Regular Planning Commission Meeting at the City Council Chambers, 445 Marsac Avenue, Park City, Utah 84060 for the purposes and at the times as described below on Wednesday, July 22, 2020.

ATTENTION

ATTENTION - NOTICE OF ELECTRONIC MEETING & HOW TO COMMENT VIRTUALLY:

This meeting will be an electronic meeting as permitted by Park City Open and Public Meeting Resolution 18-2020, adopted March 19, 2020. Some Commissioners will connect electronically and some will meet in Council Chambers. Public comments will be accepted in person or virtually. To comment virtually, use eComment or raise your hand on Zoom. eComments submitted before the meeting date will be attached to the packet as appendices. eComments submitted on Commission meeting days will be read aloud. For more information on participating virtually and to listen live, please go to www.parkcity.org

MEETING CALLED TO ORDER AT 5:30 PM.

1.ROLL CALL

2.MINUTES APPROVAL

- 2.A. Consideration to Approve the Planning Commission Meeting Minutes from July 8, 2020.
[PC Minutes 07.08.2020_Pending Approval](#)

3.PUBLIC COMMUNICATIONS

4.STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

5.CONTINUATIONS

- 5.A. Park City Mountain Resort Base Parking Lots - MPD Modification - Replace Expired Exhibit D of the DA, the 1998 PCMR Base Area Master Plan Study Concept Master Plan, With a New Master Plan, Known as the Park City Base Area Lot Redevelopment Master Plan Study. PL-20-04475.
Public Input will be taken via e-comments
(A) Continuation to August 26, 2020
[PCM Base Staff Report Continuation](#)

6.WORK SESSION

- 6.A. Work Session -- Lot Combinations in Historic Districts -- Postponed to September 9, 2020

- 6.B. Master Planned Development Work Session
[Master Planned Development Work Session Staff Report](#)
[Exhibit A: Land Management Code Draft Redlines](#)

- 6.C. Affordable Housing Work Session
[Affordable Housing Land Management Code Amendment Update Staff Report](#)
[Exhibit A: Affordable Housing Land Management Code Amendment Background](#)

7.REGULAR AGENDA

- 7.A. Prospector Log G Public Access Easement for Rail Trail – The Prospector Square Supplemental Amendment to Lot G Amended and Restated Plat Proposes to Maintain and Provide a Pedestrian and Bicycle Access Between the Rail Trail and Prospector Avenue in Perpetuity and to Define Maintenance Agreements.
(A) Public Hearing (B) Possible Recommendation to the City Council on September 17, 2020
[Prospector Lot G Staff Report](#)
[Exhibit A: Draft Ordinance and Attachment 1](#)
[Exhibit B: Current Plat](#)
[Exhibit C: Applicants Written Description](#)
[Exhibit D: Existing Conditions Survey](#)
[Exhibit E: Aerial Photograph](#)
[Exhibit F: Site Photographs](#)
[Exhibit G: Prospector Square Parking Agreement](#)
[Exhibit H: Prospector Square Parking Study](#)

- 7.B. Land Management Code (LMC) Amendment – Proposal to amend the LMC to address inconsistencies and amend prohibited siding and roofing materials. The proposed LMC amendments would affect LMC 15-2.1, 15-2.2, 15-2.3, 15-2.4, 15-2.5, 15-2.6, 15-4, 15-5-5, and 15-15.
(A) Public Hearing (B) Possible Recommendation to the City Council on September 17, 2020
[Staff Report](#)
[Attachment 1: Proposed Redlines](#)

8.ADJOURN

A majority of PLANNING COMMISSION members may meet socially after the meeting. If so, the location will be announced by the PLANNING COMMISSION Chair Person. City business will not be conducted. Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the Planning Department at 435-615-5060 or planning@parkcity.org 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 meeting attendees that park in the China Bridge parking structure.**

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
JULY 8, 2020

COMMISSIONERS IN ATTENDANCE:

Chair John Phillips, Sarah Hall, John Kenworthy, Mark Sletten, Laura Suesser, Doug Thimm, Christin Van Dine

EX OFFICIO: Planning Director Bruce Erickson; Hannah Tyler, Planner; Alexandra Ananth, Planner; Rebecca Ward, Planner; Mark Harrington, City Attorney

The Planning Commission meeting was conducted virtually via Zoom.

The public was able to submit eComments during the meeting.

Determination of Health and Safety Risk under Open Public Meetings Act (OPMA)

Chair Phillips read the Determination of Health and Safety Risk under OPMA. Notice of electronic meeting and how to comment virtually. The meeting will be an electronic meeting without an anchor location as permitted by Utah Code Open and Public Meetings Act Section 52-4-207(4) as amended June 18, 2020, and Park City Resolution 18-2020 adopted March 19, 2020. The written determination of a substantial health and safety risk, required by Utah Code section 52-4-207(4) attached as Exhibit A.

The Commissioners will connect electronically. Public comments will be accepted virtually. To comment virtually, use eComment or raise your hand on Zoom. eComments submitted before the meeting date will be attached to the packet as appendices. eComments submitted Planning Commission meeting days will be read aloud. For more information on participating virtually and to listen live, please go to www.parkcity.org

Chair Phillips read from Exhibit A, Determination of Substantial Health and Safety Risk. On July 8, 2020, the Board Chair determined that conducting a meeting with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location. Utah Code Section 52-4-207(4) requires this determination and the facts upon which it is based, which include the percent of positive Covid-19 cases in Utah has been on the rise since May 27, 2020. Positive cases from testing have increased from 4.96% to 9.23% during the month of June, and COVID-19 patients in Utah hospitals have increased during the same time period. As of June 25, 2020, there have been 158 deaths in Utah due to COVID-19. Summit County has the third highest case rate of COVID-19 in the state.

This determination is valid for 30 days and is set to expire on August 8, 2020.

ROLL CALL

Chair Phillips called the meeting to order at 5:40 p.m. and noted that all Commissioners were present.

APPROVAL OF MINUTES

June 24, 2020

MOTION: Commissioner Sletten moved to APPROVE the Minutes of June 24, 2020 as written. Commissioner Kenworthy seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC COMMUNICATIONS

No comments were submitted on items not on the agenda.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Planning Director Erickson introduced David Everitt, the new Deputy City Manager who will be focusing primarily on external affairs. Mr. Everitt will be handling community development, engineering, and housing.

Mr. Everitt stated that he has been working in the Deputy City Manager role for more than three months. Prior to that, he was on contract to work on the Arts and Culture District project, which is still in his portfolio. Mr. Everitt stated that before coming to Park City he was the interim County Manager in San Juan County for a short period of time. Prior to that he was the City Manager in Moab for three years. He also worked for former Salt Lake City Mayor Becker as his Chief of Staff and Chief Operating Officer for eight years. Mr. Everitt was very excited to be working for Park City on community development and other issues.

Commissioner Sletten disclosed that he has occupied commercial space at Park City Mountain Resort for over 20 years. He has no contracts or relationship with PEG Development. It would not affect his ability to discuss or vote on the proposal. He clarified that this was only a disclosure and not a recusal.

Commissioner Kenworthy disclosed that Matt Hutchinson served as his attorney for many years. He noted that Mr. Hutchinson had forwarded a position on the nightly rental issue; however, he did not feel it was necessary to recuse himself from discussing that item.

WORK SESSION

5.A. Quarterly Commission Discussion – Topics may include Transportation, Housing, Height Exceptions, Parking, and Annexation.

Director Erickson reported that the MIDA project on the Jordanelle west side was approved in Wasatch County for several thousand units. An additional 1,000 units may be coming through the Hideout project by Black Rock. The Silver Creek project, north of Home Depot, is approximately 1300 acres. The project by Skull Candy is trying to revise their approval to deliver an additional 1,000 units of housing.

Director Erickson stated that the Staff was trying to determine how to make transportation and transit work. At this point, the Staff does not have an understanding of the parking and how it will work. Director Erickson wanted the Planning Commission to be aware that the externalities are bigger than the internal discussions that have taken place.

Planner Ward presented slides showing updates to the topics the Planning Commission had requested to be noticed for discussion, which were transportation, housing, height exceptions, parking, and annexation. She reported that the City's Transportation Master Plan was on hold until Vision 2020 is complete, which was also on hold due to the pandemic, Vision 2020. She expected that topic to come forward later this year. Planner Ward stated that the Short-Range Transit Plan will be initiated in the Fall to update the Plan. A new Park and Ride is proposed by Quinn's Junction near the Highway 40 and SR248 intersection.

Planner Ward commented on Housing and noted that the Staff was preparing a work session at the next meeting to go over increased height and reduced parking specific to affordable housing. They would also be presenting updates to the Housing Resolution that are in progress. Planner Ward stated that on June 11th, the City Council provided direction on Housing Resolution Amendment that may open opportunities for LMC amendments.

Regarding annexation, Planner Ward stated that the City was still preparing annex City-owned properties.

Director Erickson reported that the following evening, the City Council would begin a discussion on planning for Park Avenue in terms of how parking can work, whether they can achieve a more complete street, and plans for transit.

Commissioner Kenworthy asked for an update on the Hideout annexation and whether there was a time frame for their annexation process. Planner Ward noted that there were changes to State law regarding annexations, and the Staff was looking into the impacts of those changes. However, at this point she was not aware of any specific timeline for the Hideout annexation.

Commissioner Sletten recalled that several months ago Director Erickson was working aggressively to expand a little further to the Richardson Flat area. He asked if anything had moved forward from the City's perspective. Director Erickson replied that he was not aware of anything new at this point. The annexation policy was in place, but the Staff had not received any direction from the City Council to proceed. Director Erickson stated that the City Council and the Summit County Council were in conversations about Richardson Flat.

Director Erickson stated that the City was proceeding forward with the Park and Ride at the northeast intersection of Highway 40 and SR248. They were still determining whether that area needs to be annexed.

Commissioner Sletten stated that in looking at the plans, he thought it appeared to be preemptive, which he thought was a good move. There were some areas north of Highway 40 and areas east and slightly south of Highway 40. Commissioner Sletten asked if the Commissioners could communicate individually with the City Council. Director Erickson thought the Commissioners could communicate their concerns, but hard conversation needed to take place with Summit County before moving forward. The City is also aware of a couple of development proposals in that neighborhood. Director Erickson noted that they were talking about a tiny sliver of land north of SR248. All the other ground with development restrictions are south of SR248. The City owns the Clark Ranch.

Commissioner Suesser asked if the sliver of land is on the east side of the underpass before reaching the ramp to Highway 40 going north. Director Erickson replied that the Park and Ride is on the east side of the underpass, but the sliver of land is everything from the Old Frontage Road up to Black Rock Ridge. Commissioner Suesser clarified that it was just east of the frontage road. Director Erickson answered yes. Commissioner Suesser asked for the number of parking stalls. Director Erickson thought they were looking at 500 stalls. He explained that the Park and Ride is between the Old Frontage Road and the new on-ramp, and it runs north and south. The sliver of land that runs with the mine claims and Richardson Flat runs east west. The Park and Ride comes off the Old Frontage Road and runs over UDOT property over to Highway 40.

Director Erickson reiterated that he was not anticipating hearing much more from the City Council on annexation until they have more conversations with the Summit County Council on land use decisions.

In terms of transportation, Director Erickson stated that the Staff was focused on trying to make sure transit and transportation work perfectly with Arts and Culture and into the Iron Horse District. They were still trying to figure out the relationship on these larger projects to see how they could make them work within the Transit and Transportation Planning. Director Erickson noted that the City was in the process of negotiating a third-party transportation study for the Base of Park City Mountain Resort. He stated that the main concern is making sure that transit works and that they will not need to increase the number of cars going into the Base unless absolutely necessary.

Commissioner Sletten commented on electric bikes and how much more the use has increased over the last two years. Three years ago, no one ever imagined they would see the extent of this type of transportation in Park City. Commissioner Sletten remarked that transit and transportation typically relate to buses and cars. He suggested thinking outside the box and giving more thought to electric bikes.

Director Erickson noted that electronic vehicle charging stations was on the agenda this evening. He believed they would eventually hear comments from the Staff regarding bicycles, although bikes are difficult during the winter. Director Erickson stated the City was working as hard as possible to deliver 100 EV charging stations this year. The electric bikes charge out of a normal 110v plug. The Staff was proposing a 220v phased plug for Level 2 EV vehicles.

Commissioner Sletten asked if there are other types of transportation being considered that would eliminate increasing transportation issues besides buses and cars. Director Erickson replied that the planning had not completely worked through all the demand for park and rides. It is still unknown what exactly they need to do. He was unsure whether aerial transportation would work, and it is very expensive. The City needs to decide whether to run aerial transportation to Richardson Flat, and if they do, how do they attach the Park and Ride at Quinn's Junction to the aerial transportation and where do they drop off the riders. The purpose of these quarterly conversations is to outline the issues that the Staff is trying to figure out in an effort to find the answers. Director Erickson stated that a Rapid Bus Transit lane is considered inside the Transportation Study.

Director Erickson was concerned that the large developments outside of Park City jurisdiction are not well served with transportation, and the population of those developments are not public transportation dependent. He anticipated a huge increase

in shuttle services similar to Promontory, Victory Ranch, and the Montage. The City Council is not interested in adding additional parking on Main Street or at the Resorts if it can be avoided.

Commissioner Kenworthy commented on the transportation component and asked if there was agreement with the MIDA and Hideout areas to work with Park City on ways to funnel people into SR248. Director Erickson replied that proposals are being discussed for signalized intersections on SR248 in Hideout. When they did the annexation study, he, Planner Ward, and the Mayor committed to work with Hideout on doing a cooperative trails system over to Hideout. Director Erickson stated that at this point they did not fully understand the impact of the Jordanelle Parkway, which is the back road between Hideout and Mayflower.

Planner Ward stated that there are blueprints on a regional basis for transportation in collaboration with Wasatch County. When the work session on connectivity is scheduled, she will provide background information on what is being proposed to achieve a transit connection.

Commissioner Hall echoed Commissioner Sletten's comments on how e-bikes are revolutionizing the community. She thought that was evident by the number of Commissioners who e-biked to the site visit earlier today. Commissioner Hall thought there was still room for improvement because there are very few places to park a bike on Main Street. There is no bike parking at PCMR. There are very few places generally throughout town. She noted that some of the bike paths are in great condition, but others have terrible divots. When biking down Park Avenue there is a beautiful bike path that dead ends at Deer Valley, making it unsafe to continue on to Park Avenue. Commissioner Hall would like to see the bike paths safer and more user friendly.

Director Erickson stated that their points were well taken on how to accommodate e-bikes. He understood that changes to Park Avenue are being contemplated do a better job of accommodating bikes. He anticipated future conversations regarding some of the Old Town streets in terms of sidewalks versus big bike lanes.

Planner Ward reported that transportation planning was also in the process of creating an ordinance about prioritizing different modes of transportation. The Staff will follow that process as they look to the walkability study.

Planner Ward stated that the affordable housing work session was scheduled for July 22nd. Director Erickson suggested that they could give serious consideration to raising the housing requirements on some of the larger employers. Currently, the requirement

is between 10-20%, leaving thousands of employees without housing. It has no effect on the housing demand for the construction industry. Director Erickson believed there was a huge demand for housing on the edges of the community, Kimball Junction, and Heber.

Commissioner Suesser thought it was imperative to have a very walkable community, especially since the King's Crown project and the Base project will put substantially more people in Old Town. It is vital for people to walk safely on Old Town streets and she requested that it be a priority. Commissioner Suesser likes bikes lanes and the idea that more people are starting to use e-bikes. However, Park City has a long winter season and she questioned how much bikes are used during the winter. People are always walking around, and they need to make sure it can be done safely.

Director Erickson commented on height exceptions. He noted that there are two elements in the height exception question. Planners Ward and Tyler will attempt to answer one question at the July 22nd work session. The other one is inside of the MPD ordinance about how many exceptions can be given versus the amount of density; and whether or not they were stripping density off of undevelopable area in exchange for the height.

Planner Tyler stated that on July 22nd the Staff will provide an update on affordable housing. They were in the process of getting a third-party analysis on both the height increase and the parking reduction. On July 22nd, the Staff will provide an in-depth analysis on the scope of the third-party analysis. Planner Tyler thought it was a good decision to use a third party. The Staff will come back in the Fall with the findings of that analysis and to help get clear direction from the Planning Commission. Planner Tyler reiterated that Covid-19 delayed Vision 2020 and other things that would help answer some of these questions. She hoped to gain momentum as they put together these contracts and the scope of work.

Commissioner Hall asked if the affordable housing update would include the accessory dwelling units. Planner Tyler replied that it would be affordable housing in general. They were waiting for the third-party analysis to look the parking reduction before they bring back the accessory dwelling units. They believe some of the planning principles can be taken out of the analysis for affordable housing and bring that justification for parking reductions into the ADU discussion. Planner Tyler stated that the Staff wanted to make sure they have all the facts before proposing any amendments.

Chair Phillips asked if it was possible to merge affordable housing and the ADU conversations because they are similar and would have similar incentives to generate

affordable housing. Planner Tyler thought they could do two work sessions back to back to consider some of the same facts on the same night.

Commissioner Kenworthy commented on the analysis that will provide information on reducing parking, increasing height, and decreasing setbacks. He asked if the analysis would connect with development costs and the benefits of the City working with the private sector. The question is whether the height and parking reduction allows this to be cost effective for a private developer. He asked if that will be answered by this analysis. Planner Tyler stated that they were using the same consultant that did the affordable housing code and recommended the initial setback reductions. They have already done a proforma for several different sites and contemplated what could make them pencil. Some of those things included height increases and parking reductions. The consultant will contemplate the initial proforma, and also be looking at other municipalities with similar codes that allow a height increase for the density bonus and the parking reduction. They will also provide examples of developments that were actually built using the codes they cite. Planner Tyler was hopeful that with examples of buildings that were developed using a code, it would help them give an idea of what it will look like, but also the feasibility of it working. The goal is that any analysis will be able to guide them to producing a code that will not only incentivize development for affordable housing, but also achieve a product they want to see.

Commissioner Kenworthy asked if the analysis will also address City subsidies. Planner Tyler answered no. She remarked that in the ADU conversations there were recommendations on additional funding from that third-party review. The Staff will be taking that entire package back to the City Council and they can talk about subsidies at that time.

Planner Ward stated that the original report the consultant provided with the proforma included some examples of different city subsidies in different scenarios. She thought they could update that information with the study on height and parking.

Chair Phillips stated that in his years on the Planning Commission, the Central Park Condominium project was his favorite project. He noted that the height exception was a huge component of in allowing the original developer to get to the place where it actually penciled out. Chair Phillips thought they could make good progress if they get good advice.

Director Erickson stated that he, Planner Tyler, and Planner Ward needed to determine where additional height is appropriate in the community. They were specifically looking at some of the City affordable housing locations and whether or not additional height

could work. Redevelopment in the Iron Horse District may affect how they address height.

Commissioner Thimm stated that in talking about building heights, there are “magical” heights for different types of building materials or different fire ratings of buildings that they might want to look at in terms of maximum heights. He noted that code limits change dramatically at set points that are cost/square foot for construction. Commissioner Thimm suggested looking at those magical heights.

Planner Ward summarized direction from the Planning Commission this evening. They would like the walkability and connectivity updates to consider e-bikes, as well as other modes of transportation, especially in the winter season. Updates on regional plans and transit plans, and efforts to connect MIDA, Hideout, and the City. Look at walkability, specifically at the Resort redevelopments. Merging the affordable housing discussion with AAUs and making sure there is a proforma and consideration of City subsidies. Look at the Central Park condos for height exceptions. Look at fire ratings and different ways that the LMC might limit height exceptions.

Commissioner Suesser clarified that her comment on walkability was specific to Old Town and not the resort base.

- 5.B. The Commission will Consider a New Section in the Land Management Code to Establish Uniform Design, Installation, Maintenance, and Signage Standards for Electric Vehicle Charging Stations and Electric Vehicle Charging Station Installation Requirements for Development and Redevelopment.
(Application GI-20-00429)

Planner Ward reported that the Planning Commission reviewed this amendment at the June 10th work session. The Staff was looking for direction on a few remaining items evening, and they come back in a few months with the final proposed code.

Planner Ward presented a slide showing the City installed EV charging stations at the Brew Pub parking lot.

Planner Ward reported that the Staff was moving forward with the definitions in the Uniform Standards, and also making sure it is clear in the Code that charging stations are an allowed accessory use in all the main districts.

Planner Ward presented four potential options. Some communities require that new single family that new single-family dwelling, duplexes, and triplexes are EV ready. The second option is ensuring that there is conduit for a certain percentage of parking

spaces for new development and redevelopment. The third is possibly requiring that EV charging stations be installed for a number of parking spaces. The last option would be for solar arrays.

Planner Ward stated that if they were to amend the Code to require new single-family dwellings, duplexes, and triplexes be EV ready, a garage would include a 240v outlet on a dedicated circuit. In researching this option, she found that the cost would be minimal. Many developers already add these outlets in the garage, and it is similar to installing an outlet for a dryer. It can be reviewed and permitted as part of the building permit. Planner Ward clarified that for single-family dwellings that require two parking spaces, only one EV charging installation would be required. Duplexes that require four parking spaces would require two EV charging installations. Triplexes would require one EV charging installation per unit.

Planner Ward commented on the second option is the 10% requirement that conduit would be installed at the time of construction. She noted that requiring the baseline of 10% in the future could be expanded to accommodate additional EV charging stations.

Planner Ward presented a slide showing the EV charging stations that were installed at City Park. She stated that the majority of the charging stations installed by the City are dual port stations. If they go a step further and require that a number of all parking spaces for non-residential developments and multi-unit dwellings have EV charging stations installed, they could start with requiring a dual port installation per number of parking spaces. Planner Ward thought they could provide an opportunity to meet ADA requirements for one of the spaces that does not need to be exclusive for ADA use.

Planner Ward noted that the Planning Commission had asked the Staff to look into solar arrays or solar canopies. One of the considerations is the City's efforts to collaborate with Rocky Mountain Power under the Community Renewable Energy Act, where by 2030 the City's energy will be produced by renewable resources. Planner Ward stated that if they wanted to incentivize on-site renewable energy over these parking lots, they would look to Code amendments to ensure that the visible impacts are mitigated, especially in the historic districts.

Planner Ward requested feedback from the Planning Commission on whether to require single-family homes to have EV ready conduit. She noted that currently, most homes could easily accommodate a level one charging station where the vehicle plugs into an outlet that has its own dedicated circuit. Planner Ward asked if the Planning Commission was interested in going a step further and requiring these homes to be EV ready.

Chair Phillips asked if Planner Ward had an estimate of the additional cost to new construction. Planner Ward believed it was approximately \$500 for a 240v. Chair Phillips supported that requirement and he believed they would be doing the future homeowners a favor. Commissioners Thimm, Sletten, and Hall concurred.

Commissioner Suesser asked if the City requires low flow toilets in Park City. Planner Ward was unsure. Commissioner Suesser questioned where they should draw the line on what the City should require. In her opinion, low flush toilets have been around for a long time and they should be required, especially in Utah. Commissioner Suesser was in favor of the EV charging stations, but she was unsure how they could justify that requirements as opposed to requiring a low flow toilet.

Commissioner Thimm believed the Building/Plumbing Codes already govern low flow toilets. He thought they were mandated by the State. Commissioner Suesser asked if anyone knew for sure that low flush toilets are mandated. Director Erickson offered to talk to the Chief Building Official and send that information to the Commissioners.

Chair Phillips understood that items such as low flush toilets are covered under the Building Code and not the LMC. Director Erickson clarified that it is governed by the Plumbing Code. Commissioner Suesser asked why an EV charging station in a home would not be addressed in the Electrical Code. Commissioner Thimm stated that an energy Code is readopted by the State every three years and update certain mandates for design of facilities. He assumed the Energy Code may include that requirement in the future.

Planner Ward reported that the Staff did some outreach with the Chief Building Official and the Sustainability Manager to see whether there were any conflicts between the Codes. They had not identified any conflicts specific to what was being proposed this evening.

Commissioner Hall was strongly in favor of requiring the EV charging station outlets for new single-family dwellings, duplexes, and triplexes. She thought the cost to add it to new construction would be nominal because electricians are already on site.

Planner Ward asked for Planning Commission feedback on the option to require that the conduit be in place for non-residential developments and for multi-unit dwelling development. The requirement would be to have infrastructure in place to support 10% of the total parking spaces for the project. Planner Ward reported that the Staff looked into additional costs, and the studies they found were outside of the State of Utah. One study in California found that the cost was \$280 per parking space for a garage retrofit and \$760 per parking space in a parking lot. Planner Ward pointed out that retrofitting

per parking space can run as high as \$7,000-\$8,000 per parking space; depending on what is being retrofitted. Planner Ward noted that the City has been installing the EV charging stations and comparing the cost of retrofitting parking lots versus installing EV charging station conduits for some City projects. Doing it upfront definitely saves time and money.

Commissioner Thimm asked if the 10% was a consensus amongst other cities. Planner Ward stated that the Staff looked into other city codes and it ranges; however, 10% was the average of all the codes.

Commissioner Hall favored the requirement. She spoke with Luke Cartin, Sustainability Manager, prior to this work session, and he thought laying the conduit would have a major positive impact on the community because the barrier is so high to retrofit.

Chair Phillips asked if 10% is enough if Park City is trying to be progressive on sustainability. He favored 10% but he was also in favor of considering a higher number.

Commissioner Thimm asked if 10% of the stalls would only be available to an EV vehicle. If that is the case, increasing the percentage would actually reduce the number of parking stalls. Chair Phillips clarified that they were only talking about running the conduit for those spaces. For that reason, if it is not a significant cost, he would lean towards increasing the percentage. Commissioner Thimm was also in favor of an increase.

Commissioner Van Dine asked if there was any type of incentive for a developer to consider going above and beyond 10%. Director Erickson stated that there were no incentives at this point, and the Staff would take her comment to the City Council.

Director Erickson remarked that they do not understand the effective EV charging stations on ADA, POB parking at this point. They do not yet understand how taking 10% out of a parking model and trying to reduce parking will work. The Staff was trying to sort out the issues. He was unsure if the 10% average was in an urban setting or a resort setting. Director Erickson thought Planner Ward took a big step forward in requesting a Level 2 charging station rather than a Level 1 charging station. The result is a major change in the amount of time it takes to charge a vehicle and the distance traveled per charge. He noted that the Staff would look into it further.

Planner Ward clarified that the Staff had looked at urban settings and resort settings. She noted that different cities have different provisions in their code for these requirements.

Planner Ward noted that option 3 would require an installation of a Level 2 dual port charging. The Staff provided examples of different parking lots in the community and the amount of parking spaces in these areas, and what that would look like for requiring the installation of EV charging stations. Planner Ward reported that the parking manager was bringing forward a Code amendment to the City's Parking Code that will enable the City to enforce EV charging station parking restrictions. Planner Ward stated that the range of the parking space trigger for these installations range from as few as 25 parking spaces to as many as 200 parking spaces. The Staff recommended starting with 100 to 150 parking spaces as the initial trigger. She pointed out that while the City is installing 100 EV charging station for public use, and the City's charging stations are free for public use, it is difficult to study the demand because with this current pandemic the City is not experiencing its usual traffic and parking. Planner Ward stated that if they were to start the Code with requiring installation at approximately 100 parking spaces, it would be a dual port charging station for the Boneyard parking lot. If they went higher to 125 spaces, it would be the size of the City Library parking lot and the parking lot across the street, or the Fresh Market parking lot with 150 parking spaces.

Planner Ward stated that if they require an initial installation of a dual port, currently there are not any federal regulations on ADA requirements for EV charging stations, but there may be in the near future. With a dual port installation, one of the spaces could be ADA compliant, but it would not need to be reserved exclusively for ADA charging. The other space could be reserved exclusively for EV charging.

Planner Ward requested feedback on taking this additional step. If the Commissioners would like to see it in the Code, she would like them to identify an appropriate trigger.

Commissioner Thimm thought the trigger should be 100 stalls. He believed there will be more and more EV vehicles as time goes on. In his opinion and experience, the dual port was definitely the right choice. He stated that making one space accessible was the right thing to do. Chair Phillips concurred.

Commissioners Kenworthy, Sletten, Van Dine and Suesser agreed with Commissioner Thimm's comments.

Commissioner Suesser assumed the people who need an EV charging station for their electric vehicle are people commuting to Park City. Someone running to the Library or to the Park or driving from Pinebrook or Promontory to go to dinner on Main should not need to charge their vehicle to get home. If the charging stations are mostly for people driving longer distances, they should be in places such as China Bridge and other places where people come into town from further away. Commissioner Suesser

clarified that she was not that familiar with EV cars, and she asked if a resident would need to charge their vehicle if they drive it from home to the grocery store and back home again.

Planner Ward thought Commissioner Suesser made a good point. When they were looking into other codes, they found that some codes are very restrictive and require an EV parking station to be installed in a space closest to the building entrance. It might not make sense for a grocery store, but for the property owner to have flexibility and to locate the charging station where the employees park, they find the charging station gets more use. Planner Ward stated that the Staff was drafting the Code to allow more flexibility so the property owner would have discretion on where to locate the chargers and how they are used. Research shows that EV chargers are better used when they are not too restricted. Planner Ward offered to look into further examples.

Commissioner Van Dine stated that her friends who have electric vehicles and low speed chargers at home definitely take advantage of charging their vehicles at every place possible around town. People who live in Promontory and Jeremy Ranch use the public chargers in Park City. Commissioner Van Dine favored giving the property owners flexibility to place the chargers where they will get the best and most use.

Planner Ward commented on the solar arrays option. Considering the City's goal to transition to renewable energy by 2030, she asked if the Planning Commission wanted the Staff to look into possibly accommodating solar arrays through the LMC to provide on-site energy for EV charging stations and potentially for the buildings.

Chair Phillips understood that Planner Ward was talking about standalone feature and not rooftop. Planner Ward answered yes. In looking into freestanding arrays for EV charging stations, what she has seen so far is a canopy similar to a carport. She offered to look into freestanding solar to find other options that might be feasible. Chair Phillips was not opposed to solar, but he thought they needed to be more mindful in Old Town. He was concerned with how a freestanding or carport version would fit in Old Town.

Commissioner Sletten thought it was worth having the Staff come back with ideas for solar. He could see some limitations, but also positive universal aspects. Commissioners Suesser and Hall concurred.

Chair Phillips opened the public hearing.

Planner Ward noted that she had received one public email that was attached to the Staff report as an exhibit.

Planner Ward read into the record a second email she had received from Jake Jorgensen with Jorgensen Builders.

Mr. Jorgensen stated that he got a message from the PCAHBA about this being a topic at the meeting. He did not think EV charging stations should be required for any development, and for sure any single-family or multi-family dwellings. While a good idea, he did not think they should be required as part of a new project because it is additional cost for something that is not a life and safety issue. It is only a nice option to have.

Chair Phillips asked if Mr. Jorgensen was referring to the conduits or the arrays. Planner Ward believed he was specifically referring to the EV ready and the conduit.

Planner Ward reported that the Staff reached out to the Park City Homebuilders Association, developers, and the City Advisory Committee on Sustainability for input. The Planning Department was interesting in receiving additional public input.

There were no other e-comments during the discussion, and no one raised their hand on Zoom.

Chair Phillips closed the public hearing.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

- 6.A. Park City Mountain Resort Base Parking Lots - Determination of Significant Modification - Determination on whether or not the applicant's submittal meets the definition of a substantive modification as defined under LMC Section 15-6-4(I), MPD Modifications, which states that "Changes in a Master Planned Development, which constitute a change in concept, Density, unit type or configuration of any portion or phase of the MPD will justify review of the entire master plan and DA by the Planning Commission, unless otherwise specified in the DA. (Application PL-20-04475)**

Chair Phillips announced that the Planning Commission did a site visit from 3:00-5:00 p.m. today prior this meeting. The applicants gave a walking tour and balloons were up to demonstrate the height. Markers were on the ground and pamphlets were handed out. Factual questions were asked and answered. There was very little dialogue in

terms of opinions. Chair Phillips thought the site visit was very successful. There was good participation from the community, the applicant, and everyone involved.

Director Erickson noted that there were questions regarding the operation of the parking lot and the operation of the bus system and drop off at the lower parking lot; and the developer responded to those questions.

Planner Ananth stated that the Staff was requesting a formal determination from the Planning Commission on whether or not the applicant's submittal meets the definition of an MPD modification, which constitutes a change in the concept, density, unit type or configuration of any portion of phase of the MPD, which will justify review of the entire Master Plan and Development Agreement by the Planning Commission.

The Staff recommendation was that the proposed new plan constitutes a change in concept, density, and configuration. It is, therefore, a substantive amendment or modification to the 1998 Development agreement and MPD and justifies a review of the entire Master Plan and Development Agreement by the Planning Commission. The Staff was requesting a formal vote on this issue this evening.

Planner Ananth stated that as laid out in the May 27th and the July 8th Staff reports, the Staff finds a significant number of differences between the old concept plan and the current application, which constitutes a change in concept, density, unit type or configuration, including, but not limited to, the eight items that she would explain in further detail.

Planner Ananth stated that the shifting of density among the parcels is explicitly prohibited in the Development Agreement, which states that the square footages that were approved under the DA are maximums allowed for each parcel, and that density cannot be transferred between parcels. Planner Ananth presented a chart showing that the applicant's project exceeds the maximum square footage allowed on Parcel C, constituting a change in concept, density, and configuration from the 1998 plan and is a substantive modification to the Development Agreement.

Planner Ananth stated that setbacks and height are another reason for the Staff recommendation. Although the Development Agreement is still in effect, the 1998 site plan has expired, as did exceptions to the setbacks and heights that were granted in concert with the 1998 site plan. Planner Ananth noted that the applicant had newly applied for exceptions to setbacks and heights, which constitutes a change in concept, density, and configuration and, therefore, is a substantive amendment to the Development Agreement.

Planner Ananth remarked that it is difficult to determine whether any above grade parking was counted in the square footage in 1998. There may have been some above grade parking, but it is significantly less than what the developer was currently proposing. Planner Ananth presented the level four floor plan for Parcel B showing that the entire level of parking is above grade, even though it is wrapped by affordable and employee housing, as well as condo space. Planner Ananth stated that in accordance with current LMC, this would be counted as square footage; however, it was not included in the developer's application in terms of their counted square footage. The Planning Department believes this constitutes a change in concept, density, and configuration, and is a substantive amendment to the DA.

Planner Ananth stated that there were significant changes in the pedestrian connectivity between the two site plans, as well in the plaza, the open space, the amount of open space, and the view corridors. She presented a slide showing the view corridor, as well as a pedestrian connection through Parcel B. Planner Ananth pointed out that the plans do not need to match exactly, but the Staff felt the difference constitutes a significant change in concept, density, and configuration, and is a substantive amendment to the 1998 Development Agreement.

Planner Ananth reported that the proposed number of parking stalls is different between the two plans. The 1998 concept plan states that the 1200 surface stalls will be replaced with 1800 underground stalls for the exclusive use of the Resort. The applicant was proposing to replace the 1200 surface stalls, as well as meeting the requirements for their new development, but is not proposing additional parking. The Staff believes this constitutes a change in concept, configuration, and is a substantive amendment to the DA.

Planner Ananth noted that the applicant would need to replace a number of exhibits to the 1998 DA, which constitutes a substantive modification to the Development Agreement. The exhibits to be replaced include the Site Plan; Exhibit H - The Master Phasing and Construction Management Plan; and Exhibits J and K – Traffic and Parking Mitigation Plans.

Planner Ananth stated that the applicant proposes to encroach into the City Municipal Golf Course to facilitate their new roundabouts, as well as proposing a new one-way circulation pattern for the base area. The Staff believes this is a change in concept and a substantive modification to the development agreement.

Planner Ananth remarked that the 1998 Development Agreement analyzes the base area project and ski operations as a whole, in addition to individual elements. However, the current application proposes a bifurcation of obligations in the Development

Agreement and proposes mitigation for the base area development only. Planner Ananth stated that this was challenging because Resort operations and base development are linked, and some combined impacts formed the basis for the mitigation strategy embodied in the original conditions of approval and site plan. The Staff believes this change constitutes a change in concept and is a modification to the 1998 Development Agreement.

The Staff recommended that the Planning Commission take public comment, hear from the applicant, and make a formal determination on whether or not the applicant's submittal meets the definition of an MPD modification.

Commissioner Thimm asked if the proposed plan was to be considered in substantial compliance to the 1998 Development Agreement and the 1997 Design, what approvals would be required by the Planning Commission. Planner Ananth replied that it would require approval of the new site plan and modification of the Development Agreement. A number of exhibits would still need to be updated and reviewed by the Planning Commission, which would result in some changes to the Development Agreement. Planner Ananth pointed out that the site plan has expired and the Planning Commission would need to re-approve the site plan.

Commissioner Thimm noted that per the LMC, these changes in concept, density or other areas justify a review. However, page 41 of the Staff report states, "Necessitates a new MPD and DA". He asked for the difference between "review" in the LMC and "new" in the Staff report. Commissioner Thimm thought this was the crux of the determination that the Planning Commission was being asked to consider.

Planner Ananth stated that in her opinion, a modification means the Planning Commission can look at the entire Master Plan and Development Agreement. Therefore, they would be looking at all the various components of the Master Plan and Development Agreement, including the housing obligations, height and setbacks, square footage, etc. That review would result in either amending the existing DA or writing a new Development Agreement. Planner Ananth anticipated ending up with a new Development Agreement if the Planning Commission believes this proposal is a major modification. There would be a new site plan and the Commissioners would be looking at the project under current Code standards. Rather than amend the existing Development Agreement, she thought it would be cleaner to write a new Development Agreement.

Commissioner Thimm clarified that the LMC only requires a review of the entire Master Plan and DA. If the Commissioners chose to go down the path of a review rather than request a new MPD and DA, he asked if that review would be conducted through the

lens of the existing approved MPD and DA in terms of building height, massing, densities, etc. Planner Ananth answered yes.

Commissioner Sletten noted that page 89 of the May 27th Staff Report compared the total square footages. The difference was 805,977 that was allowed under the existing MPD, and 665,976 currently proposed. He understood that all the parking at the time was going underground and not counted as square footage. Commissioner Sletten pointed out that there was approximately 150,000 square feet difference. He asked how many square feet in the above ground parking garage would need to be counted as additional square footage. Planner Ananth stated that she was trying to determine that number. She believed there was over 100,000 square feet of garage above grade on Parcel B and a smaller amount on Parcel D. Commissioner Sletten thought it was relatively close to the difference between what was approved and what is proposed.

Commissioner Sletten recalled when Doug Clyde was representing Powder Corp., the intent was to entitle and sell, which they did with Parcel B. At the time it was under contract to a hotel developer and their compensation was skier parking underneath the building and commercial space. Commissioner Sletten emphasized that it was completely bifurcated from the operations of Powder Corp. He was having a difficult time agreeing with the current discussions regarding bifurcation, because that was the intent at the time.

City Attorney Harrington stated that the Planning Commission has the ability to make that determination in their complete review to make sure they are comfortable with it. He noted that the Staff and the applicant were not able to agree on qualifying language in either regard. Mr. Harrington clarified that the Staff did not see this as a negative and they were not that far apart from the applicant. The difference is that the applicant could not speak for their potential partner and commit to a complete review, and the Staff could not commit to limiting the Planning Commission's review. Mr. Harrington noted that some of the issues do crossover and the Planning Commission needs to determine whether the current proposal adversely affects those calculations in light of the current standards and mitigation expectations of the Code. For that reason, the Staff was holding to their interpretation.

Planner Ananth clarified that agreeing that this proposal is a substantive amendment means that the square footage tables in the 1998 DA go away. They were not limited to those particular envelopes. She believed it gives the Planning Commission and the applicant more flexibility. Planner Ananth pointed out that if the Planning Commission chooses to go through a new MPD, they would still compare the projects and would be limited to the 352 UEs of vested density; but it would take away the limits on the

parcels. Planner Ananth remarked that exceeding the square footage on Parcel C is less of an issue if they agree that it is a modification.

Commissioner Suesser asked Planner Ananth to speak to a comment by the applicant during the site visit regarding the concession of not to build up the hillside and instead put all the density on the Resort base in exchange for a height exception. That was contemplated during the original MPD and it was being proposed now. Commissioner Suesser stated that if they consider this a major modification and there is a more comprehensive review, she asked if they would be considering the large height exceptions.

Planner Ananth explained that the 1998 Development Agreement specifically granted development rights and height variations in exchange for development restrictions going up the hill. The Planning Commission at that time made the determination that they would rather focus density at the base area than have it bleed up the hill. The entire mountain area was restricted in exchange for transferring some density to the base area, and that came with approval of the overall site plan. There were waivers to setbacks and height, as well as a density waiver since density was transferred.

Commissioner Suesser understood that if the Planning Commission decides that this is a major modification and requires a comprehensive review, they would basically be looking at a completely new site plan. For example, they could consider a different configuration with less height at the base and more density on the hillside. Planner Ananth replied that it could potentially be explored. However, the developer was not proposing to open up any of the restricted terrain and it was part of their agreement with Vail. Chair Phillips preferred to leave it as different configurations could be easily explored.

Commissioner Kenworthy referred to the original Development Agreement and asked if all the parking was to be underground or whether a percentage was to be underground parking. Planner Ananth replied that all 1800 parking spaces were supposed to be underground.

Robert Schmidt, representing the applicant, commented on underground parking under the original site plan. He remarked that while there may have been some discussion and an illusion that it was intended to be underground, it was not designed that way in the Master Plan. They were prepared to demonstrate through the process that the parking was not designed to be all underground and that it could not be built that way, particularly on Parcel B. Mr. Schmidt wanted it clear that the old Master Plan has some issues that were grand ideas, but many are not feasible.

Robert McConnell, legal counsel for the applicant, clarified that PEG Development does not dispute the fact that they were proposing changes and modifications to the previously approved plan. However, they would not be proposing these modifications if they did not think it would produce a better product.

Mr. McConnell did not dispute that if the Planning Commission makes the determination recommended by Staff that would justify a review of the entire Master Plan. He stated that even if they do not make the recommended determination, when a question or concern is raised, the Commissioners would still be asking those questions and asking the applicant to provide additional information. Ms. McConnell stated that if the Planning Commission determines that the changes are substantive and they choose to review the Master Plan, it would not be opposed by the applicant. In terms of the substantive issues the Staff identified as important for review, the applicant is in agreement on those issues. Mr. McConnell clarified that the applicant did not believe it was their place to stipulate as to the Planning Commission's determination.

Mr. McConnell remarked that as they go through the review process, he hoped the agreement that was previously entered into is honored in terms of density allocations and so forth. The applicant was requesting similar exceptions that were previously requested. He recognized the difference in terms of the way parking is configured. Mr. McConnell understood that the Planning Commission would be looking at all issues and proposals. At the end of the process, regardless of how the Commissioners decide to proceed, Mr. McConnell anticipates a modified Development Agreement. Whether it is amended and restated or whether there might be two; one with PEG Development and one with Vail, it will be a new Development Agreement.

Mr. McConnell stated that the applicant does not agree with the notion of a new MPD and does not believe it is appropriate because the LMC does not speak of a new MPD.

Mr. McConnell remarked that if the Planning Commission reviews the entire plan, when they reach the point of making basic findings, he believed they could make all of those findings in the context of a review.

Mr. Schmidt had no further comments, realizing that this was a technical question for the Planning Commission to determine. He looked forward to future meetings where they can get into the substance of the application and their proposal.

Chair Phillips stated that the Planning Commission has an application before them and regardless of which path they take, the Commissioners would still review the proposal and the issues with scrutiny. The question is what process is most appropriate to achieve the best outcome. Chair Phillips thought it was important to understand that previous agreements set the density and height and he thought those agreements

should be honored. Regardless of which path they choose, they all need to work together towards the best outcome. Chair Phillips encouraged a lot of cooperation and good conversations between everyone involved because like the applicant, the Planning Commission wants the project to be as good as possible.

Chair Phillips opened the public hearing.

All the public comments submitted before and during the meeting were entered into the record.

Anyone viewing the meeting on Zoom who wished to make comment should use the "raise your hand" feature on Zoom and they would be able to speak.

Planner Ananth read e-Comments that were received during the discussion.

Debra Rentfrow opposed the development plans by PEG Development. The 35' height restriction on Parcel B would not be an issue if the parking was underground. In addition, the original MPD did not have the majority of the parking on Parcel B. PEG Development made the decision to move it. Ms. Rentfrow noted that the City does not need to accept the developer's plan. They can wait for the right plan and the right company to do the project right.

Jennifer Adler stated that she participated in today's tour of the proposed development of the PCMR lots. She was opposed to the development as it currently stands, and believes it needs to be reevaluated. In particular, the heights and density of the proposed buildings are astounding and would be detrimental to the immediate area and to the town in general. The proposed development would totally dwarf the surrounding area and block the current open views of the mountain. The traffic impact on the residential neighborhood of Thaynes Canyon will be significant. Skiers already use Three Kings Drive as a back route to the PCMR lots. Currently, there are issues with the volume of cars, the speed of cars, and the safety of residents who walk along the road at all times of day. This becomes worse in winter due to the higher traffic volumes and narrowing of the road due to snow. Adding a second bus route was a big issue for the residents last winter and they hope it will not be repeated. Encouraging more traffic on Three Kings Drive and the placement of parking lots and lot entrances and exits adjacent to the health clinic on Silver King Drive would make the safety and quality of life concerns greater. There needs to be more work done to reduce, not increase, the volume of traffic coming into the PCMR base. The current development would only increase traffic. We need solutions such as rapid bus transit with dedicated lanes during peak times so visitors can park and ride rather than drive up to the base. Ms.

Adler recognized that this is a challenge due to Coronavirus, but the town cannot keep encouraging more traffic. It is not a sustainable long-term solution.

Sherry Harding stated that currently there is no truck traffic or skier traffic entering the lower north parking lot from Silver King Drive. The current driveway is only used for ambulances to the clinic. Skier parking access is expressly forbidden, and the driveway is too steep for trucks. PEG Development proposes that all vehicles will enter under Parcels C and D from Silver King Drive beyond the intersection west of Lowell and Silver King. This is a dramatic shift from historical precedence and should not be allowed. Traffic to Resort parking is currently directed onto Lowell southbound from Silver King without disturbing a residential neighborhood further along Silver King to the intersection of Three Kings. That residential neighborhood should be respected and maintained.

John Horowitz understood that the proposal involves creating a one-way loop at the Resort base, involving Empire Avenue, Lowell Avenue, and Manor Way. He asked the Planning Commission to consider the impact this will have on residents of Upper Lower and Upper Empire Avenues. Depending on the direction of the loop, it would seem that either leaving or returning home would be fully involved in Resort traffic to an extent that does not exist today. He did not believe this served the greater good. A solution that preserves two-way access for residents of Upper Lowell and Empire should be developed. He suggested using land that is part of the existing lots to widen the road where necessary. Mr. Horowitz wanted to confirm that there is no plan to convert Upper Lowell and Empire to one-way streets, as that involves further inconvenience and safety concerns as a one-way street laden by more speeding than exists today.

Commissioner Suesser asked if the comment was accurate that Upper Lowell and Upper Empire were not being contemplated in the one-way loop. Planner Ananth replied that not changes were being contemplated outside of the Resort base.

Clayton Staub remarked that for all of the reasons stated in the July 8th Staff report, he concurred with the Staff finding that the submitted application is substantively different than the 1998 large scale master plan and the 1998 Development Agreement, and therefore justifies review of the entire master plan and development agreement by the Planning Commission. The modifications that PEG Development has proposed are solely to enhance the return on investment or to justify the amount of money they have agreed to pay Vail for the acquisition rights; neither of which provide any benefit to the community. The proposed plan is a hug deviation from the massing and architectural character of the buildings approved in the DA. Mr. Staub stated that to his knowledge, PEG Development has no experience developing ski resort properties. He did not

understand why they were selected as the purchaser by Vail, other than a willingness to pay the highest price for the acquisition rights.

Nancy Lazenby stated that the proposed new development plan from PEG Development is so significantly different from the plan in the '90s. She did not understand how they could think it was a simple amendment rather than a new project.

Ms. Lazenby remarked that in this new proposal, PEG was now proposing some of the building heights to be as tall as 80'. They have eliminated the elevated walkways for pedestrian safety from the old plan. They have eliminated underground parking and are now proposing an above ground parking garage. They are proposing one-way traffic on Lowell Avenue and Empire Avenue. These are just a few of the significant changes being proposed from the original 1998 plan. These proposed changes, along with all other changes in the community since 1998, makes it seem impossible and irresponsible to simply modify a plan that is that old.

Planner Ananth noted that additional email comments were forwarded to the Planning Commission prior to this meeting from Nancy Lazenby and Richard Swartz. All the comments will be attached to the next Staff report.

No hands were raised on Zoom for comment.

Chair Phillips closed the public hearing.

Commissioner Thimm understood that they were not here this evening to talk about number of parking stalls, building height or density issues. Their objective this evening is to reach a determination on whether the proposal presented is a modification to the Development Agreement and the MPD; or a new version of both. Commissioner Thimm clarified that he asked his earlier questions to better understand how to make that determination. In his opinion, if this was a vanilla, substantially compliant submission to what was already approved, it would require some action but there would be no issue. However, since that is not the case, he believed they needed to look at it through the lens of what was originally approved. Commissioner Thimm stated that if they look at it through the lens of the existing approvals, it would necessitate saying they could not transfer square footage from one site to another, they could not reduce the setbacks, they could not change the height, and they could not change the parking.

He recognized that there may be good reasons for making those changes, but the Planning Commission did not have the tools available to make those substantive changes. Therefore, if they cannot reach the point of having a site plan that can be found in substantial compliance with minor deviations, Commissioner Thimm thought it would be in the best interest of all involved to have a new MPD and a new Development Agreement.

Chair Phillips thought a review would be more stringent on comparing what is proposed to what was previously approved. A new MPD would give the Planning Commission more freedom to consider some of the proposed transfers and variations because they would not be bound to meeting the existing language. Chair Phillips acknowledged that the Staff, the Commissioners and the public would still have issues with the proposal, and those issues would need to be addressed and they would still go through that process. He thought a review would be less forgiving than a new MPD. Chair Phillips stated that if the applicant wanted to continue with the current application, his determination is that it deviates from the existing Development Agreement and MPD, and it would require opening up a new MPD. He did not believe they could review the application submitted as an amendment.

Chair Phillips reiterated that regardless of whatever path they take, it is important for everyone to work together and make compromises to achieve a great project. He thought either path could be productive.

Mr. McConnell wanted to know the difference between opening up an MPD and a new MPD. He was resistant to “new” because he did not see that process outlined in the ordinance. He saw the provision that modifications that result in a change to concept and other things justifies a review of the entire MPD and triggers legitimate areas of inquiry. Mr. McConnell emphasized that he was not seeing the process for a new MPD outlined in the ordinance as it relates to an existing MPD. He pointed out that the applicant pursued their application as they did because it was allowed in the Code. Mr. McConnell was trying to understand the difference from a Code based perspective. He has only seen the concept of a new MPD in the Staff report, as opposed to the ordinance.

Commissioner Thimm stated that he struggled when he read the ordinance and then read the Staff report and saw the word “review” and the word “new”. That was the reason for asking that question earlier in the discussion. As a planning commissioner, he did not believe he had the tools or the authority to say they can deviate from the DA in terms of changing from 1800 underground parking stalls to 1200 parking stalls. However, if they look at it as a new application, given that certain entitlements are already in place, the Planning Commission would have the ability to look at a new parking analysis and take into account the different modes of travel today. The Planning Commission would have a tool to consider the modifications instead of only being able to find for compliance or non-compliance with the existing MPD and DA.

Mr. McConnel did not understand why the review process was so limited if it is authorized by Code.

Planner Ananth read the definition of Master Planned Development. "A form of development characterized by a comprehensive and unified site plan and design reviewed under the Master Planned Development review process described in the LMC. The MPD generally includes a number of housing units, a mix of building types and land uses, clustering buildings, and providing open space, flexibility in setback, height, and density allocation, and providing additional valued community amenities". Planner Ananth stated that this application was a completely new site plan that replaces the old site plan. She reminded everyone that a new MPD would result because there is a new unified site plan and design to potentially approve. In her mind, the new site plan necessitates a new MPD.

Chair Phillips stated that in his mind, a review is for tweaks. If the applicant came forth with the original DA and the diagrams, schematics, and everything associated with that document and made some revisions, that would trigger a review process. He did not think the Planning Commission could determine that the application presented was only a revision. Chair Phillips believed the language of the existing development agreement would generate more questions and issues than starting over with a new MPD and DA. He suggested that it might be more beneficial to the applicant to go through a new MPD process because they could create the language instead of holding it up to the existing language.

Commissioner Suesser stated that in her opinion, the applicant submitted an application that was substantially different from the 1997 Master Plan and the 1998 Development Agreement. It meets the requirements for an MPD modification under the LMC because of the change in concept, density, and configuration. Commissioner Suesser believed a review of the entire Master Plan and the Development Agreement is required under LMC Section 15-6-4(1) – MPD Modification, and for all the reasons listed in the Staff report.

Commissioner Hall stated that while she thought this application justifies a review of the entire Master Plan and the Development Agreement, she questioned whether the Planning Commission could require a new Development Agreement because it would require signatures from all parties in the Development Agreement, and they are not part of this application. Commissioner Hall believed that a comprehensive review of the original MPD was required.

Commissioner Hall asked if a concurrent CUP was being done for the site. Planner Ananth stated that once a site plan is approved, a subdivision and CUP proposal will be required for each parcel. It would not be done concurrently with this application.

City Attorney Harrington stated that he and Mr. McConnell agree that the form is to be determined depending on the scope of the approval. He understood that the applicant's current relationship with Vail is not closed and they have authority to process the application. Whether or not Vail's signature is required will be determined at the time.

Commissioner Hall asked if Vail's signature is not required and the vested property rights are assigned solely to PEG Development, whether they would go through a pre-emptive transfer of property rights where the City apportions the obligations under the development agreement. City Attorney Harrington was not able to answer that question without the specificity at that time. He noted that the potential to have two separate development agreements is on the table, or one that all encompasses the parking lots is also a potential. That will be determined closer to the end of the process. Mr. Harrington stated that the Planning Commission has a separate ability under the Code to approve the Master Planned Development Agreement and ratify it as a separate action, regardless of their land use approval.

Commissioner Hall remarked that in terms of the vested rights to develop, the DA talks about how each parcel is subject to a small scale MPD and CUP by the Planning Commission. She asked if they were consolidating each parcel in a small-scale MPD into a larger five parcel MPD. Mr. Harrington answered yes. He thought that was partly causing the confusion with the word "new". The Code no longer provides for a small scale MPD process, and it is now either a Master Planned Development process or a conditional use process. He explained that on one level, this application would be a Master Planned Development application regardless. The amendment is still subject to the same criteria, but under the plain language of the MPD Modification section of the LMC. It allows the Planning Commission to review the entirety of the MPD and the original Development Agreement, as opposed to just being reactive in terms of what was applied for in the limited scope of applications as it relates to the prior MPD.

Mr. McConnell agreed with City Attorney Harrington's comments regarding the scope of review and the ability to look at the entire project in the present context, but he had concerns with the comment about it being a new MPD. Mr. McConnell agreed it is new in the sense that it is a new concept plan. However, he had concerns with the limitations they were suggesting they have in the review process. Based on their comments, Mr. McConnell questioned whether the applicant should submit a different application.

Commissioner Van Dine noted that the Code says a review of the entire master plan, but not requiring a new master plan. She wanted to know their limitations by requiring a new MPD or just being able to review the existing MPD.

Mr. McConnell read from subparagraph (I), which states, "If the modifications are determined to be substantive, the project will be required to go through the pre-application, public hearing, and determination of compliance as outlined in Section 15-6-4(B) herein". Mr. McConnell stated that because it is substantive, if the Planning Commission makes that determination, the applicant understands there would be public hearings and the Commissioners would need to make a determination of compliance on the proposed changes and whether they meet the findings that are addressed later in Section 15-6-6. They were not disputing the requirements of the review process if their plan moves forward.

Commissioner Thimm thought this could be a review process as easily as it could be a new application. However, he struggled as to whether the Planning Commission would have the purview to allow changes to the original plan during the review process versus being able to look at a fresh plan, given certain constraints on massing, density and height, and other issues that were previously agreed upon. Commissioner Thimm stated that he would be comfortable with a review of the MPD if that is the decision, but he would be looking what was approved much more closely than if it were a new application.

Mr. McConnell believed the fundamental question is if this is undertaken as a review of the entire MPD, what are the limitations on the scope of review and what the Planning Commission has the purview to look at. He asked if the Commissioners were bound by the height limitations set in the existing development agreement, or whether they could look at the request for a height exception anew. The same question applied to setbacks, parking, traffic, etc. Mr. McConnell wanted to know how much the existing document and approval limits the Planning Commission's discretion in terms of a review of the MPD if they determine this to be a substantive modification.

Chair Phillips asked if the Planning Commission, as a whole, has the authority to determine how much they would be willing to change through a review of the MPD.

City Attorney Harrington stated that the Planning Commission was not limited on what they could consider in terms of what they can justify by virtue of the degree of change and what they were relying on in current Code. Those will be case by case determinations, which is why the Staff was not able to give the applicant more assurances on what that would be. At the same time, the applicant was not willing to stipulate to a complete review. Mr. Harrington remarked that part of this is grounded in an existing approval, but the Commissioners can look at the various basis for those mitigation efforts anew, as long as those are reasonably based on Code or the original nature of the concessions offered for other reasons. He noted that the Staff tried to

delineate those, as outlined in Staff report exhibits, as the areas they thought the Planning Commission would focus on. Mr. Harrington did not believe there were limitations on the setbacks and height because the Planning Commission would be looking at those under new Code applications. There are different locations for different buildings. At the same time, the Planning Commission has the ability to consider those issues under current regulations that authorize them to approve or deny based on upon the review of a new plan. Mr. Harrington pointed out that the Commissioners will have more latitude in some circumstances but are bound by current Code requirements in other circumstances. He clarified that the limitations will be bound by the particular set of circumstances under that specific review criteria. It will be a combination of the old and the new, and it must be reasonably related to what is before them, just as with any application.

Commissioner Hall asked if all the Commissioners agreed that there were substantive changes. She thought it was important to answer that question before deciding whether a review or a new MPD was most appropriate. Looking at page 3-10 of the Staff report, she thought it was clear that that there were substantive changes.

Chair Phillips agreed there were substantive changes.

Commissioner Sletten disagreed. He commented on the three aspects of concept, density, and configuration. He remarked that the concept is a base village for a major mountain resort. The concept has not changed since Edgar Stern first tried build a bed. Now the bed base needs to be improved significantly in order to keep up with the quality of the Resort. It includes walkability, as well as the condos, hotels, restaurants and shops. Commissioner Sletten pointed out that the Planning Commission was not making a decision this evening on whether to approve or disapprove the project. They were only deciding on a process of review. Commissioner Sletten did not think it was wise to throw out the significant amount of work that was previously done. His preference was to relook at the Development Agreement and leave the MPD place.

Commissioner Suesser thought there were substantive changes from the 1997 Master Plan and the 1998 Development Agreement regarding concept, configuration, and density. She believed this was clearly an MPD modification under LMC 15-6-4, and the Planning Commission should proceed in that direction.

Commissioner Kenworthy did not disagree with Commissioner Sletten; however, he could not ignore the significant modifications in this application. In his reading of the LMC, the Planning Commission needs to require a new MPD. Commissioner Kenworthy looked forward to this development enhancing the community and the

Resort base. It is a wonderful opportunity for everyone to work together, but the only way to address the substantive changes is through a new MPD.

Commissioner Van Dine believed there were substantive changes that trigger a review; however, she was unsure whether she could agree with requiring a new MPD.

Commissioner Thimm thought Commissioner Suesser was 100% correct. The change is substantive enough to trigger LMC 15-6-4 and justifies a complete review of both the Master Plan and the Development Agreement. Commissioner Thimm stated that if the Planning Commission chooses a review only and he is asked to make decisions, he will look at it through the lens of what was already approved. Commissioner Thimm was also open to the idea of having a new MPD submitted by the applicant, which would allow more latitude in handling what was already entitled in terms of density, height, etc. Commissioner Thimm believed they had triggered justification of review. He would leave it up to the applicant to decide whether to submit a new MPD and DA or be subjected to more scrutiny through the lens of what was approved in the existing documents in a review.

Commissioner Suesser concurred with Commissioner Thimm and she thought it was good guidance for the applicant. Commissioners Hall and Van Dine also concurred with Commissioner Thimm.

MOTION: Commissioner Hall moved to make a formal determination that the applicant's submittal meets the definition of substantive modification as defined by LMC-15-6-4(I). Commissioner Kenworthy seconded the motion.

VOTE: The motion passed unanimously.

Commissioner Sletten clarified that he did not necessarily agree with the motion, but he voted in favor with the majority because he felt it was important to have a strong and unified decision. Commissioner Van Dine agreed with Commissioner Sletten and voted in favor for the same reason.

Mr. McConnell understood the motion and the implications. If the applicant chooses to submit a new MPD, he wanted to know what they would need to provide beyond what they have already submitted. City Attorney Harrington stated that the determination of the complete application would be different, but not significantly different. He was not prepared to give an accurate answer without first reviewing the file with Staff. Mr. Harrington offered to provide a response in writing once it has been determined.

Commissioner Thimm thanked the applicant for the site visit earlier in the evening. It was an informative tour and he came away with a better understanding of the project. The Commissioners concurred. Commissioner Hall thought some people in the public were really harsh and when that happens it is not fair for the public process. She encouraged the public to use facts as much as possible.

6.B. Municipal Code and Land Management Code Amendments – Amendments to the Municipal Code of Park City Sign Code § 12-7-1; § 12-12-1; § 12-12-2; § 12-12-3; § 12-12-4; § 12-12-5; § 12-12-6 to Replace the Term Master Festival with Special Event and Amendments to the Land Management Code § 15-1-11; § 15-2.3-2; § 15-2.5-2; § 15-2.6-2; § 15-2.16-2; § 15-2.23-2; § 15-4-16; § 15-4-20; § 15-15-1; § 15-15-2 to Remove all Special Event references from the Land Management Code; to Remove Special Events from the Land Management Code Zoning District Use Sections; and to Make Technical Changes to Update the Code. (Application PL-20-24531)

Planner Ward stated that this item was a cleanup amendment for Special Events in the Land Management Code. The Planning Commission discussed these amendments during the June 10th work session. These amendments update the LMC to reflect amendments that were done in the Municipal Code over the past several years.

Planner Ward stated that the main cleanup is to remove the term “Special Event” from the Code, especially from the Use Tables, so the Land Management Code reflects the permitting process that is done for Special Events in the Municipal Code

Planner Ward highlighted the three changes in the redlines in the Staff report. First, the term Special Events was totally removed from the LMC, except for the definitions section, which cites to the Municipal Code definition. The second is to remove Special Events from the Use Sections. Third is to make technical changes. The biggest change is the term “Master Festival”. Planner Ward stated that several years ago an amendment was passed to remove the term “Master Festival” from the Sign Code and the LMC. The proposed amendment would remove that term and replace it with “Special Events”.

Planner Ward remarked that even though they were making cleanups to the Code, there was no change to how special events are permitted. Currently, under Title 4A in the Municipal Code, Special Events still need to be consistent with the General Plan, and they cannot be proposed to avoid more restrictive general zoning regulations.

The Staff recommended that the Planning Commission conduct a public hearing and consider forwarding a positive recommendation for the City Council to consider on July 30, 2020.

Chair Phillips opened the public hearing.

No eComments were submitted and no hands were raised on Zoom.

Chair Phillips closed the public hearing.

MOTION: Commissioner Hall moved to forward a POSITIVE recommendation to the City Council for their consideration on July 30, 2020 to amend the Sign Code and Land Management Code as outlined in the draft ordinance. Commissioner Van Dine seconded the motion.

VOTE: The motion passed unanimously.

6.C. Land Management Code Amendment – Amendment to Land Management Code §15-2.1-2(B)(1), Conditional Uses, Nightly Rentals, Footnote 2, to Establish Additional Conditional Use Permit Criteria and a Cap for Nightly Rentals in the Western Historic Residential Low – Density Zoning District that Includes Residences Along Sampson Avenue, Ridge Avenue, and King Road. (Application PL-20-04547)

Planner Ward reported that these amendments were reviewed by the Planning Commission during the work session on March 11, 2020.

Planner Ward stated that the Staff was proposing additional conditional use permit criteria for the Western HRL Nightly Rentals, with a potential cap on the number of CUPs that are issued for nightly rentals in this Western HRL zone.

Planner Ward noted that the Staff had prepared two options. The first option would create additional CUP criteria for these nightly rental approvals. The second option would create the additional CUP criteria and cap the nightly rentals in the zone.

Planner Ward stated that the discussion on March 11th discussed broad community concerns about nightly rentals outside of this zone. Another option is to recommend that the City Council conduct a work session to consider additional criteria that is regulated under the Municipal Code in Title 4 through the Business Licensing of nightly rentals.

Planner Ward reported that the public notice was specific for this Western HRL zone. Public input includes concerns about the Alice Claim subdivision and the Eastern HRL zoning district in the Lower Rossi Hill Area. She provided a brief background on those two zones; however, those would be discussed at a later date. Due to the area that was noticed, Planner Ward asked the Planning Commission to keep the scope of their action specific to the Western HRL zone.

Planner Ward presented a zoning map showing the Western HRL zone as a triangle identified in light blue. It is the only zone in the LMC that requires a CUP for a nightly rental. Planner Ward remarked that the HRL is broken into three subzones. She pointed to the McHenry HRL area and the Lower Rossi Hill HRL area. Planner Ward stated that some of the public input addressed the Alice Claim subdivision, which is very close and in part in the Western HRL zone. However, the majority of the lots are in the HR-1 zoning district. Planner Ward stated that the Alice Claim is a 9-lot subdivision within the HR-1, Estate, and Western HRL zones. Nightly rentals are allowed in the HR-1 and Estate zones.

Planner Ward presented a map and identified the nine Alice Claim lots. One is in the Estate zone and the rest are located mostly in the HR-1 zone. A portion of a property is located in the Western HRL. Planner Ward indicated the Lower Rossi Hill area in the HRL zone and noted that in 2017 it was rezoned from RDM to HRL. When it was RDM, nightly rentals were allowed. Through the rezone, nightly rentals were, by default, prohibited because under the LMC at that time, nightly rentals were only allowed in the Western HRL zone with a CUP.

Planner Ward stated that the property owner was unable to participate this evening, and he sent an email. The letter he sent to the Mayor was included as Exhibit C in the Staff report. Planner Ward noted that this issue would be coming forward to the Planning Commission in the future.

Planner Ward stated that specific to the Western HRL zone, the General Plan recommends night rentals in this neighborhood because of its proximity to resort access. She noted that the General Plan also suggests that the City reevaluate whether nightly rentals should be allowed or conditional in this area. Planner Ward explained that nightly rentals are currently conditional because the area is unique with steep slopes and substandard roads.

Planner Ward reported that since nightly rentals became a conditional use in this area, the Planning Commission approved a total of seven nightly rental CUPs. Currently, two of these seven have an active business license and three have pending business

licenses. Additionally, one pending application that was submitted for a nightly rental CUP will be scheduled sometime in September.

Planner Ward stated that because the roads are substandard, narrow, and steep, the City Engineer recommends that residences approved for nightly rentals include information that recommends all-wheel or four-wheel drive during the winter season. Parking for the nightly rental should be restricted to the parking provided on-site.

Planner Ward stated that when the Staff looked into nightly rental complaints, their research was limited to the seven CUPs that were previously approved and licensed for a CUP. Code Enforcement tracked these residences back to 2017 and found no complaints. The Police Department tracked the residences back to 2019 and found no disturbing the peace complaints or parking violations for these residences.

Planner Ward stated that through the 2019 CUP approvals, some of the concerns that were raised by the public related to substandard roads, access in winter, snow removal and storage, noise, parking limitations, and traffic. To address those concerns, the applicants agreed to additional conditions of approval beyond those required in the Code. Planner Ward proposed to amend Footnote 2 of the LMC to add those additional CUP criteria so the Planning Commission can consider and require them in the future.

Planner Ward remarked that for Option 1, the proposed criteria includes limiting parking to what is available on site; providing information to renters about potential access issues in the winter and recommending all-wheel and four-wheel drive; providing information on nearby ski access, transit, and places within walking distance; and require that property management contact information be displayed in a prominent location within the nightly rental.

Planner Ward stated that Option 2 enhances the CUP criteria and also establishes a cap of 12. The cap is based on a percentage of residences that were constructed at the time that nightly rentals became a conditional use. She noted that there are 35 residences and a potential for growth. Establishing a cap of 12 will provide a tool to manage and mitigate the impacts. Planner Ward remarked that the number came from the residences that existed when the LMC was amended. It is based on approximately 46% of the housing stock and that percentage has been fairly consistent since 2014.

Chair Phillips opened the public hearing.

Planner Ward read two emails that were not included in the Staff report.

Carol Sletta was totally in favor of reducing the number of nightly rentals and imposing stricter criteria to the CUP. The concerns that she has expressed over the years are the same as those listed to consider; substandard roads, traffic, parking, and access in inclement weather, not to mention late night arrivals and hot tub parties which could happen with permanent residents, but more likely with nightly rentals. With extensive new construction and remodeling, the neighborhood has become with nightly rentals. King Road is particularly problematic. Ms. Sletta suggested also looking into Anchor Avenue as it feeds into King Road. She hoped that the Alice Claim Woodside Gulch is included in this discussion as well. Ms. Sletta suggested that the Commissioners take a walk or drive the neighborhood to get a first-hand understanding of this special area of Old Town.

Eric and Susan Fredstone Herman live on Upper Norfolk Avenue and wanted to register their concern about nightly rentals. Most nightly rentals are responsible, but unfortunately, some are not. They have witnessed parties and cleaned up empty liquor bottles that ended up on the trails system. Most recently, on July 4th, they suffered through a series of firecrackers set off at 1:30 a.m. by nightly renters in an adjacent dwelling. The police were called and closed down a 2019 party thrown by renters at 200 King Road that got out of control. They were surprised that the Staff found no complaints about nightly renters in Western Old Town. They recognize that some homeowners nightly rental income to balance their budgets, but they worry the influx of non-resident short-term renters, some of whom do not appear to care about their neighbors or neighborhood, diminish the quality of life of Old Town residents. At this time of Covid, the last thing Park City needs is short-term visits by people from out of town. They strongly endorse capping nightly rentals at the existing number of 12, and suggest that in addition, that no new nightly rentals be approved in the Western HRL zone, so the approved number gradually diminishes through attrition. They also suggest that nightly rentals pay a fee to the City to compensate for the added use of City services. Lastly, they suggest that nightly rentals suffer a penalty if renters disturb the peace.

Eric Tolzman raised his hand on Zoom to make comment.

Eric Tolzman, the owner of 85 King Road, stated that limiting the number of rentals could potentially have a direct impact the financial investment he made in Park City. He agreed that it is a problematic area the streets are bad, and they should make the guests aware of that when they rent. Mr. Tolzman reiterated that this amendment would directly impact the value of an asset for no reason other than the fact that it is one of the few zones that have limitations. He urged the Planning Commission to consider this because limiting the number of homes that can have the ability for nightly rentals in this area is unwise.

Chair Phillips closed the public hearing.

Commissioner Sletten referred to pages 184-185 of the Staff report and asked how this motion impacts the substance of that letter. Planner Ward stated that this meeting was noticed specifically for the Western HRL zone. Exhibit C is specific to the Lower Rossi Hill area. Nightly rentals for that area will be discussed at a later time. The discussion this evening is limited in scope to the Western HRL zone. Commissioner Sletten clarified that he was only asking if there was a wider net that included the Western HRL.

Chair Phillips asked for the number of existing nightly rentals. Planner Ward replied that currently in the Western HRL, there are seven CUPs. Of those seven CUPs, two have active business licenses and three have pending business licenses. In addition, the Planning Department received an application for a nightly rental CUP in this zone. That application will be coming before the Planning Commission under the current Code. Chair Phillips clarified that currently nightly rentals were two-thirds of the cap and there was still room for additional rentals. Chair Phillips stated that having lived adjacent to this zone, he thought the cap was good for the neighborhood because of the constraints. He also liked the additional language for nightly rental CUPs.

Commissioner Thimm referred to a statement in the draft ordinance recommending all-wheel or four-wheel drive vehicles. He pointed out that the City Engineer was a little stronger by saying that the rental agreement should state that all vehicles should be parked on site, and that the vehicles should be an all-wheel or four-wheel drive model. Commissioner Thimm asked if there was a reason for tempering the language in the ordinance to a recommendation versus a requirement.

Planner Ward believed enforcement was the reason for recommending all-wheel or four-wheel vehicles in the ordinance language. However, it could be changed if the Commissioners preferred it to be required. Commissioner Hall supported the change to required.

Chair Phillips referred to Upper Norfolk Avenue and noted that one side is HRL and the other side is HR-1, but both sides work off the same substandard road. He assumed it would be difficult to go into parts of zones and create different rules. Planner Ward offered to look into it. Chair Phillips stated that in the future it would be wise to look at the other half of the road on the same substandard street. He remarked that the same things apply to both sides of that road and it is a difficult situation. He suggested looking to see whether the same could be done for the other half of the road in its current zoning. If not, he thought they should consider moving it up to capture the other side of the street.

Commissioner Kenworthy stated that he was definitely in favor of Option 2. He emphasized that safety is the number one issue with substandard streets. He commented on a number of problems he has seen or experienced coming down King Road over the past ten years. In response to public comment regarding lowering the values, he pointed out that there was still room for other applicants to come in with a CUP application where the Planning Commission can review the specifics and grant them an approval for nightly rental. People who have lived there for years have not applied for a conditional use permit, and the new purchasers will have that opportunity. If it does cap out, it is up to the buyer to understand the zone and the General Plan which identifies areas for primary residences. Commissioner Kenworthy noted that they have not reached that General Plan goal, but he still wanted to hold on to it. He wanted areas in town that are overwhelmingly primary residences and not nightly rentals.

Commissioner Kenworthy thought it was critical to have the enforcement aspect on nightly rentals that was discussed at a previous meeting.

MOTION: Commissioner Thimm moved to forward a POSITIVE recommendation to the City Council regarding the proposed nightly rental zone text amendments for the Western HRL zone, implementing Option 2 outlined in the Staff report, and changing the recommendation for all-wheel or four-wheel drive to a requirement for all-wheel or four-wheel drive for City Council consideration on July 30, 2020. Commissioner Kenworthy seconded the motion.

VOTE: The motion passed unanimously.

Commissioner Hall asked Planner Ward what could be done about enforcement and complaints. She was bothered by the comment from a resident who said there was a party and the police were called, yet no formal complaint was logged. Planner Ward stated that one of the options was that the Planning Commission could recommend a work session for the City Council where many of these issues could be addressed through the Regulatory Code in Title 4. She suggested that the Planning Commission could add that recommendation to their motion.

City Attorney Harrington stated that it did not need to be part of the motion. The Commissioners could separately recommend a work session. Chair Phillips assumed it would fall under Code Enforcement and he believed the City Council reviews Code Enforcement annually. Mr. Harrington thought it was more often than annually and he offered to check with Michelle Downard to see if she recommends updating the Planning Commission similar to what they provide the City Council. If not, the Planning Commission could request a joint meeting at any time.

6.D. Land Management Code Amendment and Zoning Map Amendment – The Commission will Consider the Creation of Land Management Code Chapter 15-2.26, Urban Park District, to Further Protect Locations in the Local Parks Preservation Master Plan that are Currently Zoned Recreation Open Space. The Urban Park District will Heighten Protections for Rotary Park, Creekside Park, Prospector Park, City Park, and the Municipal Golf Course. A zoning Map Amendment to rezone these Parks from Recreation Open Space to Urban Park District Zoning is also proposed. New Zone - PL-20-04555, Zoning Map Amendment Application PL-20-04556)

Planner Ananth stated that this proposal was to create a new Urban Park District. The Planning Commission reviewed this in a work session in May. The proposal is to rezone five City parks or portions of City parks to this new zone.

Planner Ananth noted that Tate Shaw, Assistant Recreation Manager, was on the line, as well as a number of Recreation Advisory Board Members.

Tate Shaw stated that this was a follow-up from the May 27th work session where there was support from the Planning Commission with regards to a positive recommendation to the City Council.

Mr. Shaw provided an overview of where they started and how they moved through the process. It began with the annual Visioning with the City Council. It resulted from specific conversations with the City Council in March 2017 after the Library Field Conservation Easement was put into place. The discussions related to what other protective measures could be put into place to preserve and keep local park spaces viable for future generations. Mr. Shaw stated that the Recreation Advisory Board selected committee members, which include Ed Parigian, Jane Campbell, and Eric Hoffman, as well as himself and Ken Fisher, as they worked through the process to do research at the State level and Nationally. They also tried to align along with the current Municipal Code in order to help develop a Local Parks Preservation Master Plan. Mr. Shaw stated that the goal of the Preservation Master Plan was to utilize the Recreation Open Space Zoning language. However, there was some clarity suggested by the City Council which moved the committee to work closely with the Planning Department to help clean up ROS zoning. It has come to the point of potentially developing a new zone, which was discussed with the Planning Commission as part of the May 27th work session.

Mr. Shaw stated that the goal of the Master Plan is to keep and allow for trends in recreation for future generations, and to provide protections in case there is some sort

of change, such the sale of property or any potential rezoning or transfer of the land. If that were to happen, the goal would be to trigger a voter referendum. Mr. Shaw noted that they were seeking five locations at this time: Rotary Park, Creekside Park, Prospector Park, the Municipal Golf Course, and City Park. He provided a visual of the different amenities at the different locations. Mr. Shaw stated that each location is a little different and more unique than the next due to the proximity of homes, as well as local and forest driven amenities.

Mr. Shaw remarked that with the Master Plan process they developed, the goal is to have additional protections of the local park space, and ensure that the community voice is heard, with the concern of a legislative decision. They were not concerned about the current Planning Commission or the current City Council, however, there could be legislative decisions in the future that could possibly change the use of one of the parks. This issue came up during a site tour with the Recreation Advisory Board in 2017 and 2018.

Mr. Shaw stated that the Master Plan was developed with the intent to have specific language that would make sure the community voice is heard. The process would include 5 public meetings over a three-month period, an affirmative vote of four out of five City Council members, and a voter referendum through a special election requiring 60% of the voting public to vote in favor. Mr. Shaw remarked that current language states Recreation Open Space. Cleaning that up warranted developing a new Urban Park Zone, which they were here to discuss this evening and request a positive recommendation to the City Council.

Mr. Shaw reminded the Commissioners that the UPZ was a blend of the Recreation Open Space and the Protected Open Space Zones, and they made it more restrictive and detailed in the nature of use. Mr. Shaw stated that they took the Planning Commission recommendations from the May work session and made the necessary edits and adjustments to the zone as part of the recommendation. He presented a slide showing the new zone with the edits. They also added solar and other items that were part of the previous discussion.

Mr. Shaw stated the City's General Plan has four core values: small town, natural setting, sense of community, and historic character, which are important for the development of this Master Plan, and also for the development of this new zone. Mr. Shaw noted that the Planning Staff had identified why they feel this zone is in line and provided the associated analysis for compliance with the goals of the General Plan. It is in line with the Recreation Advisory Board, the Recreation Staff, and the Planning Department as to why these still meet the General Plan goals of a small town, natural

setting, and sense of community. He would be addressing historic character due to preservation on the current sites.

Mr. Shaw stated that the purpose of the UPZ District is to promote preservation of historic buildings, structures, sites or objects, as listed in Exhibit A of the Staff report, including specific buildings such as Miners Hospital located at City Park. He remarked that there was also the preservation, vegetation and habitat of natural areas. He pointed out that Creekside Park has well heads and areas of waterways coming through that property. Rotary Park was also a passive park.

Mr. Shaw stated that the intent is to finalize, complete, and hopefully adopt a new local parks preservation master plan by having new language that is part of this UPZ draft and the recommendation for a new zone. It would also require a zoning map amendment.

Mr. Shaw reported that the Planning Department found good cause for these efforts due to the fact that it focuses on local recreation and creating viable spaces that promote the character of what Park City is currently today, which is sense of community. There would also be a more restrictive focus on what could or could not be done based on change in these spaces. It would allow for changes in trends of recreation, but not changes in overall nature of use. Mr. Shaw remarked that this language, along with the voter referendum language, would help eliminate the use of Recreation Open Space, and instead use Urban Park Zone as the recreation open space character language. Mr. Shaw stated that the focus of the Recreation Advisory Board is to protect spaces in the local community that are more than just undeveloped park space. It is a way to love where they live with the developed parks and the developed park acreage in town. In total, they were looking at just over 100 acres, which would be a significant amount of land in the UPZ zone.

Mr. Shaw recommended that the Planning Commission approve the amendment to the LMC for the creation of a new Urban Park Zoning District, as well as an amendment to the zoning map to change the zoning from ROS to UPZ for the five City parks discussed. Mr. Shaw recommended that the Planning Commission hold a public hearing, consider public input, and forward a positive recommendation to the City Council for adoption at the August 6th City Council meeting.

Commissioner Sletten thought this was a masterful way to protect these parks as open space in perpetuity. Commissioner Kenworthy agreed.

Commissioner Thimm recalled asking a question during the work session about zoning requirements such as setbacks and building height for allowed structures. He thought

someone was going to look into it, but he could not find an answer in the draft ordinance. Mr. Shaw understood that the height and setback requirements would be the same as the current Code in those spaces. City Attorney Harrington did not think Mr. Shaw was correct because the current underlying zones would not apply unless this was being applied as an overlay zone. Commissioner Thimm asked if those requirements should be included.

Director Erickson thought Commissioner Thimm had a good point. Planner Ananth agreed that the Staff should look into it further. Planner Ward suggested amending the proposal this evening to add language stating that the setback and height restrictions of the ROS zoning district apply; and the more restrictive UPZ proposals in the proposed ordinance would still apply.

Commissioner Thimm stated that rather than adding a reference to the ROS zone in the proposed ordinance, the Planning Commission forward a positive recommendation to the City Council for this ordinance and to have those provisions added to this ordinance. City Attorney Harrington stated that they could specifically reference in their recommendation LMC provisions 15-2.7-3 and 15-2.7- 4, which are the lot and site requirements and building heights in the ROS zone.

Commissioner Suesser asked if Recreation Open Space was appropriate for the park of Holiday Ranch Loop near Prospector. She thought ROS was zoning for the Resorts. Mr. Shaw stated that when they first went to the City Council, Council Member Joyce pointed out that the ROS zone is very broad. Mr. Shaw provided a hypothetical scenario for City Park. If someday its needed to become parking space and a chair lift to access the Resort, it would be difficult to deny that under the actual zoning requirements of the ROS. A master planned development would not have strong enough language to protect the space from that type of scenario. It would negate public hearings, a legislative vote from City Council, and the voter referendum because it would still fall within the current language of the ROS zone. For that reason, they took the Protected Open Space and the Recreation Open Space, which have similar language, and drilled down to make the zoning more of an urban park space and to make it more restrictive.

Commissioner Suesser understood they were contemplating a new zone; however, she questioned whether the ROS zoning regulations were appropriate for the building requirements that Commissioner Thimm wanted to include in the UPZ. She did not believe the ROS applied in this case. Chair Phillips agreed.

City Attorney Harrington pointed out that they were talking about two different things. He believed Commissioner Thimm was talking about uses they had already agreed

were appropriate for the new zone, and whether they should have additional limitations instead of just the CUP process. Currently, ROS is the most restrictive zone in the Code in terms of setback and height. The CUPs would be additionally restricted by the two provisions in the LMC that he previously mentioned. Mr. Harrington remarked that the Planning Commission could look at additional zones, but he did not think it was a zone comparison. The question is whether the ROS building requirements are sufficient to provide the perfection they want for this new zone.

Commissioner Hall asked why the south end of the municipal golf course was excluded. Mr. Shaw stated due to the PEG project, it was recommended that they carve out the south end until PEG Development goes through the process. He noted that the roundabouts proposed in the PEG development plan encroach on the City golf course, which is why they specifically moved forward with the north part of the golf course. Depending on the outcome of the PEG process, the south end could be added at a later date.

Commissioner Hall asked about Library Field. Mr. Shaw replied that Library Field currently has a third-party conservation easement. He noted that Library Field is the reason they started looking into a potential parks master plan. Mr. Shaw explained the events that occurred and why they decided to take this out of legislative hands and make sure the City has protective measures to allow the community voice to be heard.

Commissioner Hall asked if the existing conditional uses would be grandfathered in, or whether they would go through a CUP process retroactively. Planner Ananth replied that they would be grandfathered in because they existed prior to this ordinance. They would be an existing non-conforming use. Commissioner Hall asked how that would be notated. Planner Ananth replied that typically legal non-conforming uses are not notated. They are just allowed to remain in perpetuity.

Commissioner Hall was generally supportive of the proposal; however, she was concerned that a roundabout on the south end of the golf course would be instrumental in changing the flow of traffic. She was not in favor of borrowing a portion of the golf course to enable a roundabout. Chair Phillips thought it was an unforeseen consequence of this action.

Commissioner Sletten thought this was a short-term look into the future. In terms of long term, it was impossible to know what residents in Park City 50 years from now will think about affordable housing versus parks. Commissioner Sletten pointed out that there is always the ability to amend the LMC through this same process.

Chair Phillips opened the public hearing.

No eComments were submitted and no hands were raised on Zoom.

Chair Phillips closed the public hearing.

MOTION: Commissioner Thimm moved to forward a POSITIVE recommendation to the City Council to 1) approve the new UPZ zoning ordinance, adding setback and height provisions equivalent to LMC 15-2.7-3 and 15-2.7-4; and 2) for a zoning map amendment to implement the UPZ zone for five City parks as outlined by the Staff report and found in the draft ordinance. Commissioner Suesser seconded the motion.

VOTE: The motion passed unanimously.

6.E. Land Management Code (LMC) Amendment for LMC § 15-2.13-2 to prohibit Nightly Rentals in the Meadows Estates Subdivisions #1A and #1B

Planner Tyler stated that this item is a Land Management Code Amendment that was applied for by the Meadows Estates HOA. The HOA was requesting to prohibit nightly rentals. She noted that the subdivision has two phases, Phases 1A and 1B. The subdivision is currently zoned RD. The General Plan identifies the Meadows Estates as part of the Park Meadows neighborhood.

Planner Tyler noted that the application provided the actual vote by the homeowners as required by the LMC. She stated that 39 homeowners support the amendment, 11 homeowners were opposed, 1 abstained and chose not to vote, and 4 homeowners did not respond. Planner Tyler pointed out that the majority was in favor.

Planner Tyler stated that the purpose of this amendment is to align the LMC with the CC&Rs.

Planner Tyler remarked stated that while this particular amendment is consistent with the General Plan, the Planning Commission should still reserve the right to review these requests on a case by case basis in the event an HOA requests an amendment that does not comply. She noted that an example might be paint color or domestic pet requirements. It is important to avoid setting the expectation that the City will enforce the CC&Rs through LMC amendments.

Planner Tyler clarified that the proposed amendment would amend Note #3 of the use table of the RD to include the Meadows Estates Subdivision, Phases #1A and #1B. Based on the analysis in the Staff report, this request complies with the purpose

statement of the RD zone, and it is explicit with the Park Meadows neighborhood goals.

The Staff recommended that the Planning Commission forward a positive recommendation to the City Council for their consideration on July 30th.

Jane Campbell, representing the Meadows Estates Subdivision, stressed the importance of their neighborhood. She has lived on this street for 20 years and the majority who live there are full-time residents. It is a nice place for people to live and they would like to keep it that way.

Chair Phillips supported the proposed amendment. The more of this they can do around the community, the more they will be able to hold on to the feel of Park City.

Chair Phillips opened the public hearing.

Planner Tyler read an eComment from Clayton Stuard.

Mr. Stuard supports the Meadows Estates HOA request for rezoning to prohibit nightly rental. He lives in the adjacent Fairway Meadows subdivision and would like to see its zoning changed as well to prohibit nightly rentals. Mr. Stuard thinks there needs to be places in Park City for locals to live without the aggravation of nightly rentals. Furthermore, allowing nightly rentals in a residential neighborhood changes the economics of the neighborhood, drives up home prices, encourages massive redevelopment, like what occurred in Old Town after the zoning was changed to allow nightly rentals, and destroys community. He supports this application.

Chair Phillips closed the public hearing.

Commissioner Sletten supported the application. He was surprised the HOA vote to prohibit nightly rentals was not unanimous. Planner Tyler stated that no nightly rentals have been approved in this zone, and if there had been, it would have been against the CC&Rs. She pointed out that nothing will change other than putting legislation in place to prohibit nightly rentals if the CC&Rs are ever changed in the future.

Commissioner Kenworthy supports the proposed amendment. He believed it was in line with the General Plan to protect primary residences.

MOTION: Commissioner Sletten moved to forward a POSITIVE recommendation to the City Council for the LMC Code Amendment to LMC 15-2.13-2 to prohibit nightly rentals in the Meadows Estates Subdivision #1A and #1B. Commissioner Suesser.

VOTE: The motion passed unanimously.

The Planning Commission Meeting adjourned at 9:50 p.m.

Approved by Planning Commission: _____

PENDING APPROVAL

Planning Commission Staff Report



PLANNING DEPARTMENT

Subject: Park City Mountain Resort Base Area Development
Project #: PL-20-04475
Author: Bruce Erickson – Planning Director
Alexandra Ananth – Senior Planner
Date: July 22, 2020
Type of Item: *Continuation*

Summary Recommendations

PEG Development has submitted an application requesting to amend the 1998 Park City Mountain Resort (PCMR) Development Agreement (DA), and specifically, to replace expired Exhibit D of the DA, the 1998 *PCMR Base Area Master Plan Study Concept Master Plan*, with a new Master Plan, known as the *Park City Base Area Lot Redevelopment Master Plan Study*.

On July 8, 2020, the Planning Commission made a formal determination that the applicant's proposed new site plan was a *substantive modification* to the MPD and therefore will justify review of the entire master plan and Development Agreement by the Planning Commission.

Although the Planning Department had anticipated opening the public hearing process on July 22, 2020, due to a number of factors, the Planning Department has revised the proposed review schedule and recommends ***Continuing*** the item until the August 26th 2020 Planning Commission meeting.

Date	Anticipated Review Agenda
August 26, 2020	Planning Commission Public Hearing Site Plan, Programming, Architecture, and Landscape Design Exceptions to Height and Setback Requirements Potential Affordable Housing Recommendation to Housing Authority Opportunity for public input
September 17, 2020 - tentative	Housing Authority Public Hearing Affordable Housing Opportunity for public input
September 23, 2020	Planning Commission Public Hearing Transit and Pedestrian Connectivity, Traffic, Parking and Circulation Summary of Housing Authority's Discussion Opportunity for public input
October 22, 2020	Planning Commission Public Hearing

	Utilities and Project Phasing Plan Sustainability Other topics as necessary Opportunity for public input
November – <i>Date to Be Determined</i>	Public Hearing Final topics/review of any plan revisions Review of Draft Findings of Fact and Conditions of Approval Opportunity for public input Planning Commission Vote
December – <i>Date to Be Determined</i>	Hold as needed

Description

Applicant: PEG Development c/o Robert Schmidt
Location: PCMR Base Parking Lots including Parcels SA-402E, SA-402-A-1-A, SA-402-A-2, SA-253-B, SA-253-B-2-A, and SA-253-C
Zoning District: Recreation Commercial (RC)
Adjacent Land Uses: Park City Mountain Ski Resort, Resort Support, Hotel, Single Family and Multi-Unit Residential, Open Space
Reason for Review: DA amendments require Planning Commission review and approval and a finding of compliance with the Park City General Plan and the Land Management Code

Planning Commission Staff Report



Subject: Master Planned Developments
Application: PL-20-04498
Author: Rebecca Ward
Date: July 22, 2020
Type of Item: Work Session – Legislative

Summary Recommendations

Staff recommends that the Planning Commission review the proposed Land Management Code amendments regarding Master Planned Developments and provide input.

Background

This work session builds on the May 13 discussion on Master Planned Development (MPD) Land Management Code (LMC) amendments:

- LMC [§ 15-6-4](#), *Process*, to clean up remnant code from when Pre-MPD Applications were required.
- LMC [§ 15-6-4\(I\)](#), *Modifications*, to outline substantive modifications that trigger additional Commission review and approval and minor modifications that can be approved by the Planning Director.
- LMC [§ 15-6-5](#), *MPD Requirements*, to clarify that the Density approved by the Commission for an MPD is the final Density for the project and any request to increase Density for an MPD subject to the underlying Zoning District requires additional review and approval by the Commission and an MPD and Development Agreement amendment.
- LMC [§ 15-6-8](#), *Unit Equivalents*, to clarify the conversion of units to Unit Equivalents.
- LMC [§ 15-6-8](#), *Unit Equivalents*, to amend Support Commercial, Residential, and Resort Accessory Uses.
- Separating the MPD approval process from the CUP process.

Since the May work session, two additional amendments are proposed:

- The first is to clarify that the Commission may request applicants to submit and finance additional studies.
- The second is to clarify a public hearing is required prior to

ratification of a Development Agreement.

Staff recommends that the MPD amendments be completed in two phases:

Phase I includes the following and is scheduled for Commission consideration on August 26 with a recommendation to City Council on October 1:

- (1) LMC [§ 15-6-4](#), *Process*, to clean up remnant code from when Pre-MPD Applications were required.
- (2) LMC § 15-6-4(I), *Modifications*, to outline substantive modifications that trigger additional Commission review and approval and to allow the Planning Director to approve minor modifications.
- (3) LMC [§ 15-6-5](#), *MPD Requirements*, to clarify that the Density approved by the Commission for an MPD is the final Density for the project and any request to increase Density for an MPD subject to the underlying Zoning District requires additional review and approval by the Commission and an MPD and Development Agreement amendment.
- (4) Separate the MPD approval process from the CUP process.
- (5) LMC [§ 15-6-4](#), *Process*, to require an Applicant to fund additional studies requested by the Commission.
- (6) LMC [§ 15-6-4\(G\)\(9\)](#), *Development Agreement*, to require a public hearing for Commission ratification of Development Agreements and to clarify that it is the Mayor who signs a Development Agreement.

The Commission voiced support for the first four of these amendments in May with the following input: clarify that the 5% traffic increase that triggers an MPD amendment be verified through a traffic study. This is addressed in redline number 1199. Also, reword the term “less than 20,000 square feet” for clarity. This is addressed in redline numbers 1025 and 1028.

This staff report is limited to amendments four through six. For analysis on amendments one through three, please see the [Staff Report](#) from the May 13 work session ([Minutes](#), p. 7-19).

Phase II requires additional research and public outreach:

- (1) LMC [§ 15-6-8](#), *Unit Equivalents*, to clarify the conversion of units to Unit Equivalents; and
- (2) LMC [§ 15-6-8](#), *Unit Equivalents*, to amend Support Commercial, Residential, and Resort Accessory Uses.

The Commission's initial input on Support Commercial, Residential, and Resort Accessory Uses includes the following:

- Do not be so restrictive that projects cannot be successful; allow for development in a way that is manageable.
- Consider reinstating caps similar to what was originally in the code in the 1980s, but be flexible – the cap may need to be increased.
- Consider reinstating the 2,000-square-foot cap – or something similar – for each support commercial use to limit off-site visitors.
- Consider 25% or more for a cap on Residential Accessory Uses because these exemptions support efficiency of design.
- Remove redundancy from Residential and Resort Accessory Use lists.
- Residential Accessory Uses are supported as is, but if any exemptions contribute to additional intensity of staffing, ensure that these impacts are taken into account when determining traffic and parking for the MPD approval.
- Use caution when creating caps because uses may change over time, especially considering the pandemic and impacts this may have on the future of design with social distancing.
- Work to balance caps with project success.
- Caps provide a mechanism for enforcement.

Staff will schedule a work session later this year to discuss Phase II MPD amendments.

Analysis

(4) Clarify and separate the MPD approval process from the CUP process.

LMC [§ 15-6-1](#) states that the purpose of MPDs is “to describe the process and set forth criteria for review of Master Planned Developments [. . . including] Use, Density, height, parking, design theme and general Site planning criteria for larger and/or more complex projects . . .”

MPDs are a land use approval process, not a Use.

However, the LMC lists MPDs as a Conditional Use in many Zoning Districts. LMC [§ 15-6-2](#) outlines the Zoning Districts where MPDs are allowed. The individual Zoning District Uses Sections are not aligned with LMC [§ 15-6-2](#). In some zones, MPDs are considered a Conditional Use – in other zones MPDs are not listed as a Use at all.

The table below shows all Zoning Districts except for the Recreation And Open Space and Protected Open Space, where MPDs are not allowed.

The **yellow** represents Zoning Districts that require a CUP for an MPD.

The **orange** represents Zoning Districts that require an MPD for:

- Residential projects with 10 or more Lots
- Residential projects with 10 or more Residential Unit Equivalents (20,000 SF)
- Hotels or lodging projects with 10 or more Residential Unit Equivalents (20,000 SF)
- New Commercial, Retail, Office, Public, Quasi-public, Mixed Use, or Industrial project with 10,000 SF or more of Gross Floor Area
- All projects using Transfer of Development Rights Development Credits
- Affordable Master Planned Developments

The **green** represents Zoning Districts where MPDs are allowed, but not required for:

- Residential projects with fewer than 10 Lots or 10 Residential Unit Equivalents (less than 20,000 SF)
- Hotel or lodging projects with fewer than 10 Residential Unit Equivalents (less than 20,000 SF)
- New Commercial, Retail, Office, Public, Quasi-Public, Mixed Use, or Industrial projects with less than 10,000 SF of Gross Floor Area

The **grey** represents Zoning Districts where MPDs are allowed, but not required for:

- HR-1 and HR-2 projects that also include HRC or HCB properties – while there are additional LMC requirements for these combined Zoning Districts, a CUP is not required.

The **blue** represents the HRM Zoning District where MPDs are allowed, but not required for:

- Residential projects and Hotels or lodging projects with fewer than 10 Lots or 10 Residential Unit Equivalents. No CUP is required.

The **red** represents the HR-1 Zoning District where MPDs are allowed, but not required, when the Property is not part of the original Park City Survey or Snyder's Addition to the Park City Survey and the proposed MPD is an Affordable Housing MPD. No CUP is required.

Conditional Use Permit Criteria LMC § 15-1-10(E)	Master Planned Development Criteria
Size and location of Site	Site Planning, including units clustered on least visually sensitive portions of the site; minimized Grading, Cuts, and Fills LMC § 15-6-5(G)
Traffic considerations and capacity of existing Streets in the Area	Traffic is only addressed in relation to Off-Street Parking analysis in LMC § 15-6-5(E)
Utility capacity, including Storm Water run-off	Utility lines are only addressed to require alignment with the Existing Grade, minimizing cuts and fills. LMC § 15-6-5(G)(3)
Emergency vehicle Access	Only considered in relation to private internal streets for Condominium projects. LMC § 15-6-5(G)(5)
Location and amount of off-Street parking	Off-Street Parking considerations LMC § 15-6-5(E)
Internal vehicular and pedestrian circulation system	Adequate internal vehicular and pedestrian/bicycle circulation LMC § 15-6-5(G)
Fencing, Screening, and landscaping to separate the Use from adjoining Uses	Landscape plan required LMC § 15-6-5(H)
Building mass, bulk, and orientation, and the location of Buildings on Site, including orientation to Buildings on adjoining Lots	The MPD “should be designed to fit the Site, not the Site modified to fit the project.” Units should be clustered on the most developable land. LMC § 15-6-5(G)(1)
Usable Open Space	Open Space requirements are outlined in LMC § 15-6-5(D)
Signs and lighting	Not addressed
Physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing	Not addressed
Noise, vibration, odors, steam, or other mechanical factors that might affect people and Property Off-Site	Not addressed
Control of delivery and service vehicles, loading and unloading zones, and Screening of trash and recycling pickup Areas	The site plan must include service and delivery Access and loading/unloading Areas. LMC § 15-6-5(G)(9)
Expected Ownership and management of the project as primary residences, Condominiums, time interval Ownership, Nightly Rental, or commercial tenancies, how the form of Ownership affects taxing entities	The form of ownership anticipated for the project and phasing LMC § 15-6-4(G)(7) Nightly Rentals, time interval Ownerships, or commercial tenancies are not considered, nor is affecting tax entities
Within and adjoining the Site, Environmentally Sensitive Lands, Physical Mine Hazards, Historic Mine Waste and Park City Soils Ordinance, Steep Slopes, and appropriateness of the proposed Structure to the existing topography of the Site	Sensitive Lands Compliance – LMC § 15-6-5(I) Mine Hazard mitigation plan – LMC § 15-6-5(L) Historic Mine Waste Mitigation subject to the Park City Soils Boundary Ordinance requirements LMC § 15-6-5(M)
Review for consistency with the goals and objectives of the Park City General Plan	General Plan review LMC § 15-6-5(N)

The first required finding and conclusion of law the Commission must make when approving an MPD is that the MPD “complies with all the requirements of the Land Management Code.” LMC [§ 15-6-6\(A\)](#). Many of the CUP criteria in red are addressed elsewhere in the LMC:

- Traffic considerations are addressed in the Subdivision Chapters of the LMC
- Utility and storm water considerations are addressed in the Off-Street Parking and Subdivision Chapters of the LMC
- Emergency vehicle Access is addressed through Development Review Committee review
- Signs are addressed in Municipal Code Title 12 and Lighting is addressed in LMC Chapter 15-5, *Architectural Review*
- Physical design, mass, scale, design, and architectural detailing is addressed in LMC Chapter 15-5, *Architectural Review*

The only outlier that is not addressed elsewhere in the LMC is “noise, vibration, odors, steam, or other mechanical factors that might affect people or Property Off-Site.” Staff will work to find an appropriate place in the LMC MPD Chapter for the Commission to take these factors into consideration.

To ensure that detailed staff analysis is presented to the Commission for MPD consideration in an approval process separate from the CUP process, staff recommends the following amendment:

15-6-5 MPD Requirements

All Master Planned Developments shall contain the following minimum requirements. Many of the requirements and standards will have to be increased in order for the Planning Commission to make the necessary findings to approve the Master Planned Development.

...

P. LAND MANAGEMENT CODE REVIEW. All Master Planned Development Applications shall comply with the Land Management Code, including:

1. the underlying Zoning District requirements in LMC Chapter 15-2;
2. relevant Overlay Zoning requirements in LMC Chapter 15-2;
3. Chapter 15-3, Off-Street Parking;
4. Chapter 15-4, Supplementary Regulations;
5. Chapter 15-5, Architectural Review;
6. Chapter 15-7.1 Subdivision General Provisions;
7. Chapter 15-7.1, Subdivision Procedures;
8. Chapter 15-7.2, Assurance for Completion;
9. Chapter 15-7.3 Requirements For Improvements;
10. Chapter 15-7.4, Specifications For Documents; and
11. any other relevant provisions of the Land Management Code.

Master Planned Developments located in a Historic Zoning District shall comply with Chapters 15-11 and 15-13. Master Planned Developments are subject to Municipal Code Title 12, Sign Code.

Also, because the MPD Chapter provides the Commission with discretion regarding Height, Parking, Setbacks, and other design elements, staff recommends that any exemption from a Land Management Code provision or condition of an MPD approval with requirements more or less restrictive than the LMC, the exemption or restriction be included as a Finding of Fact and be outlined in the Development Agreement. Staff recommends this amendment to LMC [§ 15-6-4](#), *Process*:

G. DEVELOPMENT AGREEMENT. Once the Planning Commission has approved the Master Planned Development, the approval shall be put in the form of a Development Agreement. The Development Agreement shall be in a form approved by the City Attorney, and shall contain, at a minimum, the following:

...
2. All relevant zoning and Land Management Code parameters, including all findings, conclusions, and conditions of approval, and specifying any exemptions from a Land Management Code provision or conditions of approval more restrictive than the Land Management Code;

(5) LMC [§ 15-6-4](#), *Process*, to require an Applicant to pay for additional studies requested by the Commission.

Some MPDs will increase Density and intensity of Uses, resulting in increased traffic or other impacts. For MPDs that significantly increase the Density or intensity of Use, the Commission may request studies that are in addition to what an Applicant is required to submit. Staff recommends amending LMC [§ 15-6-4](#), *Process*, to clarify that when the Commission requests a study of the impacts of the project, the Applicant fund the study. Staff also suggests that the Transportation Department and City Engineer recommend the methods of modeling and scope of Traffic Mitigation Studies:

The Commission may determine that additional studies are required for Master Planned Development submittals when the Master Planned Development proposes to significantly increase the Density and intensity of Use of a Site. The Commission may require Applicants to submit and fund additional studies. If the Commission requires an Applicant to submit a Traffic Mitigation Study, the Transportation Department and City Engineer shall recommend a method of modeling and scope of the study area.

(6) LMC [§ 15-6-4\(G\)\(9\)](#), *Process*, to require a public hearing for Commission ratification of Development Agreements and to

clarify that it is the Mayor who signs a Development Agreement.

Regardless of whether an MPD is approved through LMC Chapter 6, an annexation, or any other process, staff recommends a public hearing for all Development Agreements. Several recent Development Agreement approvals for MPDs experienced delays resulting from external factors and the public is not always aware of the final Development Agreement terms. As a result, staff recommends amending LMC [§ 15-6-4\(G\)\(9\)](#) as follows:

The Planning Commission shall hold a public hearing to ratify the Development Agreement ~~[shall be ratified by the Planning Commission,].~~ A Development Agreement ratified by the Commission shall be signed by the ~~[City Council]~~ Mayor and the Applicant~~[.]~~ and recorded with the Summit County Recorder. The Development Agreement shall contain language, ~~[which allows]~~ to allow for minor, administrative modifications to occur to the approval without revision of the agreement. The Development Agreement must be submitted to the City within six (6) months of the date the project was approved by the Planning Commission~~[.]~~ or the Planning Commission approval shall expire.

NON-SUBSTANTIVE EDITS

Staff also recommends non-substantive edits to comply with:

- Municipal Code of Park City (MCPC) [§ 1-1-1](#) for Code citations
- MCPC [§ 1-1-6](#) to clarify references to Titles, Chapters, and Sections
- LMC [§ 15-15-1](#) to capitalize all terms that are defined

Additional non-substantive amendments include:

- Editing passive voice to active voice
- Consistently using the serial comma
- Re-wording sentence structures for clarity
- Removing LMC § 15-6-3(A), *Density*, which duplicates LMC § 15-6-5(A)
- Removing LMC § 15-6-7(F), *Off Street Parking*, which duplicates LMC § 15-6-5(E)

The Commission suggested changing the redline color when duplicate language is removed. The attached redlines show duplicated language in blue – both where it is removed and where it remains in the code.

Department Review

The Transportation, Planning, Engineering, and Legal Departments reviewed this staff report.

Notice

Staff published notice on the City's website and the Utah Public Notice website

on July 8, 2020. The *Park Record* published notice on July 8, 2020.³

Public Input

Staff did not receive any public input at the time this report was published.

Exhibit

Exhibit A: Redlines

³ LMC [§ 15-1-21](#).

1 **15-2.10-2 Uses**

2 Uses in the Estate (E) District are limited to the following:

3 A. **ALLOWED USES.**

- 4 1. Single Family Dwelling
- 5 2. Duplex Dwelling
- 6 3. Secondary Living Quarters
- 7 4. Lockout Unit¹
- 8 5. Accessory Apartment²
- 9 6. Nightly Rental^{1,3}
- 10 7. Home Occupation
- 11 8. Child Care, In-Home Babysitting⁴
- 12 9. Child Care, Family⁴
- 13 10. Child Care, Family Group⁴
- 14 11. Accessory Buildings and Uses
- 15 12. Conservation Activity
- 16 13. Agriculture
- 17 14. Raising, grazing of horses
- 18 15. Parking Area or Structure with four (4) or fewer spaces

19 B. **CONDITIONAL USES.**

- 20 1. Guest House
- 21 2. Group Care Facility
- 22 3. Child Care Center⁴
- 23 4. Public and Quasi-Public Institution, Church, and School

- 24 5. Essential Municipal Public Utility Use, Facility, Services, and Structure
- 25 6. Telecommunication Antenna⁵
- 26 7. Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter⁶
- 27 8. Plant and Nursery stock products and sales
- 28 9. Raising, grazing of livestock
- 29 10. Cemetery
- 30 11. Bed [&] and Breakfast Inn
- 31 12. Hotel, Minor⁷
- 32 13. Hotel, Major⁷
- 33 14. Parking Area or Structure with five (5) or more spaces
- 34 15. Temporary Improvement⁸
- 35 16. Passenger Tramway Station and Base Facility⁹
- 36 17. Ski Tow Rope, Ski Run, Ski Lift, and Ski Bridge
- 37 18. Outdoor Event⁷
- 38 19. Recreation Facility, Public and Private
- 39 20. Recreation Facility, Commercial
- 40 21. Commercial Stables, Riding Academy
- 41 ~~22. Master Planned Development with moderate income housing density~~
- 42 ~~bonus⁷~~
- 43 ~~23. Master Planned Development with residential and transient lodging Uses~~
- 44 ~~only⁷~~
- 45 ~~24. Master Planned Development with Support Retail and Minor Service~~
- 46 ~~Commercial⁷]~~

~~[25.]~~ 22. Mines and Mine Exploration

~~[26.]~~ 23. Vehicle Control Gates¹⁰

~~[27.]~~ 24. Fences greater than six feet (6') in height from Final Grade⁸

25. Support Retail and Minor Service Commercial¹¹

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] Section 15-4-7, [Supplemental Regulations for] Accessory Apartments.

³Nightly Rentals do not include the Use of dwellings for Commercial Uses.

⁴See [LMC Chapter] Section 15-4-9, [for] Child Care [Regulations] And Child Care Facilities

⁵See [LMC Chapter] Section 15-4-14, [Supplemental Regulations for] Telecommunication Facilities

⁶See [LMC Chapter] Section 15-4-13, [Supplemental Regulations for] Placement Of Satellite Receiving Antennas

⁷Subject to regulations of LMC Chapter 15-6, Master Planned Developments

⁸Requires an Administrative Conditional Use permit

⁹ See Section 15-4-18, Passenger Tramways [a] And Ski Base Facilities

¹⁰ See Section 15-4-19, [for specific] [r] Review [e] Criteria [f] For Vehicle Control [g] Gates

¹¹Subject to a Master Planned Development approval. See Chapter 15-6.

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

Amended by Ord. 04-08 on 3/4/2004

Amended by Ord. 06-69 on 10/19/2006

15-2.11-2 Uses

Uses in the SF District are limited to the following:

A. **ALLOWED USES.**

- 72 1. Single Family Dwelling
- 73 2. Duplex Dwelling¹
- 74 3. Secondary Living Quarters²
- 75 4. Accessory Apartment³
- 76 5. Nightly Rental⁴
- 77 6. Home Occupation
- 78 7. Child Care, In-Home Babysitting⁵
- 79 8. Child Care, Family⁵
- 80 9. Child Care, Family Group⁵
- 81 10. Accessory Building and Use
- 82 11. Conservation Activity
- 83 12. Agriculture
- 84 13. Parking Area or Structure with four (4) or fewer spaces

85 B. **CONDITIONAL USES.**

- 86 1. Guest House⁶
- 87 2. Group Care Facility
- 88 3. Child Care Center⁵
- 89 4. Public and Quasi-Public Institution, Church, and School
- 90 5. Essential Municipal Public Utility Use, Facility, Service, and Structure
- 91 6. Telecommunication Antenna⁷
- 92 7. Satellite Dish, greater than thirty-nine inches (39") diameter⁸
- 93 8. Raising, grazing of horses
- 94 9. Bed and Breakfast Inn

10. Parking Area or Structure with five (5) or more spaces⁹

11. Temporary Improvements⁹

12. Outdoor Event⁹

13. Recreation Facility, Public or Private

~~[14. Master Planned Development with moderate income housing Density
bonus]~~

~~[15.]~~ 14. Fences greater than six feet (6') in height from Final Grade⁹

C. **PROHIBITED USES.** Any Use not listed above as an Allowed or Conditional Use
is a prohibited Use.

¹Permitted only on Lots designated for Duplexes on the official Subdivision Plat.

²Detached Guest Houses and detached Secondary Living Quarters are not allowed as a Conditional or
Allowed Use within Holiday Ranchettes Subdivision.

³See ~~[LMC Chapter]~~ Section 15-4-7, ~~[Supplemental Regulations for]~~ Accessory Apartments. Accessory
Apartments in detached Structures are not allowed within Holiday Ranchettes Subdivision.

⁴Allowed only within Prospector Village Subdivision. Commercial Uses are not allowed within Nightly
Rental units.

⁵See ~~[LMC Chapter]~~ Section 15-4-9, ~~[for]~~ Child Care ~~[Regulations]~~ And Child Care Facilities.

⁶Detached Guest Houses and detached Secondary Living Quarters are not allowed as a Conditional or
Allowed Use within Holiday Ranchettes Subdivision.

⁷See ~~[LMC Chapter]~~ Section 15-4-14, ~~[Supplemental Regulations for]~~ Telecommunication Facilities

⁸See ~~[LMC Chapter]~~ Section 15-4-13, ~~[Supplemental Regulations for]~~ Placement Of Satellite Receiving
Antennas

⁹Requires an Administrative Conditional Use permit.

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

Amended by Ord. 06-76 on 11/9/2006

121 **15-2.12-2 Uses**

122 Uses in the R-1 District are limited to the following:

123 A. **ALLOWED USES.**

- 124 1. Single Family Dwelling
- 125 2. Duplex Dwelling
- 126 3. Secondary Living Quarters
- 127 4. Lockout Unit¹
- 128 5. Accessory Apartment²
- 129 6. Nightly Rental³
- 130 7. Home Occupation
- 131 8. Child Care, In-Home Babysitting⁴
- 132 9. Child Care, Family⁴
- 133 10. Child Care, Family Group⁴
- 134 11. Accessory Building and Use
- 135 12. Conservation Activity
- 136 13. Agriculture
- 137 14. Parking Area or Structure with four (4) or fewer spaces

138 B. **CONDITIONAL USES.**

- 139 1. Triplex Dwelling⁵
- 140 2. Guest House, on Lots one (1) acre or larger
- 141 3. Group Care Facility
- 142 4. Child Care Center⁴
- 143 5. Public or Quasi-Public Institution, Church, and School

6. Essential Municipal Public Utility Use, Facility, Service, and Structure
7. Telecommunication Antenna⁶
8. Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter⁷
9. Bed ~~[&]~~and Breakfast Inn
10. Temporary Improvement⁸
11. Ski tow rope, ski lift, ski run, and ski bridge⁹
12. Outdoor Event⁸
- ~~[13. Master Planned Development with moderate income housing Density bonus¹⁰~~
- ~~14. Master Planned Development with residential and transient lodging Uses only¹⁰~~
- ~~[15.]~~13. Recreation Facility, Private
- ~~[16.]~~14. Fences and walls greater than six feet (6') in height from Final Grade⁸
15. Residential and transient lodging Uses¹⁰

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]~~ Section 15-4-7, ~~[Supplemental Regulations for]~~ Accessory Apartments

³Commercial Uses are not allowed within Nightly Rental Units

⁴See ~~[LMC Chapter]~~ Section 15-4-9, ~~[for]~~ Child Care Regulations And Child Care Facilities

⁵Must comply with special parking requirements, see ~~[Section]~~ Chapter 15-3.

⁶See ~~[LMC Chapter]~~ Section 15-4-14, ~~[Supplemental Regulations for]~~ Telecommunications Facilities

⁷See ~~[LMC Chapter]~~ Section 15-4-13, ~~[Supplemental Regulations for]~~ Placement Of Satellite Receiving Antennas

⁸Subject to an administrative Conditional Use permit.

169 ⁹As part of an approved Ski Area Master Plan. See ~~[LMC Chapter]~~ Section 15-4-18, Passenger
170 Tramways ~~[a]~~ And Ski Base Facilities

171 ¹⁰Subject to ~~[provisions of LMC]~~ Master Planned Development approval. See Chapter 15-6.~~[Master~~
172 ~~Planned Development]~~

173 HISTORY

174 *Adopted by Ord. 00-51 on 9/21/2000*

175 *Amended by Ord. 06-76 on 11/9/2006*

176 **15-2.13-2 Uses**

177 Uses in the RD District are limited to the following:

178 A. **ALLOWED USES.**

- 179 1. Single-Family Dwelling
- 180 2. Duplex Dwelling
- 181 3. Secondary Living Quarters
- 182 4. Lockout Unit¹
- 183 5. Accessory Apartment²
- 184 6. Nightly Rental³
- 185 7. Home Occupation
- 186 8. Child Care, In-Home Babysitting⁴
- 187 9. Child Care, Family⁴
- 188 10. Child Care, Family Group⁴
- 189 11. Accessory Building and Use
- 190 12. Conservation Activity Agriculture
- 191 13. Parking Area or Structure with four (4) or fewer spaces
- 192 14. Recreation Facility, Private

193 15. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays⁵

194 16. Food Truck Location¹⁶

195 B. **CONDITIONAL USES.**

196 1. Triplex Dwelling⁶

197 2. Multi-Unit Dwelling⁶

198 3. Guest House

199 4. Group Care Facility

200 5. Child Care Center⁴

201 6. Public and Quasi-Public Institution, Church, and School

202 7. Essential Municipal Public Utility Use, Facility, Service, and Structure

203 8. Telecommunication Antenna⁷

204 9. Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter⁸

205 10. Raising, grazing of horses

206 11. Cemetery

207 12. Bed and Breakfast Inn

208 13. Hotel, Minor⁶

209 14. Hotel, Major⁶

210 15. Private Residence Club Project and Conversion¹⁰

211 16. Office, General^{6,9}

212 17. Office, Moderate Intensive^{6,9}

213 18. Office, Medical^{6,9}

214 19. Financial Institution without drive-up window^{6,9}

215 20. Commercial Retail and Service, Minor^{6,9}

216	21. Commercial Retail and Service, personal improvement ^{6,9}
217	22. Commercial, Resort Support ^{6,9}
218	23. Café or Deli ^{6,9}
219	24. Restaurant, Standard ^{6,9}
220	25. Restaurant, Outdoor Dining ¹⁰
221	26. Outdoor Event ¹⁰
222	27. Bar ^{6,9}
223	28. Hospital, Limited Care Facility ^{6,9}
224	29. Parking Area or Structure with five (5) or more spaces
225	30. Temporary Improvement ¹⁰
226	31. Passenger Tramway Station and Ski Base Facility ¹¹
227	32. Ski Tow, Ski Lift, Ski Run, and Ski Bridge ¹¹
228	33. Recreation Facility, Public
229	34. Recreation Facility, Commercial ⁶
230	35. Entertainment Facility, Indoor ^{6,9}
231	36. Commercial Stables, Riding Academy ¹²
232	[37. Master Planned Development with moderate income housing density
233	bonus¹²
234	38. Master Planned Development with residential and transient lodging Uses
235	only¹²
236	39. Master Planned Development with Support Retail and Minor Service
237	Commercial Uses¹²]
238	[40.] <u>37.</u> Heliport ¹²

- 239 ~~[41.]~~38. Vehicle Control Gate¹³
- 240 ~~[42.]~~39. Fences and walls greater than six feet (6') in height from Final
- 241 Grade¹⁰
- 242 ~~[43.]~~40. Salt Lake City 2002 Winter Olympic Games Olympic Legacy
- 243 Displays¹⁴
- 244 ~~[44.]~~41. Amenities Club
- 245 ~~[45.]~~42. Club, Private Residence Off-Site¹⁵

246 C. **PROHIBITED USES.** Any Use not listed above as an Allowed or Conditional Use

247 is a prohibited Use.

248 ¹Nightly rental of Lockout Units requires a Conditional Use permit

249 ²See ~~[LMC Chapter]~~ Section 15-4-7, ~~[Supplemental Regulations for]~~ Accessory Apartments

250 ³Nightly Rentals do not include the Use of dwellings for Commercial Uses and Nightly Rentals are not

251 permitted in the April Mountain and Mellow Mountain Estates Subdivisions

252 ⁴See ~~[LMC Chapter]~~ Section 15-4-9, ~~[for]~~ Child Care ~~[Regulations]~~ And Child Care Facilities

253 ⁵Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City

254 Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed

255 on the original Property set forth in the services agreement and/or Master Festival License

256 ⁶Subject to provisions of ~~[LMC]~~ Chapter 15-6, Master Planned Developmentss

257 ⁷See ~~[LMC Chapter]~~ Section 15-4-14, ~~[Supplemental Regulations for]~~ Telecommunications Facilities

258 ⁸See ~~[LMC Chapter]~~ Section 15-4-13, ~~[Supplemental Regulations for]~~ Placement Of Satellite Receiving

259 Antennas

260 ⁹Allowed only as a secondary or support Use to the primary Development or Use and intended as a

261 convenience for residents or occupants of adjacent or adjoining residential Developments.

262 ¹⁰Requires an administrative Conditional Use permit.

263 ¹¹As part of an approved Ski Area Master Plan. See ~~[LMC Chapter]~~, Section 15-4-18, Passenger

264 Tramways And Ski Base Facilities

265 ¹² ~~Subject to provisions of LMC Chapter 15-6, Master Planned Development.~~

266 ¹³ See Section 15-4-19, Review Criteria For Control Vehicle Gates ~~[for specific review criteria for gates].~~

267 ¹⁴ Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City
268 Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed
269 in an Area other than the original location set forth in the services agreement and/or Master Festival
270 License.

271 ¹⁵ Only allowed within a Master Planned Development. Requires an Administrative Conditional Use permit.
272 Is permitted only in approved existing Commercial spaces or developments that have ten (10) or more
273 units with approved Support Commercial space. A Parking Plan shall be submitted to determine site
274 specific parking requirements.

275 ¹⁶ The Planning Director~~[;]~~ or his designee shall, upon finding a Food Truck Location in compliance with
276 Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative approval
277 letter.

278 HISTORY

279 *Adopted by Ord. 00-51 on 9/21/2000*

280 *Amended by Ord. 02-38 on 9/12/2002*

281 *Amended by Ord. 04-08 on 3/4/2004*

282 *Amended by Ord. 05-39 on 6/30/2005*

283 *Amended by Ord. 06-76 on 11/9/2006*

284 *Amended by Ord. 11-05 on 1/27/2011*

285 *Amended by Ord. 14-35 on 6/26/2014*

286 *Amended by Ord. 2018-23 on 5/17/2018*

287 *Amended by Ord. 2018-55 on 10/23/2018*

288 *Amended by Ord. 2018-55 on 10/23/2018*

289 **15-2.14-2 Uses**

290 Uses in the RDM District are limited to the following:

- 291 A. **ALLOWED USES.**
- 292 1. Single Family Dwelling
- 293 2. Duplex Dwelling
- 294 3. Triplex Dwelling
- 295 4. Secondary Living Quarters
- 296 5. Lockout Unit¹
- 297 6. Accessory Apartment²
- 298 7. Nightly Rental³
- 299 8. Home Occupation
- 300 9. Child Care, In Home Babysitting⁴
- 301 10. Child Care, Family⁴
- 302 11. Child Care, Family Group⁴
- 303 12. Accessory Building and Use
- 304 13. Conservation Activity
- 305 14. Agriculture
- 306 15. Parking Area or Structure with four (4) or fewer spaces
- 307 16. Recreation Facility, Private
- 308 17. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays⁵
- 309 18. Food Truck Location¹⁴
- 310 B. **CONDITIONAL USES.**
- 311 1. Multi Unit Dwelling⁶
- 312 2. Guest House
- 313 3. Group Care Facility

- 314 4. Child Care Center
- 315 5. Public and Quasi Public Institution, Church, and School
- 316 6. Essential Municipal Public Utility Use, Facility, Service, and Structure
- 317 7. Telecommunication Antenna⁷
- 318 8. Satellite Dish, greater than thirty nine inches (39") in diameter⁸
- 319 9. Raising grazing of horses
- 320 10. Cemetery
- 321 11. Bed and Breakfast Inn
- 322 12. Boarding House, Hotel
- 323 13. Hotel, Minor⁶
- 324 14. Hotel, Major⁶
- 325 15. Private Residence Club Project and Conversion¹¹
- 326 16. Office, General~~[6]~~⁶[7]
- 327 17. Office, Moderate Intensive^{6,9}
- 328 18. Office and Clinic, Medical^{6,10}
- 329 19. Financial Institution, without drive up window^{6,10}
- 330 20. Commercial Retail and Service, Minor^{6,10}
- 331 21. Commercial Retail and Service, personal improvement^{6,10}
- 332 22. Commercial, Resort Support^{6,10}
- 333 23. Cafe or Deli^{6,10}
- 334 24. Restaurant, Standard^{6,10}
- 335 25. Restaurant, Outdoor Dining¹¹
- 336 26. Outdoor Event¹¹

- 337 27. Bar^{6,10}
- 338 28. Hospital, Limited Care Facility^{6,9}
- 339 29. Parking Area or Structure with five (5) or fewer spaces
- 340 30. Temporary Improvement¹¹
- 341 31. Passenger Tramway Station and Ski Base Facility¹²
- 342 32. Ski Tow, Ski Lift, Ski Run, and Ski Bridge¹²
- 343 33. Recreation Facility, Public
- 344 34. Recreation Facility, Commercial⁶
- 345 35. Entertainment Facility, Indoor^{6,9}
- 346 36. Commercial Stables, Riding Academy^{6,10}
- 347 ~~[37. Master Planned Development with moderate income housing Density~~
- 348 ~~bonus⁶~~
- 349 ~~38. Master Planned Development with residential and transient lodging Uses~~
- 350 ~~only⁶~~
- 351 ~~39. Master Planned Development with Support Retail and Minor Service~~
- 352 ~~Commercial⁶]~~
- 353 ~~[40.]~~³⁷. Fences greater than six feet (6') in height from Final Grade
- 354 ~~[41.]~~³⁸. Salt Lake City 2002 Winter Olympic Games Olympic Legacy
- 355 Displays¹³

356 C. **PROHOBITED USES**. Any Use not listed above as an Allowed or

357 Conditional Use is a prohibited Use.

358 ¹Nightly Rental of Lockout Units requires a Conditional Use permit.

359 ²See ~~[LMC Chapter]~~ ^{Section} 15-4-7, Accessory Apartments.

360 ³Nightly Rentals do not include the Use of Dwellings for Commercial Use.

⁴See ~~[LMC Chapter]~~ Section 15-4-9, Child Care ~~[Regulations]~~ And Child Care Facilities

⁵Olympic 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

⁶Subject to ~~[provisions of LMC]~~ Master Planned Development approval. See Chapter 15-6~~[-Master Planned Development]~~

⁷See ~~[LMC Chapter]~~ Section 15-4-14, Telecommunication Facilities.

⁸See ~~[LMC Chapter]~~ Section 15-4-13, Placement Of Satellite Receiving Antennas.

⁹General Offices are only permitted with an approved Master Planned Development and may only be approved as the redevelopment of an existing Building or Property. In addition to meeting the necessary criteria in the LMC Chapter 15-6, Master Planned Developments [MPD's], the Planning Commission must find that: a) the redevelopment of an existing Building or Property to a General Office use will substantially advance the objectives of Economic Element of the General Plan or other more specific neighborhood plans; b) it has minimized/eliminated any potential detrimental impact on the resort and/or resort-residential character of the RDM District and the Frontage Protection Zone through careful planning and conditions of approval; c) it will not result in an intensification of use incompatible with neighboring developments; and d) it will not result in substantial increase in the existing trip generations for services and deliveries.

¹⁰Allowed only as a secondary or support Use to the primary Development or Use and intended as a convenience for residents or occupants of adjacent or adjoining residential Development.

¹¹Requires an administrative Conditional Use permit.

¹²As part of an approved Ski Area Master Plan. See ~~[LMC Chapter]~~ Section 15-4-18, Passenger Tramways ~~[a]~~And Ski Base Facilities

¹³Olympic 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 in an Area other than the original location set forth in the services agreement and/or Master Festival License.

¹⁴The Planning Director[,] or his designee shall, upon finding a Food Truck Location in compliance with Municipal Code [Section](#) 4-5-6, issue the property owner a Food Truck Location administrative approval letter.

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

Amended by Ord. [02-24](#) on 6/27/2002

Amended by Ord. [02-38](#) on 9/12/2002

Amended by Ord. [04-39](#) on 3/18/2004

Amended by Ord. [06-76](#) on 11/9/2006

Amended by Ord. [2018-55](#) on 10/23/2018

Amended by Ord. [2018-55](#) on 10/23/2018

15-2.15-2 Uses

Uses in the RM District are limited to the following:

A. ALLOWED USES.

1. Single Family Dwelling
2. Duplex Dwelling
3. Triplex Dwelling
4. Secondary Living Quarters
5. Lockout Unit¹
6. Accessory Apartment²
7. Nightly Rental³
8. Home Occupation
9. Child Care, In-Home Babysitting⁴
10. Child Care, Family⁴

- 412 11. Child Care, Family Group⁴
- 413 12. Accessory Building and Use
- 414 13. Conservation Activity
- 415 14. Agriculture
- 416 15. Bed & Breakfast Inn
- 417 16. Parking Area or Structure with four (4) or fewer spaces
- 418 B. **CONDITIONAL USES.**
- 419 1. Multi-Unit Dwelling
- 420 2. Guest House, on Lot greater than one (1) acre
- 421 3. Group Care Facility
- 422 4. Child Care Center⁴
- 423 5. Public and Quasi-Public Institution, Church, and School
- 424 6. Essential Municipal Public Utility Use, Facility, Service, and Structure
- 425 7. Telecommunication Antenna⁵
- 426 8. Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter⁶
- 427 9. Boarding House, Hostel
- 428 10. Hotel, Minor⁷
- 429 11. Outdoor Event⁸
- 430 12. Parking Area or Structure with five (5) or more spaces
- 431 13. Temporary Improvement⁸
- 432 14. Recreation Facility, Public and Private
- 433 ~~15. Master Planned Development with moderate income housing Density~~
- 434 ~~bonus~~⁷

435 ~~16. Master Planned Development with residential and transient lodging Uses~~
436 ~~only~~⁷

437 ~~17. Master Planned Development with Support Retail and Minor Service~~
438 ~~Commercial Uses~~⁷]

439 [18.] 15. Fences greater than six feet in Height from Final Grade⁸

440 16. Residential and transient lodging Uses⁷

441 C. **PROHIBITED USES.** Any Use not listed above as an Allowed or Conditional Use
442 is a prohibited Use.

443 ¹Nightly rental of Lockout Units requires a Conditional Use permit

444 ²See LMC Chapter 15-4, Supplemental Regulations for Accessory Apartments

445 ³Nightly Rentals do not include the Use of dwellings for Commercial Uses

446 ⁴See LMC Chapter 15-4-9, Child Care Regulations

447 ⁵See LMC Chapter 15-4-14, Supplemental Regulations for Telecommunications Facilities

448 ⁶See LMC Chapter 15-4-13, Supplemental Regulations for Satellite Receiving Antennas

449 ⁷Subject to [provisions of LMC] Master Planned Development approval. See Chapter 15-6[, Master
450 Planned Development]

451 ⁸Requires an administrative Conditional Use permit

452 HISTORY

453 *Adopted by Ord. 00-51 on 9/21/2000*

454 **15-2.16-2 Uses**

455 Uses in the RC District are limited to the following:

456 A. **ALLOWED USES.**

457 1. Single Family Dwelling

458 2. Duplex Dwelling

459 3. Triplex Dwelling

- 460 4. Secondary Living Quarters
- 461 5. Lockout Unit¹
- 462 6. Accessory Apartment²
- 463 7. Nightly Rental³
- 464 8. Home Occupation
- 465 9. Child Care, In-Home Babysitting⁴
- 466 10. Child Care, Family⁴
- 467 11. Child Care, Family Group⁴
- 468 12. Child Care Center⁴
- 469 13. Accessory Building and Use
- 470 14. Conservation Activity
- 471 15. Agriculture
- 472 16. Bed & Breakfast Inn
- 473 17. Boarding House, Hostel
- 474 18. Hotel, Minor
- 475 19. Parking Area or Structure with four (4) or fewer spaces
- 476 20. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays⁵
- 477 21. Food Truck Location¹²

478 B. **CONDITIONAL USES.**

- 479 1. Multi-Unit Dwelling
- 480 2. Group Care Facility
- 481 3. Public and Quasi-Public Institution, Church, and School
- 482 4. Essential Municipal and Public Utility Use, Facility, Service, and Structure

483	5. Telecommunications Antenna ⁶
484	6. Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter ⁷
485	7. Raising, grazing of horses
486	8. Cemetery
487	9. Hotel, Major
488	10. Timeshare Project and Conversion
489	11. Timeshare Sales Office
490	12. Private Residence Club Project and Conversion ⁹
491	13. Office, General ⁸
492	14. Office, Moderate ⁸
493	15. Office and Clinic, Medical ⁸
494	16. Financial Institution without drive-up window ⁸
495	17. Minor Retail and Service Commercial ⁸
496	18. Retail and Service Commercial, personal improvement ⁸
497	19. Transportation Service ⁸
498	20. Neighborhood Market, without gasoline sales ⁸
499	21. Café or Deli ⁸
500	22. Restaurant, General ⁸
501	23. Restaurant, Outdoor Dining ^{8,9}
502	24. Bar ⁸
503	25. Hospital, Limited Care Facility ⁸
504	26. Parking Area or Structure with five (5) or more spaces
505	27. Temporary Improvement ⁹

506 28. Passenger Tramway Station and Ski Base Facility¹⁰

507 29. Ski Tow Rope, Ski Lift, Ski Run, and Ski Bridge¹⁰

508 30. Outdoor Events and Uses⁹

509 31. Recreation Facility, Public and Private⁸

510 32. Recreation Facility, Commercial⁸

511 33. Entertainment Facility, Indoor⁸

512 34. Commercial Stables, Riding Academy⁸

513 ~~[35. Master Planned Developments]~~

514 ~~[36.]~~35. Heliport⁸

515 ~~[37.]~~36. Special Events⁹

516 ~~[38.]~~37. Amenities Club

517 ~~[39.]~~38. Club, Private Residence Off-Site¹¹

518 C. **PROHIBITED USES**. Any Use not listed above as an Allowed or Conditional Use
519 is a prohibited Use.

520 ¹Nightly Rental of Lockout Units requires a Conditional Use permit

521 ²See ~~[LMC Chapter]~~ Section 15-4-7, ~~[Supplemental Regulations for]~~ Accessory Apartments

522 ³Nightly Rentals do not include the Use of dwellings for Commercial Uses

523 ⁴See ~~[LMC Chapter]~~ Section 15-4-9, Child Care Regulations And Child Care Facilities

524 ⁵Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City

525 Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed

526 on the original Property set forth in the services agreement and/or Master Festival License. Requires an

527 Administrative Permit.

528 ⁶See ~~[LMC Chapter]~~ Section 15-4-14, ~~[Supplemental Regulations for]~~ Telecommunication Facilities

529 ⁷See ~~[LMC Chapter]~~ Section 15-4-13, ~~[Supplemental Regulations for]~~ Placement Of Satellite Receiving

530 Antennas

531 ⁸As support Use to primary Development or Use, subject to provisions of LMC Chapter 15-6, Master
532 Planned Development^s

533 ⁹Requires an Administrative or Administrative Conditional Use permit, see Section 15-4

534 ¹⁰As part of an approved Ski Area Master Plan

535 ¹¹Requires an Administrative Conditional Use permit. Is permitted only in approved existing Commercial
536 spaces or developments that have ten (10) or more units with approved Support Commercial space. A
537 Parking Plan shall be submitted to determine site specific parking requirements.

538 ¹²The Planning Director[,] or his designee shall, upon finding a Food Truck Location in compliance with
539 Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative approval
540 letter.

541 HISTORY

542 *Adopted by Ord. 00-51 on 9/21/2000*

543 *Amended by Ord. 02-38 on 9/12/2002*

544 *Amended by Ord. 04-39 on 3/18/2004*

545 *Amended by Ord. 06-76 on 11/9/2006*

546 *Amended by Ord. 09-10 on 3/5/2009*

547 *Amended by Ord. 11-05 on 1/27/2011*

548 *Amended by Ord. 15-35 on 10/12/2015*

549 *Amended by Ord. 2018-23 on 5/17/2018*

550 *Amended by Ord. 2018-55 on 10/23/2018*

551 *Amended by Ord. 2018-55 on 10/23/2018*

552 **15-2.17-2 Uses**

553 Uses in the RCO District are limited to the following:

554 A. **ALLOWED USES.**

555 1. Secondary Living Quarters

- 556 2. Lockout Unit¹
- 557 3. Accessory Apartment²
- 558 4. Nightly Rental
- 559 5. Home Occupation
- 560 6. Child Care, In-Home Babysitting³
- 561 7. Child Care, Family³
- 562 8. Child Care, Family Group³
- 563 9. Accessory Building and Use
- 564 10. Conservation Activity
- 565 11. Agriculture
- 566 12. Parking Area or Structure with four (4) or fewer spaces
- 567 13. Recreation Facility, Private
- 568 14. Allowed Uses in the Underlying Zoning District
- 569 15. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays⁴
- 570 16. Food Truck Location¹¹

571 B. **CONDITIONAL USES.**

- 572 1. Multi-Unit Dwelling⁵
- 573 2. Group Care Facility⁵
- 574 3. Child Care Center^{3,5}
- 575 4. Public and Quasi-Public Institution, Church and School⁵
- 576 5. Essential Municipal Public Utility Use, Facility, Service, and Structure⁵
- 577 6. Telecommunication Antenna⁶
- 578 7. Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter⁷

579	8. Plant and Nursery stock products and sales ⁵
580	9. Bed and Breakfast Inn ⁵
581	10. Boarding House, Hostel ⁵
582	11. Hotel, Minor ⁵
583	12. Hotel, Major ⁵
584	13. Private Residence Club Project and Conversion ⁹
585	14. Timeshare Sales Office, off-site ⁵
586	15. Office, General ⁵
587	16. Office, Moderate Intensive ⁵
588	17. Office, Intensive ⁵
589	18. Office and Clinic, Medical ⁵
590	19. Financial Institution, with and without drive-up window ^{5,8}
591	20. Retail and Service Commercial, Minor ⁵
592	21. Retail and Service Commercial, personal improvement ⁵
593	22. Retail and Service Commercial, Major ⁵
594	23. Transportation Service ⁵
595	24. Retail Drive-Up Window ⁸
596	25. Neighborhood Convenience Commercial ⁵
597	26. Commercial, Resort Support ⁵
598	27. Gasoline Service Station ⁵
599	28. Cafe, Deli ⁵
600	29. Restaurant, General ⁵
601	30. Restaurant, Outdoor Dining ⁹

- 602 31. Outdoor Event⁹
- 603 32. Restaurant, Drive-up window⁸
- 604 33. Bar⁵
- 605 34. Hospital, Limited Care Facility⁵
- 606 35. Hospital, General⁵
- 607 36. Parking Area or Garage with five (5) or more spaces⁸
- 608 37. Temporary Improvement⁹
- 609 38. Passenger Tramway Station and Ski Base Facility⁵
- 610 39. Ski tow rope, ski lift, ski run, and ski bridge⁵
- 611 40. Recreation Facility, Public⁵
- 612 41. Recreation Facility, Commercial⁵
- 613 42. Entertainment, Indoor⁵
- 614 ~~[43. Master Planned Developments⁵]~~
- 615 ~~[44.]~~43. Heliport⁵
- 616 ~~[45.]~~44. Salt Lake City 2002 Winter Olympic Games Olympic Legacy
- 617 Displays¹⁰
- 618 C. **PROHIBITED USES.** Any Use not listed above as an Allowed or Conditional Use
- 619 is a prohibited Use.

620 ¹Nightly Rental of Lockout Units requires a Conditional Use permit

621 ²See ~~[LMC Chapter]~~ Section 15-4-7, ~~[Supplemental Regulations for]~~ Accessory Apartments

622 ³See ~~[LMC Chapter]~~ Section 15-4-9, Child Care Regulations And Child Care Facilities

623 ⁴Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City

624 Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed

625 on the original Property set forth in the services agreement and/or Master Festival License.

626 ⁵Subject to ~~[provisions of]~~ Master Planned Development approval. See Chapter 15-6 ~~[, Master Planned~~

627 ~~Developments]~~

628 ⁶See [~~LMC Chapter~~] Section 15-4-14, [~~Supplemental Regulations for~~] Telecommunication Facilities

629 ⁷See [~~LMC Chapter~~] Section 15-4-13, [~~Supplemental Regulations for~~] Placement Of Satellite Receiving

630 Antennas

631 ⁸See Section 15-2.18-5 criteria for drive-up windows

632 ⁹Requires an administrative Conditional Use permit

633 ¹⁰Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City

634 Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed

635 in an Area other than the original location set forth in the services agreement and/or Master Festival

636 License.

637 ¹¹The Planning Director[~~;~~] or his designee shall, upon finding a Food Truck Location in compliance with

638 Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative approval

639 letter.

640 HISTORY

641 *Adopted by Ord. 00-51 on 9/21/2000*

642 *Amended by Ord. 02-38 on 9/12/2002*

643 *Amended by Ord. 04-39 on 9/23/2004*

644 *Amended by Ord. 06-76 on 11/9/2006*

645 *Amended by Ord. 2018-55 on 10/23/2018*

646 *Amended by Ord. 2018-55 on 10/23/2018*

647 **15-2.18-2 Uses**

648 Uses in the GC District are limited to the following:

649 A. **ALLOWED USES.**

650 1. Secondary Living Quarters

651 2. Lockout Unit¹

652 3. Accessory Apartment²

653	4. Nightly Rental
654	5. Home Occupation
655	6. Child Care, In-Home Babysitting ³
656	7. Child Care, Family ³
657	8. Child Care, Family Group ³
658	9. Child Care Center ³
659	10. Accessory Building and Use
660	11. Conservation Activity
661	12. Agriculture
662	13. Plant and Nursery Stock production and sales
663	14. Bed & Breakfast Inn
664	15. Boarding House, Hostel
665	16. Hotel, Minor
666	17. Hotel, Major
667	18. Office, General
668	19. Office, Moderate Intensive
669	20. Office, Intensive
670	21. Office and Clinic, Medical and Veterinary Clinic
671	22. Financial Institution without a drive-up window
672	23. Commercial, Resort Support
673	24. Retail and Service Commercial, Minor
674	25. Retail and Service Commercial, Personal Improvement
675	26. Retail and Service Commercial, Major

- 676 27. Cafe or Deli
- 677 28. Restaurant, General
- 678 29. Hospital, Limited Care Facility
- 679 30. Parking Area or Structure with four (4) or fewer spaces
- 680 31. Parking Area or Structure with five (5) or more spaces
- 681 32. Recreation Facility, Private
- 682 33. Food Truck Location¹⁰

683 B. **CONDITIONAL USES.**

- 684 1. Single Family Dwelling
- 685 2. Duplex Dwelling
- 686 3. Triplex Dwelling
- 687 4. Multi-Unit Dwelling
- 688 5. Group Care Facility
- 689 6. Public and Quasi-Public Institution, Church, and School
- 690 7. Essential Municipal Public Utility Use, Facility, Service, and Structure
- 691 8. Telecommunication Antenna⁴
- 692 9. Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter⁵
- 693 10. Timeshare Project and Conversion
- 694 11. Timeshare Sales Office, off-site within an enclosed Building
- 695 12. Private Residence Club Project and Conversion⁸
- 696 13. Financial Institution with a Drive-up Window⁶
- 697 14. Retail and Service Commercial with Outdoor Storage
- 698 15. Retail and Service Commercial, Auto Related

699	16. Transportation Service
700	17. Retail Drive-Up Window ⁶
701	18. Gasoline Service Station
702	19. Restaurant and Cafe, Outdoor Dining ⁷
703	20. Restaurant, Drive-up Window ⁶
704	21. Outdoor Event ⁷
705	22. Bar
706	23. Sexually Oriented Businesses ⁸
707	24. Hospital, General
708	25. Light Industrial Manufacturing and Assembly
709	26. Temporary Improvement ⁷
710	27. Passenger Tramway and Ski Base Facility
711	28. Ski tow rope, ski lift, ski run, and ski bridge
712	29. Commercial Parking Lot or Structure
713	30. Recreation Facility, Public
714	31. Recreation Facility, Commercial
715	32. Indoor Entertainment Facility
716	[33. Master Planned Development with moderate housing density bonus⁹
717	34. Master Planned Developments⁹
718	[35.] <u>33.</u> Heliport
719	[36.] <u>34.</u> Temporary Sales Trailer in conjunction with an active Building permit
720	for the Site. ⁸
721	[37.] <u>35.</u> Fences greater than six feet (6') in height from Final Grade ⁷

722 ~~[38.]~~[36.] Household Pet, Boarding⁷

723 ~~[39.]~~[37.] Household Pet, Daycare⁷

724 ~~[40.]~~[38.] Household Pet, Grooming⁷

725 C. **PROHIBITED USES.** Any Use not listed above as an Allowed or Conditional Use
726 is a prohibited Use.

727 ¹Nightly rental of Lockout Units requires Conditional Use permit

728 ²See ~~[LMC Chapter]~~ Section 15-4-~~7,~~ ~~[Supplemental Regulations for]~~ Accessory Apartments

729 ³See ~~[LMC Chapter]~~ Section 15-4-9, Child Care Regulations And Child Care Facilities

730 ⁴See ~~[LMC Chapter]~~ Section 15-4-14, ~~[Supplemental Regulations for]~~ Telecommunication Facilities

731 ⁵See ~~[LMC Chapter]~~ 15-4-13, ~~[Supplemental Regulations for]~~ Placement Of Satellite Receiving Antennas

732 ⁶See Section ~~[2-18-6]~~ 15-2.18-6 for Drive-Up Window review

733 ⁷Requires an administrative Conditional Use permit

734 ⁸See Section ~~[2-17-8]~~ 15-4-16 for additional criteria.

735 ⁹~~[Subject to provisions of LMC Chapter 15-6, Master Planned Development]~~

736 ¹⁰The Planning Director~~[,]~~ or his designee shall, upon finding a Food Truck Location in compliance with
737 Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative approval
738 letter.

739 HISTORY

740 *Adopted by Ord. 00-51 on 9/21/2000*

741 *Amended by Ord. 04-39 on 9/23/2004*

742 *Amended by Ord. 06-76 on 11/9/2006*

743 *Amended by Ord. 14-57 on 11/20/2014*

744 *Amended by Ord. 2018-55 on 10/23/2018*

745 *Amended by Ord. 2018-55 on 10/23/2018*

746 **15-2.19-2 Uses**

747 Uses in the LI District are limited to the following:

748 A. **ALLOWED USES.**

- 749 1. Secondary Living Quarters
- 750 2. Accessory Apartment¹
- 751 3. Nightly Rental
- 752 4. Home Occupation
- 753 5. Child Care, In-Home Babysitting²
- 754 6. Child Care, Family²
- 755 7. Child Care, Family Group²
- 756 8. Child Care Center²
- 757 9. Agriculture
- 758 10. Plant and Nursery Stock
- 759 11. Office, General
- 760 12. Office, Moderate Intensive
- 761 13. Office, Intensive
- 762 14. Financial Institution without drive-up window
- 763 15. Retail and Service Commercial, Minor
- 764 16. Retail and Service Commercial, Personal Improvement
- 765 17. Retail and Service Commercial, Major
- 766 18. Commercial, Resort Support
- 767 19. Hospital, Limited Care
- 768 20. Parking Area or Structure with four (4) or fewer spaces
- 769 21. Recreation Facility, Private

770 22. Food Truck Location⁸

771 B. **CONDITIONAL USES.**

772 1. Multi-Unit Dwelling

773 2. Group Care Facility

774 3. Child Care Center²

775 4. Public and Quasi-Public Institution, Church, and School

776 5. Essential Municipal Public Utility Use, Facility, Service, and Structure

777 6. Telecommunication Antenna³

778 7. Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter⁴

779 8. Accessory Building and Use

780 9. Raising, grazing of horses

781 10. Bed and Breakfast Inn

782 11. Boarding House, Hostel

783 12. Hotel, Minor

784 13. Private Residence Club Project and Conversion⁶

785 14. Office and Clinic, Medical and Veterinary Clinic

786 15. Financial Institutions with Drive-Up Window⁵

787 16. Retail and Service Commercial with Outdoor Storage

788 17. Retail and Service Commercial, Auto-Related

789 18. Transportation Services

790 19. Retail Drive-Up Window⁵

791 20. Gasoline Service Station

792 21. Café or Deli

793	22. Restaurant, General
794	23. Restaurant, Outdoor Dining
795	24. Restaurant, Drive-Up Window ⁵
796	25. Outdoor Event ⁶
797	26. Bar
798	27. Hospital, General
799	28. Light Industrial Manufacturing and Assembly Facility
800	29. Parking Area or Structure with five (5) or more spaces
801	30. Temporary Improvement ⁶
802	31. Passenger Tramway Station and Ski Base Facility
803	32. Ski Tow Rope, Ski Lift, Ski Run, and Ski Bridge
804	33. Recreation Facility, Public
805	34. Recreation Facility, Commercial
806	35. Entertainment Facility, Indoor
807	36. Commercial Stables, Riding Academy
808	37. Master Planned Developments⁷
809	38. Heliports
810	39. Commercial Parking Lot or Structure
811	40. Temporary Sales Office, in conjunction with an active Building permit.
812	41. Fences and Walls greater than six feet (6') in height from Final Grade ⁶
813	42. Household Pet, Boarding ⁶
814	43. Household Pet, Daycare ⁶
815	44. Household Pet, Grooming ⁶

C. **PROHIBITED USES.** Any Use not listed above as an Allowed or Conditional Use is a prohibited Use.

¹See LMC Chapter 15-4, Supplemental Regulations for Accessory Apartments

²See LMC Chapter 15-4-9 Child Care Regulations

³See LMC Chapter 15-4-14, Supplemental Regulations for Telecommunication Facilities

⁴See LMC Chapter 15-4-13, Supplemental Regulations for Satellite Receiving Antennas

⁵See Section 2.19-8 for Drive-Up Window review criteria

⁶Subject to an administrative Conditional Use permit.

~~⁷Subject to provisions of LMC Chapter 15-6, Master Planned Development.~~

⁸The Planning Director~~[r]~~ or his designee shall, upon finding a Food Truck Location in compliance with Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative approval letter.

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

Amended by Ord. 04-39 on 9/23/2004

Amended by Ord. 06-76 on 11/9/2006

Amended by Ord. 14-57 on 11/20/2014

Amended by Ord. 2018-55 on 10/23/2018

Amended by Ord. 2018-55 on 10/23/2018

15-2.22-2 Uses

Uses in the Public Use Transition District are limited to the following:

A. **ALLOWED USES.**

1. Municipal/Institutional Accessory Building and Use 600 sf or less
2. Conservation Activity
3. Parking Lot, Public or Private with four (4) or fewer spaces

841 4. Public Utility or Essential Services

842 5. Public Assembly Uses

843 6. Outdoor Events

844 7. Food Truck Location⁵

845 B. **CONDITIONAL USES.**

846 1. Public and Quasi-Public Institution, Church, School, Post Office

847 2. Entertainment Facility, Outdoor

848 3. Essential Municipal Public Utility Use, Facility, or Service Structure

849 4. Parking Area or Structure for five (5) or more cars

850 5. Liquor Store

851 6. Commercial Retail and Service, Minor

852 7. Outdoor Recreation Equipment

853 8. Outdoor Grills/Beverage Service Stations

854 9. Restaurant, Outdoor Dining¹

855 10. Restaurant, Café or Deli

856 11. Accessory Building or Use greater than 600 sf

857 12. Telecommunication Antenna²

858 13. Satellite Dish, greater than thirty-nine inches (39”) in diameter³

859 14. Temporary Improvement/Outdoor Use

860 15. Salt Lake City 2002 Winter Olympic Legacy Displays⁴

861 ~~[16. Master Planned Developments]~~

862 ~~[17.]~~16. Passenger Tramways, ski towers, and ski lift facilities.

C. **PROHIBITED USES.** Any Use not listed above as an Allowed or Conditional Use is a prohibited Use.

¹Required Administrative Conditional Use permit

²See ~~[LMC Chapter]~~ [Section](#) 15-4-14, ~~[Supplemental Regulations for]~~ Telecommunication Facilities

³See ~~[LMC Chapter]~~ [Section](#) 15-4-13, ~~[Supplemental Regulations for]~~ [Placement Of](#) Satellite Receiving Antennas

⁴Olympic 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 in an Area other than the original location set forth in the services agreement and/or Master Festival License.

⁵The Planning Director~~[,]~~ or his designee shall, upon finding a Food Truck Location in compliance with Municipal Code [Section](#) 4-5-6, issue the property owner a Food Truck Location administrative approval letter.

HISTORY

Adopted by Ord. [05-12](#) on 3/3/2005

Amended by Ord. [2018-55](#) on 10/23/2018

Amended by Ord. [2018-55](#) on 10/23/2018

15-2.23-2 Uses

Uses in the Community Transition District are limited to the following:

A. **ALLOWED USES.**

1. Conservation Activities
2. Home Occupation
3. In-home Babysitting
4. Family Child Care
5. Secondary Living Quarters

- 888 6. Agriculture
- 889 7. Food Truck Location²
- 890 B. **ADMINISTRATIVE CONDITIONAL USES.**
- 891 1. Trails and Trailhead Improvements
- 892 2. Outdoor Recreation Equipment
- 893 3. Essential Public Utility Use, Service or Structure less than 600 sf
- 894 4. Accessory Buildings less than 600 sf
- 895 5. Parking Areas with 4 or fewer spaces
- 896 6. Outdoor Events and Outdoor Music, see Section 15-4
- 897 7. Temporary Improvement
- 898 8. Outdoor Dining and support retail associated with support Uses with an
- 899 MPD
- 900 9. Special Events
- 901 10. Fences and Walls, see Section 15-4
- 902 11. Anemometer and Anemometer Towers
- 903 C. **CONDITIONAL USES.**
- 904 ~~[1. Master Planned Developments (MPDs)]~~
- 905 ~~[2.]~~1. Public, Quasi-Public, Civic, Municipal Uses
- 906 ~~[3.]~~2. General Acute Hospital
- 907 ~~[4.]~~3. Alternative Professional Health-related Services
- 908 ~~[5.]~~4. Athletic Training and Testing Offices and Facilities
- 909 ~~[6.]~~5. Athletic Program Administrative Offices

- 910 ~~[7.]~~6. Support Short-Term Athlete Housing or lodging associated with an
911 approved recreation facility (within an approved MPD)
- 912 ~~[8.]~~7. Accredited Physician Office Space
- 913 ~~[9.]~~8. Accredited Medical & Dental Clinics
- 914 ~~[10.]~~9. Medical Heliport
- 915 ~~[11.]~~10. Group Care Facility
- 916 ~~[12.]~~11. Ancillary Support Commercial (within an approved MPD)
- 917 a. Gift Shop
- 918 b. Dispensing pharmacy
- 919 c. Medical supply
- 920 d. Restaurant
- 921 e. Deli
- 922 f. Outdoor Grills/ Beverage Service Stations
- 923 g. Child Care Center
- 924 ~~[13.]~~12. Recreation Facility, Public and Private
- 925 ~~[14.]~~13. Recreation Facility, Commercial
- 926 ~~[15.]~~14. Park and Ride Lot
- 927 ~~[16.]~~15. Municipal/Institutional Accessory Building and Use
- 928 ~~[17.]~~16. Parking Lot, Public or
- 929 ~~[18.]~~17. Public Utility or Essential Services
- 930 ~~[19.]~~18. Single Family Dwelling (with an approved MPD¹)
- 931 ~~[20.]~~19. Duplex Dwelling (with an approved MPD¹)
- 932 ~~[21.]~~20. Multi-Unit Dwelling (with an approved MPD¹)

- 933 ~~[22.]~~21. Telecommunication Antenna
- 934 ~~[23.]~~22. Transit Facilities
- 935 ~~[24.]~~23. Parking Areas, Lots, and Structures with more than five (5) Parking
- 936 Spaces
- 937 ~~[25.]~~24. Raising and Grazing of Horses
- 938 ~~[26.]~~25. Commercial Riding Stables
- 939 ~~[27.]~~26. Small Energy Wind Systems

940 D. **PROHIBITED USES.** Any Use not listed above as an Allowed or Conditional Use

941 is a prohibited Use.

942 ¹Residential Uses cannot exceed 1 unit/acre

943 ²The Planning Director~~[.]~~ or his designee shall, upon finding a Food Truck Location in compliance with

944 Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative approval

945 letter.

946 HISTORY

947 *Adopted by Ord. 06-48 on 6/29/2006*

948 *Amended by Ord. 07-25 on 4/19/2007*

949 *Amended by Ord. 09-10 on 3/5/2009*

950 *Amended by Ord. 2018-55 on 10/23/2018*

951 **15-6 Master Planned Developments**

952 **15-6-1 Purpose**

953 **15-6-2 Applicability**

954 **15-6-3 Uses**

955 **15-6-4 Process**

956 **15-6-5 MPD Requirements**

957 **15-6-6 Required Findings And Conclusions Of Law**

15-6-7 Master Planned Affordable Housing Development

15-6-8 Unit Equivalents

15-6-1 Purpose

The purpose of this Chapter is to describe the process and set forth criteria for review of Master Planned Developments ~~(MPDs)~~ in Park City. The Master Planned Development provisions set forth Use, Density, ~~[H]Height~~, ~~[P]Parking~~, design theme, and general Site planning criteria for larger and/or ~~[more]~~ complex projects having a variety of constraints and challenges, such as environmental issues, multiple ~~[z]Zoning~~ ~~[d]Districts~~, location within or adjacent to transitional areas between different land Uses, and infill redevelopment where the ~~[MPD]~~ Master Planned Development process can provide design flexibility necessary for well-planned, mixed-use developments that are Compatible with the surrounding neighborhood. The goal of this Chapter ~~[section]~~ is to result in projects which:

- A. complement the natural features of the Site;
- B. ensure neighborhood Compatibility;
- C. strengthen the resort character of Park City;
- D. result in a net positive contribution of amenities to the community;
- E. provide a variety of housing types and configurations;
- F. provide the highest value of ~~[e]Open~~ ~~[s]Space~~ for any given Site;
- G. efficiently and cost effectively extend and provide infrastructure;
- H. provide opportunities for the appropriate redevelopment and reuse of existing ~~[s]Structures/[s]Sites~~ and maintain Compatibility with the surrounding neighborhood;
- I. protect ~~[r]Residential~~ ~~[u]Uses~~ and residential neighborhoods from the impacts of non-~~[r]Residential~~ Uses using best practice methods and diligent code enforcement; ~~[and]~~
- J. encourage mixed-~~[U]Use~~, walkable, and sustainable development and redevelopment that provides innovative and energy efficient design, including innovative alternatives to reduce impacts of the automobile on the community~~[-]; and~~

- K. ~~[E]~~ncourage opportunities for economic diversification and economic development within the community.

HISTORY

Adopted by Ord. [02-07](#) on 5/23/2002

Amended by Ord. [10-14](#) on 4/15/2010

Amended by Ord. [13-23](#) on 7/11/2013

15-6-2 Applicability

- A. **Required.** The Master Planned Development process shall be required in all Zoning Districts except in the Historic Residential-Low Density (HRL), Historic Residential (HR-1), Historic Residential 2 (HR-2), Historic Recreation Commercial (HRC), and Historic Commercial Business (HCB) for the following:

1. Any Residential project with ten (10) or more Lots.
2. Any Residential project with ten (10) or more Residential Unit Equivalents (20,000 square feet).
3. Any Hotel or lodging project with ten (10) or more Residential Unit Equivalents (20,000 square feet).
4. Any new Commercial, Retail, Office, Public, Quasi-public, ~~[M]mixed-[U]se~~, or ~~[I]~~industrial project with 10,000 square feet or more of Gross Floor Area.
5. All projects utilizing Transfer of Development Rights Development Credits.
6. All Affordable Housing ~~[MPDs]~~ **Master Planned Developments** consistent with Section 15-6-7 ~~[herein]~~.

- B. **Allowed but not required.**

1. The Master Planned Development process is allowed, but is not required, in the General Commercial (GC) and Light Industrial (LI) Zoning Districts for:

- 1008 a. Residential Development projects with fewer than ten (10) Lots, or fewer
1009 than ten (10) Residential Unit Equivalents (not more than 20,000 square
1010 feet); or
- 1011 b. Hotel or lodging projects with fewer than ten (10) Residential Unit
1012 Equivalents (not more than 20,000 square feet); or
- 1013 c. New Commercial, Retail, Office, Public, Quasi-public, ~~[M]mixed-[U]use~~,
1014 or ~~[I]~~industrial projects with less than 10,000 square feet of Gross Floor
1015 Area.
- 1016 2. The Master Planned Development process is allowed, but is not required in the
1017 Historic Residential (HR-1) and Historic Residential 2 (HR-2) Zoning Districts
1018 only when the HR-1 or HR-2 zoned Properties are combined with adjacent HRC
1019 or HCB zoned Properties. Height exceptions will not be granted for Master
1020 Planned Developments within the HR-1, HR-2, HRC, and HCB Zoning Districts.
1021 See Section 15-6-5(F). Building Height.
- 1022 3. The Master Planned Development process is allowed, but is not required in the
1023 Historic Residential-Medium (HRM) Density Zoning District for:
- 1024 a. Residential Development projects with fewer than ten (10) Lots, or fewer
1025 than ten (10) Residential Unit Equivalents (not more than 20,000 square
1026 feet), or
- 1027 b. Hotel or lodging projects with fewer than ten (10) Residential Unit
1028 Equivalents (not more than 20,000 square feet).
- 1029 Height exceptions will not be granted for Master Planned Developments within
1030 the HRM Zoning Districts. See Section 15-6-5(F). Building Height.
- 1031 4. The Master Planned Development process is allowed, but is not required, when
1032 the Property is located in the HR-1 Zoning District and is not a part of the original

1033 Park City Survey or Snyder's Addition to the Park City Survey and the proposed
1034 MPD is for an Affordable Housing MPD consistent with Section 15-6-7 ~~herein~~.

1035 C. **Not Allowed**. The Master Planned Development process is not allowed or permitted,
1036 except as provided in Sections A and B above or as specifically required by the City
1037 Council as part of an Annexation or Development Agreement.

1038 HISTORY

1039 Adopted by Ord. [02-07](#) on 5/23/2002

1040 Amended by Ord. [04-08](#) on 3/4/2004

1041 Amended by Ord. [06-22](#) on 4/27/2006

1042 Amended by Ord. [10-14](#) on 4/15/2010

1043 Amended by Ord. [11-12](#) on 3/31/2011

1044 Amended by Ord. [13-23](#) on 7/11/2013

1045 Amended by Ord. [15-36](#) on 6/25/2015

1046 Amended by Ord. [2017-46](#) on 8/17/2017

1047 **15-6-3 Uses**

1048 **A. USES.** A Master Planned Development ~~[(MPD)]~~ can only contain Uses, which are
1049 ~~[Permitted]~~ **Allowed** or Conditional in the ~~[zone(s)]~~ **Zoning District** in which it is located.

1050 ~~The maximum Density and type of Development permitted on a given Site will be~~
1051 ~~determined as a result of a Site Suitability Analysis and shall not exceed the maximum~~
1052 ~~Density in the zone, except as otherwise provided in this section. The Site shall be~~
1053 ~~looked at in its entirety, including all adjacent property under the same ownership, and~~
1054 ~~the Density located in the most appropriate locations. When Properties are in more than~~
1055 ~~one (1) Zoning District, there may be a shift of Density between Zoning Districts if that~~
1056 ~~Transfer results in a project which better meets the goals set forth in Section 15-6-1~~
1057 ~~herein. Density for MPDs will be based on the Unit Equivalent Formula, as defined in~~
1058 ~~LMC Chapter 15-15, and as stated in Section 15-6-8 herein.~~

~~**Exception.** Residential Density Transfer 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 Zoning District, may be located in the HR-2 Zoning District as allowed by Section 15-2.3-8. [SEE LMC § 15-6-5(A), line 1239 as amended]~~

HISTORY

Adopted by Ord. [02-07](#) on 5/23/2002

Amended by Ord. [06-22](#) on 4/27/2006

Amended by Ord. [10-14](#) on 4/15/2010

Amended by Ord. [15-36](#) on 6/25/2015

15-6-4 Process

A. PRE-APPLICATION CONFERENCE. ~~A pre-Application conference shall be held with the Planning Department staff in order for the Applicant to become acquainted with the Master Planned Development procedures and related City requirements and schedules. An Applicant may request a pre-Application conference with Planning Department staff to become acquainted with the Master Planned Development procedures and requirements. [The Planning Department staff will give preliminary feedback to the potential Applicant based on information available at the pre-Application conference and will inform the Applicant of issues or special requirements which may result from the proposal.]~~

B. APPLICATION. An Applicant shall submit a Master Planned Development Application to the Planning Department. The Application must include written consent by all Owners of the Property to be included in the Master Planned Development. The Planning Director shall assign the Application to a staff planner who will review the Application for completeness. The staff planner will inform the Applicant if additional information is required to constitute a complete Application.

C. PUBLIC OUTREACH. It is recommended that the Applicant conduct public outreach and that the Applicant host neighborhood meetings prior to submitting an Application for a Master Planned Development.

~~[B]D. [PRE-APPLICATION] WORK SESSION [PUBLIC MEETING]. [In order to provide an opportunity for the public and the Planning Commission to give preliminary input on a concept for a Master Planned Development,]~~ After the staff planner determines a Master Planned Development Application is complete, the Applicant may request a work session ~~[discussion]~~ with the Planning Commission in order to provide an opportunity for the public and the Planning Commission to give preliminary input.

E. ADDITIONAL STUDIES. The Commission may determine that additional studies are required for Master Planned Development submittals when the Master Planned Development proposes to significantly increase the Density and intensity of Use of a Site. The Commission may require Applicants to submit and fund additional studies. If the Commission requires that an Applicant submit a Traffic Mitigation Study, the Transportation Department and City Engineer shall recommend a method of modeling and scope of the study area. ~~[, after meeting with the Planning Department. If a work session is held, public input shall be permitted. The Applicant is encouraged to conduct independent public outreach.~~

~~At the pre-Application work session public meeting, the Applicant will have an opportunity to present the preliminary concepts for the proposed Master Planned Development. The public will be given an opportunity to comment on the preliminary concepts so that the Applicant can address neighborhood concerns in preparation of an Application for an MPD.~~

~~For larger MPDs, it is recommended that the Applicant host additional neighborhood meetings in preparation of filing of a formal Application for an MPD.]~~

[G] APPLICATION. The Master Planned Development Application must be submitted with a completed Application form supplied by the City. A list of minimum requirements will accompany the Application form. The Application must include written consent by all Owners of the Property to be included in the Master Planned Development. Once an Application is received, it shall be assigned to a staff Planner who will review the Application for completeness. The Applicant will be informed if additional information is necessary to constitute a Complete Application.

[D.]E. PLANNING COMMISSION REVIEW. The Planning Commission is the primary review body for Master Planned Developments [and is required to hold a public hearing and take action].

[E.]G. PUBLIC HEARING. [In addition to the possible work session, a formal] The Planning Commission is required to hold a public hearing and take action on [a] Master Planned Developments. [is required to be held by the Planning Commission. The Public Hearing will be noticed in accordance with LMC Chapters 15-1-12 and 15-1-21, Notice Matrix.] Multiple [P]public [H]hearings[, including additional notice,] may be necessary for larger, [or more] complex[,] projects. Staff shall notice each public hearing in accordance with Sections 15-1-12 and 15-1-21.

[F.]H. PLANNING COMMISSION ACTION. The Planning Commission shall approve, approve with modifications, or deny a requested Master Planned Development. To approve a Master Planned Development, the Planning Commission shall make the findings outlined in Section 15-6-6. The Planning Commission action shall be in the form of written findings of fact, conclusions of law, and in the case of approval, conditions of approval. Action shall occur only after the required public hearing. [is held. To approve an MPD, the Planning Commission will be required to make the findings outlined in Section 15-6-6 herein.]

Appeals of Planning Commission action shall be conducted in accordance with ~~[LMC Chapter]~~ Section 15-1-18.

[G.]I. DEVELOPMENT AGREEMENT. Once the Planning Commission ~~[has]~~ approves~~s[d] [the]~~ a Master Planned Development, the approval shall be put in the form of a Development Agreement ~~[-The Development Agreement shall be in a form]~~ approved by the City Attorney~~[-]~~ and shall contain, at a minimum, the following:

1. A legal description of the land;
2. All relevant zoning and Land Management Code parameters, including all findings, conclusions, and conditions of approval, and specifying any exemptions from a Land Management Code provision or conditions of approval more restrictive than the Land Management Code;
3. An express reservation of the future legislative power and zoning authority of the City;
4. A copy of the approved Site plan, architectural plans, ~~[l]Landscap[e]ing~~ plans, Grading plan, trails and ~~[e]Open [s]Space~~ plans, and other plans, which are a part of the Planning Commission approval;
5. A description of all Developer exactions or agreed upon public dedications;
6. The Developers agreement to pay all specified impact fees; ~~[and]~~
7. The form of ownership anticipated for the project and a specific project phasing plan~~[-]~~;
8. A list and map of all known Physical Mine Hazards on the ~~[p]P~~roperty, as determined through the exercise of reasonable due diligence by the Owner, as well as a description and GPS coordinates of those Physical Mine Hazards~~[-]~~;
9. A map and inventory of all Historic Structures on the Property and a Historic Structures Report prepared by a qualified Historic Preservation Professional.

The Planning Commission shall hold a public hearing to ratify the Development

1161 Agreement ~~[shall be ratified by the Planning Commission,]~~ A Development
1162 Agreement ratified by the Commission shall be signed by the ~~[City Council]~~
1163 Mayor and the Applicant~~[,]~~ and recorded with the Summit County Recorder. The
1164 Development Agreement shall contain language~~[, which allows]~~ to allow for
1165 minor, administrative modifications ~~[to occur]~~ to the approval without revision of
1166 the agreement. The Development Agreement must be submitted to the City
1167 within six (6) months of the date the project was approved by the Planning
1168 Commission~~[,]~~ or the Planning Commission approval shall expire.

1169 **[H.]J. LENGTH OF APPROVAL.** Construction, as defined by the ~~[Uniform]~~ International
1170 Building Code, ~~[will be]~~ is required to commence within two (2) years of the date of the
1171 execution of the Development Agreement. After construction commences, the ~~[MPD]~~ Master
1172 Planned Development shall remain valid as long as it is consistent with the approved
1173 ~~[specific]~~ project phasing plan as set forth in the Development Agreement. ~~[It is anticipated~~
1174 ~~that t]~~ The ~~[specific]~~ project phasing plan may require Planning Commission review and
1175 reevaluation of the project at specified points in the Development of the ~~[project]~~ Master
1176 Planned Development.

1177 The Planning Commission may grant an extension of a Master Planned Development for up
1178 to two (2) additional years~~[,]~~ when the Applicant ~~[is able to]~~ demonstrates~~s~~ no change in
1179 circumstance that would result in unmitigated impacts or that would result in a finding of
1180 non-compliance with the ~~[MPD]~~ Master Planned Development requirements in the ~~[Chapter~~
1181 ~~and the]~~ Land Management Code in effect at the time of the extension request. Change in
1182 circumstance includes physical changes to the Property or surrounding~~[s]~~ Properties.
1183 Applicants must submit written ~~[E]~~extension requests ~~[must be submitted]~~ to the Planning
1184 Department prior to the expiration of the Master Planned Development. ~~[and]~~ Staff shall ~~[be]~~
1185 notice~~d]~~ extension request ~~[and processed with a]~~ public hearings~~s~~ according to Sections~~s~~ 15-
1186 1-12 and 15-1-21.

1187 **[K]. MPD MODIFICATIONS.**

1188 **1. Substantive Modifications.** ~~Substantive [Changes in]~~ modifications to an approved
1189 Master Planned Development [, which constitute a change in concept, Density, unit type,
1190 or configuration of any portion or phase of the MPD will justify] require review of the
1191 entire ~~[master plan]~~ Master Planned Development and Development Agreement by the
1192 Planning Commission, unless otherwise specified in the Development Agreement. ~~If the~~
1193 ~~modifications are determined to be substantive, the project will be required to go through~~
1194 ~~the pre-Application public hearing and determination of compliance as outlined in~~
1195 ~~Section 15-6-4(B) herein.~~

1196 **a. Substantive modifications include:**

1197 **i. A change in Use or configuration, or an increase in the Floor Area, that**
1198 **requires additional Parking for the Master Planned Development;**

1199 **ii. A change in Use or configuration, or an increase in the Floor Area, that**
1200 **generates a 5% or greater traffic increase demonstrated by a Traffic**
1201 **Impact Study;**

1202 **iii. A reduction in Open Space;**

1203 **iv. Modification to a condition of approval established by the Planning**
1204 **Commission at the time of Master Planned Development approval.**

1205 **2. Minor Modifications.** The Planning Director may approve minor modifications to the
1206 Master Planned Development that the Planning Director determines to be consistent
1207 with the approved Master Planned Development, the Development Agreement, and the
1208 Land Management Code. Planning Director approval of minor modifications may be
1209 appealed to the Planning Commission.

1210 **[J].L. SITE SPECIFIC APPROVALS.** Any portion of an approved Master Planned
1211 Development may require additional review by the ~~[Planning Department and/or]~~ Planning
1212 Commission as a Conditional Use permit, if so required by the Planning Commission at the

1213 time of the ~~[MPD]~~ Master Planned Development approval.

1214 ~~[The Planning Commission and/or Planning Department, specified at the time of MPD~~

1215 ~~approval, will review Site specific plans including Site layout, architecture and landscaping,~~

1216 ~~prior to issuance of a Building Permit.]~~

1217 ~~[The Application requirements and]~~ Site specific approvals must comply with the review

1218 criteria of the Master Planned Development approval and the Conditional Use permit criteria

1219 ~~[process must be followed]. [A pre-Application public meeting may be required by the~~

1220 ~~Planning Director, at which time the Planning Commission will review the Application for~~

1221 ~~compliance with the large scale MPD approval.]~~ The Planning Commission and/or Planning

1222 Department will review Site specific plans, including Site layout, architecture, and

1223 Landscaping plans, prior to issuance of a Building Permit.

1224 ~~[K.]~~M. PRIOR APPROVALS. Prior to final approval of a ~~[n-MPD]~~ Master Planned

1225 Development that is subject to an Annexation Agreement ~~[or a Large Scale MPD]~~, the

1226 Commission shall make findings that the project is consistent with the Annexation

1227 Agreement ~~[or Large Scale MPD]~~.

1228 HISTORY

1229 Adopted by Ord. 02-07 on 5/23/2002

1230 Amended by Ord. 06-22 on 4/27/2006

1231 Amended by Ord. 09-10 on 3/5/2009

1232 Amended by Ord. 11-05 on 1/27/2011

1233 Amended by Ord. 2016-44 on 9/15/2016

1234 Amended by Ord. 2017-15 on 3/30/2017

1235 **15-6-5 [MPD] Master Planned Development Requirements**

1236 All Master Planned Developments shall contain the following minimum requirements. Many of

1237 the requirements and standards will have to be increased in order for the Planning Commission

1238 to make the necessary findings to approve the Master Planned Development.

- A. **DENSITY.** The Planning Commission shall approve the type of Development, number of units, and Density permitted on a given Master Planned Development Site ~~[will be determined as a result of]~~ based on a Site Suitability Analysis ~~[and]~~. The Master Planned Development shall not exceed the maximum Density in the ~~[zone]~~ Zoning District, except as otherwise provided in this ~~[s]~~Section. The Site shall be looked at in its entirety, including all adjacent Property under the same ownership, and the Density shall be located in the ~~[most appropriate]~~ locations that support the goals set forth in Section 15-6-1.
1. Planning Commission approval of a Master Planned Development establishes the final Density for the Master Planned Development. A request to increase the Density for an approved Master Planned Development subject to the underlying Zoning District Density shall require review and approval by the Planning Commission and a Master Planned Development and Development Agreement amendment.
 2. Additional Density may be granted within a Transfer of Development Rights Receiving Overlay Zone (TDR-R) within an approved ~~[MPD]~~ Master Planned Development.
 3. When Properties are in more than one (1) Zoning District, there may be a shift of Density between Zoning Districts if that ~~[Transfer]~~ shift results in a project that better meets the goals set forth in Section 15-6-1.
 - a. **Exception.** Residential Density ~~[Transfers]~~ shifts 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 Zoning District, may be located in the HR-2 Zoning District as allowed by Section 15-2.3-8.

4. Density for ~~[MPDs]~~ Master Planned Development ~~[will be]~~ is based on the Unit Equivalent ~~[F]~~ formula, ~~[as]~~ defined in Section 15-6-8 ~~[herein]~~.

a. ~~[EXCEPTIONS]~~ Exceptions. The Planning Department may recommend that the Planning Commission grant up to a maximum of ten percent (10%) increase in total Density if the Applicant:

1. Donates ~~[e]~~ Open ~~[s]~~ Space in excess of the sixty percent (60%) requirement, either in fee or a less-than-fee interest to either the City or another unit of government or nonprofit land conservation organization approved by the City. Such Density bonus shall only be granted upon a finding by the Planning Director that such donation will ensure the long-term protection of a significant environmentally or visually sensitive Area; or
2. Proposes a Master Planned Development ~~[(MPD)]~~ in which more than thirty percent (30%) of the Unit Equivalents are employee/ Affordable Housing consistent with the City's adopted employee/ Affordable Housing guidelines and requirements; or
3. Proposes a ~~[n-MPD]~~ Master Planned Development in which more than eighty percent (80%) of the project is ~~[e]~~ Open ~~[s]~~ Space as defined in this ~~[e]~~ Code and prioritized by the Planning Commission.

B. MAXIMUM ALLOWED BUILDING FOOTPRINT FOR MASTER PLANNED DEVELOPMENTS WITHIN THE HR-1 AND HR-2 ZONING DISTRICTS.

1. The Land Management Code sets forth ~~[HR-1 and HR-2 Districts set forth]~~ a ~~[M]~~ maximum Building Footprint for all Structures in the HR-1 and HR-2 Zoning Districts based on Lot Area. For purposes of establishing the maximum Building Footprint for Master Planned Developments ~~[, which]~~ that include Development in

the HR-1 and HR-2 Zoning Districts, the maximum Building Footprint for the HR-1 and HR-2 portions shall be calculated based on the conditions of the Subdivision Plat or the Lots of record prior to a Plat ~~[A]~~a amendment combining the ~~[H]~~Lots as stated in Section 15-2.3-4.

- a. The Area of below Grade ~~[p]~~Parking in the HR-1 and HR-2 Zoning Districts shall not count against the maximum Building Footprint of the HR-1 or HR-2 ~~[Zoned]~~ Lots.
- b. The Area of below Grade Commercial Use~~[s]~~ extending from a Main Street business into the HR-2 Subzone A shall not count against the maximum Building Footprint of the HR-2 Lots.
- c. The Floor Area Ratio (FAR) of the HCB Zoning District applies only to the HCB Lot Area and may be reduced as part of a Master Planned Development. The FAR may not be applied to the HR-1 or HR-2 Lot Area.
- d. The Floor Area for a detached, single car Garage, not to exceed two-hundred and twenty square feet (220 ~~[sf]~~ square feet) of Floor Area, shall not count against the maximum Building Footprint of the HR-2 Lot.

C. SETBACKS.

1. The minimum Setback around the exterior boundary of a~~[n-MPD]~~ Master Planned Development shall be twenty-five feet (25') for Parcels greater than two (2) acres in size. The Planning Commission may decrease the required perimeter Setback from twenty- five feet (25') for ~~[MPD]~~ Master Planned Development ~~[a]~~Applications greater than two (2) acres to the zone-required Setback if it is necessary to provide desired architectural interest and variation.
2. For parcels greater than two (2) acres in size and located inside the HRM, HR-1, HR-2, ~~[HR-L]~~ HRC, and HCB Zoning Districts, the minimum Setback around the exterior boundary of a~~[n-MPD]~~ Master Planned Development shall be determined

by the Planning Commission in order to remain consistent with the contextual streetscape of adjacent Structures.

3. For parcels two (2) acres or less in size, the minimum exterior boundary Setback[s] shall be ~~the [Z]zone-[R]required~~ Setback[s].
4. In all ~~[MPDs]~~ Master Planned Developments, for either the perimeter ~~[s]Setback[s]~~ or the ~~[s]Setbacks~~ within the project, the Planning Commission may increase Setbacks to retain existing Significant Vegetation or natural features, ~~[or]~~ to create an adequate buffer to adjacent Uses, or to meet ~~[H]Historic~~ Compatibility requirements.
5. The Planning Commission may reduce Setbacks within the project boundary, but not perimeter Setbacks, from those otherwise required in the ~~[zone]~~ Zoning District to match an abutting ~~[zone]~~ zone-required Setback, provided the project meets minimum ~~[Uniform]~~ International Building Code and Fire Code requirements, does not increase project Density, maintains the general character of the surrounding neighborhood in terms of mass, scale, and spacing between ~~[houses]~~ Structures, and meets ~~[e]Open [s]Space~~ criteria set forth in Section 15-6-5(D).

D. OPEN SPACE.

1. **MINIMUM REQUIRED.** All Master Planned Developments shall contain a minimum of sixty percent (60%) ~~[e]Open [s]Space~~ as defined in ~~[LMC]~~ Chapter 15-15, with the exception of the General Commercial (GC) ~~[District]~~, Historic Residential Commercial (HRC), Historic Commercial Business (HCB), and the Historic Residential (HR-1 and HR-2) Zoning Districts~~[.] [and wherein cases of]~~
2. The minimum Open Space requirement for redevelopment of existing Developments ~~[the minimum open space requirement]~~ shall be thirty percent (30%).

a. For Applications proposing the redevelopment of existing Developments, the Planning Commission may reduce the required ~~[e]Open [s]Space~~ to thirty percent (30%) in exchange for project enhancements in excess of those otherwise required by the Land Management Code that may directly advance policies reflected in the applicable General Plan sections or more specific Area plans. Such project enhancements may include, but are not limited to, Affordable Housing, greater ~~[l]Landscaping~~ buffers along public ways and public/private pedestrian Areas that provide a public benefit, increased landscape material sizes, public transit improvement, public pedestrian plazas, pedestrian way/trail linkages, Public Art, and rehabilitation of Historic Structures.

3. **TYPE OF OPEN SPACE.** The Planning Commission shall designate the preferable type and mix of ~~[e]Open [s]Space~~ for each Master Planned Development. ~~[This]~~ The Commission's determination ~~[will]~~ shall be based on the guidance given in the ~~[Park City]~~ General Plan. Landscaped ~~[e]Open [s]Space~~ may be utilized for project amenities such as gardens, greenways, pathways, plazas, and other similar Uses. Open ~~[s]Space~~ may not be utilized for Streets, roads, driveways, Parking Areas, ~~[e]Commercial~~ Uses, or Buildings requiring a Building Permit.

E. OFF-STREET PARKING.

1. The number of Off-Street Parking Spaces in each Master Planned Development shall not be less than the requirements of ~~[this code]~~ the Land Management Code, except that the Planning Commission may increase or decrease the required number of Off-Street Parking Spaces based upon a ~~[p]Parking~~ analysis submitted by the Applicant at the time of ~~[MPD]~~ Master Planned Development

Application submittal. The [p]Parking analysis shall contain, at a minimum, the following information:

- a. The proposed number of vehicles required by the occupants of the project based upon the proposed Use and occupancy.
- b. A [p]Parking comparison of projects of similar size with similar occupancy type to verify the demand for occupancy [p]Parking.
- c. Parking needs for non-dwelling Uses, including traffic attracted to Commercial Uses from Off-Site.
- d. An analysis of time periods of Use for each of the Uses in the project and opportunities for [S]shared [P]Parking by different Uses. This shall be considered only when there is Guarantee by Use covenant and deed restriction.
- e. A plan to discourage the Use of motorized vehicles and encourage other forms of transportation.
- f. Provisions for overflow [p]Parking during peak periods.
- g. An evaluation of potential adverse impacts of the proposed [p]Parking reduction and [d]Density increase, if any, upon the surrounding neighborhood and conditions of approval to mitigate such impacts.

The Planning Department shall review the [p]Parking analysis and provide a recommendation to the Commission. The Commission shall make a finding during review of the [MPD] Master Planned Development as to whether or not the [p]Parking analysis supports a determination to increase or decrease the required number of Parking Spaces.

2. The Planning Commission may permit an Applicant to pay an in-lieu [p]Parking fee in consideration for required on-[s]Site [p]Parking provided that the Planning Commission determines that:

- 1393 a. Payment in-lieu of the on-Site ~~[p]Parking~~ requirement will prevent a loss
1394 of significant ~~[e]Open~~ ~~[s]Space~~, ~~[y]Yard~~ Area, and/or public amenities and
1395 gathering Areas;
- 1396 b. Payment in-lieu of the on-Site ~~[p]Parking~~ requirement will result in
1397 ~~[p]Preservation~~ and ~~[r]Rehabilitation~~ of significant Historic Structures or
1398 redevelopment of Structures and Sites;
- 1399 c. Payment in-lieu of the on-Site ~~[p]Parking~~ requirement will not result in an
1400 increase project Density or intensity of Use; and
- 1401 d. The project is located on a public transit route or is within three (3) blocks
1402 of a municipal bus stop.

1403 The payment in-lieu fee for the required ~~[p]Parking~~ shall be subject to the
1404 provisions in the ~~[Park City]~~ Municipal Code of Park City Section 11-12-16
1405 and the fee set forth in the current Fee Resolution, as amended.

1406 F. **BUILDING HEIGHT**. The Building Height requirements of the Zoning District~~[s]~~ in which
1407 a~~[n-MPD]~~ Master Planned Development is located shall apply, except that the Planning
1408 Commission may consider an increase in Building Height based upon a Site ~~[specific]~~
1409 Suitability ~~[a]Analysis~~ ~~[and determination]~~. Height exceptions will not be granted for
1410 Master Planned Developments within the HR-1, HR-2, HRC, and HCB Zoning Districts.
1411 The Applicant ~~[will be required to]~~ must request a Site-specific determination and shall
1412 bear the burden of proof to the Planning Commission that the necessary findings for an
1413 increase in Building Height can be made, according to Subsections (1) through (5)
1414 below. In order to grant Building Height in addition to that which is allowed in the
1415 underlying ~~[zone]~~ Zoning District, the Planning Commission ~~[is required to make the~~
1416 ~~following findings]~~ must find that:

- 1417 1. The increase in Building Height does not result in increased square footage or
1418 Building volume over what would be allowed under the zone-required Building

Height and Density, including requirements for ~~[f]Facade~~ variation and design, but rather provides desired architectural variation, unless the increased square footage or Building volume is from the Transfer of Development Credits;

2. ~~[Buildings]~~Structures have been positioned to minimize visual impacts on adjacent Structures. Potential problems on neighboring Properties caused by shadows, loss of solar Access, and loss ~~[or]~~ of air circulation have been mitigated as determined by the Site ~~[Specific]~~ Suitability ~~[a]~~Analysis ~~[and approved by the Planning Commission];~~
3. There is adequate ~~[l]~~Landscaping and buffering from adjacent Properties and Uses~~[-];~~
4. Increased Setbacks and separations from adjacent projects are ~~[being]~~ proposed;
5. The additional Building Height results in more than the minimum Open Space required and results in ~~[the Open Space being more usable and included]~~ Open Space that is ~~[P]u~~blicly ~~[A]~~ccessible ~~[Open Space];~~
6. The additional Building Height ~~[shall be]~~ is designed in a manner that provides a transition in roof elements in compliance with Chapter 15-5, Architectural ~~[Guidelines]~~ Review, or the Design Guidelines for Park City's Historic Districts and Historic Sites if the Structure is located within the Historic District~~[-];~~

If and when the Planning Commission grants additional Building Height ~~[due to]~~ based on a Site ~~[Specific]~~ Suitability ~~[a]~~Analysis ~~[and determination]~~, ~~[that]~~ the approved additional Building Height shall only apply to the specific plans ~~[being]~~ reviewed and approved ~~[at the time]~~ by the Planning Commission. ~~[Additional Building Height for a specific project will not necessarily be considered for a different, or modified, project on the same Site.]~~

G. **SITE PLANNING.** A ~~[n-MPD]~~ **Master Planned Development** shall be designed to take into consideration the characteristics of the Site upon which it is proposed to be placed. The project should be designed to fit the Site, not the Site modified to fit the project. The **Applicant shall address the** following ~~[shall be addressed]~~ in the Site planning for a ~~[n-MPD]~~ **Master Planned Development:**

1. Units ~~[should]~~ **shall** be clustered on the most developable and least visually sensitive portions of the Site ~~[with common]. [e]Open [s]Space~~ **shall** ~~[separating]~~ **separate** the clusters. The ~~[e]Open [s]Space [corridors]~~ should be designed so that existing Significant Vegetation ~~[can be]~~ **is** maintained on the Site.
2. Projects shall be designed to minimize Grading and the need for large retaining Structures.
3. Roads, utility lines, and ~~[Buildings]~~ **Structures** ~~[should]~~ **shall** be designed to work with the Existing Grade. Cuts and fills should be minimized.
4. Existing trails ~~[should]~~ **shall** be incorporated into the ~~[e]Open [s]Space~~ elements of the project and ~~[should]~~ **shall** be maintained in their existing location whenever possible. **Applicants may be required to grant the City a [T]rail easement[s] [for]** **to connect proposed trails with** existing trails ~~[may be required]~~. Construction of new trails ~~[will]~~ **shall** be ~~[required]~~ consistent with the Park City Trails Master Plan.
5. Adequate internal vehicular, ~~[and]~~ pedestrian, ~~[/]~~ **and** bicycle circulation ~~[should]~~ **shall** be provided. Pedestrian ~~[/]~~ **and** bicycle circulations shall be separated from vehicular circulation and ~~[may]~~ **shall** ~~[serve to]~~ provide ~~[residents the opportunity to travel safely]~~ **safe travel** ~~[from an individual unit to another unit and to]~~ **within** the boundaries of the ~~[Property or public trail system]~~ **Master Planned Development and safe travel to adjoining public sidewalks, trails, and Rights-of-**

Way. Private internal Streets may be considered for Condominium projects if they meet the minimum emergency and safety requirements.

6. The Site plan shall include adequate Areas for snow removal and snow storage.

The ~~(f)~~Landscapeing plan shall allow for snow storage Areas. Structures shall be set back from any hard surfaces so as to provide adequate Areas to remove and store snow. ~~[The assumption is that s]~~Snow ~~[should]~~ shall be ~~[able to be]~~ stored on-Site, ~~[and not removed to an Off-Site location]~~ unless otherwise approved by the Planning Commission.

7. ~~[It is important to plan for trash storage and collection and recycling facilities.]~~

The Site plan shall include adequate Areas for trash ~~[dumpsters]~~ and recycling containers~~[, including an]~~ and shall include adequate circulation area for pick-up vehicles. ~~[These facilities shall be enclosed and shall be included on the site and landscape plans for the Project].~~ Convenient ~~(P)~~Pedestrian Access shall be provided within the Master Planned Development to the ~~[refuse/]~~ trash and recycling ~~[facilities from]~~ containers ~~[within the MPD for the convenience of residents and guests].~~

No ~~[final]~~ ~~[s]~~Site plan ~~[for]~~ with a ~~(e)~~Commercial ~~(d)~~Development or ~~[multi-family residential]~~ Multi-Unit Dwelling ~~[development]~~ shall be approved unless there is a mandatory recycling program ~~[put into effect]~~, which may include Recycling Facilities for the ~~[project]~~ Site. Single ~~(f)~~Family Dwellings ~~[residential development]~~ shall include a mandatory recycling program ~~[put into effect including]~~ with curb side recycling, ~~[but]~~ and may also ~~[provide]~~ include Recycling Facilities. The ~~(f)~~Recycling ~~(f)~~Facilities shall be identified on the ~~[final]~~ ~~[s]~~Site plan to accommodate for materials generated by the tenants, residents, users, operators, or owners of such ~~[project]~~ Master Planned Development. Such ~~(f)~~Recycling ~~(f)~~Facilities shall include, but are not ~~[necessarily]~~ limited to, glass,

1495 paper, plastic, cans, cardboard, or other household or commercially generated
1496 recyclable and scrap materials. ~~[Locations for proposed centralized trash and~~
1497 ~~recycling collection facilities shall be shown on the site plan drawings. Written~~
1498 ~~approval of the proposed locations shall be obtained by the City Building and~~
1499 ~~Planning Department.]~~ Centralized ~~[garbage]~~ trash and recycling ~~[collection]~~
1500 containers shall be located in a completely enclosed ~~[s]~~ Structure with a
1501 pedestrian door and a truck door or gate. The enclosed Structure shall be
1502 designed with materials that are compatible with the principal ~~[building(s)]~~
1503 Structures in the Master Planned [d]Development, ~~including a pedestrian door~~
1504 ~~on the structure and a truck door/gate. The structure's design, construction, and~~
1505 ~~materials]~~ and shall be ~~[substantial e.g.]~~ constructed of masonry, steel, or other
1506 substantial materials ~~[approved by the Planning Department capable of~~
1507 ~~sustaining active use by residents and trash/recycle haulers].~~ The ~~[s]~~ Structure[s]
1508 shall be large enough to accommodate a ~~[garbage]~~ trash container and at least
1509 two recycling containers to provide for the option of dual-stream recycling. ~~[A~~
1510 ~~conceptual design of the structure shall be submitted with the site plan~~
1511 ~~drawings.]~~

1512 8. The Site plan~~[ning]~~ for a ~~[n-MPD should]~~ Master Planned Development shall
1513 include transportation amenities including drop-off Areas for van and shuttle
1514 service, and a bus stop, if applicable.

1515 9. Service and delivery Access and loading/unloading Areas must be included in
1516 the Site plan. The service and delivery should be kept separate from pedestrian
1517 Areas.

1518 H. LANDSCAPE AND [STREET SCAPE] LIGHTING. A complete ~~[l]~~ Landscap[e]ing plan
1519 must be submitted with the ~~[MPD]~~ Master Planned Development [a] Application. The
1520 ~~[l]~~ Landscap[e]ing plan shall comply with all criteria and requirements of ~~[LMC]~~ Land

Management Code Section 15-5-5 ~~(M)~~(N), LANDSCAPING. All noxious weeds, as identified by Summit County, shall be removed from the Property in accordance with the Summit County Weed Ordinance prior to issuance of Certificates of Occupancy. Lighting must meet the requirements of LMC Land Management Code Chapter 15-5, Architectural Review.

- I. **SENSITIVE LANDS COMPLIANCE.** Applicants for a [All MPD] Master Planned Development ~~[Applications containing]~~ that contains any Area within the Sensitive ~~[Areas]~~ Land Overlay Zone ~~[will be required to]~~ shall conduct a Sensitive Lands Analysis and shall conform to the Sensitive Lands Provisions~~[, as described in LMC Section]~~ in Chapter 15-2.21.

- J. **EMPLOYEE/AFFORDABLE HOUSING.** ~~[MPD Applications]~~ Master Planned Development Applicants shall ~~[include]~~ submit a housing mitigation plan ~~[which must]~~ that addresses employee Affordable Housing ~~[as]~~ required by the adopted housing resolution in effect at the time of a complete Application.

- K. **CHILD CARE.** A Site designated and planned for a Child Care Center may be required for all new ~~[s]~~Single Family Dwellings and ~~[m]~~Multi- [f] Family ~~[housing projects]~~ Dwellings within a Master Planned Development if the Planning Commission determines that the project will create additional demands for Child Care.

- L. **MINE HAZARDS.** All ~~[MPD]~~ Master Planned Development ~~[a]~~Applications shall include a map and list of all known Physical Mine Hazards on the ~~[p]~~Property and a mine hazard mitigation plan.

- M. **HISTORIC MINE WASTE MITIGATION.** ~~[For known historic mine waste located on the property, a]~~An Applicant for a Master Planned Development with Property that is located within the Park City Soils Ordinance Boundary shall submit a soil remediation mitigation plan and shall ~~[must be prepared indicating]~~ indicate areas of hazardous soils and proposed methods of remediation and/or removal subject to the ~~[Park City Soils~~

Boundary Ordinance] requirements and regulations ~~of [See Title Eleven Chapter~~
~~Fifteen of the Park City]~~ the Municipal Code of Park City Chapter 11-15 ~~[for additional~~
~~requirements]~~.

N. **GENERAL PLAN REVIEW.** ~~[All MPD applications]~~ The Planning Commission shall
review Master Planned Developments ~~[shall be reviewed]~~ for consistency with the goals
and objectives of the ~~[Park City]~~ General Plan; however such review for consistency
shall not alone be binding.

O. **HISTORIC SITES.** All ~~[MPD]~~ Master Planned Development ~~[Applications]~~ Applicants
shall ~~[include]~~ submit a map and inventory of Historic Structures and Sites on the
Property and a Historic Structures Report~~[, as further described on the MPD application.~~
~~The Historic Structures Report shall be]~~ prepared by a Qualified Historic Preservation
Professional.

P. **LAND MANAGEMENT CODE REVIEW.** All Master Planned Development
Applications shall comply with the Land Management Code, including:

1. the underlying Zoning District requirements in LMC Chapter 15-2;
2. any relevant Overlay Zoning requirements in LMC Chapter 15-2;
3. Chapter 15-3, Off-Street Parking;
4. Chapter 15-4, Supplementary Regulations;
5. Chapter 15-5, Architectural Review;
6. Chapter 15-7.1 Subdivision General Provisions;
7. Chapter 15-7.1, Subdivision Procedures;
8. Chapter 15-7.2, Assurance for Completion;
9. Chapter 15-7.3 Requirements For Improvements;
10. Chapter 15-7.4, Specifications For Documents; and
11. any other relevant provisions of the Land Management Code.

1572 Master Planned Developments located in a Historic Zoning District shall comply with
1573 Chapters 15-11 and 15-13. Master Planned Developments are also subject to Municipal
1574 Code Title 12, Sign Code.

1575 HISTORY

1576 *Adopted by Ord. [02-07](#) on 5/23/2002*

1577 *Amended by Ord. [04-08](#) on 3/4/2004*

1578 *Amended by Ord. [06-22](#) on 4/27/2006*

1579 *Amended by Ord. [09-10](#) on 3/5/2009*

1580 *Amended by Ord. [10-14](#) on 4/15/2010*

1581 *Amended by Ord. [11-05](#) on 1/27/2011*

1582 *Amended by Ord. [11-12](#) on 3/31/2011*

1583 *Amended by Ord. [13-23](#) on 7/11/2013*

1584 *Amended by Ord. [15-36](#) on 6/25/2015*

1585 *Amended by Ord. [2016-44](#) on 9/15/2016*

1586 *Amended by Ord. [2017-46](#) on 8/17/2017*

1587 *Amended by Ord. [2020-09](#) on 1/30/2020*

1588 **15-6-6 Required Findings And Conclusions Of Law**

1589 The Planning Commission must make the following findings in order to approve a Master
1590 Planned Development. In some cases, conditions of approval will be attached to the approval to
1591 ensure compliance with these findings. The Master Planned Development, as conditioned:

1592 A. ~~[The MPD, as conditioned,]~~ complies with all ~~[the]~~ requirements of the Land

1593 Management Code;

1594 B. ~~[The MPD, as conditioned,]~~ meets the minimum requirements of Section 15-6-5 ~~[herein]~~;

1595 C. ~~[The MPD, as conditioned,]~~ provides the highest value of Open Space, as determined by
1596 the Planning Commission;

1597 D. ~~[The MPD, as conditioned,]~~ strengthens and enhances the resort character of Park City;

- 1598 E. ~~[The MPD, as conditioned,]~~ compliments the natural features on the Site and preserves
1599 significant features or vegetation to the extent possible;
- 1600 F. ~~[The MPD, as conditioned,]~~ is Compatible in Use, scale, and mass with adjacent
1601 Properties, and promotes neighborhood Compatibility, and Historic Compatibility, where
1602 appropriate, and protects residential neighborhoods and Uses;
- 1603 G. ~~[The MPD, as conditioned,]~~ provides amenities to the community so that there is no net
1604 loss of community amenities;
- 1605 H. ~~[The MPD, as conditioned,]~~ is consistent with the employee Affordable Housing
1606 requirements as adopted by the City Council at the time ~~[the]~~ staff determined the
1607 Application ~~[was filed,]~~ to be complete;
- 1608 I. ~~[The MPD, as conditioned,]~~ meets the Sensitive Lands requirements of the Land
1609 Management Code~~[, The project]~~ and [has been] is designed to place Development on
1610 the most developable land and least visually obtrusive portions of the Site;
- 1611 J. ~~[The MPD, as conditioned,]~~ promotes the Use of non-vehicular forms of transportation
1612 through design and by providing trail connections; ~~[and]~~
- 1613 K. ~~[The MPD has been noticed and]~~ was noticed and the Planning Commission held a
1614 public hearing ~~[held]~~ in accordance with this ~~[Code]~~ Chapter[-];
- 1615 L. ~~[The MPD, as conditioned,]~~ incorporates best planning practices for sustainable
1616 development, including water conservation measures and energy efficient design and
1617 construction, per the Residential and Commercial Energy and Green Building program
1618 and codes adopted by the Park City Building Department in effect at the time of the
1619 Application~~[-];~~
- 1620 M. ~~[The MPD, as conditioned,]~~ addresses and mitigates Physical Mine Hazards according
1621 to accepted City regulations and policies~~[-];~~
- 1622 N. ~~[The MPD, as conditioned,]~~ addresses and mitigates Historic Mine Waste and complies
1623 with the requirements of the Park City Soils Boundary Ordinance~~[-];~~

1624 O. ~~[The MPD, as conditioned,]~~ addresses Historic Structures and Sites on the Property,
1625 according to accepted City regulations and policies, and any applicable Historic
1626 Preservation Plan.

1627 HISTORY

1628 *Adopted by Ord. [02-07](#) on 5/23/2002*

1629 *Amended by Ord. [06-22](#) on 4/27/2006*

1630 *Amended by Ord. [10-14](#) on 4/15/2010*

1631 *Amended by Ord. [13-23](#) on 7/11/2013*

1632 *Amended by Ord. [2016-44](#) on 9/15/2016*

1633 **15-6-7 Master Planned Affordable Housing Development**

1634 **A. PURPOSE.** The purpose of the ~~[m]M~~aster ~~[p]P~~lanned Affordable Housing Development is
1635 to promote housing for a diversity of income groups by providing Dwelling Units for rent or
1636 for sale in a price range affordable by families in the low-to-moderate income range. This
1637 may be achieved by encouraging the private sector to develop Affordable Housing.
1638 Master Planned Developments, which are one hundred percent (100%) Affordable Housing,
1639 as defined by the housing resolution in effect at the time of Application, ~~[would]~~ **may** be
1640 considered for a Density incentive greater than that normally allowed under the applicable
1641 Zoning District and Master Planned Development regulations with the intent of encouraging
1642 quality Development of permanent rental and permanent Owner-occupied housing stock for
1643 low and moderate income families within the Park City Area.

1644 **B. RENTAL OR SALES PROGRAM.** If a Developer seeks to exercise the increased Density
1645 allowance incentive by providing an Affordable Housing project, the Developer must agree
1646 to follow the guidelines and restrictions set forth by the Housing Authority in the adopted
1647 Affordable Housing resolution in effect at the time of Application.

1648 **C. MIXED RENTAL AND OWNER/ OCCUPANT PROJECTS.** When projects are approved
1649 that comprise both rental and Owner/occupant Dwelling Units, the combination and phasing

of the Development shall be specifically approved by the ~~[reviewing agency]~~ Planning Commission and become a condition of project approval. A permanent rental housing unit is one which is subject to a binding agreement with the ~~[Park]~~ City ~~[Housing Authority]~~.

D. MPD REQUIREMENTS. All of the ~~[MPD]~~ Master Planned Development requirements and findings of this ~~[section]~~ Chapter shall apply to Affordable Housing ~~[MPD]~~ Master Planned Development projects.

E. DENSITY BONUS. The ~~[reviewing agency]~~ Planning Commission may increase the allowable Density to a maximum of twenty (20) Unit Equivalents per acre. The Unit Equivalent formula applies.

F. OFF-STREET PARKING.

- ~~1. The number of Off-Street Parking Spaces in each Master Planned Affordable Housing Development shall not be less than the requirements of this Code, except that the Planning Commission may increase or decrease the required number of Off-Street Parking Spaces based upon a parking analysis submitted by the Applicant at the time of MPD submittal. The parking analysis shall contain, at a minimum, the following information:~~
 - ~~a. The proposed number of vehicles required by the occupants of the project based upon the proposed Use and occupancy.~~
 - ~~b. A parking comparison of projects of similar size with similar occupancy type to verify the demand for occupancy parking.~~
 - ~~c. Parking needs for non-dwelling Uses, including traffic attracted to Commercial Uses from Off-Site.~~
 - ~~d. An analysis of time periods of Use for each of the Uses in the project and opportunities for Shared Parking by different Uses. This shall be considered only when there is Guarantee by Use covenant and deed restriction.~~

1676 e. ~~A plan to discourage the Use of motorized vehicles and encourage other~~
1677 ~~forms of transportation.~~

1678 f. ~~Provisions for overflow parking during peak periods.~~

1679 g. ~~An evaluation of potential adverse impacts of the proposed parking~~
1680 ~~reduction and density increase, if any, upon the surrounding~~
1681 ~~neighborhood and conditions of approval to mitigate such impacts.~~
1682 ~~The Planning Department shall review the parking analysis and provide a~~
1683 ~~recommendation to the Commission. The Commission shall make a~~
1684 ~~finding during review of the affordable MPD as to whether or not the~~
1685 ~~parking analysis supports a determination to increase or decrease the~~
1686 ~~required number of Parking Spaces.~~

1687 2. ~~The Planning Commission may permit an Applicant to pay an in-lieu parking fee~~
1688 ~~in consideration for required on-site parking provided that the Planning~~
1689 ~~Commission determines that:~~

1690 a. ~~Payment in-lieu of the on-Site parking requirement will prevent a loss of~~
1691 ~~significant open space, yard Area, and/or public amenities and gathering~~
1692 ~~Areas;~~

1693 b. ~~Payment in-lieu of the on-Site parking requirement will result in~~
1694 ~~preservation and rehabilitation of significant Historic Structures or~~
1695 ~~redevelopment of Structures and Sites;~~

1696 c. ~~Payment in-lieu of the on-Site parking requirement will not result in an~~
1697 ~~increase project Density or intensity of Use; and~~

1698 d. ~~The project is located on a public transit route or is within three (3) blocks~~
1699 ~~of a municipal bus stop.~~

1700 e. ~~The payment in-lieu fee for the required parking shall be subject to the~~
1701 ~~provisions in the Park City Municipal Code Section 11-12-16 and the fee~~

1702 ~~set forth in the current Fee Resolution, as amended. [SEE LMC § 15-6-~~
1703 ~~5(E), line 1361 as amended]~~

1704 **F. OPEN SPACE.** All Master Planned Affordable Housing Developments shall contain a
1705 minimum of twenty percent (20%) Open Space as defined in **[LMC]** Chapter 15-15. On-Site
1706 amenities, such as playgrounds, trails, recreation facilities, bus shelters, significant
1707 landscaping, or other amenities are encouraged. Open Spaces may not be utilized for
1708 Streets, roads, or Parking Areas.

1709 The Planning Commission may decrease the required Open Space for projects located
1710 within 300 feet (300') of a Public Use, including, but not limited to a public park, Recreation
1711 Open Space, public trail, public school, or Public Recreation Facilities.

1712 **G. RENTAL RESTRICTIONS.** The provisions of the moderate income housing exception
1713 shall not prohibit the monthly rental of an individually owned unit. However, Nightly Rentals
1714 or timesharing shall not be permitted within Developments using this exception. Monthly
1715 rental of individually owned units shall comply with the guidelines and restrictions set forth
1716 by the Housing Authority as stated in the adopted Affordable Housing resolution in effect at
1717 the time of Application.

1718 HISTORY

1719 *Adopted by Ord. [02-07](#) on 5/23/2002*

1720 *Amended by Ord. [06-22](#) on 4/27/2006*

1721 *Amended by Ord. [09-10](#) on 3/5/2009*

1722 *Amended by Ord. [2020-09](#) on 1/30/2020*

Planning Commission Staff Report



Subject: 2020 Affordable Housing Amendments
Application: GI-20-00439
Authors: Jason Glidden & Rhoda Stauffer, Housing
Hannah Tyler & Rebecca Ward, Planning
Date: July 22, 2020
Type of Item: Work Session – Affordable Housing Amendments Update

Summary Recommendations

Staff recommends the Planning Commission review the staff report and provide input.

Acronyms

AMPD	Affordable Master Planned Development
AUE	Affordable Unit Equivalent
LMC	Land Management Code
MPD	Master Planned Development
RUE	Residential Unit Equivalent
UE	Unit Equivalent

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § [15-15-1](#).

Executive Summary

This work session provides the Commission with an overview of the research and work in progress regarding affordable housing Land Management Code amendments. A work session specific to Phase II of the Affordable Master Planned Development amendments to decrease parking requirements and increase height was originally scheduled for this date, but the work session has been moved to a later date to accommodate third-party research and to provide staff more time for community outreach, which was delayed due to the pandemic.

Analysis

City Council's ambitious goal is to add 800 new affordable units by 2026 with an interim goal of 220 units by 2020. To date, 132 units have been completed, 279 units are in process, and 389 are unidentified and unfunded. There are three types of affordable housing developments in the City: (1) City-initiated and funded development; (2) developer Affordable Unit Equivalent (AUE) obligations triggered through a Master Planned Development (MPD) or annexation approval pursuant to [Housing Resolution 03-2017](#); and (3) Affordable Master Planned Developments incentivized through density bonuses and open space reductions pursuant to LMC [§ 15-6-7](#).

To achieve the City's affordable housing goals, Council directed staff to explore several avenues. To further incentivize public-private affordable housing partnerships, the Council directed Planning staff to amend the City's Affordable Master Planned Development Section in the Land Management Code. The Council directed the Housing

Team to amend [Housing Resolution 03-2017](#) and consider (1) a housing obligation for large Single-Family Dwellings, (2) re-evaluation of affordable housing qualifications for seniors, (3) expansion of Master Planned Development AUE obligations, (4) analysis of remaining MPD and Annexation development potential, and (5) evaluation of Accessory Apartment Units.

Planning staff is following these Housing Resolution proposals and will continue to work with the Housing Team to amend the Land Management Code to reflect the Housing Resolution, to update affordable housing definitions, to potentially implement new Master Planned Development triggers to capture AUE obligations for a larger pool of approvals, and to refine the definition of Residential Unit Equivalents (RUE) and the calculation of RUEs and Master Planned Development Accessory Uses to increase AUE obligations.

The table below outlines the three different avenues staff is working through and a timeline for when these items are scheduled for the Commission's review:

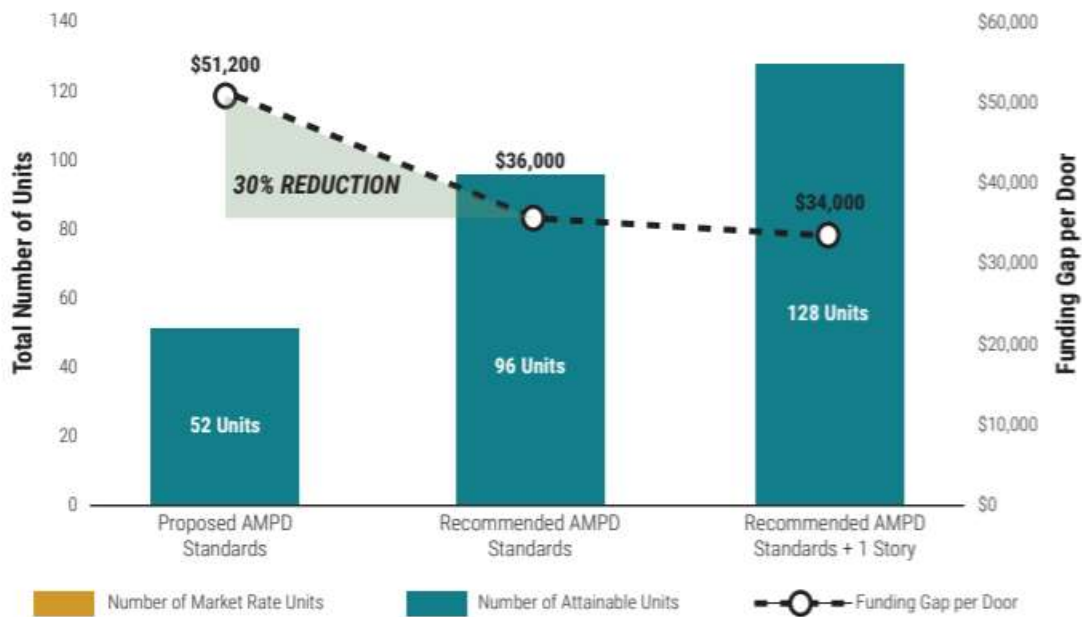
AFFORDABLE MASTER PLANNED DEVELOPMENTS	HOUSING RESOLUTION 03-2017	LAND MANAGEMENT CODE AMENDMENTS
Scope: Incentive-Based AMPDs • Reduced Parking & Increased Height Impacts: • LMC § 15-6-7, Affordable Master Planned Developments Triggers Future Discussion: • Density Bonus Program • AMI Matrix Research: • Cascadia • Staff Timeline: • Work session in October	Scope: • Potential increase in MPD and Annexation AUE obligations • Potential AUE obligation for large Single-Family Dwellings Impacts: • MPDs and Annexations Timeline: • Joint work session with Council on September 17	Scope: • Clean-up Residential UEs and affordable housing Definitions to align with the Housing Resolution • Potential MPD amendments to capture AUE obligations for a larger pool of approvals Impacts: • LMC Definitions • LMC Chapter 15-6, MPDs Timeline: • Will come before the Commission after Council approves the updated Housing Resolution

AFFORDABLE MASTER PLANNED DEVELOPMENTS (AMPDs)

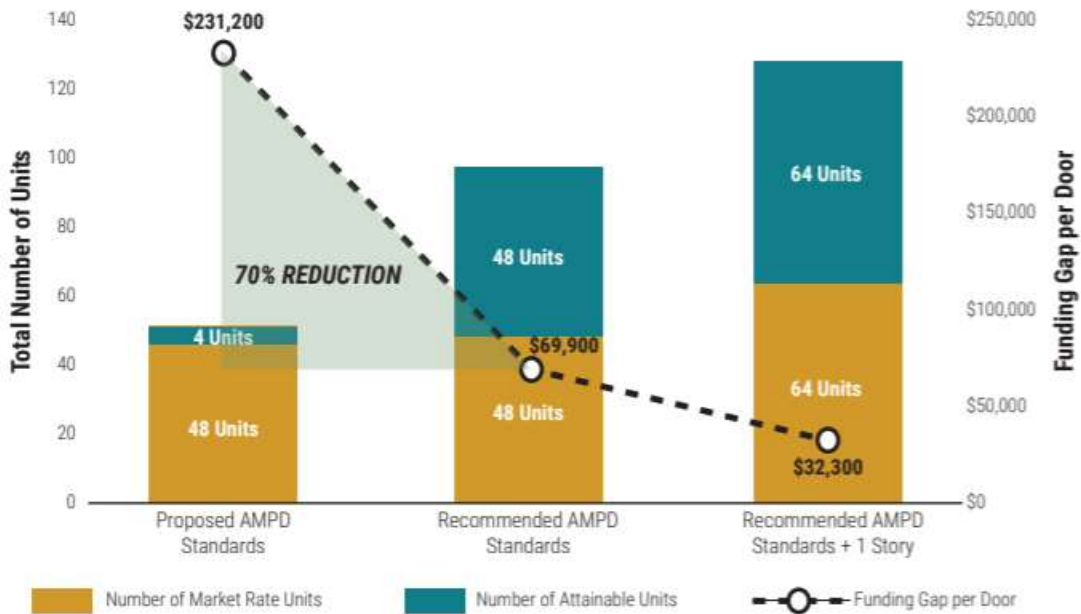
The City is exploring incentive-based approvals to encourage private development of AMPDs pursuant to LMC [§ 15-6-7](#). For a background on AMPDs and the amendments that have been in development over the past several years, please see Exhibit A. The purpose of AMPDs is to incentivize private affordable housing developments through bonus density in exchange for deed-restricted affordable units. Initially, the City pursued an aggressive AMI Matrix as the framework for the AMPD bonus: the matrix gave developers a larger density bonus for units deed-restricted for lower AMI levels and a smaller density bonus for units deed-restricted for higher AMI levels.

The initial AMPD amendments only contemplated bonus density based on AMI without other LMC exceptions. At the direction of the City Council, the Planning Department hired a third-party consultant, Cascadia, to research the feasibility of the proposed AMPD amendments. Cascadia developed mock projects under the code and concluded that Setbacks and Open Space requirements had to be reduced in order for AMPD bonus density to fit on site. City Council enacted LMC amendments reducing Setbacks and Open Space requirements in January. Cascadia also concluded that without decreasing Parking Requirements or increasing the Maximum Building Height, there was no way to physically fit the density bonuses within a development. To be effective, the AMPD needs to be further amended. (See Cascadia's [Affordable Master Planned Audit Report: Identifying Zoning and Housing Development Barriers](#).)

Cascadia developed models showing the required City subsidy for public-private partnerships under the recommended amendments to the AMPD. The first model assumes that the City provides the land at no cost for AMPD development that includes 100% affordable units. To make the AMPD pencil, the City would be required to subsidize \$36,000 per affordable unit. (Even with an additional story, the subsidy is fairly consistent due to a funding gap inflection point.)



The second Cascadia model outlined the subsidy required for an AMPD with 50% affordable units where land costs are calculated. The City subsidy required for the recommended AMPD amendments is \$69,900 per affordable unit. If the City increases the allowed height by one story, the subsidy falls to \$32,300.



In short, even with the AMPD amendments, the required subsidy will average \$30,000 per affordable unit – even with incentives for private developers, affordable housing construction will need to be a public-private partnership.

The Planning Department is in the process of finalizing a scope of services for research on successful density bonus programs and projects developed in other jurisdictions using density bonus programs. This third-party research will be summarized in a memorandum outlining recommended planning principles for parking reductions and Maximum Building Height increases and how these principles can be successful and effectively applied to Park City AMPDs. Concurrently, Planning staff is revisiting the AMI levels initially outlined in the AMPD amendments to align with the Housing Resolution to find the optimum ratio for incentivizing additional Affordable Housing units and to best allocate the density bonus.

LMC AMENDMENTS TO SUPPORT THE AMENDED HOUSING RESOLUTION

The LMC is not aligned with the Housing Resolution in defining certain terms. Also, there may be opportunities to amend the LMC to support Council-directed updates to the Housing Resolution, including potentially expanding AUE obligations for Development Activity of certain sizes/impacts, broader AUE obligations for MPD and Annexation approvals, and potentially lowering the threshold for MPD approvals. Staff will continue working with the Housing Team to implement these changes as required. Additionally, Council may direct staff to further incentivize affordable housing development through expansion of Accessory Apartment Units.

Affordable Housing Land Management Code Schedule

September 17 Joint Session	Housing Resolution Amendments
October 28	AMPD Phase II – Decreased Parking & Increased Height
October 28	Evaluation of 2020 Housing Assessment and Plan
November 11	LMC Updates to Support Housing Resolution Amendments

Department Review

The Housing, Planning, and Legal Departments reviewed this staff report.

Notice

Staff published notice on the City’s website and the Utah Public Notice website on July 8, 2020. The *Park Record* published notice on July 8, 2020. LMC [§ 15-1-21](#).

Background

AFFORDABLE MASTER PLANNED DEVELOPMENT CODE AMENDMENTS

In 1984, one of the early tools the City established to incentivize affordable housing was Land Management Code [§ 15-6-7](#), *Master Planned Affordable Housing Development* (Affordable Housing Code). The Affordable Housing Code provides a density bonus and a reduction in open space requirements for developers of Master Planned Developments with 100% affordable housing. However, despite these incentives, no project has ever been developed as a result of the Affordable Housing Code.

In 2017, the Community Development Department coordinated a study with planning staff and the affordable housing team to figure out why developers were not taking advantage of the Affordable Housing Code. Staff researched the affordable housing programs of ten cities to identify opportunities within the City's Affordable Housing Code to better incentivize development. As a result of this study, staff proposed amendments to the Affordable Housing Code with enhanced incentives and clarified standards to encourage developers to build affordable housing. Staff presented their findings to the City Council in a work session on April 5, 2018 ([Staff Report](#); [Minutes](#)). Council supported staff's proposed changes.

Staff then presented the proposed amendments to the Planning Commission on May 9, 2018 ([Staff Report](#); [Minutes](#)). The Commission unanimously recommended that the City Council consider enacting the proposed amendments.

On May 17, 2018, City Council considered the proposed amendments and requested further study ([Staff Report](#), [Minutes](#)). Council directed staff to hire a third-party consultant to analyze the proposed amendments to determine whether or not the incentives went far enough to encourage development of affordable housing projects.

On April 4, 2019, the City hired Cascadia Partners, a consulting firm based in Portland, Oregon, to create affordable housing project models based on the proposed Affordable Housing Code incentives and to analyze the feasibility of these models. On December 5, 2019, Cascadia presented a draft [Affordable Master Planned Development Code Audit Report: Identifying Zoning and Housing Development Barriers](#) to Council ([Staff Report](#); [Minutes](#)). Cascadia's recommendations included (1) the reduction of the 25-foot Master Planned Development setback to the zone-required setback [for projects under two acres in all Master Planned Developments, not just the Affordable Housing Code], (2) the reduction of open space requirements in the Affordable Housing Code, (3) the reduction of parking requirements and increased Maximum Building Height in the Affordable Housing Code. Council directed staff to amend the Land Management Code to address these three items, and to address Cascadia's recommendations on increased building height and further reductions to parking at a later date after further stakeholder and public engagement.

On January 8, 2020, staff presented amendments to the Land Management Code that reduced the Master Planned Development setback to the zone-required setback,

Exhibit A – Affordable Housing Land Management Code Amendments

reduced open space requirements, and reduced parking requirements to the Planning Commission ([Staff Report](#); [Minutes](#)). The Commission unanimously recommended that the City Council adopt the proposed amendments.

City Council reviewed the proposed amendments on January 16, 2020 and requested additional edits ([Staff Report](#); [Minutes](#)). The Council adopted the amended code on January 30, 2020 ([Staff Report](#); [Minutes](#)).

2020 HOUSING ASSESSMENT AND PLAN

On October 16, 2019, the Planning Commission conducted a work session on the City's 2020 Housing Assessment and Plan ([Staff Report](#); [Minutes](#)) and held a public hearing and forwarded a positive recommendation for the City Council's consideration on November 7, 2019 ([Staff Report](#); [Minutes](#)). On November 7, 2019, City Council adopted the [2020 Housing Assessment and Plan](#) ([Staff Report](#); [Minutes](#)).

This plan includes Land Management Code amendments to (1) incentivize public-private partnerships to develop affordable housing; (2) implement zoning incentives and reduced parking to incentivize affordable housing development; and (3) incentivize affordable housing development projects within ¼-mile of a fixed route transit stop.

City Council Staff Report



Subject: Prospector Square Supplemental
Amendment to Lot G Amended and Restated
Author: Laura Kuhrmeyer, Planner I
Project Number: PL-20-04521
Date: July 22, 2020
Type of Item: Administrative – Plat Amendment

Summary Recommendations

Staff recommends the City Council review and hold a public hearing for the Prospector Square Supplemental Amendment to Lot G Amended and Restated Plat Amendment and consider approving the Plat Amendment based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

**Disclosure: Park City Municipal is the applicant, and is represented by the Sustainability Department. While Park City Municipal does not own the property, the Property Owner has allowed the City to submit the application to identify the Easements.*

Description

Applicant: Park City Municipal Corporation (PCMC)
Represented by Alison Kuhlow
Location: 1775 Prospector Avenue (PSA-48A-SP-AM)
Zoning District: General Commercial (GC)
Adjacent Land Uses: Residential, Commercial, Child Care, etc.
Reason for Review: Plats require Planning Commission review and City Council review and action

Acronyms

GC	General Commercial
LMC	Land Management Code
PCMC	Park City Municipal Corporation

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC [§ 15-15-1](#).

Executive Summary

On April 22, 2020, the Planning Department received the subject Plat Amendment application. After working with the applicant on the submittal requirements, the application was deemed complete on June 10, 2020. The Applicant proposes to maintain/provide public easements for pedestrians and bicycles that will allow access from Prospector Avenue to the Rail Trail in perpetuity and to define maintenance agreements. No other changes to the Plat are proposed.

One Easement was already identified on the existing Plat but the location was not clearly defined. The other Easement will allow access from Prospector Avenue to the first Easement and the Rail Trail. Staff has included Figure 1 and 2 below which clearly identify the locations of both Easements.

Figure 1: Proposed Existing Easement

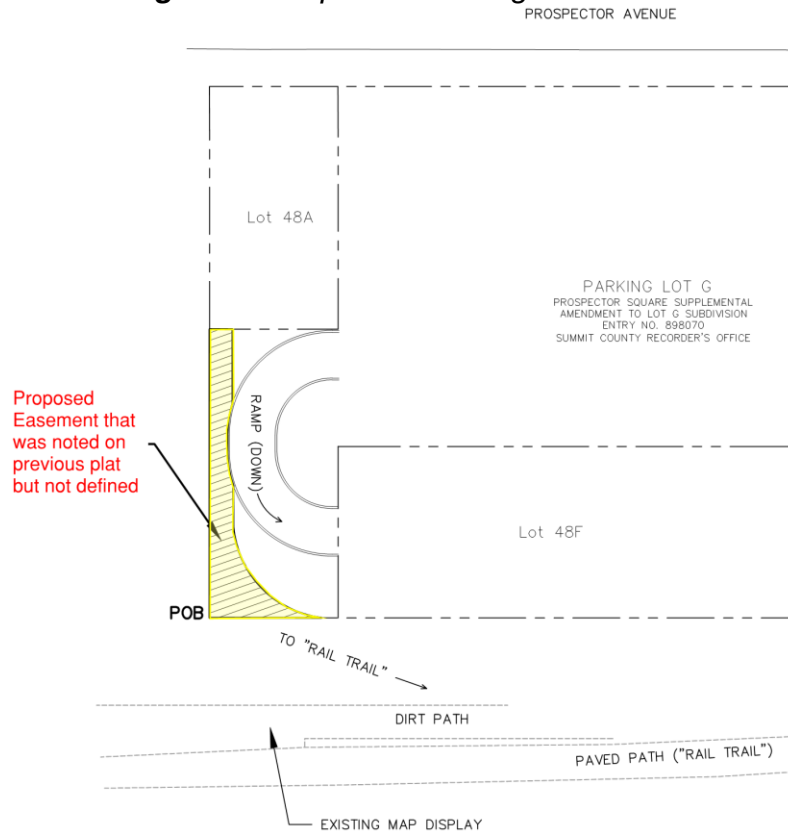
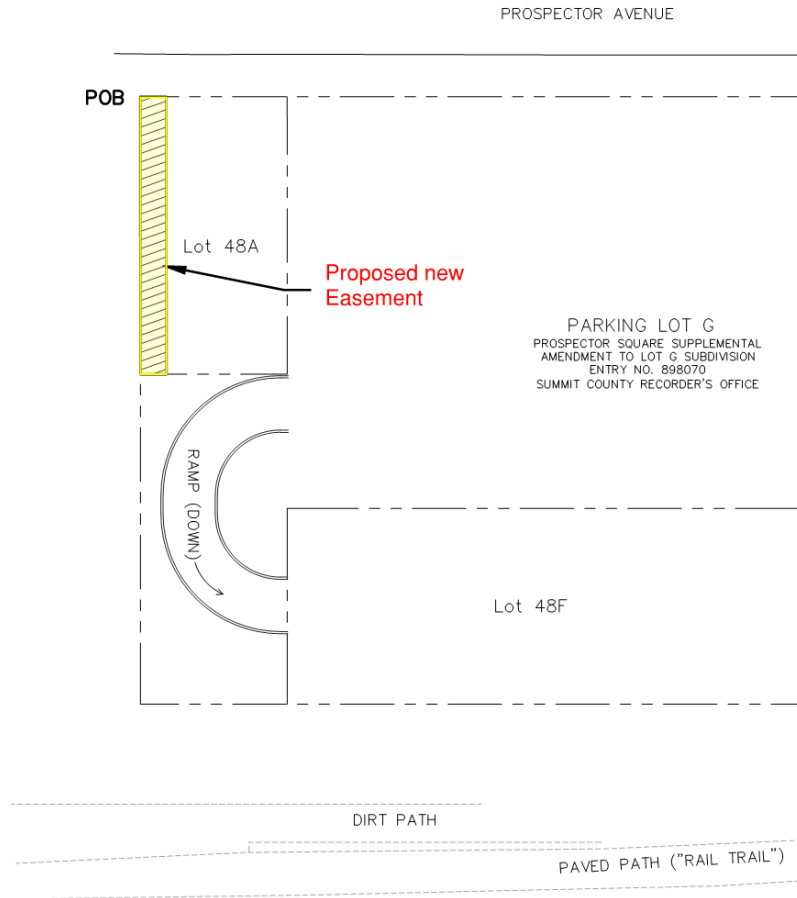


Figure 2: New Proposed Easement



Background

On May 28, 2009, the City Council approved the Prospector Square Supplemental Amendment to Lot G Plat Amendment, ([Staff Report](#), [Summary](#), Entry No. 898070).

On August 31, 2017, the City Council approved the Prospector Square Second Supplemental Amendment to Lot G Amending Lot 48A and Lot 48C Plat Amendment ([Staff Report](#), [Minutes](#), [Ordinance 2017-29](#), and Entry No. 1085418).

On July 20, 2018, an Encroachment Agreement was recorded with Summit County (Entry No. 01095464) that allowed an underground parking garage to encroach into Prospector Square Property Owner's Association common area by ten feet (10').

On October 15, 2018, an Acknowledgement and Covenant Not to Build was recorded at Summit County (Entry No. 01099999). This Agreement prohibited the future construction of lot-line-to-lot-line buildings on both Lot 48A and Lot G, as it would not allow proper fire protection and window openings.

On December 13, 2018, a First Amendment to Encroachment Agreement was recorded at Summit County (Entry No. 01103155) which modified terms and agreements of the 2018 Encroachment Agreement for the underground parking garage and to address the location and operation of a garage access ramp.

On May 30, 2019, an Easement Agreement was recorded at Summit County (Entry No. 01111714) between Prospector Square Property Owner's Association and SMP 1791 LLC. This Easement Agreement allowed two electrical transformers to be installed on Parcel No PSA-G-SP-AM.

On July 2, 2019, the Building Department issued a Building Permit for a new three-story office on the subject lot.

On April 22, 2020, the Planning Department received the subject Plat Amendment application. On June 10, 2020 the Application was deemed complete. The Applicant proposes to maintain/provide pedestrian and bicycle public access between the Rail Trail and Prospector Avenue in perpetuity and to define maintenance agreements.

Analysis

Per Land Management Code (LMC) [§ 15-12-15\(B\)\(9\)](#), the Planning Commission has the authority to review all plats affecting land within the City limits. The scope of the review is limited to finding substantial compliance with the provisions of the state statute on recording of plats, and that all previously imposed conditions of approval have been satisfied. A plat that is found to be in compliance with the state statute and that has met conditions of approval must be approved.

The Applicant proposes to maintain/provide public easements for pedestrians and bicycles that will allow access from Prospector Avenue to the Rail Trail. Park City Municipal will take on all maintenance of the access Easement.

- (I) **Staff recommends the Commission approve the Plat Amendment application because it complies with the General Commercial (GC) Zoning District requirements outlined in Land Management Code (LMC) [Chapter 15-2.18](#).** Staff has included *Table 1* below, outlining the compliance with the GC Zoning requirements.

Table 1: Zoning Compliance

	LMC Requirements	Proposal
Lot Size	No minimum Lot Size requirements	Lot 48A – 3,825 square feet Lot G – 43,181 square feet
Maximum Floor Area Ratio	Per LMC §15-2.18-3(I) , the Maximum Floor Area Ratios	Lot 48A – 1.98 Lot G – There are no buildings on Lot G

	would be 2.0 for each Lot	
Front/Rear/Side Setbacks	Per LMC §15-2.18-3(I) , zero (0) Lot Line development is permitted within the Prospector Overlay	Lot 48A – The Building meets the zero setback requirement Lot G – There are no buildings on Lot G
Building Height	35 ft from Existing Grade	Lot 48A – Max Building Height is 34 feet with mechanical equipment reaching 38 feet and 6 inches from Existing Grade Lot G – There are no buildings on Lot G
Off-Street Parking	Conditions of Approval of the Prospector Square Supplemental Amendment to Lot G will continue to apply. Plat Note #2 states that “Lots 48B and 48C require construction of underground parking.”	Per the Prospector Square Owner’s Association (see Exhibits G & H), Lot G shall maintain the existing 102 Parking Spaces. The proposed Easements do not affect the number of Parking Spaces available.

- (II) The Development Review Committee reviewed the proposed Application and no further issues were brought up at that time.
- (III) The Applicant meets the standards of LMC [Chapter 15-3](#), *Off-Street Parking*.
- a. LMC [Chapter 15-3](#), *Off-Street Parking*
The proposal complies with LMC [§ 15-3-3](#), as the Off-Street Parking is shared in Prospector Square. The subject Lot (Lot G) is required to maintain the existing 102 Parking Spaces and the proposed Easements do not affect the number of Parking Spaces (see Exhibits G & H).
- (IV) Staff Recommends the Commission approve the project because as conditioned, the proposed Plat Amendment complies LMC [§ 15-7.1-6](#), *Final Subdivision Plat*; LMC [§ 15-12-15](#), *Review By Planning Commission*; as well as state law regarding plat amendments.

- a. LMC [§ 15-7.1-6](#), *Final Subdivision Plat*
The Planning Commission is reviewing the proposal and the City Council is scheduled to review the proposal on September 17, 2020.
 - b. LMC [§ 15-12-15](#), *Review By Planning Commission*.
The Planning Commission is reviewing the proposal and all previously imposed conditions of approved have been satisfied.
- (V) **Staff finds good cause for this Plat Amendment as the proposal will grant public easements for pedestrians and bicycles that will allow access from Prospector Avenue to the Rail Trail.**
- (VI) **The City Engineer reviewed the proposed Application and no further issues were brought up at that time.**

Department Review

The Development Review Committee and Planning, Engineering, and Legal Departments reviewed this application.

Notice

Staff published notice on the City's website and the Utah Public Notice website on July 8, 2020. Staff mailed courtesy notice to property owners within 300 feet on July 8, 2020.

Public Input

No public comment has been received at the time of this report.

Alternatives

- The City Council may approve the proposed Prospector Square Supplemental Amendment to Lot G Amended and Restated Plat Amendment, as conditioned or amended at the meeting; or
- The City Council may deny the proposed Prospector Square Supplemental Amendment to Lot G Amended and Restated Plat Amendment, and direct staff to make Findings for this decision; or
- The City Council may continue the discussion on the proposed Prospector Square Supplemental Amendment to Lot G Amended and Restated Plat Amendment, and request additional information or analysis in order to make a recommendation.

Exhibits

Exhibit A: Draft Ordinance

Attachment 1 – Prospector Square Supplemental Amendment to Lot G Amended and Restated Plat Amendment (Proposed)

Exhibit B: Current Plat

Exhibit C: Applicant's Written Description
Exhibit D: Existing Conditions Survey
Exhibit E: Aerial Photograph
Exhibit F: Site Photographs
Exhibit G: Prospector Square Parking Agreement
Exhibit H: Prospector Square Parking Study

Exhibit A – Draft Ordinance

Ordinance No. 2020-XX

AN ORDINANCE APPROVING THE PROSPECTOR SQUARE SUPPLEMENTAL AMENDMENT TO LOT G AMENDED AND RESTATED, LOCATED AT 1775 PROSPECTOR AVENUE, PARK CITY, UTAH.

WHEREAS, the property owner of the property located at 1775 Prospector Avenue have petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on July 8, 2020, proper legal notice was published according to requirements of the Land Management Code; and

WHEREAS, on July 8, 2020, 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 July 22, 2020, to receive input on the proposed Plat Amendment; and

WHEREAS, the Planning Commission on July 22, 2020, forwarded a _____ recommendation to the City Council; and

WHEREAS on September 17, 2020, 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 Prospector Square Supplemental Amendment to Lot G Amended and Restated, located at 1775 Prospector Avenue.

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

SECTION 1. APPROVAL. The Prospector Square Supplemental Amendment to Lot G Amended and Restated 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. All findings within the Analysis section and the recitals of the Staff Report are incorporated herein as findings of fact.

Background:

2. The subject property is located at 1775 Prospector Avenue.

3. On May 28, 2009, the City Council approved the Prospector Square Supplemental Amendment to Lot G Plat Amendment, ([Staff Report](#), [Summary](#), Entry No. 898070).
4. On August 31, 2017, the City Council approved the Prospector Square Second Supplemental Amendment to Lot G Amending Lot 48A and Lot 48C Plat Amendment ([Staff Report](#), [Minutes](#), [Ordinance 2017-29](#), and Entry No. 1085418).
5. On July 20, 2018, an Encroachment Agreement was recorded with Summit County (Entry No. 01095464) that allowed an underground parking garage to encroach into Prospector Square Property Owner's Association common area by ten feet (10').
6. On October 15, 2018, an Acknowledgement and Covenant Not to Build was recorded at Summit County (Entry No. 01099999). This Agreement prohibited the future construction of lot-line-to-lot-line buildings on both Lot 48A and Lot G, as it would not allow proper fire protection and window openings.
7. On December 13, 2018, a First Amendment to Encroachment Agreement was recorded at Summit County (Entry No. 01103155) which modified terms and agreements of the 2018 Encroachment Agreement for the underground parking garage and to address the location and operation of a garage access ramp.
8. On May 30, 2019, an Easement Agreement was recorded at Summit County (Entry No. 01111714) between Prospector Square Property Owner's Association and SMP 1791 LLC. This Easement Agreement allowed two electrical transformers to be installed on Parcel No PSA-G-SP-AM.
9. On July 2, 2019, the Building Department issued a Building Permit for a new three-story office on the subject lot.
10. On April 22, 2020, the Planning Department received the subject Plat Amendment application. After working with the applicant on the submittal requirements, the application was deemed complete on June 10, 2020.
11. The Applicant proposes to maintain/provide a public easement for pedestrians and bicycles that will allow access from Prospector Avenue to the Rail Trail in perpetuity and to define maintenance agreements.
12. Staff finds good cause for this Plat Amendment as the proposal will grant a public easement for pedestrians and bicycles that will allow access from Prospector Avenue to the Rail Trail.
13. Staff recommends the Commission approve the Plat Amendment application because it complies with the General Commercial (GC) Zoning District requirements outlined in Land Management Code (LMC) [Chapter 15-2.18](#).

Zoning District:

14. The site is within the General Commercial (GC) District and complies with Land Management Code (LMC) [Chapter 15-2.18](#).

Lot and Site Requirements:

15. There are no minimum Lot Size requirements in the GC Zone, and the proposed lot contains 43,181 square feet.
16. The proposal complies with LMC [§15-2.18-3\(I\)\(2\)](#), Maximum Floor Area Ratio as there are no buildings on Lot G.

17. The proposal complies with LMC [§15-2.18-3\(I\)\(3\)](#), Setbacks as there are no buildings on Lot G.
18. The proposal complies with LMC [§15-2.18-4](#), Building Height as there are no buildings on Lot G.

Other Applicable LMC Requirements:

19. The proposal complies with LMC [§ 15-3-3](#), *Off-Street Parking* as the Parking Agreement (see Exhibit G & H to July 22, 2020 Planning Commission Staff Report) requires that Lot G shall maintain the existing 102 Parking Spaces and the proposal does not affect the number of Parking Spaces available.

Public Notice Requirements:

20. Staff published notice on the City's website and the Utah Public Notice website on July 8, 2020.
21. Staff mailed courtesy notice to property owners within 300 feet on July 8, 2020.

Conclusions of Law:

22. The proposal complies with LMC [§ 15-7.1-6](#), *Final Subdivision Plat*, as the Planning Commission and City Council will review the proposal for approval.
23. The proposal complies with LMC [§ 15-12-15](#), *Review By Planning Commission*, as the Planning Commission will review the proposal for compliance with the provisions of the state statute on recording of plats and ensure that all previously imposed conditions of approved have been satisfied.

Conditions of Approval:

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat and CC&Rs for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat. The CC&Rs shall include a methodology for tie break.
2. The applicant shall record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. A ten foot (10') public snow storage easement on Prospector Avenue shall be noted on the Plat.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 17th day of September, 2020.

PARK CITY MUNICIPAL CORPORATION

Andy Beerman, MAYOR

ATTEST:

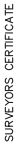
Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

Exhibits

Attachment 1 – Prospector Square Supplemental Amendment to Lot G Amended and Restated (Proposed)



BASIS OF BEARING = C/A PROSPECTOR AVENUE - BRASS STREET MONUMENT TO MONUMENT - N 64°24'01" E 976.88'

PROSPECTOR AVENUE (A PUBLIC RIGHT-OF-WAY)

[illegible]

LINE TABLE		
LINE	DIRECTION	LENGTH
1	S 22°46'00" E	20.91'
2	S 27°44'07" E	5.63'
3	S 22°46'00" E	14.19'

KNOW ALL BY THESE PRESENTS, that SUP 1791, LLC, a Delaware limited liability company, as to Lot 48A and Lot 48F, to be known as PROSPECTOR SQUARE SUPPLEMENTAL AMENDMENT TO LOT 48 AND LOT 48F, does hereby certify that it has caused to be prepared, and does hereby consent to the recreation of this plat amendment. Also, the owner of its representative hereby irrevocably offers for dedication to the public the land for local government uses, easements, and required utilities shown on this plat in accordance with an irrevocable offer of dedication.

date of _____, 2020.

I, _____, in witness whereof the undersigned has executed this certificate this _____ day of _____, 2020.

In witness whereof the undersigned has executed this certificate this _____ day of _____, 2020.

Edward B.R. Lewis, Manager
SMP 1791 LLC, a Delaware limited liability company

[illegible]

A Notary Public commissioned in Utah

Printed Name _____

My Commission Expires: _____

KNOW ALL BY THESE PRESENTS, that the undersigned President of Prospector Square Property Owners Association, a Utah non-profit corporation, as to Parking Lot G, does hereby certify that it consents to the recordation of this PROSPECTOR SQUARE SUPPLEMENTAL AMENDMENT TO LOT G AMENDED AND RESTATED plat.

ALSO, the owner or its representative hereby irrevocably offers for dedication to the public the land for local government uses, (hereinafter referred to as "dedicated land") which is indicated by the shaded area on the attached plat, and the dedication of the dedicated land is hereby accepted by the local government.

In witness whereof the undersigned has executed this certificate this _____ day of _____, 2020.

Dean S. Berrett, Secretary
Prospector Square Property Owners Association, a Utah non-profit corporation

State of Utah)
ss: ss:

County of San Diego,

On the _____ day of _____, 2020, Dean S. Berrett personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that she is the President of Prospector Square Property Owners Association, a Utah non-profit corporation, and that said document was signed by her on behalf of said Association, by authority of its Bylaws or Resolution of its Members, and she acknowledged to me that she executed PROSPECTOR SQUARE SUPPLEMENTAL AGREEMENT TO LOT 4 AGREEMENT AND RESTRICTIONS.

A National Public Health Conference to Eliminate

Printed Name _____

Reading in:

**PROSPECTOR SQUARE SUPPLEMENTAL AMENDMENT TO LOT G
AMENDED AND RESTATED**

LOCATED IN THE NORTHEAST QUARTER OF SECTION 9
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

4/15/20 JOB NO.: 7-1-20 FILE: X:\Prospector\dwg\ar\plat2020\070120.dwg Z3, 2018, AS ENRI N. 1083418. SHEET 1 OF 1

PUBLIC SAFETY
ANSWERING POINT APPROVAL
APPROVED THIS _____ DAY _____ 2020
OF _____
BY _____
SUMMIT COUNTY GIS COORDINATOR

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
VIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER
RECLAMATION DISTRICT STANDARDS ON THIS _____
DAY OF _____, 2020

BY _____ CHAIR	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2020 BY _____ PARK CITY ENGINEER
-----------------------	--

APPROVAL AS TO FORM _____
 APPROVED AS TO FORM THIS _____
 DAY OF _____, 2020
 BY _____
 PARK CITY ATTORNEY

CERTIFICATE OF ATTEST
I CERTIFY THIS PLAT
WAS APPROVED BY PARK CITY
COUNCIL THIS _____ DAY
OF _____, 2020
BY _____ PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2020	STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____
BY _____ MAYOR	FEE _____ RECORDER _____
	TIME _____ DATE _____ ENTRY NO. _____

PROSPECTOR SQUARE SUPPLEMENTAL AMENDMENT TO LOT G

LOCATED IN THE NORTHEAST QUARTER OF
SECTION 9, TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE & MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENT THAT, the undersigned owner of the herein described tract of land known as LOT 48A, 48B, 48C, 48D AND 48E, to be known hereafter as the Prospector Square Supplemental Amendment To Lot G, do hereby certify that I have caused this Plat to be prepared, and I, HENRY SIGG, hereby consent to the recordation of this Plat. ALSO, the owner, or his representatives, hereby irrevocably offers for dedication to the City of Park City and Snyderville Basin Water Reclamation District all the streets, land for local government uses, easements, parks, and required utilities and easements shown on the plat and construction drawings in accordance with an irrevocable of dedication.

In witness whereof, We have hereunto set our hand this 11th day of MARCH, 2010.

BY: Henry Sigg
Owner, Mountain Trails Plaza, LLC.

Henry Sigg
Henry Sigg

ACKNOWLEDGMENT

State of Utah
County of Summit

On this 11th day of March, 2010, personally appeared before me, the undersigned Notary Public, in and for said County of Summit, in said State of Utah, HENRY SIGG, the person that executed the within instrument and known to me to be (or proved to me on the basis of satisfactory evidence) the person who executed the within instrument on behalf of said person, being duly sworn acknowledged to me that he is the owner of the herein described tract of land and he signed the above Dedication and Consent to Record freely and voluntarily.

Notary Public
My Commission Expires: 2011

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENT THAT, the undersigned owner(s) of the herein described tract of land, known as PARKING LOT G, to be known hereafter as the Prospector Square Supplemental Amendment To Lot G, do hereby certify that I have caused this Plat to be prepared, and I, PAUL CHRISTENSEN, representing Prospector Homeowners Association, hereby consent to the recordation of this Plat. ALSO, the owner, or his representatives, hereby irrevocably offers for dedication to the City of Park City and Snyderville Basin Water Reclamation District all the streets, land for local government uses, easements, parks, and required utilities and easements shown on the plat and construction drawings in accordance with an irrevocable of dedication.

In witness whereof, I have hereunto set my hand this 12th day of MARCH, 2010.

BY: Paul Christensen, President
Prospector Square H.O.A. President

Paul Christensen
Paul Christensen

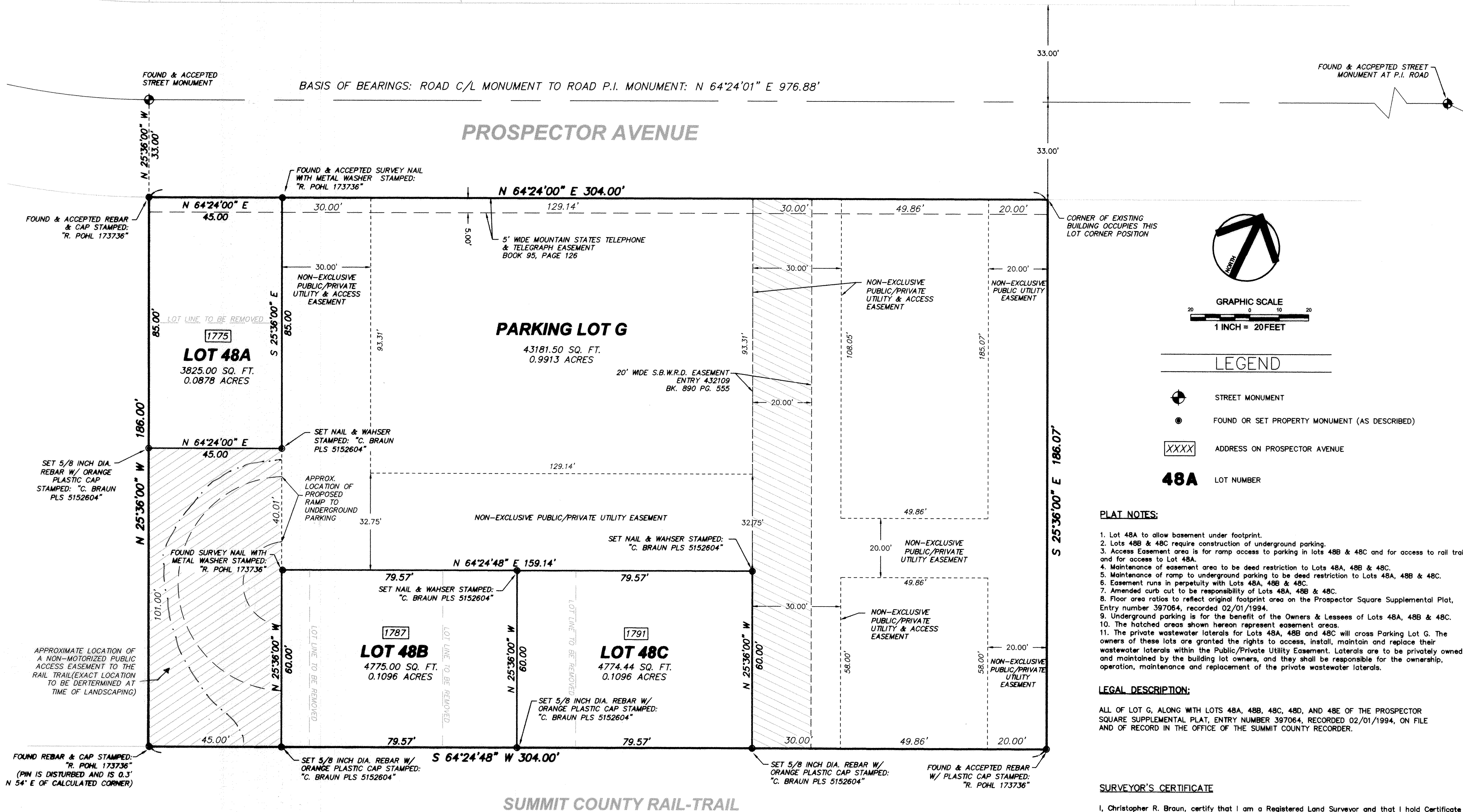
ACKNOWLEDGMENT

State of Utah
County of Summit

On this 12 day of March, 2010, personally appeared before me, the undersigned Notary Public, in and for said County of Summit, in said State of Utah, PAUL CHRISTENSEN, the person that executed the within instrument and known to me to be (or proved to me on the basis of satisfactory evidence) the person who executed the within instrument on behalf of said person, being duly sworn acknowledged to me that he is the owner of the herein described tract of land and he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

Notary Public
My Commission Expires: July 21, 2012

NOTARY PUBLIC
GLOPHY STEWART
574722
COMMISSION EXPIRES
JULY 21, 2012
STATE OF UTAH



PLAT NOTES:

- Lot 48A to allow basement under footprint.
- Lots 48B & 48C require construction of underground parking.
- Access Easement area is for ramp access to parking in lots 48B & 48C and for access to rail trail and for access to Lot 48A.
- Maintenance of easement area to be deed restriction to Lots 48A, 48B & 48C.
- Maintenance of ramp to underground parking to be deed restriction to Lots 48A, 48B & 48C.
- Easement runs in perpetuity with Lots 48A, 48B & 48C.
- Amended curb cut to be responsibility of Lots 48A, 48B & 48C.
- Floor area ratios to reflect original footprint area on the Prospector Square Supplemental Plat, Entry number 397064, recorded 02/01/1994.
- Underground parking is for the benefit of the Owners & Lessees of Lots 48A, 48B & 48C.
- The hatched areas shown hereon represent easement areas.
- The private wastewater laterals for Lots 48A, 48B & 48C will cross Parking Lot G. The owners of these lots are granted the rights to access, install, maintain and replace their wastewater laterals within the Public/Private Utility Easement. Laterals are to be privately owned and maintained by the building lot owners, and they shall be responsible for the ownership, operation, maintenance and replacement of the private wastewater laterals.

LEGAL DESCRIPTION:

ALL OF LOT G, ALONG WITH LOTS 48A, 48B, 48C, 48D, AND 48E OF THE PROSPECTOR SQUARE SUPPLEMENTAL PLAT, ENTRY NUMBER 397064, RECORDED 02/01/1994, ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.

SURVEYOR'S CERTIFICATE

I, Christopher R. Braun, certify that I am a Registered Land Surveyor and that I hold Certificate No. 5152604, as prescribed by the laws of the State of Utah, and this Plat was prepared under my direction in accordance with the requirements of Park City Municipal Corporation. I further certify that the property boundaries as shown are correct.

Christopher R. Braun
Christopher R. Braun
PLS 5152604
3/11/10
Date

Park City
Surveying
P.O. Box 682993
Park City, UT 84068
(435)649-2918
(435)649-4637 Fax

PARK CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS 13th DAY OF MAY, 2009 A.D.

Chairman
CHAIRMAN

CERTIFICATE OF ATTEST

I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 26 DAY OF MAY, 2009 A.D.

Park City Recorder
PARK CITY RECORDER

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS 15th DAY OF March, 2010 A.D.

S.B.W.R.D.
S.B.W.R.D.

ENGINEERS CERTIFICATE

I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 8th DAY OF April, 2010 A.D.

Park City Engineer
PARK CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS 24th DAY OF April, 2010 A.D.

Park City Attorney
PARK CITY ATTORNEY

COUNCIL APPROVAL AND ACCEPTANCE

APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 28TH DAY OF MAY, 2009 A.D.

Mayor
MAYOR

#898070

RECORDED

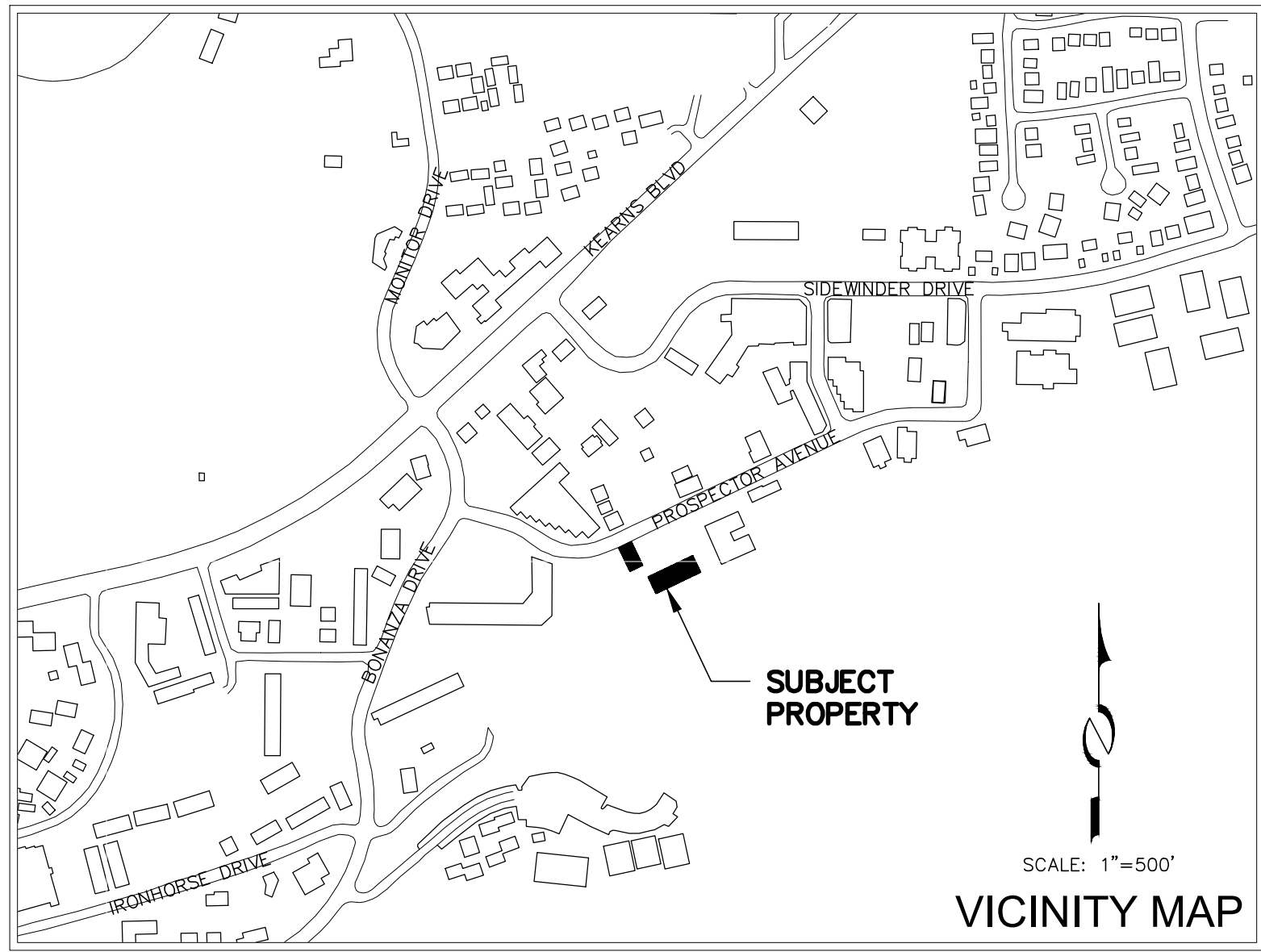
STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF Park City Title DATE 5-18-10 TIME 10:37 AM BOOK 100 PAGE 1

Recorder
FEE \$34.00
RECORDER

Lot G Plat Amendment
Written Description

In order to maintain/provide pedestrian and bicycle public access between the Rail Trail and Prospector Avenue in perpetuity and to define maintenance agreements, the City submits this application for such easement in Lot G of Prospector Square.

There are two property owners, along with Park City Municipal, named within the access easement.



LOTS 48A & 48F & PARKING LOT G PROSPECTOR SQUARE RECORD OF SURVEY

LOCATED IN THE NORTHEAST QUARTER OF SECTION 9,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
RECORD OF SURVEY
SUMMIT COUNTY, UTAH



SURVEYOR'S CERTIFICATE

I, Michael Demkowicz, certify that I am a Professional Land Surveyor and that I hold License No. 4857264, as prescribed by the laws of the State of Utah. I further certify that under my direct supervision a survey has been performed on the hereon described property and that to the best of my knowledge this plat is a correct representation of said survey.

LEGAL DESCRIPTION

All of Lot 48A, PROSPECTOR SQUARE SUPPLEMENTAL AMENDMENT TO LOT G SUBDIVISION, according to the official plat thereof recorded May 12, 2010 as Entry No. 898070, on file and of record in the office of the Summit County Recorder, Summit County, Utah. Parcel No. PSA-48A-SP-AM

All of Lot 48F, PROSPECTOR SQUARE SECOND SUPPLEMENTAL AMENDMENT TO LOT G AMENDING LOT 48B & LOT 48C, according to the official plat thereof recorded January 23, 2018 as Entry No. 1085418, on file and of record in the office of the Summit County Recorder, Summit County, Utah. Parcel No. PSA-48F-SP-2AM

All of Parking Lot G, PROSPECTOR SQUARE SUPPLEMENTAL AMENDMENT TO LOT G SUBDIVISION, according to the official plat thereof recorded May 12, 2010 as Entry No. 898070, on file and of record in the office of the Summit County Recorder, Summit County, Utah. Parcel No. PSA-G-SP-AM

TOGETHER WITH the easements, rights and benefits contained in that certain Amended and Restated Declaration of Covenants, Conditions and Restrictions of Prospector Square Subdivision, recorded as Entry No. 458513 in Book 979, Page 311, in the office of the Summit County Recorder, Summit County, Utah.

TOGETHER WITH the easements, rights and benefits contained in that certain Property Exchange and Easement Agreement, recorded as Entry No. 899311 in Book 2033, Page 806, in the office of the Summit County Recorder, Summit County, Utah.

TOGETHER WITH the easements, rights and benefits contained in that certain Encroachment Agreement, recorded as Entry No. 1095464 in Book 2471, Page 1877, as amended by that certain First Amendment to Encroachment Agreement, recorded as Entry No. 1103155 in Book 2490, Page 455, in the office of the Summit County Recorder, Summit County, Utah.

TOGETHER WITH the easements, rights and benefits contained in that certain Easement Agreement, recorded May 30, 2019 as Entry No. 1111714 in Book 2510, Page 1721, in the office of the Summit County Recorder, Summit County, Utah.

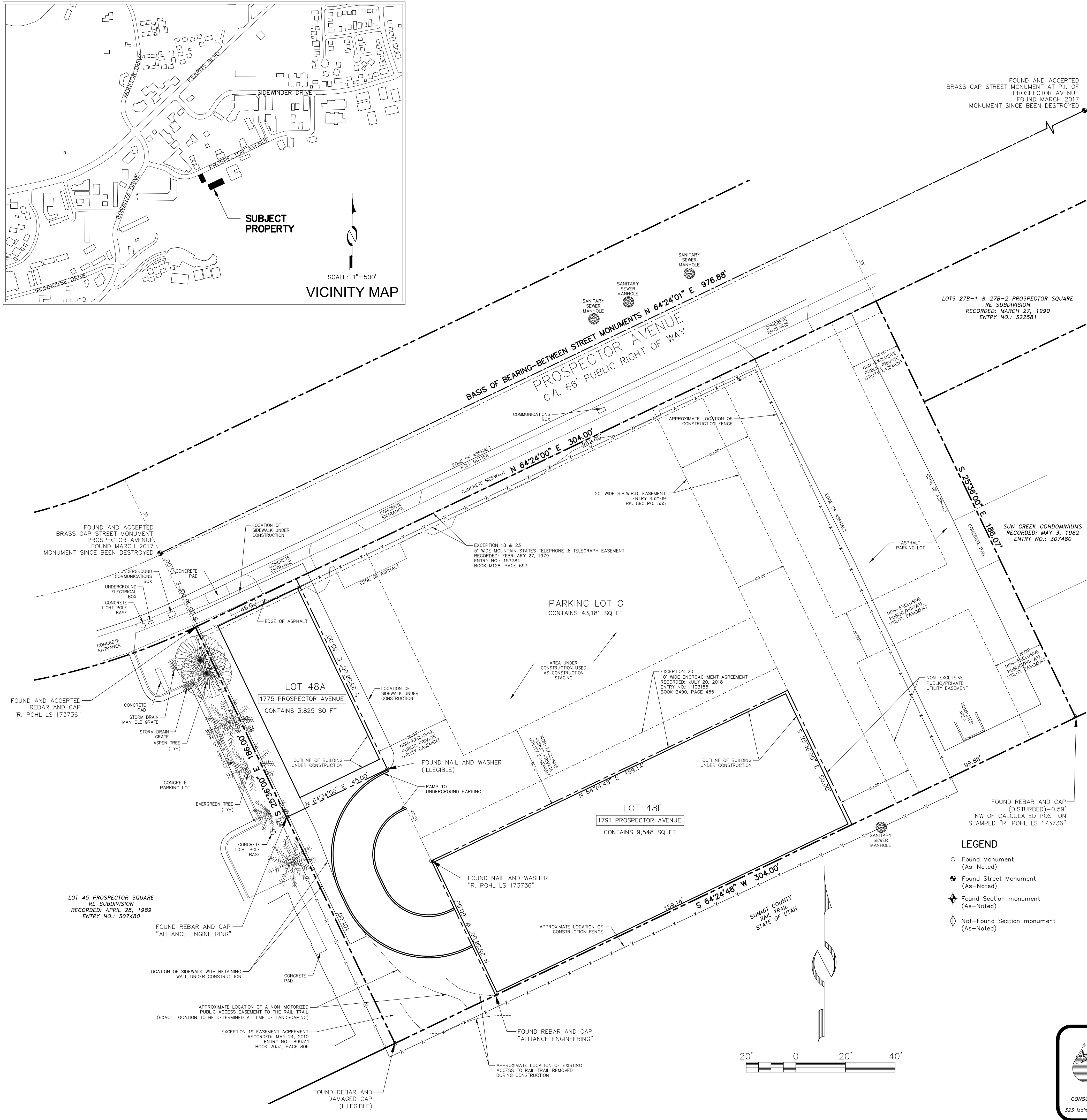
TOGETHER WITH the easements for the benefit of Lots 48A and 48F (formerly Lots 48B and 48C), as per the plat notes shown on the plats recorded as Entry No. 898070 and Entry No. 1085418.

NOTES

- Based on the U.S. Department of Housing and Urban Development, Federal Insurance Administration Flood Hazard Boundary Map, Community Number 490139, Map Number 49043C09236C with an effective date of March 16, 2006, the subject property is located in, Zone X "area determined to be outside the 0.2% annual chance floodplain", according to the map.
- County tax maps, recorded deeds, Prospector Square Supplemental Amendment to Lot G, Prospector Square Second Supplemental Amendment to Lot G amending Lot 48B and Lot 48C, Prospector Square Lot 45 Resubdivision, Prospector Square Supplemental Amendment to Lot G Subdivision, Sun Creek Condo Subdivision, Prospector Square Lot 27B Resubdivision, Prospector Square Subdivision, and Record of Survey s-9034 (all aforementioned documents are on file and of record with the Summit County Recorder's office) in addition to physical evidence found in the field were considered in determining the boundary as shown on this survey.
- The architect is responsible for verifying building setbacks, zoning requirements and building height restrictions.
- Property corners were found as shown.

LEGEND

- Found Monument (As-Noted)
- Found Street Monument (As-Noted)
- Found Section monument (As-Noted)
- Not-Found Section monument (As-Noted)



Alliance Engineering Inc.
(435) 649-9467
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

STAFF:
MICHAEL DEMKOWICZ
BLAYDE MCINTIRE
DATE: 6/10/20

RECORD OF SURVEY
1775 AND 1791 PROSPECTOR AVENUE
FOR: PSP0A
JOB NO.: 07-01-20
FILE: X:\Prospector\dwg\sr\svry2020\Parking Lot G\070120-ROS.dwg

SHEET
1
OF
1

Lot G

Aerial Photo with Lot Lines (>500')



Lot G Plat Amendment
Photographic Panoramic Views



Figure 1Lot G - West Facing



Figure 2Lot G - East Facing







Figure 3Lot G - East Facing



Figure 4Lot G - South Facing

PARKING AGREEMENT BETWEEN
PROSPECTOR SQUARE PROPERTY OWNERS ASSOCIATION AND
PARK CITY MUNICIPAL CORPORATION

This Agreement entered into by and between PARK CITY MUNICIPAL CORPORATION (hereinafter Park City), and PROSPECTOR SQUARE PROPERTY OWNERS ASSOCIATION (hereinafter Prospector), to set forth an amendment to the Prospector Property Owners' Association covenants concerning parking.

WHEREAS, Park City and Prospector desire to quiet concerns over the adequacy of parking in the Prospector Square area, and to amend their homeowners association covenants to reflect this parking agreement, and;

WHEREAS, Park City and Prospector agree that adequate parking is necessary for the future development and growth of the Prospector Square area, and ultimately Park City, and;

WHEREAS, adequate parking in Prospector Square area is necessary for the full enjoyment of visitors to Prospector Square, Prospector residents in their homes, and commercial property owners of their property,

THEREFORE, the parties agree as follows:

1. Any questions regarding the ownership of the Prospector Square common parking lots and the tax

1
liens placed on the parking lots have been fully answered. The Property Owners Association is able to show clear ownership of those lots prior to execution of the Agreement.

2. Any new developments applying for building permits will be required to count parking for the first two floors out of the total available developed parking spaces in Prospector Square, and provide additional parking for all development above two (2) stories pursuant to the requirements in the Land Management Code.

All future development above two (2) stories will be required to meet the parking requirements for the development above two (2) stories by either providing on-site parking or providing an escrow account in the amount of Ten Thousand Dollars and No Cents (\$10,000.00), per required parking space.

3. When the development of all developable land in Prospector Square reaches eighty-five (85) percent build-out, the parking situation will be reviewed by the City Planning Staff and a needs assessment will be made. Parking will then be built as required in the locations where it is most needed, based upon use patterns, site suitability, cost effectiveness,

and other development parameters. Site selection will be jointly determined by the Prospector Square Property Owners Association and the City Planning Department. If there is no demonstrated need, the escrowed funds will be reimbursed to the developer.

4. The City Planning Department proposes to the Prospector Square Property Owners that if this proposal does not fulfill their long range planning needs, the Property Owners Association shall contract and pay for a comprehensive study which would offer other design and development options to handle the future parking needs.

DATED the 15th day of September, 1987.

PARK CITY MUNICIPAL CORPORATION

By: Michael W. Nance

PROSPECTOR SQUARE PROPERTY OWNERS ASSOCIATION

By: Dean L. Berrett

(ProsPark/PC11)

Interim Parking Agreement Between
Prospector Square Property Owners Association
and Park City Municipal Corporation

July - 1984

In response to ongoing concern over the adequacy of existing Prospector Square parking, the Prospector Square Property Owners Association hereby agree to use their best efforts to accomplish adoption of an amendment to the covenants addressing parking demand in Prospector Square. Such amendments to the covenants should require the following items:

1. The Association will complete an annual parking survey conducted during two peak ski-season weeks in February.
2. Residential, ~~restaurant or other food service~~ uses must provide Land Management Code parking on-site or directly adjacent to the use, on land owned or controlled by the developer of the project. (credit will be allowed for a pro-rated share of total Prospector spaces at one space per 328 s.f.)
3. Utilizing a mixed use evaluation of shared parking, the parking demand study should determine an appropriate floor area to site area development ratio which causes no additional impact on existing parking. A ratio of 2:1 has been suggested, but something less than 2:1 may be required to adequately address the potential impact.
4. Require uses which exceed the established acceptable ratio determine under number 3 above, to escrow funds prior to building permit issuance for new parking lots or structures to be established by the Association.
5. Complete transfer of ownership of existing lots to the Prospector Square Property Owners Association and resolve tax lien issue.

The Prospector Square Property Owners Association also agree that such amendments shall be presented to the Owners for a vote by January 15, 1985.

During the interim six months, it is agreed that the City will issue building permits in Prospector Square for projects which do not materially or substantially affect the existing and future demands for parking in Prospector Square. Those projects to be considered will be as follows:

- 1) projects which provide Land Management Code parking on site (credit will be allowed for a pro-rated share of total Prospector spaces).
- 2) retail commercial or office projects which have a floor area to site area ratio of less than 2:1 (does not include restaurant or other food service uses).

Other projects which appear to the City to have a significant parking demand in excess of the proportionate share of common area parking will not be considered for building permits unless an agreement is made to provide Land Management Code parking on or adjacent to the site.

DATED the 9th day of August, 1984.

By: [Signature] President
Prospector Property Owners Assn.

By: [Signature]
Park City Municipal Corporation

*Letter to Summit
of Mike Sloan
of Alpine*



In conclusion, for all projects in the Prospector PUD on those lots that are part of the common area parking arrangement, the City staff will process and issue building permits only under the following conditions:

1. If the project provides all of its code required parking on-site, a permit will be issued.
2. If the project is such that its code required parking requirements do not exceed that lot's proportionate share of the common area surface parking, a permit will be issued. For these purposes, the common area parking will be allocated at one space for every 328 square feet of building lot area. This is the same formula Muir-Chong used in 1980.
3. If the project provides on-site parking and relies in part on its proportionate share of the common area parking, so that the sum of the two equals the code requirement for the project, a building permit will be issued.
4. If the project proposes to rely entirely on the common area parking, or the code parking requirement for that project exceeds the sum of the on-site and common area parking (item #3), or if the project proposes to use more than its proportionate share of the common area parking, no building permit will be issued unless and until (a) the 1980 parking demand study is updated to 1984, specifically addressing the new nature of the development in the area, and (b) the property title and property tax issue are resolved in a manner that makes it realistically possible for the Association to build on the common area parking lots to increase parking capacity.

In addition to the foregoing, which will apply to every project, the Staff will not issue building permits on the hotel-type condominium uses unless some on-site parking is provided with that project because of the functional problems with the remote parking areas. While there may be room in a remote parking lot, and that the owner of a business may be able to require his employees to use it, logic dictates that people paying to stay in a hotel will park near the hotel, in the closest parking lot or on the street. This unreasonably impacts the other uses that share the common parking lots, and creates an unreasonable burden for the City in terms of snow removal. The hotel uses are a major deviation from the original approval and even from the 1980 parking study. These uses cannot reasonably expect to rely on the original PUD approval for parking, then ignore it for

*after
revisions*



every other aspect of the development.

The extent of the off-street parking required for the hotel uses will depend in large measure on the results of the updated parking study. The formula we have used to date is based on the combination of a proportionate share of common area parking and code, as in Item #3 above. With a project that attempts to rely entirely on the common area parking, the review will depend on both the parking study, and the location of the lots that are judged most likely to be used for that project.

In short, we are assuming that Prospector can only rely on the existing number of surface parking spaces, but cannot, with the title problems, expand that number by building structured parking. Any project attempting to use more than its proportionate share of that common area parking will be presumed to have no means of providing additional parking, and will be required to meet the Land Management Code standards with on-site parking. Hotel uses will have to provide some on site parking in any event as a deviation from the original approval for the subdivision.

When your association can demonstrate that the title problems have been resolved so that it can build additional parking on the common lots, and when the parking demand study has been brought up to date, we would be happy to review this position and make adjustments as seem reasonable based on that new information.

Sincerely,

A handwritten signature in dark ink, appearing to read "Tom Clyde".

Thomas E. Clyde

cc: Arlene Loble
Mike Vance
Ron Ivie
John Eskelin
Mayor Green
Councilmembers

MEMORANDUM

Date: October 26, 2015

To: Steven Arhart, EIT
Park City Engineering Division

From: Hales Engineering

Subject: Park City – Prospector Square Parking Study

UT15-749

This memorandum discusses the parking study completed for Park City in consideration of the parking demands and issues in and around Prospector Square. The study covers the existing parking supply and demand, analyzes current parking policies and enforcement, and addresses concerns expressed by the city and the Prospector Square Property Owners Association (PSPOA). The following questions will be addressed:

- Is there a shortage or excess of overnight parking in the Prospector Square area?
- How does a No Parking (2:00 – 6:00 a.m.) policy impact parking?
- What are some possible mitigation measures and long term solutions?

Existing Conditions

Prospector Square is a subdivision located south of Kearns Boulevard (SR-224) and east of Bonanza Drive in Park City, Utah. A vicinity map showing the location of the project is shown in Figure 1. Land use within Prospector Square consists of office, retail, dining, and lodging (both condominiums and hotels). The Prospector Square Property Owners Association (PSPOA) maintains twelve parking lots, with a total of 1,167 parking spaces. Approximately 229 additional on-street public parking spaces are available on Sidewinder Drive, Prospector Avenue, Poison Creek Lane, and Gold Dust Lane. On-street parking is currently restricted on Sidewinder Drive and Gold Dust Lane between the hours of 2:00 and 6:00 a.m.

All PSPOA lots are open 24 hours per day, but require a permit for overnight parking (1:00 to 6:00 a.m.). Permits are granted to PSPOA residents, and each commercial entity in the area are granted three permits for fleet vehicles with the option to purchase additional permits. These permits are issued through the PSPOA's property management company, PMA, which has an office located in Prospector Square.

From December 1st to April 1st, no vehicle is allowed to remain in the same spot for more than 24 consecutive hours. From April 2nd to November 30th, vehicles are required to move every seven days. PSPOA has a parking management contract that enforces all rules and regulations in PSPOA owned parking lots.

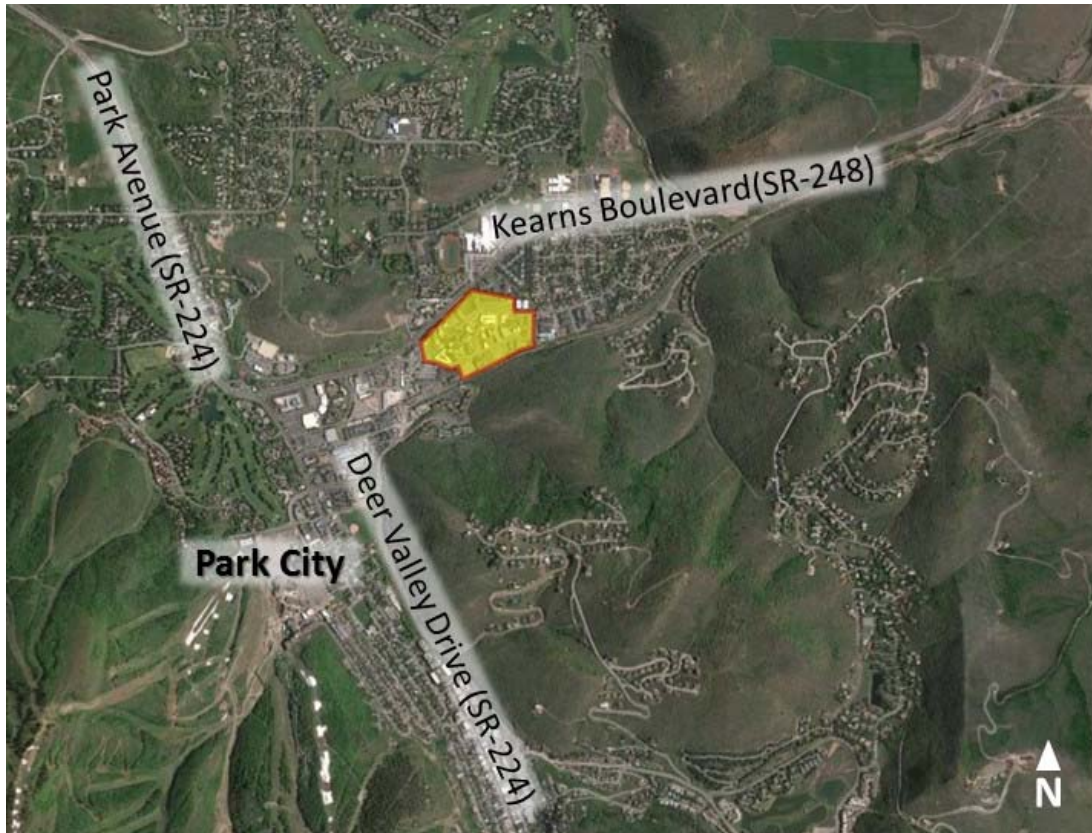


Figure 1 Vicinity map showing the study area in Park City, Utah

Parking Supply and Demand

Hales Engineering collected parking utilization data for the Prospector Square area. The number of cars parked in each lot and on each street were counted between 2:00 and 4:00 a.m. on a weeknight, when parking demand is typically highest for residential uses. Data were also collected in the nearby Aspen Villas Apartments parking lot, as well as the Gold Dust Plaza parking lot (a private parking lot within Prospector Square). Parking utilization data is shown in Table 1. At the time of data collection, LOT F was fenced off due to construction activity. Based on information provided by the PSPOA, LOT F is currently being redeveloped along with the adjacent property, and will provide a slight increase in parking capacity once completed. As shown in Table 2, of all available parking

in the Prospector Square area, approximately one third is being utilized overnight. This indicates that the parking capacity is more than adequate for overnight needs.

Table 1 Prospector Square Parking Utilization

Prospector Square Parking Utilization				
Parking Facility	Total Parking Spaces	Occupied Parking Spaces	Open Parking Spaces	Occupancy
Aspen Villas Apartment Complex	177	114	63	64%
Sidewinder Drive	84	5	79	6%
Gold Dust Lane	23	0	23	0%
Poison Creek Lane	30	18	12	60%
Prospector Avenue	92	72	20	78%
Prospector Square Lot A	92	3	89	3%
Prospector Square Lot B	47	46	1	98%
Prospector Square Lot C	40	1	39	3%
Prospector Square Lot D	94	45	49	48%
Prospector Square Lot E	50	40	10	80%
Prospector Square Lot F	99	N/A	-	-
Prospector Square Lot G	165	51	114	31%
Prospector Square Lot H	66	4	62	6%
Prospector Square Lot I	115	48	67	42%
Prospector Square Lot J	201	25	176	12%
Prospector Square Lot K	85	15	70	18%
Prospector Square Underground	113	49	64	43%
Gold Dust Plaza Parking	10	2	8	20%
Total:	1583	538	946	34%
Hales Engineering, July 2015				

On-Street Parking Restrictions

There have been several complaints from business owners at Prospector Square that vehicles parked on the streets are abandoned there for long periods of time, making it difficult for customers to find open parking spaces during the day. These abandoned vehicles also cause problems with snow removal during the winter months.

It is believed that many of the abandoned vehicles are the result of overflow parking from surrounding residential areas. It is also believed that since this area is one of the few areas in Park City where on-street parking is unregulated, that it is used as a de facto park-and-

ride lot. The Park City Police Department (PCPD) collected registration information of vehicles parked on the streets at Prospector Square and the owners address on the vehicle registration record. These data were collected once on the night of Tuesday, March 3, 2015, and again on the night of Thursday, August 13, 2015. These data are summarized in Table 2. As shown in Table 2, the majority of vehicles parked on the streets in the Prospector Square area are registered to owners living at the Aspen Villa Apartments or in other nearby residential areas. PCPD also reported that several vehicles remain parked on the street for days or weeks at a time.

Table 2 On-Street Parking Data

On-Street Parking Data		
Origin of Vehicle	March 2015	August 2015
Aspen Villa Apartments	28	37
Heber, Kamas, and Midway	9	12
Iron Horse Loop Road	7	0
Other Park City Streets	6	13
Bonanza Drive	3	3
Out of State	3	4
Salt Lake City Area	2	25
Total:	58	94
Hales Engineering, August 2015		

The majority of available on-street parking in the Prospector Square area appears to be used as overflow parking for nearby residential developments, with the rest by vehicles traveling from out of town. The overflow parking is a result of residential developments not providing sufficient parking facilities, or residents owning more vehicles than are allowed to be parked on-site. It was reported that the Aspen Villas Apartments management had recently taken steps to enforce occupancy restrictions on their property, as well as assigning two parking spaces to each unit. The data collected by Hales Engineering in July (See Table 1) shows that only 64% of onsite parking was occupied. However, there was an increase in vehicles registered to Aspen Villa Apartments residents parked on street between March and August (see Table 2).

Recommended Mitigation Measures

It is recommended that Park City staff contact Aspen Villa management to coordinate on ways for residents to use the surplus parking spots in the Aspen Villa lot as opposed to using on-street spaces for long-term parking. The data collected in July 2015, showed that there were approximately 63 vacant parking spaces overnight at the complex. However,

there are still numerous vehicles from this complex being parked on-street in the Prospector Square area.

It is also recommended that residential developments, especially multi-family developments, provide adequate parking facilities for residents and enforce their respective occupancy and/or number of vehicle restrictions. This will prevent the need for overflow parking on public streets. As mentioned previously, this has recently been done at the Aspen Villa Apartments, which has resulted in more open parking spaces at the apartment complex overnight.

One alternative would be to implement a No Parking (2:00 – 6:00 a.m.) on the surrounding neighborhoods. Restricting overnight parking would prevent vehicles from being left on the street for long periods of time, but may have impacts on hotel or other residential guests staying in the area.

Instead, it is recommended that a 72 hour parking restriction be implemented in the PSPOA on-street areas. This would require that cars parked on the street in the Prospector Square area be required to move every 72 hours. 72 hour parking would address the problem of “abandoned” vehicles being left parked on the street for long periods of time, while allowing for short-term, overnight, on-street parking. Consideration should also be given to how these regulations would be enforced.

As shown in Table 3, it is likely that restricting overnight parking in the Prospector Square area would result in a higher number of vehicles being pushed neighboring residential areas than if a 72 hour parking restriction were enacted.

It is recommended that before any changes to the overnight parking regulations are posted and enforced, that notice be given to residents of the nearby apartment complexes explaining the change and encouraging residents to park in their respective apartment parking lots. This could be accomplished by the posting of flyers, relaying the message through property managers, and/or the city hosting an information session for residents. Discussions with the management of these complexes is also recommended so that they are aware of the change and can enforce their parking rules and discourage on-street parking.

It is recommended long-term planning include overnight and long-term parking facilities be provided for those who carpool or travel to and from Park City. This could be accommodated at the existing parking facility at Richardson Flatt, or at another location in the area. As part of this mitigation measure, it is recommended that wayfinding signs be installed in Prospector Square, as well as other parts of the city, near on-street parking explaining where the overnight parking can be found. This will help to educate the public on where to find appropriate parking. It is also recommended that signing be placed on

US-40 and other nearby roads (depending on where the park and ride lot is located) directing people to the overnight parking lot.

Table 3 Parking Restriction Analysis

Parking Restriction Analysis				
Origin of Vehicle	Average Number of Vehicles Parked on-street	Impacts	Vehicles pushed to on-street parking in nearby neighborhoods if overnight parking is restricted	Vehicles pushed to on-street parking in nearby neighborhoods if 72 hour parking restriction is enforced
Aspen Villa Apartments	33	Collected data shows that there is capacity in the Aspen Villa lot to accommodate all residents.	0	0
Heber, Kamas, and Midway	11	A 72 hour parking restriction in the area would accommodate short-term, out of town visitors without pushing vehicles into nearby neighborhoods.	11	0
Iron Horse Loop Road	4	Residents of Iron Horse Loop Road that park on-street would likely find on-street parking nearby.	4	4
Other Park City Streets	10	Residents of other Park City streets that park on-street would likely find on-street parking nearby.	10	10
Bonanza Drive	3	Residents of Bonanza Drive that park on-street would likely find on-street parking nearby.	3	3
Out of State	4	Restricting overnight parking would result in vehicles being parked on the street in nearby neighborhoods. A 72 hour parking restriction would accommodate short-term visitors.	4	0
Salt Lake City Area	14	Restricting overnight parking would result in vehicles being parked on the street in nearby neighborhoods. A 72 hour parking restriction would accommodate short-term visitors.	14	0
Total:	79		28	17
Hales Engineering, August 2015				

Conclusions/Recommendations

Hales Engineering makes the following conclusions/recommendations based on our data collection efforts for the Prospector Square parking study:

1. There is sufficient parking in the Prospector Square area to accommodate the overnight demand.
2. Long-term on-street parking is largely a result of overflow parking from surrounding residential areas and vehicles from out of town.
3. It is recommended that the city work with Aspen Villas to find ways to accommodate more residents' vehicles on site.
4. Expanding the restrictions on overnight parking to Prospector Avenue and Poison Creek Lane will effectively reduce long-term on-street parking in the Prospector Square area. A 72 hour parking restriction will help to alleviate the problem of long term parking while still providing short-term overnight on-street parking.
5. It is recommended long-term planning include overnight and long-term parking facilities be provided for those who carpool or travel to and from Park City. This could be accommodated at the existing parking facility at Richardson Flatt, or at another location in the area. As part of this mitigation measure, it is recommended that wayfinding signs be installed in Prospector Square, as well as other parts of the city, near on-street parking explaining where the overnight parking can be found.
6. The city should require apartment complexes to manage parking facilities for residents and enforce their respective occupancy and/or number of vehicle restrictions.
7. The city should coordinate with nearby apartment complexes to alert their residents that the parking restriction changes are coming and to encourage residents to park in the apartment complex parking lots.
8. Some local on-street parking demand will likely be pushed to nearby neighborhoods, however this is expected to be a small number if the 72 hour restriction is put in place.
9. It is recommended that parking data be collected during the winter peak season on both a weekday night and a weekend night to assess the parking situation during that time of year.

If you have any questions regarding this memo, please feel free to contact us.



Planning Commission Staff Report

PLANNING DEPARTMENT

Subject: Land Management Code
Amendments to Historic Districts (LMC Chapters 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 Design Guidelines (LMC Section 15-5-5), and Defined Terms (LMC Chapter 15-15)

Author: Laura Kuhrmeyer, Planner

Date: July 22, 2020

Type of Item: Legislative – LMC Amendment

Summary Recommendations

Staff recommends the Planning Commission review the proposed LMC amendments to the Land Management Code (LMC) including 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 Design Guidelines (LMC [§15-5-5](#)), and Defined Terms (LMC [Chapter 15-15](#)), open a public hearing and consider forwarding a positive recommendation to City Council (September 17, 2020) 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, Architectural Review (LMC 15-5-5) Architectural Design Guidelines, and 15-15 Defined Terms.

Applicant: Planning Department

Proposal Affected Revisions to the Land Management Code

**Land Management
Code Chapters
and Sections:**

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: Amendments to the Land Management Code (LMC) affecting the Historic Districts require Historic Preservation Board and Planning Commission recommendation to City Council for adoption.

Acronyms

LMC	Land Management Code
HPB	Historic Preservation Board
HRL	Historic Residential-Low Density
HR-1	Historic Residential
HR-2	Historic Residential
HRM	Historic Residential Medium Density
HRC	Historic Recreation Commercial
HCB	Historic Commercial Business
SRI	Solar Reflective Index

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC [§15-15-1](#).

Executive Summary

A large majority of these proposed amendments were reviewed previously, at the December 12, 2018 Planning Commission meeting (see the [Packet](#) and [Meeting Minutes](#)). After the HPB forwarded a positive recommendation, the Planning Commission reviewed the changes and also forwarded a positive recommendation. On January 15, 2019, the City Council reviewed the proposed amendments and requested that Staff do additional research on the Solar Reflective Index (SRI) and other changes that may affect sustainability (see [Meeting Minutes](#)). Staff has been working with, and continues working with, the Sustainability department to finalize those changes. However, Staff determined that some of the more minor changes and scrivener's errors could move forward while the SRI is sorted out.

On July 1, 2020, the Historic Preservation Board reviewed the proposed amendments, held a public hearing, and forwarded a unanimous positive recommendation to Planning Commission and City Council (see [Staff Report \[pg 27\]](#) and [Audio](#)).

Staff recommends that the Planning Commission review the amendments, open a public hearing, and consider forwarding a positive recommendation to City Council.

Background

The Planning Department would like to update the Land Management Code to make the language and wording used in the Historic Districts more consistent and to codify regulations that are currently enforced through policy. Staff requests to amend the Historic Districts ([15-2.1](#), [15-2.2](#), [15-2.3](#), [15-2.4](#), [15-2.5](#), and [15-2.6](#)) and Supplemental Regulations ([Chapter 15-4](#)) to clear up inconsistencies. Staff also requests to amend

LMC [§15-5-5](#) to include vinyl as an inappropriate material. Finally, staff requests to define one (1) additional term within LMC [Chapter 15-15](#), *Defined Terms*.

Analysis

The following analyses give a brief overview of the proposed LMC Amendments:

Rearranging

The primary goal of these revisions is to make the language in all Historic Districts more consistent and rearrange the content within each chapter to make them easier to navigate. One example would be rearranging the sections within each District so that “Lot & Site Requirements” is always Section 3 and “Existing Historic Buildings and/or Structures” is always Section 4. Staff believes this will make navigating these sections of code easier for both Staff and the Public. 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.

Another example of a rearranging amendment is moving the “Goods and Uses to Be Within Enclosed Building” to the Supplemental Regulations in [Chapter 15-4](#). Because this section appears in multiple zoning Districts and varies only slightly, Staff determined that moving it to Supplemental would make it easier to find.

Staff also corrected references to other sections of the Code and removed most specific references. For example, instead of referring to a very specific piece of Code such as LMC 15-2.2-3(G)(2), Staff replaced these references with a more general reference such as LMC [§15-2.2-3](#). This will prevent needing further amendments when those sections of Code get an additional letter or number and the referenced piece shifts.

Setbacks and Setback Exceptions

Staff has also proposed to remove tables 2.1, 2.2, and 2.3 which are meant to display maximum Building Footprint for standard sized lots. Because of the wording before these tables, it is often misunderstood and to prevent confusion, Staff has proposed removing these tables and replacing them with Side Setback tables (2.1b, 2.2b, and 2.3b).

Additionally, Staff proposes to add language to the Side Setbacks for Corner Lots that will allow for a smaller Setback to be used, 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 may be approved by the City Engineer when the Lot Width is less than 37.5 feet; no Side Setback exceptions shall be utilized and the sight triangle shall be maintained when the Setback is three feet (3') along the Right-of-Way.

Staff has proposed some amendments to wording that will be added to all application zones. 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 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.

Staff also proposes to change the patio exception to clarify height and location. Many of the zones do not include a minimum distance from Lot Lines. The following language is an example of the proposed amendment:

Patios, decks, pathways, steps, or similar Structures not more than thirty inches (30") in height above Final Grade, not including any required handrails.

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) Shared Driveway leading to a garage or approved Parking Area. See Parking Regulations for additional requirements.

~~Common driveways are~~ One (1) 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.

While the Setback exceptions point to LMC [§15-4-2](#) for fences and retaining wall regulations, which allow retaining walls up to six feet in the Side and Rear Setbacks, retaining walls within the Historic District are typically four or five feet in height. Because of this, Staff is working on amending LMC [§15-4-2](#), *Fences And Retaining Walls* and will return with proposed changes at a future date.

Building Height

Staff has proposed to remove the language that limits the four foot (4') Grade change to the periphery of the structure specifically. The four foot (4') Grade change limitation will apply to the entire site with this proposed amendment. Removing this language will clarify this for the Public and help Staff enforce this requirement as it was intended.

Architectural Design Guidelines

The goal of the revisions is to promote Compatible additions and infill construction in the Historic Districts. With that, materials are an important component of the Historic District Design Review process. Staff recommends amending LMC 15-5-5(H) to list vinyl and

untreated metal window frames as 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.

Definition

The goal of this amendment is to define a term that is used within the zoning regulations that is not currently defined. These proposed amendments include adding the following definition:

Shared Driveway. A single access vehicular 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.

Scrivener Errors

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.

Staff has attached the complete Draft Ordinance as Exhibit A.

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. ~~The purposes of the Historic Preservation Board (HPB) include providing input to staff, the Planning Commission, and City Council towards safeguarding the heritage of the City in protecting Historic Sites, Buildings, and/or Structures; as well as making recommendations to the Planning Commission and City Council ordinances that may encourage Historic preservation.~~ 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

Staff published notice on the City's website and the Utah Public Notice website on June 17, 2020. Staff mailed courtesy notice to Affected Entities on June 17, 2020. The *Park Record* published notice on June 13, 2020. The Amendments have been noticed according to requirements in LMC [§ 15-1-21](#).

Public Input

Public hearings are required to be conducted by the Historic Preservation Board, Planning Commission and City Council prior to adoption of Land Management Code amendments affecting the Historic Districts. No public input has been received as of the date of publishing.

Alternatives

- The Planning Commission may forward a positive recommendation to City Council for the proposed Land Management Code as presented or as amended at the meeting; or
- The Planning Commission may forward a negative recommendation to City Council to deny the proposed amendments; or
- The Planning Commission may continue the discussion to a date certain and provide direction to Staff regarding additional information, revisions, or analysis needed in order to take final action.

Exhibits

Exhibit A – Draft Ordinance

Attachment 1 – Proposed Redlines

Exhibit A – Draft Ordinance

Ordinance 2020-XX

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, AND 15-4 SUPPLEMENTAL REGULATIONS, SECTION 15-5-5 ARCHITECTURAL DESIGN GUIDELINES, AND CHAPTER 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 Historic Preservation Board duly noticed and conducted public hearings at the regularly scheduled meetings on July 1, 2020 and forwarded a positive recommendation to Planning Commission and City Council; and

WHEREAS, the Planning Commission duly noticed and conducted public hearings at the regularly scheduled meetings on July 22, 2020 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 September 17, 2020; 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 15-2.1 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 Chapter 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 Chapter 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 Chapter 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 Chapter 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 Chapter 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 Chapter 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 Chapter 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 10. EFFECTIVE DATE. This Ordinance shall be effective upon publication.

PASSED AND ADOPTED this 17th day of September, 2020

PARK CITY MUNICIPAL CORPORATION

Andy Beerman, Mayor

Attest:

City Recorder

Approved as to form:

Mark Harrington, City Attorney

Exhibits

Attachment 1 – Proposed Redlines

Attachment 1 – Proposed Redlines

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 capacity¹
- B. provide an Area of lower density Residential Use within the old portion of Park City¹
- C. preserve the character of Historic residential Development in Park City¹
- D. encourage the preservation of Historic Buildings and/or Structures¹
- E. encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District, and maintain existing residential neighborhoods¹
- F. establish Development review criteria for new Development on Steep Slopes which mitigate impacts to mass and scale and the environment¹ 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

Amended 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 Section 15-4-9, for Child Care Regulations And Child Care Facilities.

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 Section 15-4-7, Supplemental Regulations for Accessory Apartments.

⁴See LMC Chapter Section 15-4-14, Telecommunications Facilities.

⁵See LMC Chapter Section 15-4-13, Placement of Satellite Receiving Antennas.

⁶Subject to Administrative or Administrative Conditional Use permit, see LMC Chapter 15-4.

⁷See LMC Chapter Section 15-4-18, Passenger Tramways And Ski Base Facilities.

⁸See LMC Chapter Section 15-4-2, Fences And Retaining 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~~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.~~a~~ for a schedule equivalent of this formula for common Lot Sizes.

TABLE 15-2.1

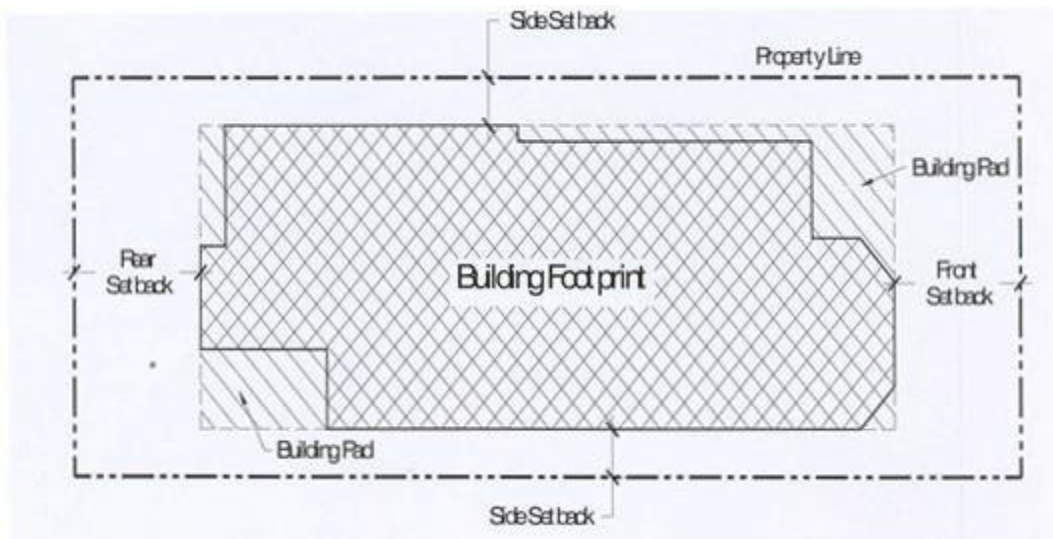
Lot Depth < /= ft. **	Lot Width, ft. up to:-	Side Setbacks Min. Total		Lot Area Sq. ft.-	Bldg. Pad Sq. ft.	Max. Bldg. Footprint Sq. ft.
75 ft.	37.5*	3 ft.	6 ft.	2,813	1,733	1,201
75 ft.	50.0	5 ft.	10 ft.	3,750	2,200	1,519
75 ft.	62.5	5 ft.	14 ft.	4,688	2,668	1,801
75 ft.	75.0	5 ft.	18 ft.	5,625	3,135	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.

<u>Lot Depth (ft.) **</u>	<u>Lot Width, (ft.)</u>	<u>Lot Area Sq. ft.</u>	<u>Max. Bldg. Footprint Sq. ft.</u>
<u>75 ft.</u>	<u>37.5*</u>	<u>2,813</u>	<u>1,201</u>
<u>75 ft.</u>	<u>50.0</u>	<u>3,750</u>	<u>1,519</u>
<u>75 ft.</u>	<u>62.5</u>	<u>4,688</u>	<u>1,801</u>
<u>75 ft.</u>	<u>75.0</u>	<u>5,625</u>	<u>2,050</u>
<u>75 ft.</u>	<u>87.5</u>	<u>6,563</u>	<u>2,269</u>
<u>75 ft.</u>	<u>100.0</u>	<u>7,500</u>	<u>2,460</u>
<u>75 ft.</u>	<u>Greater than 100.0</u>	<u>Greater than 7,500</u>	<u>Per Formula</u>

** for lots > 75' in depth use Footprint formula



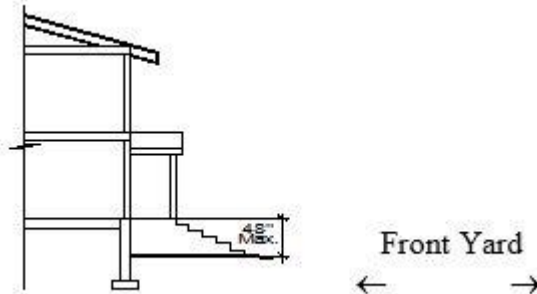
F. **FRONT AND REAR SETBACKS.** Front and Rear Setbacks are as follows:

TABLE 15-2.1a

Lot Depth	Minimum Front/Rear Setback	Total of Setback
Up to 75 ft., inclusive	10 ft. <u>each</u>	20 ft.
From 75 ft. to 100 ft.	12 ft. <u>13ft. (or vice versa)</u>	25 ft.
Over 100 ft.	15 ft. <u>each</u>	30 ft.

150 G. **FRONT SETBACK EXCEPTIONS.** The Front Yard must be open and free of any
151 Structure except:

- 152 1. Fences, ~~and~~ walls, and retaining walls not more than four feet (4') in
153 height, or as permitted in Section 15-4-2 Fences And Retaining Walls. On
154 Corner Lots, Fences more than three feet (3') in height are prohibited
155 within twenty-five feet (25') of the intersection, at back of curb.
- 156 2. Uncovered steps leading to the Main Building, provided the steps are not
157 more than four feet (4') in height from Final Grade, not including any
158 required handrail, and do not cause any danger or hazard to traffic by
159 obstructing the view of the Street or intersect

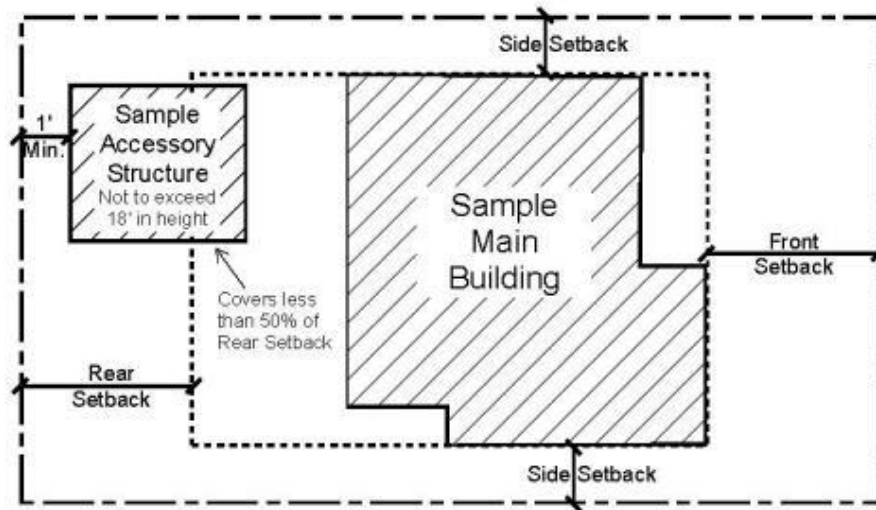


- 160 3. Decks, porches, or Bay Windows not more than ten feet (10') wide, ~~and~~
161 projecting not more than three feet (3') into the Front Setback.
- 162 4. Roof overhangs, eaves, or cornices projecting not more than three feet (3')
163 into the Front Setback.
- 164 5. Sidewalks and pathways.
- 165 6. Driveways leading to either a garage or an approved Parking Area. No
166 portion of a Front Yard, except for ~~patios~~, driveways, allowed Parking
167 Areas and sidewalks, may be Hard-Surfaced or graveled.

169 H. **REAR SETBACK EXCEPTIONS.** The Rear Setback must be open and free of
170 any Structure except:

- 171 1. Bay Windows not more than ten feet (10') wide, ~~and~~ projecting not more
172 than two feet (2') into the Rear Setback.
- 173 2. Chimneys not more than five feet (5') wide and projecting not more than
174 two feet (2') into the Rear Setback.
- 175 3. Window wells not exceeding the minimum International Residential Code
176 (IRC) or International Building Code (IBC) requirements for egress or light
177 wells may extending not more than four feet (4') into the Rear Setback.
178 Should egress requirements be met within the building pad, no Rear
179 Setback exception is permitted.
- 180 4. Roof overhangs or eaves projecting not more than two feet (2') into the
181 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 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, ~~or~~ walls, and retaining walls as permitted in Section 15-4-2 Fences And Retaining 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) Shared Driveway leading to either a garage or an approved Parking Area. See Section 15-2.1-7 Parking Regulations for additional requirements.

I. **SIDE SETBACKS.** Side Setbacks are as follows:

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TABLE 15-2.1b

<u>Lot Width (ft.) up to:</u>	<u>Minimum Side Setback</u>	<u>Total of Setback</u>
<u>37.5*</u>	<u>3 ft. each side</u>	<u>6 ft.</u>
<u>50.0</u>	<u>5 ft. each side</u>	<u>10 ft.</u>
<u>62.5</u>	<u>5 ft. minimum</u>	<u>14 ft.</u>
<u>75.0</u>	<u>5 ft. minimum</u>	<u>18 ft.</u>
<u>87.5</u>	<u>10 ft. minimum</u>	<u>24 ft.</u>
<u>100.0</u>	<u>10 ft. minimum</u>	<u>24 ft.</u>
<u>Greater than 100.0</u>	<u>10 ft. minimum</u>	<u>30 ft.</u>

* for existing 25' wide lots, Use HR-1 standards.

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~~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.~~

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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 may be approved by the City Engineer when the Lot Width is less than 37.5 feet; no Side Setback exceptions shall be utilized and the sight triangle shall be maintained when the Setback is three feet (3') along the Right-of-Way.~~

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J. **SIDE SETBACK EXCEPTIONS.** The Side Setback must be open and free of any Structure except:

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1. Bay Windows not more than ten feet (10') wide and projecting not more than two feet (2') into the Side Setback.

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2. Chimneys not more than five feet (5') wide and projecting not more than two feet (2') into the Side Setback.

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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 minimum required Side Setback of five feet (5') or greater. Should egress requirements be met within the building pad, this Side Setback exception is not permitted.

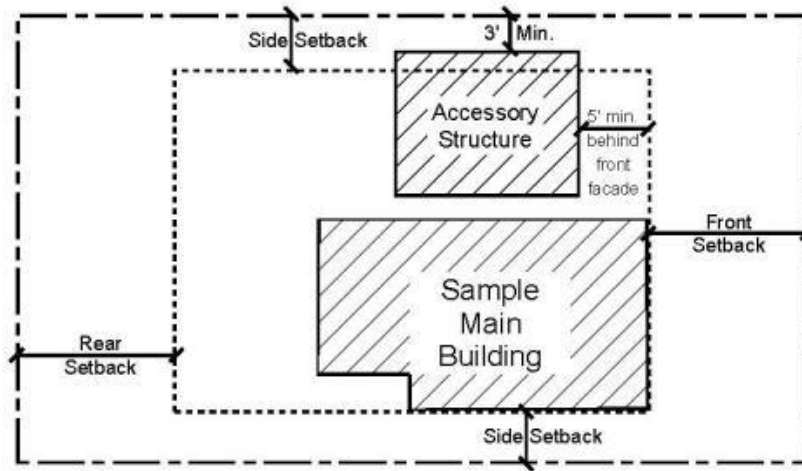
232

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4. Roof overhangs or eaves projecting not more than two feet (2') into the Side Setback on Lots with a minimum required 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').¹

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.
7. Fences, ~~or~~ walls, and retaining walls as permitted in Section 15-4-2 Fences And Retaining Walls.
8. ~~A driveway~~ One (1) private or Shared Driveway leading to a garage or an 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 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, 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.

~~¹Applies 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 and/or Structures, including detached 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

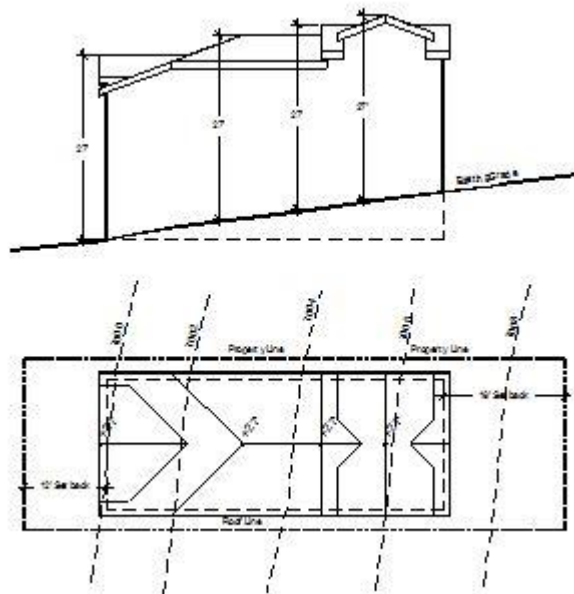
15-2.1-5 Building Height

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

333 required railings for a Green Roof shall comply with Building Height.



334
335 4. Accessory Structures may be below the required seven: twelve (7:12) roof
336 pitch.

337 **D. BUILDING HEIGHT EXCEPTIONS.** The following height exceptions apply:

- 338 1. Antennas, chimneys, flues, vents, or similar Structures, may extend up to
339 five feet (5') above the highest point of the Building to comply with
340 International Building Code (IBC) requirements.
- 341 2. Water towers, mechanical equipment, and Solar Energy Systems, when
342 Screened or enclosed, may extend up to five feet (5') above the height of
343 the Building. See [LMC Section 15-5-5\(G\)\(7\)\(a\)](#).
- 344 3. **ELEVATOR ACCESS.** The Planning Director may allow additional height
345 to allow for an elevator compliant with American Disability Act (ADA)
346 standards. The Applicant must verify the following:
- 347 1. The proposed height exception is only for the Area of the elevator.
348 No increase in square footage of the Building is being achieved.
- 349 2. The proposed option is the only feasible option for the elevator on
350 the Site.
- 351 3. The proposed elevator and floor plans comply with the American
352 Disability Act (ADA) standards.
- 353 4. **GARAGE ON DOWNHILL LOT.** The Planning Commission may allow
354 additional Building Height (see entire Section 15-2.1-5) on a downhill Lot
355 to accommodate a single car wide garage in a Tandem Parking
356 configuration; to accommodate circulation, such as stairs and/or an ADA
357 elevator; and to accommodate a reasonably sized front entry area and
358 front porch that provide a Compatible streetscape design. The depth of the
359 garage may not exceed the minimum depth for internal Parking Space(s)

as dimensioned within this Code, ~~Section~~Chapter 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 Chapter 15-13 and ~~Chapter 5~~ Architectural Review Chapter 15-5.

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. 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. **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. 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

Amended by Ord. 2019-07 on 1/29/2019

15-2.1-7 Parking Regulations

- A. Tandem Parking is allowed in the Historic District.
- B. ~~Common driveways are~~ One (1) 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 /or
 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 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 approved Parking Area.
- F. Turning radii are subject to review by the City Engineer as to function and design.
- G. See ~~Section~~ Chapter 15-3 Off-Street Parking for additional parking requirements.

483 HISTORY
484 *Adopted by Ord. 00-15 on 3/2/2000*
485 *Amended by Ord. 06-56 on 7/27/2006*
486 *Amended by Ord. 09-10 on 3/5/2009*

487

488 **15-2.1-8 Architectural Review**

489 Prior to issuance of a Building Permit for any Conditional or Allowed Use, the Planning
490 Department shall review the proposed plans for compliance with the Design Guidelines
491 for Historic Districts and Historic Sites [Chapter 15-13](#), ~~LMG~~ Historic Preservation ~~LMG~~
492 Chapter 15-11, and Architectural Review ~~LMG~~ Chapter 15-5.

493 Appeals of departmental actions on compliance with the Design Guidelines for Historic
494 Districts and Historic Sites [Chapter 15-13](#), [LMG-Historic Preservation](#) Chapter 15-11,
495 and [LMG-Architectural Review](#) Chapter 15-5 are heard by the Board of Adjustment as
496 outlined in Section 15-1-18 of the Code.

497 HISTORY
498 *Adopted by Ord. 00-15 on 3/2/2000*
499 *Amended by Ord. 06-56 on 7/27/2006*
500 *Amended by Ord. 09-23 on 7/9/2009*
501 *Amended by Ord. 15-53 on 12/17/2015*

502

503 **15-2.1-9 Vegetation Protection**

504 The Property Owner must protect Significant Vegetation during any Development
505 activity. Significant Vegetation includes large trees six inches (6") in diameter or greater
506 measured four and one-half feet (4½') above the ground, groves of smaller trees, or
507 clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more
508 measured at the drip line.

509 Development plans must show all Significant Vegetation within twenty feet (20') of a
510 proposed Development. The Property Owner must demonstrate the health and viability
511 of all large trees through a certified arborist. The Planning Director shall determine the
512 Limits of Disturbance and may require mitigation for loss of Significant Vegetation
513 consistent with Landscape Criteria in ~~LMG Chapter~~ [Section](#) 15-3-3 and Title 14.

514 HISTORY
515 *Adopted by Ord. 00-15 on 3/2/2000*
516 *Amended by Ord. 06-56 on 7/27/2006*

517

518 **15-2.1-10 Signs**

519 Signs are allowed in the HRL District as provided in the Park City Sign Code, Title 12.

520 HISTORY
521 *Adopted by Ord. 00-15 on 3/2/2000*

522

15-2.1-11 Related Provisions

- Fences And Retaining Walls. ~~LMC Chapter Section~~ 15-4-2.
- Accessory Apartments. ~~LMC Chapter Section~~ 15-4-7.
- Placement of Satellite Receiving Antennas. ~~LMC Chapter Section~~ 15-4-13.
- Telecommunication ~~Facility~~Facilities. ~~LMC Chapter Section~~ 15-4-14.
- Off-Street Parking. ~~LMC~~ Chapter 15-3.
- Landscaping. Title 14; ~~LMC Chapter Section~~ 15-3-3~~(D)~~; and Chapter 15-5.
- Lighting. ~~LMC Chapters Sections~~ 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 Section~~ 15-3-3~~(E)~~.
- Parking Ratio Requirements. ~~LMC Chapter Section~~ 15-3-6.

HISTORY

Adopted by Ord. 00-15 on 3/2/2000

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_{T.I.}
- B. encourage the preservation of Historic Buildings and/or Structures_{T.I.}
- C. encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods_{T.I.}
- D. encourage single family Development on combinations of 25' x 75' Historic Lots_{T.I.}
- E. define Development parameters that are consistent with the General Plan policies for the Historic core_{T.I.} 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 Section~~ 15-4-9, ~~for~~ Child Care ~~Regulations And Childcare Facilities.~~

³See ~~LMC Chapter Section~~ 15-4-7, ~~Supplemental Regulations for~~ Accessory Apartments.

⁴See ~~LMC Chapter Section~~ 15-4-14, ~~Supplemental Regulations for~~ Telecommunication Facilities.

⁵See ~~LMC Chapter Section~~ 15-4-13, ~~Supplemental Regulations for~~ Placement of 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 Section~~ 15-4-18, Passenger Tramways And Ski Base Facilities.

⁹See ~~LMC Chapter~~ Section 15-4-2, Fences And Retaining 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.

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(~~G~~).

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 for common Lot Sizes.

TABLE 15-2.2.

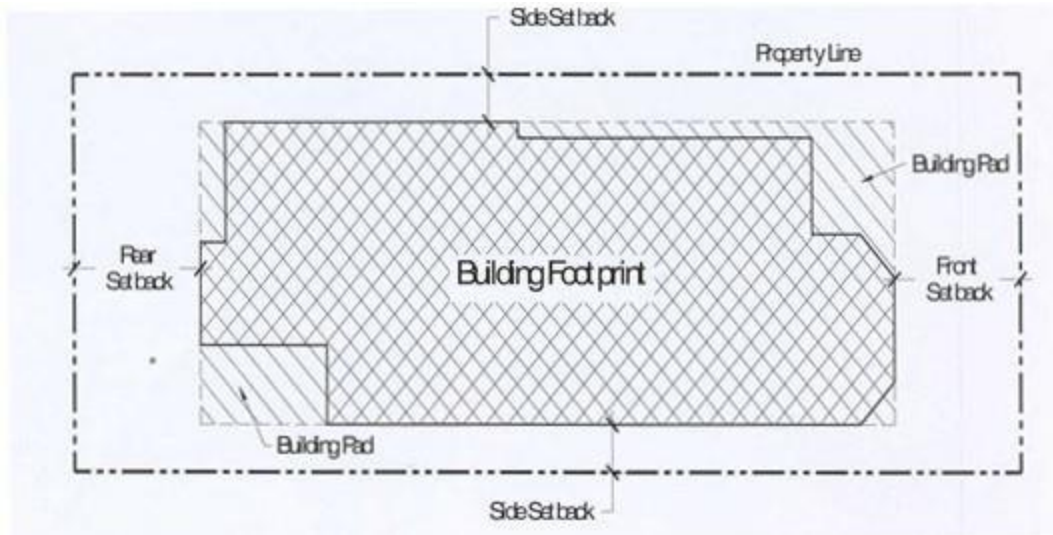
Lot Depth </= ft. *	Lot Width, ft. up to:	Side Setback Min. Total		Lot Area Sq. ft.	Bldg. Pad Sq. ft.	Max. Bldg. Footprint Sq. ft.
75 ft.	25.0	3 ft.	6 ft.	1,875	1,045	844
75 ft.	37.5	3 ft.	6 ft.	2,813	1,733	1,201
75 ft.	50.0	5 ft.	10 ft.	3,750	2,200	1,519
75 ft.	62.5	5 ft.	14 ft.	4,688	2,668	1,801

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.~~

<u>Lot Depth (ft.) *</u>	<u>Lot Width, (ft.)</u>	<u>Lot Area Sq. ft.</u>	<u>Max. Bldg. Footprint Sq. ft.</u>
<u>75 ft.</u>	<u>25.0</u>	<u>1,875</u>	<u>844</u>
<u>75 ft.</u>	<u>37.5</u>	<u>2,813</u>	<u>1,201</u>
<u>75 ft.</u>	<u>50.0</u>	<u>3,750</u>	<u>1,519</u>
<u>75 ft.</u>	<u>62.5</u>	<u>4,688</u>	<u>1,801</u>
<u>75 ft.</u>	<u>75.0</u>	<u>5,625</u>	<u>2,050</u>
<u>75 ft.</u>	<u>87.5</u>	<u>6,563</u>	<u>2,269</u>
<u>75 ft.</u>	<u>100.0</u>	<u>7,500</u>	<u>2,460</u>
<u>75 ft.</u>	<u>Greater than 100.0</u>	<u>Greater than 75 ft.</u>	<u>Per Formula</u>

* For Lots > 75' in depth use footprint formula.



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

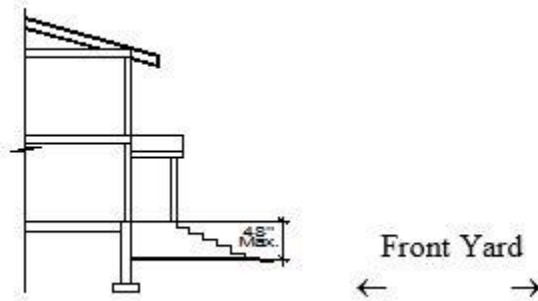
TABLE 15-2.2a

Lot Depth	Minimum Front/Rear Setback	Total of Setbacks
Up to 75 ft., inclusive	10 ft. <u>each</u>	20 ft.
From 75 ft. to 100 ft.	12 ft. <u>13 ft. (or vice versa)</u>	25 ft.
Over 100 ft.	15 ft. <u>each</u>	30 ft.

G. **FRONT SETBACK EXCEPTIONS.** The Front Setback must be open and free of any Structure except:

1. Fences, ~~or~~ walls, and retaining walls not more than four feet (4') in height, or as permitted in Section 15-4-2, Fences And Retaining 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

710 obstructing the view of the Street or intersection.



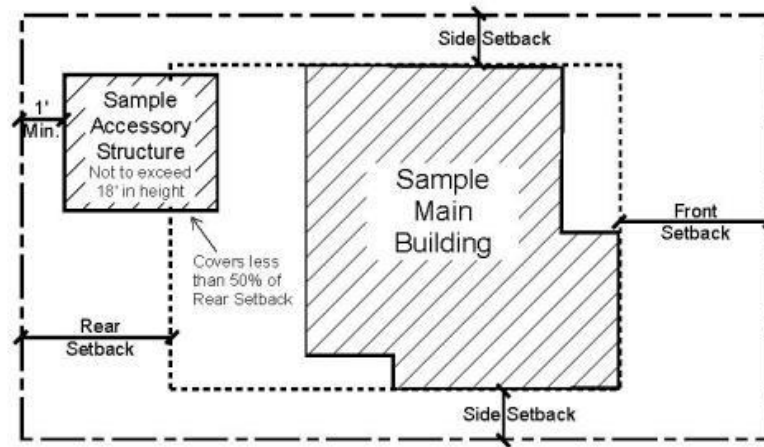
- 711
- 712 3. Decks, porches, or Bay Windows not more than ten feet (10') wide, and
- 713 projecting not more than three feet (3') into the Front Setback.
- 714 4. Roof overhangs, eaves or cornices projecting not more than three feet (3')
- 715 into the Front Setback.
- 716 5. Sidewalks and pathways.
- 717 6. Driveways leading to a Garage or approved Parking Area. No portion of a
- 718 Front Yard, except for patios, driveways, allowed Parking Areas and
- 719 sidewalks, may be Hard-Surfaced or graveled.

720 H. **REAR SETBACK EXCEPTIONS.** The Rear Setback must be open and free of

721 any Structure except:

- 722 1. Bay Windows not more than ten feet (10') wide, and projecting not more
- 723 than two feet (2') into the Rear Setback.
- 724 2. Chimneys not more than five feet (5') wide and projecting not more than
- 725 two feet (2') into the Rear Setback.
- 726 3. Window wells not exceeding the minimum International Residential Code
- 727 (IRC) or International Building Code (IBC) requirements for egress or light
- 728 wells may extending not more than four feet (4') into the Rear Setback.
- 729 Should egress requirements be met within the building pad, no Rear
- 730 Setback exception is permitted.
- 731 4. Roof overhangs or eaves projecting not more than two feet (2') into the
- 732 Rear Setback.
- 733 5. Window sills, belt courses, cornices, trim, exterior siding, or other
- 734 ornamental features projecting not more than six inches (6") into the Rear
- 735 Setback beyond the main Structure to which they are attached.
- 736 6. Detached Accessory Buildings, not more than eighteen feet (18') in height,
- 737 and including any free-standing Solar Energy Systems, located a
- 738 minimum of five feet (5') behind the front facade of the Main Building, and
- 739 maintaining a minimum Rear Setback of one foot (1'). Such Structure must
- 740 not cover over fifty percent (50%) of the Rear Setback. See the following

741 illustration:



- 742
- 743 7. A Hard-Surfaced Parking Area subject to the same location requirements
- 744 as a Detached Accessory Building.
- 745 8. Mechanical equipment (which must be screened), hot tubs, or similar
- 746 Structures located at least three feet (3') from the Rear Lot Line.
- 747 9. Fences, ~~or~~ walls, and retaining walls as permitted in Section 15-4-2
- 748 Fences And Retaining Walls.
- 749 10. Patios, decks, pathways, steps, or similar Structures not more than thirty
- 750 inches (30") above Final Grade, not including any required handrail, and
- 751 located at least one foot (1') from the Rear Lot Line.
- 752 11. Pathways or steps connecting to a City staircase or pathway.
- 753 12. One (1) Shared Driveway leading to a garage or approved Parking Area.
- 754 See Section 15-2.2-8 Parking Regulations for additional requirements.

755 I. **SIDE SETBACKS.** Side Setbacks are as follows:

756 TABLE 15-2.2b

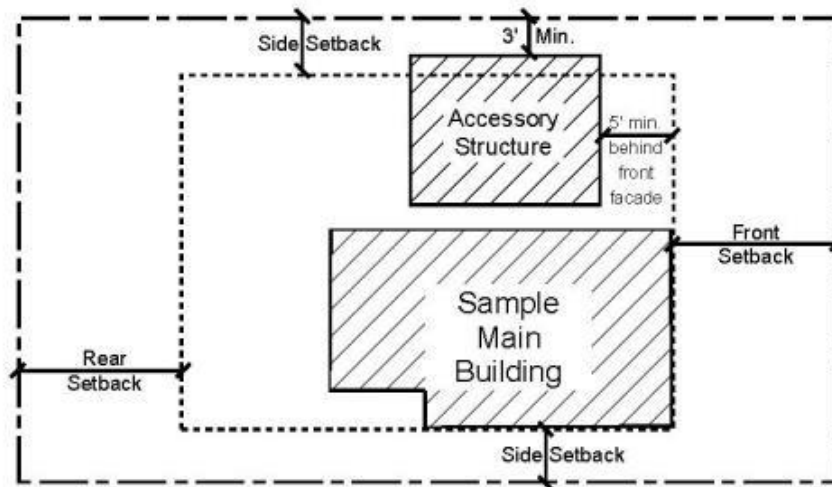
<u>Lot Width (ft.) up to:</u>	<u>Minimum Side Setack</u>	<u>Total of Setbacks</u>
<u>25.0</u>	<u>3 ft. each</u>	<u>6 ft.</u>
<u>37.5</u>	<u>3 ft. each</u>	<u>6 ft.</u>
<u>50.0</u>	<u>5 ft. each</u>	<u>10 ft.</u>
<u>62.5</u>	<u>5 ft. minimum</u>	<u>14 ft.</u>
<u>75.0</u>	<u>5 ft. minimum</u>	<u>18 ft.</u>

<u>87.5</u>	<u>10 ft. minimum</u>	<u>24 ft.</u>
<u>100.0</u>	<u>10 ft. minimum</u>	<u>24 ft.</u>
<u>Greater than 100.0</u>	<u>10 ft. minimum</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.~~
1. 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 may be approved by the City Engineer when the Lot Width is less than 37.5 feet; no Side Setback exceptions shall be utilized and the sight triangle shall be maintained when the Setback is three feet (3') along the Right-of-Way.
 2. 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. ¹ Only permitted on Lots with a minimum required Side Setback of five feet (5') or greater.
 2. Chimneys not more than five feet (5') wide projecting not more than two feet (2') into the Side Setback. ¹ Only permitted on Lots with a minimum required 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 extending not more than four feet (4') into the Side Setback ¹ Only permitted on Lots with a minimum required 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 minimum required 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 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 above Final Grade, not including any required handrails.
7. Fences, ~~or~~ walls, and retaining walls as permitted in Section 15-4-2 Fences And Retaining 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 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 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.

~~¹Applies 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

Amended by Ord. 2019-07 on 1/29/2019

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 and/or Structures, including detached 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

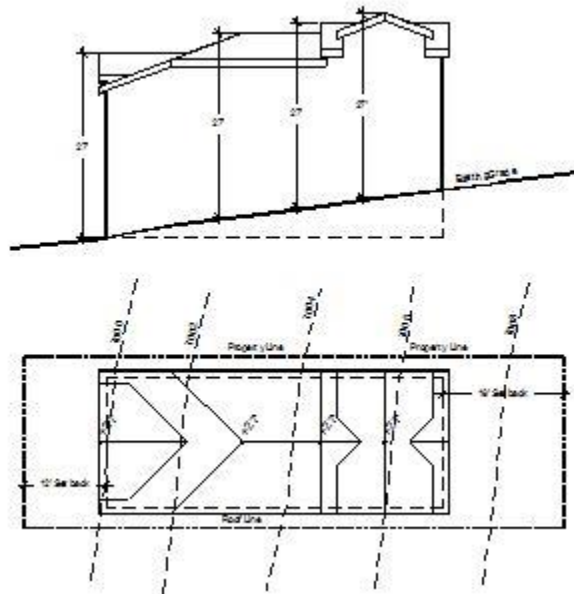
Amended by Ord. 2016-44 on 9/15/2016

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

902 required railings for a Green Roof shall comply with Building Height.



903
904 4. Accessory Structures may be below the required seven: twelve (7:12) roof
905 pitch.

906 D. **BUILDING HEIGHT EXCEPTIONS.** The following height exceptions apply:

907 1. Antennas, chimneys, flues, vents, or similar Structures, may extend up to
908 five feet (5') above the highest point of the Building to comply with
909 International Building Code (IBC) requirements.

910 2. Water towers, mechanical equipment, and Solar Energy Systems, when
911 enclosed or Screened, may extend up to five feet (5') above the height of
912 the Building. See [LMC Section 15-5-5\(G\)\(7\)\(a\)](#).

913 3. **ELEVATOR ACCESS.** The Planning Director may allow additional height
914 to allow for an elevator compliant with American Disability Act (ADA)
915 standards. The Applicant must verify the following:

916 a. The proposed height exception is only for the Area of the elevator.
917 No increase in square footage is being achieved.

918 b. The proposed option is the only feasible option for the elevator on
919 the Site.

920 c. The proposed elevator and floor plans comply with the American
921 Disability Act (ADA) standards.

922 4. **GARAGE ON DOWNHILL LOT.** The Planning Commission may allow
923 additional Building Height (see entire Section 15-2.2-5) on a downhill Lot
924 to accommodate a single car wide garage in a Tandem Parking
925 configuration; to accommodate circulation, such as stairs and/or an ADA
926 elevator; and to accommodate a reasonably sized front entry area and
927 front porch that provide a Compatible streetscape design. The depth of the
928 garage may not exceed the minimum depth for internal Parking Space(s)

as dimensioned within this Code, ~~Section~~[Chapter](#) 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 [Chapter 15-13](#) and [Architectural Review](#) Chapter [15-5](#).

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. 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 thirty percent (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. **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. 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

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

Amended by Ord. 2019-07 on 1/29/2019

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) 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~~ 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 approved Parking Area.
- F. Turning radii are subject to review by the City Engineer as to function and design.
- G. See ~~Section~~Chapter 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 Chapter 15-13, Historic Preservation ~~LMG~~ Chapter 15-11, and Architectural Review ~~LMG~~ Chapter 15-5.

Appeals of departmental actions on compliance with the Design Guidelines for Historic Districts and Historic Sites Chapter 15-13, ~~LMG Historic Preservation~~ Chapter 15-11, and ~~LMG Architectural Review~~ 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:-~~

~~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.-~~

~~J. The Use complies with Chapter Section 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

1128 measured four and one-half feet (4.5') above the ground, groves of smaller trees, or
1129 clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more
1130 measured at the drip line.

1131 Development plans must show all Significant Vegetation within twenty feet (20') of a
1132 proposed Development. The Property Owner must demonstrate the health and viability
1133 of all large trees through a certified arborist. The Planning Director shall determine the
1134 Limits of Disturbance and may require mitigation for loss of Significant Vegetation
1135 consistent with Landscape Criteria in ~~LMC Chapter~~ Section 15-3-3 and Title 14.

1136 HISTORY

1137 *Adopted by Ord. 00-15 on 3/2/2000*

1138 *Amended by Ord. 06-56 on 7/27/2006*

1139

1140 **15-2.2-11 Signs**

1141 Signs are allowed in the HR-1 District as provided in the Park City Sign Code (Title 12).

1142 HISTORY

1143 *Adopted by Ord. 00-15 on 3/2/2000*

1144

1145 **15-2.2-12 Related Provisions**

- 1146 • Fences And Retaining Walls. ~~LMC Chapter~~ Section 15-4-2.
- 1147 • Accessory Apartments. ~~LMC Chapter~~ Section 15-4-7.
- 1148 • Placement of Satellite Receiving Antennas. ~~LMC Chapter~~ Section 15-4-13.
- 1149 • Telecommunication ~~Facility~~Facilities. ~~LMC Chapter~~ Section 15-4-14.
- 1150 • Off-Street Parking. ~~LMC Chapter~~ 15-3.
- 1151 • Landscaping. Title 14; ~~LMC Chapter~~ Section 15-3.3~~(D)~~ and Chapter 15-5.
- 1152 • Lighting. ~~LMC Chapters~~ Sections 15-3-3~~(C)~~, 15-5-5~~(H)~~.
- 1153 • Historic Preservation. ~~LMC~~ Chapter 15-11.
- 1154 • Park City Sign Code. Title 12.
- 1155 • Architectural Review. ~~LMC~~ Chapter 15-5.
- 1156 • Snow Storage. ~~LMC Chapter~~Section 15-3-3~~(E)~~.
- 1157 • Parking Ratio Requirements. ~~LMC Chapter~~Section 15-3-6.

1158 HISTORY

1159 *Adopted by Ord. 00-15 on 3/2/2000*

1160 *Amended by Ord. 06-56 on 7/27/2006*

- 1161 **15-2.3 Historic Residential (HR-2) District**
- 1162 15-2.3-1 Purpose
- 1163 15-2.3-2 Uses
- 1164 ~~15-2.3-3 Conditional Use Permit Review~~
- 1165 15-2.3-43 Lot And Site Requirements
- 1166 15-2.3-54 Existing Historic ~~Buildings And/Or~~ Structures
- 1167 15-2.3-65 Building Height
- 1168 15-2.3-76 Development On Steep Slopes
- 1169 ~~15-2.3-37 Conditional Use Permit Review~~
- 1170 15-2.3-8 Special Requirements For Master Planned Developments And Conditional Use
- 1171 Permits In Sub-Zone A
- 1172 15-2.3-9 Special Requirements For Sub-Zone B
- 1173 ~~15-2.3-10 Mechanical Service~~
- 1174 ~~15-2.3-10 Parking Regulations~~
- 1175 ~~15-2.3-11 Architectural Review~~
- 1176 15-2.3-1211 Criteria For Bed And Breakfast Inns
- 1177 ~~15-2.3-12 Parking Regulations~~
- 1178 ~~15-2.3-13 Architectural Review~~
- 1179 ~~15-2.3-13 Mechanical Service~~
- 1180 ~~15-2.3-14 Goods And Uses To Be Within Enclosed Building~~
- 1181 15-2.3-1514 Vegetation Protection
- 1182 15-2.3-1615 Signs
- 1183 15-2.3-1716 Related Provisions
- 1184
- 1185 **15-2.3-1 Purpose**
- 1186 The purpose of the HR-2 District is to:
- 1187 A. allow for adaptive reuse of Historic Buildings and/or Structures by allowing
- 1188 commercial and office Uses in Historic Buildings and/or Structures in the
- 1189 following Areas:
- 1190 1. Upper Main Street;
- 1191 2. Upper Swede Alley; and
- 1192 3. Grant Avenue₁;
- 1193 B. encourage and provide incentives for the preservation and renovation of Historic
- 1194 Buildings and/or Structures₁;
- 1195 C. establish a transition in Use and scale between the HCB, HR-1, and HR-2
- 1196 Districts, by allowing Master Planned Developments in the HR-2, Subzone A₁;
- 1197 D. encourage the preservation of Historic Buildings and/or Structures and
- 1198 construction of historically Compatible additions and new construction that
- 1199 contributes to the unique character of the Historic District₁;
- 1200 E. define Development parameters that are consistent with the General Plan
- 1201 policies for the Historic core that result in Development that is Compatible with
- 1202 Historic Buildings and/or Structures and the Historic character of surrounding

- 1203 residential neighborhoods and consistent with the Design Guidelines for ~~Park~~
1204 ~~City's~~ Historic Districts and Historic Sites and the HR-1 regulations for Lot size,
1205 coverage, and Building Height~~;~~ ~~and~~
- 1206 F. provide opportunities for small scale, pedestrian oriented, incubator retail space
1207 in Historic Buildings and/or Structures on Upper Main Street, Swede Alley, and
1208 Grant Avenue~~;~~
- 1209 G. ensure improved livability of residential areas around the historic commercial
1210 core~~;~~
- 1211 H. encourage and promote Development that supports and completes upper Park
1212 Avenue as a pedestrian friendly residential street in Use, scale, character and
1213 design that is Compatible with the ~~historic~~Historic character of the surrounding
1214 residential neighborhood~~;~~
- 1215 I. encourage residential development that provides a range of housing
1216 opportunities consistent with the community's housing, transportation, and
1217 historic preservation objectives~~;~~
- 1218 J. minimize visual impacts of the automobile and parking by encouraging alternative
1219 parking solutions~~;~~ and
- 1220 K. minimize impacts of Commercial Uses on surrounding residential neighborhood.

1221 HISTORY

1222 *Adopted by Ord. 00-51 on 9/21/2000*

1223

1224 **15-2.3-2 Uses**

1225 Uses in the HR-2 District are limited to the following:

1226 A. **ALLOWED USES.**

- 1227 1. Single Family Dwelling
1228 2. Lockout Unit¹
1229 3. Nightly Rental²
1230 4. Home Occupation
1231 5. Child Care, In-Home Babysitting³
1232 6. Child Care, Family³
1233 7. Child Care, Family Group³
1234 8. Accessory Building and Use
1235 9. Conservation Activity
1236 10. Agriculture
1237 11. Residential Parking Area or Structure with four (4) or fewer spaces
1238 12. Recreation Facility, Private

1239

1240 B. **CONDITIONAL USES.**

- 1241 1. Duplex Dwelling
1242 2. Secondary Living Quarters
1243 3. Accessory Apartment⁴

- 1244 4. Group Care Facility
- 1245 5. Child Care Center
- 1246 6. Public or Quasi-Public Institution, church or School
- 1247 7. Essential Municipal and Public Utility Use, Facility, Service, and Structure
- 1248 8. Telecommunication Antenna⁵
- 1249 9. Satellite Dish Antenna greater than thirty-nine inches (39") in diameter⁶
- 1250 10. Bed & Breakfast Inn⁷
- 1251 11. Boarding House, Hostel⁷
- 1252 12. Hotel, Minor, fewer than sixteen (16) rooms⁷
- 1253 13. Office, General⁸
- 1254 14. Office, Moderate Intensive⁸
- 1255 15. Office and Clinic, Medical⁸
- 1256 16. Retail and Service Commercial, Minor⁸
- 1257 17. Retail and Service Commercial, personal improvement⁸
- 1258 18. Cafe or Deli⁸
- 1259 19. Restaurant, General⁸
- 1260 20. Restaurant, Outdoor Dining⁸
- 1261 21. Outdoor Events
- 1262 22. Residential Parking Area or Structure with five (5) or more spaces,
- 1263 associated with a residential Building on the same Lot
- 1264 23. Temporary Improvement
- 1265 24. Passenger Tramway Station and Ski Base Facility¹⁰
- 1266 25. Ski tow rope, ski lift, ski run, and ski bridge¹⁰
- 1267 26. Recreation Facility, Private
- 1268 27. Fences greater than six feet (6') in height from Final Grade¹¹
- 1269 28. Limited Commercial expansion necessary for compliance with Building/
Fire Code egress and Accessibility requirements and support Uses
1270 associated with HCB Commercial Use¹²
- 1271 29. Bar⁸
- 1272 30. Special Events⁸
- 1273
- 1274

1275 C. **PROHIBITED USES.** Any Use not listed above as an Allowed or Conditional Use
1276 is a prohibited Use.

1277 ¹Nightly Rental of Lockout Units requires a Conditional Use Permit.

1278 ²Nightly Rental does not include the use of dwellings for Commercial Uses.

1279 ³See ~~LMC Chapter Section 15-4-9, for Child Care Regulations And Child Care Facilities.~~

1280 ⁴See ~~LMC Chapter Section 15-4-7, Supplemental Regulations for~~ Accessory
1281 Apartments.

1282 ⁵See ~~LMC Chapter Section 15-4-14, Supplemental Regulations for~~ Telecommunication
1283 Facilities.

1284 ⁶See ~~LMC Chapter Section 15-4-13, Supplemental Regulations for~~ Placement of
1285 Satellite Receiving Antennas.

1286 ⁷In Historic Buildings and/or Structures only.

⁸In Historic Buildings 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 Section 15-4-18, Passenger Tramways And Ski Base Facilities.

¹¹See LMC Chapter Section 15-4-2, Fences And Retaining Walls.

¹²~~Subject 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 Structure to minimize the residential character of the Building.~~

~~C. Dedication of a Facade Preservation Easement for Historic Structures is required to assure preservation of Historic 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 character of the surrounding residential neighborhood and existing Historic 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 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 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~~

15-2.3-43 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**. 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 feet wide by 75 feet 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.

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.

1367 C. **BUILDING ENVELOPE (HR-2 DISTRICT)**. The Building Pad, Building Footprint
1368 and height restrictions define the maximum Building Envelope within which all
1369 Development must occur with exceptions as allowed in Section 15-2.3-4.

1370 D. **BUILDING PAD (HR-2 DISTRICT)**. The Building Pad is the Lot Area minus
1371 required Front, Rear, and Side Setback Areas.

1372 1. The Building Footprint must be within the Building Pad. The remainder of
1373 the Building Pad must be open and free of any Structure except:

1374 Porches or decks, with or without roofs;

1375 a. At Grade patios;

1376 b. Upper level decks, with or without roofs;

1377 c. Bay Windows;

1378 d. Chimneys;

1379 e. Sidewalks, pathways, and steps;

1380 f. Screened hot tubs; and

1381 g. Landscaping.

1382 2. Exceptions to the Building Pad Area, excluding Bay Windows, are not
1383 included in the Building Footprint calculations, and are subject to Planning
1384 Director approval based on a determination that the proposed exceptions
1385 result in a design that:

1386 a. provides increased architectural interest consistent with the Design
1387 Guidelines for ~~Park City's~~ Historic Districts and Historic Sites; and

1388 b. maintains the intent of this section to provide horizontal and vertical
1389 Building articulation.

1390 E. **BUILDING FOOTPRINT (HR-2 DISTRICT)**.

1391 1. The maximum Building Footprint for any Structure located on a Lot, or
1392 combination of Lots, not exceeding 18,750 square feet in Lot Area, shall
1393 be calculated according to the following formula for Building Footprint,
1394 ~~illustrated in Table 15-2.3~~. The maximum Building Footprint for any
1395 Structure located on a Lot or combination of Lots, exceeding 18,750
1396 square feet in Lot Area, shall be 4,500 square feet; with an exemption
1397 allowance of 400 square feet per Dwelling Unit for garage floor area. A
1398 Conditional Use permit is required for all Structures with a proposed
1399 footprint greater than 3,500 square feet.

1400
1401 Accessory Buildings listed on the Park City Historic ~~Structures~~Sites
1402 Inventory that are not expanded, enlarged or incorporated into the Main
1403 Building, shall not count in the total Building Footprint of the Lot.

1404 2. See Section 15-6-5(~~B~~) for maximum allowed Building footprint for Master
1405 Planned Developments within the HR-2 District.

1406 MAXIMUM FP = $(A/2) \times 0.9^{A/1875}$
 1407 Where FP = maximum Building Footprint and A= Lot Area.
 1408 Example: 3,750 sq. ft. lot: $(3,750/2) \times 0.9^{(3750/1875)} = 1,875 \times 0.81 = 1,519$
 1409 sq. ft.
 1410 See the following Table 15-2.3 for a schedule equivalent of this formula
 1411 for common Lot Sizes.
 1412
 1413

TABLE 15-2.3

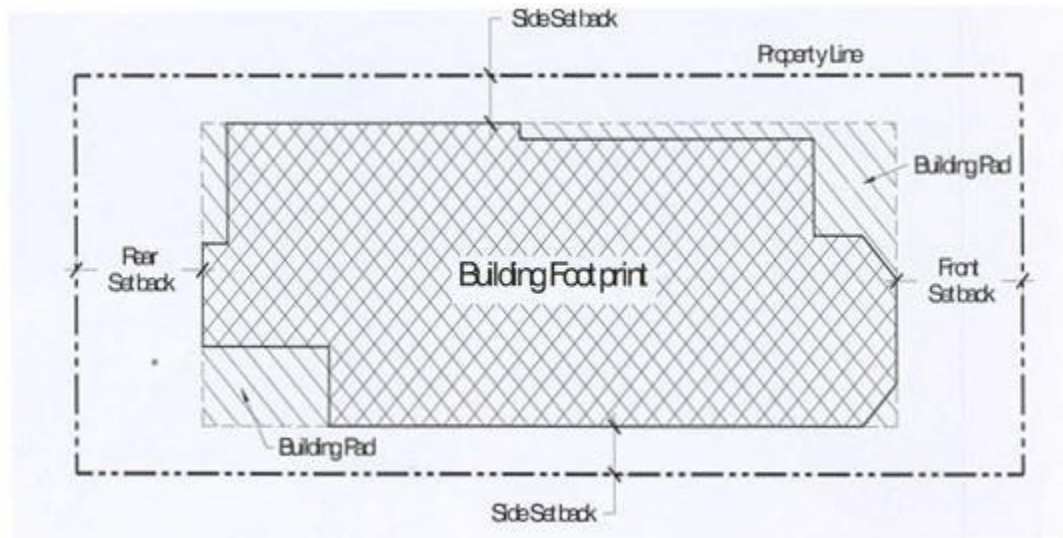
Lot Depth <= ft. *	Lot Width, ft. Up to	Side Setbacks Min. Total, ft.		Lot Area Sq. ft.	Bldg. Pad Sq. ft.	Max Bldg. Footprint
75 ft.	25.0	3 ft.	6 ft.	1,875	1,045	844
75 ft.	37.5	3 ft.	6 ft.	2,813	1,733	1,201
75 ft.	50.0	5 ft.	10 ft.	3,750	2,200	1,519
75 ft.	62.5	5 ft.	14 ft.	4,688	2,668	1,801
75 ft.	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

1414 *For Lots > 75' in depth use footprint formula and Table 15-2.3a for Front
 1415 and Rear Setbacks.

<u>Lot Depth (ft.)*</u>	<u>Lot Width, (ft.)</u>	<u>Lot Area Sq. ft.</u>	<u>Max Bldg. Footprint</u>
<u>75 ft.</u>	<u>25.0</u>	<u>1,875</u>	<u>844</u>
<u>75 ft.</u>	<u>37.5</u>	<u>2,813</u>	<u>1,201</u>

<u>75 ft.</u>	<u>50.0</u>	<u>3,750</u>	<u>1,519</u>
<u>75 ft.</u>	<u>62.5</u>	<u>4,688</u>	<u>1,801</u>
<u>75 ft.</u>	<u>75.0</u>	<u>5,625</u>	<u>2,050</u>
<u>75 ft.</u>	<u>87.5</u>	<u>6,563</u>	<u>2,270</u>
<u>75 ft.</u>	<u>100.0</u>	<u>7,500</u>	<u>2,460</u>
<u>75 ft.</u>	<u>Greater than 100.0</u>	<u>Greater than 7,500 ft.</u>	<u>Per formula</u>

*For Lots > 75' in depth use footprint formula.



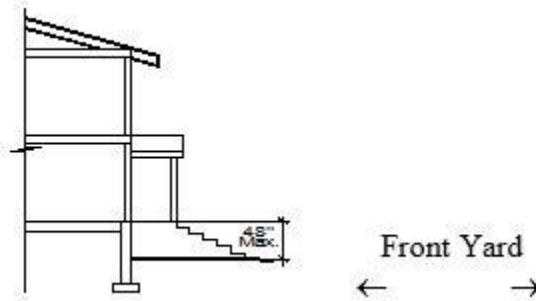
F. **FRONT AND REAR SETBACKS.** Front and Rear Setbacks are as follows:

TABLE 15-2.3-a

Lot Depth	Min. Front/Rear Setback	Total of Setbacks
Up to 75 ft., inclusive	10 ft. <u>each</u>	20 ft.
From 75 ft. to 100 ft.	12 ft. / <u>13 ft. (or vice versa)</u>	25 ft.
Over 100 ft.	15 ft. <u>each</u>	30 ft.

G. **FRONT SETBACK EXCEPTIONS.** The Front Setback must be open and free of any Structure except:

1. Fences, ~~or~~ walls, and retaining walls not more than four feet (4') in height, or as permitted in Section 15-4-2, Fences And Retaining 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.

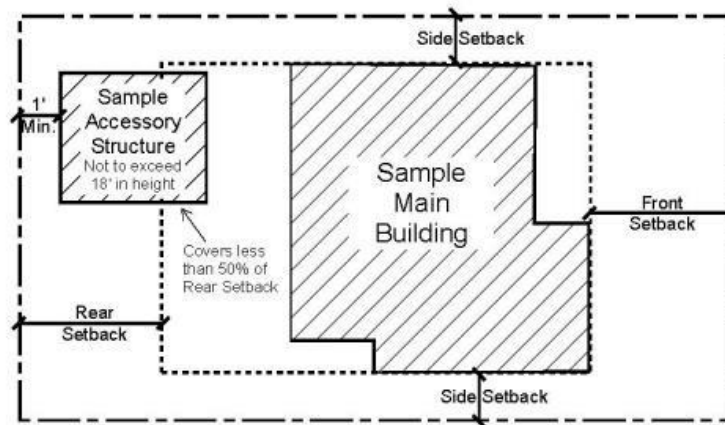


3. Decks, porches, or Bay Windows not more than ten feet (10') wide and projecting not more than three feet (3') into the Front Setback.
4. Roof overhangs, eaves or cornices projecting not more than three feet (3') into the Front Setback.
5. Sidewalks and pathways.
6. Driveways leading to a Garage or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

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~~ 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 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, ~~or walls,~~ and retaining walls not more than six feet (6') in height or as permitted in Section 15-4-2 Fences And Retaining Walls.
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) Shared Driveway leading to a garage or approved Parking Area. See Section 15-2.3-12 Parking Regulations for additional requirements.

I. **SIDE SETBACKS.** The Side Setbacks are as follows:

- ~~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.~~

TABLE 15-2.3b

<u>Lot Width (ft.) up to:</u>	<u>Minimum Side Setback</u>	<u>Total of Setbacks</u>
<u>25.0</u>	<u>3 ft. each</u>	<u>6 ft.</u>
<u>37.5</u>	<u>3 ft. each</u>	<u>6 ft.</u>
<u>50.0</u>	<u>5 ft. each</u>	<u>10 ft.</u>
<u>62.5</u>	<u>5 ft.</u>	<u>14 ft.</u>
<u>75.0</u>	<u>5 ft.</u>	<u>18 ft.</u>
<u>87.5</u>	<u>10 ft.</u>	<u>24 ft.</u>
<u>100.0</u>	<u>10 ft.</u>	<u>24 ft.</u>
<u>Greater than 100.0</u>	<u>10 ft.</u>	<u>30 ft.</u>

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1. 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 may be approved by the City Engineer when the Lot Width is less than 37.5 feet; no Side Setback exceptions shall be utilized and the sight triangle shall be maintained when the Setback is three feet (3') along the Right-of-Way.

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2. 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.

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- 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.

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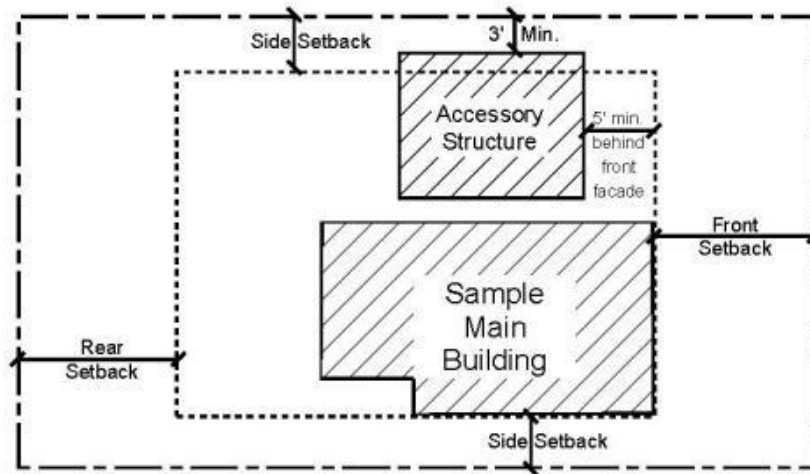
1504

- 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.

B. **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 minimum required 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 minimum required 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 extending not more than four feet (4') into the Side Setback [±] Only permitted on Lots with a minimum required 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 minimum required 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 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.
7. Fences, ~~or~~ walls, and retaining walls not more than six feet (6') in height or as permitted in Section 15-4-2 Fences And Retaining Walls.
8. One (1) private or Shared Driveways leading to a garage or approved Parking Area. See Section 15-2.3-12 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, including any free-standing Solar Energy Systems, located a minimum of five feet (5') behind the front facade of the Main Building, maintaining a

1538 minimum Side Setback of three feet (3'). See the following illustration:



- 1539
- 1540 11. Mechanical equipment (which must be screened), hot tubs, or similar
- 1541 Structures located at least three feet (3') from the Side Lot Line.
- 1542 C. **SNOW RELEASE**. Site plans and Building designs must resolve snow release
- 1543 issues to the satisfaction of the Chief Building Official.
- 1544 D. **CLEAR VIEW OF INTERSECTION**. No visual obstruction in excess of two feet
- 1545 (2') in height above Road Grade shall be placed on any Corner Lot within the Site
- 1546 Distance Triangle. A reasonable number of trees may be allowed, if pruned high
- 1547 enough to permit automobile drivers an unobstructed view. This provision must
- 1548 not require changes in the Natural Grade on the Site.
- 1549 E. **MASTER PLANNED DEVELOPMENTS**. The Planning Commission may
- 1550 increase or decrease Setbacks in Master Planned Developments in accordance
- 1551 with Section 15-6-5(C); however the above Grade spacing between houses shall
- 1552 be consistent with the spacing that would result from required Setbacks of the
- 1553 Zone and shall be Compatible with the ~~historic~~Historic character of the
- 1554 surrounding residential neighborhood. The Planning Commission may increase
- 1555 or decrease Maximum Building Footprint in Master Planned Developments in
- 1556 accordance with Section 15-6-5(B).

1557 ¹~~Applies only to Lots with a minimum Side Setback of five feet (5')~~

1558 HISTORY

1559 Adopted by Ord. 00-51 on 9/21/2000

1560 Amended by Ord. 06-56 on 7/27/2006

1561 Amended by Ord. 09-10 on 3/5/2009

1562 Amended by Ord. 10-14 on 4/15/2010

1563 Amended by Ord. 15-35 on 10/12/2015

1564 Amended by Ord. 2016-44 on 9/15/2016

1565 Amended by Ord. 2018-27 on 5/31/2018

1566 Amended by Ord. 2018-27 on 5/31/2018
1567 Amended by Ord. 2018-43 on 7/19/2018
1568 Amended by Ord. 2019-07 on 1/29/2019

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1570 **15-2.3-54 Existing Historic Buildings And/Or Structures**

1571 Historic Buildings and/or Structures that do not comply with Building Setbacks, Building
1572 Footprint, Building Height, Building Setbacks, Off-Street parking, and driveway location
1573 standards are valid Non-Complying Structures. Additions must comply with Building
1574 Setbacks, Building Footprint, driveway location standards and Building Height. Additions
1575 to Historic Buildings and/or Structures are exempt from Off-Street parking requirements
1576 provided the addition does not create a Lockout Unit or Accessory Apartment. Additions
1577 must comply with Building Setbacks, Building Footprint, driveway location standards
1578 and Building Height. All Conditional Uses proposed on the Site, excluding Development
1579 on a Steep Slope, shall comply with parking requirements of Chapter 15-3.
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1581 A. **EXCEPTION.** In order to achieve new construction consistent with the Design
1582 Guidelines for Park City's Historic Districts and Historic Sites, the Planning
1583 Commission may grant an exception to the Building Setbacks and driveway
1584 location standards for additions to Historic Buildings and/or Structures, including
1585 detached single car Garages:

- 1586 1. Upon approval of a Conditional Use permit, and
1587 2. When the scale of the addition, and/or driveway is Compatible with the
1588 Historic Building and/or Structure, and
1589 3. When the addition complies with all other provisions of this Chapter, and
1590 4. When the addition complies with the adopted Building and Fire Codes;
1591 and
1592 5. When the addition complies with the Design Guidelines for Historic
1593 Districts and Sites.

1594 HISTORY

1595 Adopted by Ord. 00-51 on 9/21/2000
1596 Amended by Ord. 2016-44 on 9/15/2016

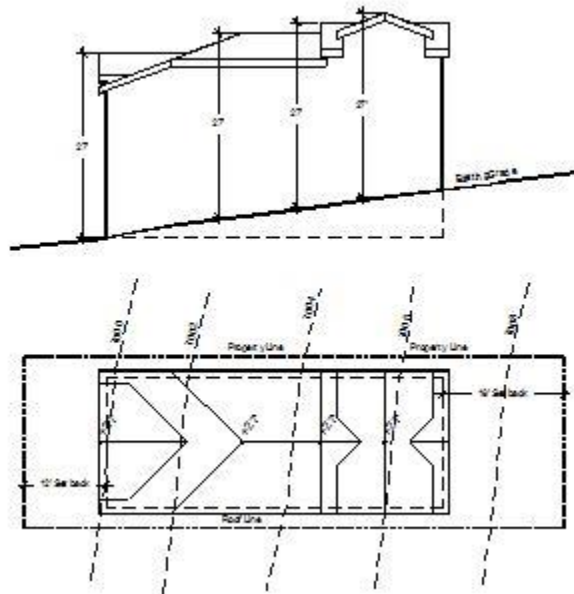
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1598 **15-2.3-65 Building Height**

1599 No Structure shall be erected to a height greater than twenty-seven feet (27') from
1600 Existing Grade. This is the Zone Height. Final Grade must be within four vertical feet
1601 (4') from Existing Grade ~~around the periphery of the Structure~~, except for the placement
1602 of approved window wells, emergency egress, and a garage entrance. The Planning
1603 Commission may grant an exception to the Final Grade requirement as part of a Master
1604 Planned Development within Subzone A where Final Grade must accommodate zero lot
1605 line Setbacks. The following height requirements must be met:

- 1606 A. A Structure shall have a maximum height of thirty five feet (35') measured from
1607 the lowest finish floor plane to the point of the highest wall top plate that supports
1608 the ceiling joists or roof rafters. The Planning Commission may grant an
1609 exception to this requirement as part of a Master Planned Development within
1610 Subzone A for the extension of below Grade subterranean HCB Commercial
1611 Uses.
- 1612 B. A ten foot (10') minimum horizontal step in the downhill façade is required unless
1613 the First Story is located completely under the finish Grade on all sides of the
1614 Structure. The Planning Commission may grant an exception to this requirement
1615 as part of a Master Planned Development within Subzone A consistent with MPD
1616 requirements of Section 15-6-5(F). The horizontal step shall take place at a
1617 maximum height of twenty three feet (23') from where Building Footprint meets
1618 the lowest point of existing Grade. Architectural features, that provide articulation
1619 to the upper story façade setback, may encroach into the minimum ten foot (10')
1620 setback but shall be limited to no more than twenty five percent (25%) of the
1621 width of the building encroaching no more than four feet (4') into the setback,
1622 subject to compliance with the Design Guidelines for Historic Sites and Historic
1623 Districts.
- 1624 C. **ROOF PITCH.** The roof pitch of a Structure's Contributing Roof Form shall be
1625 between seven: twelve (7:12) and twelve: twelve (12:12) and shall occupy a
1626 minimum horizontal distance of 20 feet measured from the primary façade to the
1627 rear of the building, as viewed from the primary public right-of-way. Secondary
1628 Roof Forms may be below the required 7:12 roof pitch and located on the
1629 primary façade (such as porches, bay window roofs, etc).
- 1630 1. Secondary Roof Forms may be Rooftop Decks so long as they are not
1631 more than 23 feet in height above Finished Grade. This height includes
1632 any railings, parapets, stairs, and similar constructions on the Roof Deck.
- 1633 2. The height of railings, parapets, stairs, and similar constructions on a
1634 Green Roof or Flat Roof are included in the calculation of Building
1635 Height. Decks, hot tubs, outdoor cooking areas, and seating areas are not
1636 permitted on Green Roofs. Green Roofs must be vegetated.
- 1637 3. A Structure containing a flat roof shall have a maximum height of thirty five
1638 feet (35') measured from the lowest floor plane to the highest wall top
1639 plate that supports the ceiling joists or roof rafters. The height of the Green
1640 Roof, including the parapets or similar features shall not exceed twenty
1641 four (24") above the highest top plate mentioned above. Any required

1642 railings for a Green Roof shall comply with Building Height.



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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 antenna~~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 Section 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~~Chapter 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

15-2.3-76 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 Chapter 15-13, and Chapter 15-5.

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. 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 (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 thirty percent (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.

- 1709 2. On Lots greater than 3,750 square feet, a Conditional Use Permit is
1710 required. The Planning Department shall review all Steep Slope
1711 Conditional Use permit Applications and forward a recommendation to the
1712 Planning Commission.

1713 **C. Conditional Use Permit Criteria.**

1714 The Planning Commission may review Steep Slope Conditional Use permit
1715 Applications as Consent Calendar items. Steep Slope Conditional Use permit
1716 Applications shall be subject to the following criteria:

- 1717 1. **LOCATION OF DEVELOPMENT.** Development is located and designed
1718 to reduce visual and environmental impacts of the Structure.
- 1719 2. **VISUAL ANALYSIS.** The Applicant must provide the Planning
1720 Department with a visual analysis of the project from key Vantage Points:
- 1721 a. To determine potential impacts of the proposed Access, and
1722 Building mass and design; and
- 1723 b. To identify the potential for Screening, Slope stabilization, erosion
1724 mitigation, vegetation protection, and other design opportunities.
- 1725 3. **ACCESS.** Access points and driveways must be designed to minimize
1726 Grading of the natural topography and to reduce overall Building scale.
1727 Shared Driveways and Parking Areas, and side Access to garages are
1728 strongly encouraged, where feasible.
- 1729 4. **TERRACING.** The project may include terraced retaining Structures if
1730 necessary to regain Natural Grade.
- 1731 5. **BUILDING LOCATION.** Buildings, Access, and infrastructure must be
1732 located to minimize cut and fill that would alter the perceived natural
1733 topography of the Site. The Site design and Building Footprint must
1734 coordinate with adjacent Properties to maximize opportunities for open
1735 Areas and preservation of natural vegetation, to minimize driveway and
1736 Parking Areas, and to provide variation of the Front Yard.
- 1737 6. **BUILDING FORM AND SCALE.** Where Building masses orient against
1738 the Lot's existing contours, the Structures must be stepped with the Grade
1739 and broken into a series of individual smaller components that are
1740 Compatible with the District. Low profile Buildings that orient with existing
1741 contours are strongly encouraged. The garage must be subordinate in
1742 design to the main Building. In order to decrease the perceived bulk of the
1743 Main Building, the Planning Director and/or Planning Commission may
1744 require a garage separate from the main Structure or no garage.
- 1745 7. **SETBACKS.** The Planning Department and/or Planning Commission may
1746 require an increase in one or more Setbacks to minimize the creation of a
1747 "wall effect" along the Street front and/or the Rear Lot Line. The Setback
1748 variation will be a function of the Site constraints, proposed Building scale,
1749 and Setbacks on adjacent Structures.

- 1750 8. **DWELLING VOLUME.** The maximum volume of any Structure is a
1751 function of the Lot size, Building Height, Setbacks, and provisions set forth
1752 in this Chapter. The Planning Department and/or Planning Commission
1753 may further limit the volume of a proposed Structure to minimize its visual
1754 mass and/or to mitigate differences in scale between a proposed Structure
1755 and existing Structures.
- 1756 9. **BUILDING HEIGHT (STEEP SLOPE).** The Zone Height in the HR-2
1757 District is twenty-seven feet (27') and is restricted as stated above in
1758 Section 15-2.3-6. The Planning Department and/or Planning Commission
1759 may require a reduction in Building Height for all, or portions, of a
1760 proposed Structure to minimize its visual mass and/or to mitigate
1761 differences in scale between the proposed Structure and the Historic
1762 character of the neighborhood's existing residential Structures.

1763 HISTORY

1764 *Adopted by Ord. 00-51 on 9/21/2000*

1765 *Amended by Ord. 06-56 on 7/27/2006*

1766 *Amended by Ord. 09-10 on 3/5/2009*

1767 *Amended by Ord. 10-14 on 4/15/2010*

1768 *Amended by Ord. 15-35 on 10/12/2015*

1769 *Amended by Ord. 2016-44 on 9/15/2016*

1770 *Amended by Ord. 2019-07 on 1/29/2019*

1771

1772 **15-2.3-37 Conditional Use Permit Review**

1773 The Planning Commission shall review any Conditional Use permit (CUP) Application in
1774 the HR-2 District according to Conditional Use permit criteria set forth in Section 15-1-
1775 10 as well as the following:

- 1776 A. Consistent with the Design Guidelines for ~~Park City's~~ Historic Districts and
1777 Historic Sites, SectionChapter 15-413.
- 1778 B. The Applicant may not alter an Historic Building and/or Structure to minimize the
1779 residential character of the Building.
- 1780 C. Dedication of a Facade Preservation Easement for Historic Buildings and/or
1781 Structures is required to assure preservation of Historic Buildings and/or
1782 Structures and the Historic fabric of the surrounding neighborhood.
- 1783 D. New Buildings and additions must be in scale and Compatible with the mass,
1784 height, width, and ~~historic~~Historic character of the surrounding residential
1785 neighborhood and existing Historic Buildings and/or Structures in the
1786 neighborhood. Larger Building masses should be located to rear of the Structure
1787 to minimize the perceived mass from the Street.
- 1788 E. Parking requirements of SectionChapter 15-3 shall be met. The Planning
1789 Commission may waive parking requirements for Historic Buildings and/or
1790 Structures and may consider in-lieu fees for all or a portion of parking
1791 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

15-2.3-8 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 SectionChapter 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

1834 Section 15-2.3-4, unless the Planning Commission grants an exception to
 1835 this requirement during the MPD review and the development is consistent
 1836 with the MPD Section 15-6-5~~(C)~~. Below Grade Structures, such as parking
 1837 structures and Commercial Floor Area extending from Main Street
 1838 beneath a residential Structure or Structures on Park Avenue may occupy
 1839 Side Setbacks subject to Building and Fire Codes and trespass
 1840 agreements.

1841 3. All Buildings within the HR-2 portion of the development must meet the
 1842 Building Height requirements of the HR-2 District as stated in Section 15-
 1843 2.3-6.

1844 4. Existing and new Structures fronting on Park Avenue may not contain
 1845 Commercial Uses, except as permitted in Section 15-2.3-8-~~(B)(1)~~.

1846 5. A Floor Area Ratio of 4.0 shall be used to calculate the total Commercial
 1847 Floor Area. Only the Lot Area within the HCB Lot may be used to
 1848 calculate the Commercial Floor Area.

1849 6. The number of residential units allowed on the HR-2 portion of the
 1850 Development is limited by the Lot and Site Requirements of the HR-2
 1851 District as stated in Section 15-2.3-4.

1852 7. All entrances and Access, including service and delivery, for the
 1853 Commercial Use must be off of a Street or easement within the HCB
 1854 District. The Commercial Structure must be designed to preclude any
 1855 traffic generation on residential Streets, such as Park Avenue. Any
 1856 emergency Access, as required by the Uniform Building Code (UBC), onto
 1857 the HR-2 portion of the Property must be designed in such a manner as to
 1858 absolutely prohibit non-emergency Use. Alarms shall be installed on all
 1859 emergency doors that provide access to Park Avenue.

1860 8. Commercial portions of a Structure extending from the HCB to the HR-2
 1861 District must be designed to minimize the Commercial character of the
 1862 Building and Use and must mitigate all impacts on the adjacent
 1863 Residential Uses. Impacts include such things as noise, odor and glare,
 1864 intensity of activity, parking, signs, lighting, Access and aesthetics.

1865 9. No loading docks, service yards, exterior mechanical equipment, exterior
 1866 trash compounds, outdoor storage, ADA Access, or other similar Uses
 1867 associated with the HCB Uses are allowed within the HR-2 portion of the
 1868 Property, and all such Uses shall be screened for visual and noise
 1869 impacts.

1870 10. The Property Owner must donate a Preservation Easement to the City for
 1871 any Historic Buildings and/or Structures included in the Development.

1872 11. Any Historic Buildings and/or Structures included in the development shall
 1873 be restored or rehabilitated according to the requirements of Historic
 1874 Preservation the LMC Chapter 15-11 Historic Preservation.

- 1875 12. Any adjoining Historic Buildings and/or Structures under common
1876 ownership or control must be considered a part of the Property for review
1877 purposes of the Conditional Use permit and/or Master Planned
1878 Development.
- 1879 13. The allowed Building Width of any Structure above Final Grade is up to
1880 forty (40) feet. Building Widths shall reflect the typical variation, pattern
1881 and Historic character of the surrounding residential neighborhood.
- 1882 14. Residential Density Transfers between the HCB and HR-2 Zoning Districts
1883 are not permitted. A portion of the Gross Floor Area generated by the
1884 Floor Area Ratio of the HCB Zoning District and applied only to Lot Area in
1885 the HCB Zone, may be located in the HR-2 Zone as allowed by this
1886 Section.
- 1887 15. Maximum allowed Building Footprint for the HR-2 Lot is subject to Section
1888 15-6-5(~~B~~).

1889 HISTORY

1890 *Adopted by Ord. 00-51 on 9/21/2000*

1891 *Amended by Ord. 10-14 on 4/15/2010*

1892 *Amended by Ord. 2018-43 on 7/19/2018*

1893

1894 **15-2.3-9 Special Requirements For Sub-Zone B**

1895 A. Sub Zone B consists of Lots in the HR-2 District that are located in the following
1896 Areas:

1897 1. East of Main Street, including Properties fronting on Main Street, Swede
1898 Alley, and Grant Avenue; and

1899 2. West of Main Street within Block 13 and fronting on Main Street.

1900 B. The following special requirements apply only to those Commercial Uses as
1901 listed in Section 15-2.3-2 for Sub Zone B:

1902 1. These Commercial Uses are allowed as a Conditional Use permit review
1903 requirements in Section 15-1-10.

1904 2. New additions and alterations to Historic Buildings and/or Structures must
1905 not destroy the Architectural Detail of the Structure. The new work must
1906 be Compatible with the massing, size, scale, and architectural features to
1907 protect the Historic integrity of the Property and its environment. New
1908 additions shall be subordinate to the existing Structure.

1909 3. Adaptive reuse of residential Historic Buildings and/or Structures for
1910 commercial Uses may impose only minimal changes to the defining
1911 Architectural Detail.

1912 4. New Construction must be residential in character and comply with the
1913 Design Guidelines for Park City's Historic Districts and Historic Sites for

- 1914 residential construction and all Lot and Site requirements of Section 15-
1915 2.3-4.
- 1916 5. Parking must be provided on-Site in accordance with this Code or Off-Site
1917 by paying the HCB "in lieu fee" multiplied by the parking obligation.
- 1918 6. The Historic Building and/or Structure shall be restored or rehabilitated
1919 according to the requirements of LMC Chapter 4.15-11 as a condition
1920 precedent to approval of the Conditional Use permit.
- 1921 7. Any adjoining Historic Buildings and/or Structures, under common
1922 ownership or control must be considered a part of the Property for review
1923 purposes of the Conditional Use permit.
- 1924 8. The Property Owner must donate a Preservation Easement to the City for
1925 the Historic Building and/or Structure as a condition precedent to approval
1926 of the Conditional Use permit.

1927 HISTORY

1928 *Adopted by Ord. 00-51 on 9/21/2000*

1929

1930 **15-2.3-1310 Mechanical Service**

1931 No free standing mechanical equipment is allowed in the HR-2 zone with the exception
1932 of individual residential mechanical units serving Single family and Duplex Dwelling
1933 units within the HR-2 District, subject to the Lot and Site Requirements of Section 15-
1934 2.3-4. The Planning Department will review all Development Applications to assure that
1935 all Mechanical equipment attached to or on the roofs of Buildings is Screened so that it
1936 is not open to view and does not exceed the allowable decibel levels of the City's Noise
1937 Ordinance from nearby residential Properties.

1938

1939 Mechanical equipment in the HR-2 zone must be Screened to minimize noise infiltration
1940 to adjoining Properties and to mitigate visual impacts on nearby Properties and general
1941 public view. All mechanical equipment must be shown on the plans prepared for
1942 Conditional Use Permit and/or architectural review by the Planning, Engineering, and
1943 Building Departments.

1944

1945 All Structures must provide a means of storing refuse generated by the Structure's
1946 occupants. All refuse storage facilities must be shown on the plans prepared for
1947 Conditional Use Permit and/or architectural review. Refuse storage must be Screened,
1948 enclosed, and properly ventilated so that a nuisance is not created by odors or
1949 sanitation problems.

1950

1951 The loading and unloading of goods must take place entirely on the Site. Loading areas
1952 must be Screened from general public view. All loading areas sh all be shown on the
1953 plans prepared for Conditional Use Permit and/or architectural review.

1954

1955 HISTORY

1956 *Adopted by Ord. 00-51 on 9/21/2000*

1957 ~~*Amended by Ord. 06-56 on 7/27/2006*~~
1958 ~~*Amended by Ord. 10-14 on 4/15/2010*~~
1959 ~~*Amended by Ord. 2016-44 on 9/15/2016*~~

1960

1961 **15-2.3-10 Parking Regulations**

1962 ~~A. Tandem Parking is allowed in the Historic District.~~

1963 ~~B. Common driveways are allowed along shared Side Lot Lines to provide Access~~
1964 ~~to Parking in the rear of the Main Building or below Grade if both Properties are~~
1965 ~~deed restricted to allow for the perpetual Use of the shared drive.~~

1966 ~~C. Common Parking Structures are allowed as a Conditional Use where it~~
1967 ~~facilitates:-~~

1968 ~~1. the Development of individual Buildings that more closely conform to the~~
1969 ~~scale of Historic Structures in the District; and-~~

1970 ~~2. the reduction, mitigation or elimination of garage doors at the Street edge.~~

1971 ~~D. A common Parking Structure may occupy below Grade Side Setbacks between~~
1972 ~~participating Developments if the Structure maintains all Setbacks above Grade.~~
1973 ~~Common Parking Structures are subject to a Conditional Use review, Section 15-~~
1974 ~~1-10.~~

1975 ~~E. Driveways between Structures are allowed in order to eliminate garage doors~~
1976 ~~facing the Street, to remove cars from on-Street Parking, and to reduce paved~~
1977 ~~Areas, provided the driveway leads to an approved Garage or Parking Area.~~

1978 ~~F. Turning radii are subject to review by the City Engineer as to function and design.~~

1979 ~~G. See Section 15-3 Off Street Parking for additional parking requirements.~~

1980 ~~H. Parking Areas with five (5) or more spaces within Subzone A shall be accessed~~
1981 ~~from a Street other than Park Avenue if the Parking Area also serves HGB Uses,~~
1982 ~~and such Parking Areas shall be below the Grade of Park Avenue and beneath~~
1983 ~~residential structures facing and fronting on Park Avenue.~~

1984 **HISTORY**

1985 ~~*Adopted by Ord. 00-51 on 9/21/2000*~~
1986 ~~*Amended by Ord. 06-56 on 7/27/2006*~~
1987 ~~*Amended by Ord. 09-10 on 3/5/2009*~~
1988 ~~*Amended by Ord. 10-14 on 4/15/2010*~~
1989 ~~*Amended by Ord. 2018-43 on 7/19/2018*~~

1990

1991 **15-2.3-11 Architectural Review**

1992 ~~Prior to issuance of a Building Permit for any Conditional or Allowed Use, the Planning~~
1993 ~~Department shall review the proposed plans for compliance with the Design Guidelines~~
1994 ~~for Historic Districts and Historic Sites, Historic Preservation LMC Chapter 15-11, and~~
1995 ~~Architectural Review LMC Chapter 15-5.~~

1996
1997 ~~Appeals of departmental actions on compliance with the Design Guidelines for Historic~~
1998 ~~Districts and Historic Sites, LMC Chapter 15-11, and LMC Chapter 15-5 are heard by the~~
1999 ~~Board of Adjustment as outlined in 15-1-18 of the Code.~~

2000 **HISTORY**

2001 ~~Adopted by Ord. 00-51 on 9/21/2000~~
2002 ~~Amended by Ord. 06-56 on 7/27/2006~~
2003 ~~Amended by Ord. 09-10 on 3/5/2009~~
2004 ~~Amended by Ord. 09-23 on 7/9/2009~~
2005 ~~Amended by Ord. 10-14 on 4/15/2010~~
2006 ~~Amended by Ord. 15-35 on 10/12/2015~~

2007

2008 **15-2.3-1211 Criteria For Bed And Breakfast Inns**

2009 A Bed and Breakfast Inn is a Conditional Use. No Conditional Use permit may be issued
2010 unless the following criteria are met:

- 2011 A. The Use is in a Historic Building and/or Structure or addition thereto.
- 2012 B. The Applicant will make every attempt to rehabilitate the Historic portion of the
- 2013 Structure.
- 2014 C. The Structure has at least two (2) rentable rooms. The maximum number of
- 2015 rooms will be determined by the Applicant's ability to mitigate neighborhood
- 2016 impacts.
- 2017 D. The size and configuration of the rooms are Compatible with the Historic
- 2018 character of the Building and neighborhood.
- 2019 E. The rooms are available for Nightly Rental only.
- 2020 F. An Owner/manager is living on-Site, or in Historic Buildings and/or Structures
- 2021 there must be twenty-four (24) hour on-Site management and check-in.
- 2022 G. Food service is for the benefit of overnight guests only.
- 2023 H. No Kitchen is permitted within rental room(s).
- 2024 I. Parking on-Site is required at a rate of one (1) space per rentable room. If no on-
- 2025 Site parking is possible, the Applicant must provide parking in close proximity to
- 2026 the inn. The Planning Commission may waive the parking requirement for
- 2027 Historic Buildings and/or Structures, if the Applicant proves that:
- 2028 1. no on-Site parking is possible without compromising the Historic Buildings
- 2029 and/or Structures or Site, including removal of existing Significant
- 2030 Vegetation, and all alternatives for proximate parking have been explored
- 2031 and exhausted; and
- 2032 2. the Structure is not economically feasible to restore or maintain without
- 2033 the adaptive Use.
- 2034 J. The Use complies with Section 15-1-10, Conditional Use review.

2035 HISTORY
2036 *Adopted by Ord. 00-51 on 9/21/2000*

2037

2038 **15-2.3-1012 Parking Regulations**

- 2039 A. Tandem Parking is allowed in the Historic District.
- 2040 B. Common driveways are One (1) Shared Driveway is allowed along shared Side
2041 or Rear Lot Lines to provide Access to Parking in the rear of the Main Building or
2042 below Grade if both Properties are deed restricted to allow for the perpetual Use
2043 of the shared drive.
- 2044 C. Common Parking Structures are allowed as a Conditional Use where it
2045 facilitates:
- 2046 1. the Development of individual Buildings that more closely conform to the
2047 scale of Historic Buildings and/or Structures in the District; and
- 2048 2. the reduction, mitigation or elimination of garage doors at the Street edge.
- 2049 D. A common Parking Structure may occupy below Grade Side Setbacks between
2050 participating Developments if the Structure maintains all Setbacks above Grade.
2051 Common Parking Structures requiring a Conditional Use Permit are subject to a
2052 Conditional Use review, Section 15-1-10.
- 2053 E. Driveways between Structures are allowed in order to eliminate garage doors
2054 facing the Street, to remove cars from on-Street Parking, and to reduce paved
2055 Areas, provided the driveway leads to an approved Garage or approved Parking
2056 Area.
- 2057 F. Turning radii are subject to review by the City Engineer as to function and design.
- 2058 G. See Section Chapter 15-3 Off Street Parking for additional parking requirements.
- 2059 H. Parking Areas with five (5) or more spaces within Subzone A shall be accessed
2060 from a Street other than Park Avenue if the Parking Area also serves HCB Uses,
2061 and such Parking Areas shall be below the Grade of Park Avenue and beneath
2062 residential structures facing and fronting on Park Avenue.

2063 HISTORY
2064 Adopted by Ord. 00-51 on 9/21/2000
2065 Amended by Ord. 06-56 on 7/27/2006
2066 Amended by Ord. 09-10 on 3/5/2009
2067 Amended by Ord. 10-14 on 4/15/2010
2068 Amended by Ord. 2018-43 on 7/19/2018

2069

2070 **15-2.3-1113 Architectural Review**

2071 Prior to issuance of a Building Permit for any Conditional or Allowed Use, the Planning
2072 Department shall review the proposed plans for compliance with the Design Guidelines
2073 for Historic Districts and Historic Sites Chapter 15-13, Historic Preservation-LMG
2074 Chapter 15-11, and Architectural Review LMG Chapter 15-5.

2075
2076 Appeals of departmental actions on compliance with the Design Guidelines for Historic
2077 Districts and Historic Sites Chapter 15-13, Historic Preservation LMC Chapter15-11,
2078 and Architectural Review LMC Chapter15-5 are heard by the Board of Adjustment as
2079 outlined in 15-1-18 of the Code.

2080 HISTORY

2081 Adopted by Ord. 00-51 on 9/21/2000
2082 Amended by Ord. 06-56 on 7/27/2006
2083 Amended by Ord. 09-10 on 3/5/2009
2084 Amended by Ord. 09-23 on 7/9/2009
2085 Amended by Ord. 10-14 on 4/15/2010
2086 Amended by Ord. 15-35 on 10/12/2015

2087

2088 **15-2.3-13 Mechanical Service**

2089 ~~No free standing mechanical equipment is allowed in the HR-2 zone with the exception~~
2090 ~~of individual residential mechanical units serving Single family and Duplex Dwelling~~
2091 ~~units within the HR-2 District, subject to the Lot and Site Requirements of Section 15-~~
2092 ~~2.3-4. The Planning Department will review all Development Applications to assure that~~
2093 ~~all Mechanical equipment attached to or on the roofs of Buildings is Screened so that it~~
2094 ~~is not open to view and does not exceed the allowable decibel levels of the City's Noise~~
2095 ~~Ordinance from nearby residential Properties.~~

2096 ~~Mechanical equipment in the HR-2 zone must be Screened to minimize noise infiltration~~
2097 ~~to adjoining Properties and to mitigate visual impacts on nearby Properties and general~~
2098 ~~public view. All mechanical equipment must be shown on the plans prepared for~~
2099 ~~Conditional Use Permit and/or architectural review.~~

2100 ~~All Structures must provide a means of storing refuse generated by the Structure's~~
2101 ~~occupants. All refuse storage facilities must be shown on the plans prepared for~~
2102 ~~Conditional Use Permit and/or architectural review. Refuse storage must be Screened,~~
2103 ~~enclosed, and properly ventilated so that a nuisance is not created by odors or~~
2104 ~~sanitation problems.~~

2105 ~~The loading and unloading of goods must take place entirely on the Site. Loading areas~~
2106 ~~must be Screened from general public view. All loading areas shall be shown on the~~
2107 ~~plans prepared for Conditional Use Permit and/or architectural review.~~

2108 HISTORY

2109 Adopted by Ord. 00-51 on 9/21/2000
2110 Amended by Ord. 06-56 on 7/27/2006
2111 Amended by Ord. 10-14 on 4/15/2010
2112 Amended by Ord. 2016-44 on 9/15/2016

2113

2114 **15-2.3-14 Goods And Uses To Be Within Enclosed Building**

2115 ~~A. **OUTDOOR DISPLAY OF GOODS PROHIBITED**. Unless expressly allowed as~~
2116 ~~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.~~

2156 g. ~~Design of the service station is Compatible with adjacent Buildings~~
 2157 ~~and Streetscape.~~

2158 h. ~~No violation of the City Noise Ordinance, Title 6.~~

2159 i. ~~Compliance with the City Sign Code, Title 12.~~

2160 **3. ~~COMMERCIAL OUTDOOR STORAGE AND DISPLAY OF BICYCLES,~~**
 2161 **~~KAYAKS, MOTORIZED SCOOTERS, AND CANOES.~~** Outdoor storage
 2162 ~~and display of bicycles, kayaks, motorized scooters, and canoes for~~
 2163 ~~Commercial purposes is subject to the following criteria:~~

2164 a. ~~Located within the Sub-Zone B only.~~

2165 b. ~~The Area of the proposed bicycle, kayak, motorized scooters, and~~
 2166 ~~canoe storage or display is on private Property and not in Areas of~~
 2167 ~~required parking or landscaped planting beds.~~

2168 c. ~~Bicycles, kayaks, and canoes may be hung on Buildings if sufficient~~
 2169 ~~Site Area is not available, provided the display does not impact or~~
 2170 ~~alter the architectural integrity or character of the Structure.~~

2171 d. ~~No more than a total of three (3) pieces of equipment may be~~
 2172 ~~displayed.~~

2173 e. ~~Outdoor display is allowed only during Business hours.~~

2174 f. ~~Additional outdoor storage Areas may be considered for rental~~
 2175 ~~bicycles or motorized scooters provided there are no or only~~
 2176 ~~minimal impacts on landscaped Areas, Parking Spaces, and~~
 2177 ~~pedestrian and emergency circulation.~~

2178 **4. ~~OUTDOOR EVENTS AND MUSIC.~~** Located in Sub-Zone B only. Outdoor
 2179 ~~events and music require an Administrative Conditional Use permit. The~~
 2180 ~~Use must also comply with Section 15-1-10, Conditional Use review. The~~
 2181 ~~Applicant must submit a Site plan and written description of the event,~~
 2182 ~~addressing the following:~~

2183 a. ~~Notification of adjacent Property Owners.~~

2184 b. ~~No violation of the City Noise Ordinance, Title 6.~~

2185 c. ~~Impacts on adjacent Residential Uses.~~

2186 d. ~~Proposed plans for music, lighting, Structures, electrical, signs, etc~~
 2187 ~~needs.~~

2188 e. ~~Parking demand and impacts on neighboring Properties.~~

2189 f. ~~Duration and hours of operation.~~

2190 g. ~~Impacts on emergency Access and circulation.~~

2191 **5. ~~DISPLAY OF MERCHANDISE.~~** Display of outdoor merchandise is subject
 2192 ~~to the following criteria:~~

- 2193 a. ~~The display is immediately available for purchase at the Business~~
2194 ~~displaying the item.~~
- 2195 b. ~~The merchandise is displayed on private Property directly in front of~~
2196 ~~or appurtenant to the Business which displays it, so long as the~~
2197 ~~private Area is in an alcove, recess, patio, or similar location that~~
2198 ~~provides a physical separation from the public sidewalk. Allowed in~~
2199 ~~Subzone B only. No item of merchandise may be displayed on~~
2200 ~~publicly owned Property including any sidewalk or prescriptive~~
2201 ~~Right-of-Way regardless if the Property Line extends into the public~~
2202 ~~sidewalk. An item of merchandise may be displayed on commonly~~
2203 ~~owned Property; however, written permission for the display of the~~
2204 ~~merchandise must be obtained from the Owner's association.~~
- 2205 c. ~~The display is prohibited from being permanently affixed to any~~
2206 ~~Building. Temporary fixtures may not be affixed to any Historic~~
2207 ~~Building and/or Structure in a manner that compromises the~~
2208 ~~Historic integrity or Façade Easement of the Building as determined~~
2209 ~~by the Planning Director.~~
- 2210 d. ~~The display does not diminish parking or landscaping.~~
- 2211 e. ~~The Use does not violate the Summit County Health Code, the Fire~~
2212 ~~Code, or International Building Code. The display does not impede~~
2213 ~~pedestrian circulation, sidewalks, emergency Access, or circulation.~~
2214 ~~At minimum, forty-four inches (44") of clear and unobstructed~~
2215 ~~Access to all fire hydrants, egress and Access points must be~~
2216 ~~maintained. Merchandise may not be placed so as to block~~
2217 ~~visibility of or Access to any adjacent Property.~~
- 2218 f. ~~The merchandise must be removed if it becomes a hazard due to~~
2219 ~~wind or weather conditions, or if it is in a state of disrepair, as~~
2220 ~~determined by either the Planning Director or Building Official.~~
- 2221 g. ~~The display shall not create a hazard to the public due to moving~~
2222 ~~parts, sharp edges, or extension into public Rights-of-Way,~~
2223 ~~including sidewalks, or pedestrian and vehicular Areas; nor shall~~
2224 ~~the display restrict vision at intersections.~~
- 2225 h. ~~No inflatable devices other than decorative balloons smaller than~~
2226 ~~eighteen inches (18") in diameter are permitted. Balloon height may~~
2227 ~~not exceed the finished floor elevation of the second floor of the~~
2228 ~~Building.~~
- 2229 i. ~~No additional signs are allowed. A sales tag, four square inches (4~~
2230 ~~sq. in.) or smaller may appear on each display item, as well as an~~
2231 ~~informational plaque or associated artwork not to exceed twelve~~
2232 ~~square inches (12 sq. in.). The proposed display shall be in~~
2233 ~~compliance with the City Sign Code, Municipal Code Title 12, the~~
2234 ~~City's licensing Code, Municipal Code Title 4, and all other requisite~~
2235 ~~City codes.~~

2236 **HISTORY**
2237 *Adopted by Ord. 00-51 on 9/21/2000*
2238 *Amended by Ord. 05-49 on 8/4/2005*
2239 *Amended by Ord. 06-56 on 7/27/2006*
2240 *Amended by Ord. 10-14 on 4/15/2010*

2241

2242 **15-2.3-~~1514~~ Vegetation Protection**

2243 The Property Owner must protect Significant Vegetation during any Development
2244 activity. Significant Vegetation includes large trees six inches (6") in diameter or greater
2245 measured four and one-half feet (4½') above the ground, groves of smaller trees, or
2246 clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more
2247 measured at the drip line.

2248 Development plans must show all Significant Vegetation within twenty feet (20') of a
2249 proposed Development. The Property Owner must demonstrate the health and viability
2250 of all large trees through a certified arborist. The Planning Director shall determine the
2251 Limits of Disturbance and may require mitigation for loss of Significant Vegetation
2252 consistent with Landscape Criteria in ~~LMC~~ Chapter 15-5.

2253 **HISTORY**
2254 *Adopted by Ord. 00-51 on 9/21/2000*
2255 *Amended by Ord. 06-56 on 7/27/2006*
2256 *Amended by Ord. 10-14 on 4/15/2010*

2257

2258 **15-2.3-~~1615~~ Signs**

2259 Signs are allowed in the HR-2 District as provided in the Park City Sign Code, Title 12.

2260 **HISTORY**
2261 *Adopted by Ord. 00-51 on 9/21/2000*

2262

2263 **15-2.3-~~1716~~ Related Provisions**

- 2264 • Fences And Retaining Walls. ~~LMC Chapter Section~~ 15-4-2.
- 2265 • Accessory Apartments. ~~LMC Chapter Section~~ 15-4-7.
- 2266 • Placement of Satellite Receiving Antennas. ~~LMC Chapter Section~~ 15-4-13.
- 2267 • Telecommunication ~~Facility~~Facilities. ~~LMC Chapter Section~~ 15-4-14.
- 2268 • Off-Street Parking. ~~LMC~~ Chapter 15-3.
- 2269 • Landscaping. Title 14; ~~LMC Chapter Section~~ 15-3-3(~~D~~) and Chapter 15-5.
- 2270 • Lighting. ~~LMC Chapters Sections~~ 15-3-3(~~C~~), 15-5-5(~~H~~).
- 2271 • Historic Preservation. ~~LMC~~ Chapter 15-11.
- 2272 • Park City Sign Code. Title 12.

- 2273 • Architectural Review. ~~LMC~~ Chapter 15-~~115~~.
- 2274 • Snow Storage. ~~LMC Chapter~~ Section 15-3-3(~~E~~).
- 2275 • Parking Ratio Requirements. Section 15-3-6.

2276 HISTORY

2277 *Adopted by Ord. 00-51 on 9/21/2000*

2278 *Amended by Ord. 06-56 on 7/27/2006*

2279 *Amended by Ord. 10-14 on 4/15/2010*

2280 **15-2.4 Historic Residential-Medium Density (HRM) District**

2281 15-2.4-1 Purpose

2282 15-2.4-2 Uses

2283 ~~15-2.4-3 Conditional Use Permit Review~~

2284 ~~15-2.4-43 Lot And Site Requirements~~

2285 ~~15-2.4-5 Special Requirements For Multi-Unit Dwellings~~

2286 ~~15-2.4-64 Existing Historic Buildings And/Or Structures~~

2287 ~~15-2.4-75 Building Height~~

2288 ~~15-2.4-36 Conditional Use Permit Review~~

2289 ~~15-2.4-57 Special Requirements For Multi-Unit Dwellings~~

2290 ~~15-2.4-8 Parking Regulations~~

2291 ~~15-2.4-98 Sullivan Road Access~~

2292 ~~15-2.4-129 Outdoor Events And Music~~

2293 ~~15-2.4-1110 Criteria For Bed And Breakfast Inns~~

2294 ~~15-2.4-811 Parking Regulations~~

2295 ~~15-2.4-1012 Architectural Review~~

2296 ~~15-2.4-11 Criteria For Bed And Breakfast Inns~~

2297 ~~15-2.4-12 Outdoor Events And Music~~

2298 15-2.4-13 Vegetation Protection

2299 15-2.4-14 Signs

2300 15-2.4-15 Related Provisions

2301

2302 **15-2.4-1 Purpose**

2303 The purpose of the Historic Residential Medium Density (HRM) District is to:

2304 A. allow continuation of permanent residential and transient housing in original
2305 residential Areas of Park City;

2306 B. encourage new Development along an important corridor that is Compatible with
2307 Historic Buildings and/or Structures in the surrounding Area;

2308 C. encourage the rehabilitation of existing Historic Buildings and/or Structures;

2309 D. encourage Development that provides a transition in Use and scale between the
2310 Historic District and the resort Developments;

2311 E. encourage Affordable Housing;

2312 F. encourage Development which minimizes the number of new driveways
2313 Accessing existing thoroughfares and minimizes the visibility of Parking Areas;
2314 and

2315 G. establish specific criteria for the review of Neighborhood Commercial Uses in
2316 Historic Buildings and/or Structures along Park Avenue.

2317 HISTORY

2318 *Adopted by Ord. 00-51 on 9/21/2000*

2319

2320 **15-2.4-2 Uses**

2321 Uses in the HRM District are limited to the following:

2322 A. **ALLOWED USES.**

- 2323 1. Single Family Dwelling
- 2324 2. Duplex Dwelling
- 2325 3. Secondary Living Quarters
- 2326 4. Lockout Unit¹
- 2327 5. Accessory Apartment²
- 2328 6. Nightly Rental³
- 2329 7. Home Occupation
- 2330 8. Child Care, In-Home Babysitting
- 2331 9. Child Care, Family⁴
- 2332 10. Child Care, Family Group⁴
- 2333 11. Accessory Building and Use
- 2334 12. Conservation Activity
- 2335 13. Agriculture
- 2336 14. Parking Area or Structure with four (4) or fewer spaces

2337 B. **CONDITIONAL USES.**

- 2339 1. Triplex Dwelling
- 2340 2. Multi-Unit Dwelling
- 2341 3. Group Care Facility
- 2342 4. Child Care Center⁴
- 2343 5. Public and Quasi-Public Institution, Church, and School
- 2344 6. Essential Municipal and Public Utility Use, Facility Service, and Structure
- 2345 7. Telecommunication Antenna⁵
- 2346 8. Satellite Dish, greater than thirty-nine inches (39") in diameter⁶
- 2347 9. Bed and Breakfast Inn⁷
- 2348 10. Boarding House, Hostel⁷
- 2349 11. Hotel, Minor⁷
- 2350 12. Office, General⁸
- 2351 13. Retail and Service Commercial, Minor⁸
- 2352 14. Retail and Service Commercial, personal improvement⁸
- 2353 15. Neighborhood Market, without gasoline sales⁸
- 2354 16. Cafe, Deli⁸
- 2355 17. Café, Outdoor Dining⁹
- 2356 18. Parking Area or Structure with five (5) or more spaces
- 2357 19. Temporary Improvement¹⁰
- 2358 20. Recreation Facility, Public
- 2359 21. Recreation Facility, Private
- 2360 22. Outdoor Events¹⁰
- 2361 23. Fences greater than six feet (6') in height from Final Grade¹⁰

2362 C. **PROHIBITED USES.** Any Use not listed above as an Allowed or Conditional Use

2363 is a prohibited Use.

2365 ¹Nightly rental of Lockout Units requires a Conditional Use permit.

- 2366 ²See ~~LMG Chapter Section~~ 15-4-7, ~~Supplemental Regulations for~~ Accessory
2367 Apartments.
- 2368 ³Nightly Rentals do not include the Use of dwellings for Commercial Uses.
- 2369 ⁴See ~~LMG Chapter Section~~ 15-4-9, ~~for~~ Child Care ~~Regulations~~And Child Care Facilities.
- 2370 ⁵See ~~LMG Chapter Section~~ 15-4-14, ~~Supplemental Regulations for~~ Telecommunications
2371 Facilities.
- 2372 ⁶See ~~LMG Chapter Section~~ 15-4-13, ~~Supplemental Regulations for~~ Placement of
2373 Satellite Receiving Antennas.
- 2374 ⁷Allowed only in Historic Buildings and/or Structures or historically Compatible
2375 Structures.
- 2376 ⁸Allowed only in Historic Buildings and/or Structures.
- 2377 ⁹Requires an Administrative Conditional Use permit. Allowed in association with a Café
2378 or Deli.
- 2379 ¹⁰Requires an Administrative or Administrative Conditional Use permit, see
2380 ~~Section~~Chapter 15-4.

2381 HISTORY

2382 *Adopted by Ord. 00-51 on 9/21/2000*
2383 *Amended by Ord. 06-69 on 10/19/2006*
2384 *Amended by Ord. 09-10 on 3/5/2009*
2385 *Amended by Ord. 15-35 on 10/12/2015*

2386

2387 **15-2.4.3 Conditional Use Permit Review**

2388 ~~The Planning Director shall review any Conditional Use permit (CUP) Application in the~~
2389 ~~HRM District and shall forward a recommendation to the Planning Commission~~
2390 ~~regarding compliance with the Design Guidelines for Park City's Historic Districts and~~
2391 ~~Historic Sites Chapter 15-13 and Chapter 5. The Planning Commission shall review the~~
2392 ~~Application according to Conditional Use permit criteria set forth in Section 15-1-10. As~~
2393 ~~well as the following:~~

2394 ~~A. Consistent with the Design Guidelines for Park City's Historic Districts and~~
2395 ~~Historic Sites.~~

2396 ~~B. The Applicant may not alter the Historic Structure to minimize the residential~~
2397 ~~character of the Building.~~

2398 ~~C. Dedication of a Facade Preservation Easement to assure preservation of the~~
2399 ~~Structure is required.~~

2400 ~~D. New Buildings and additions must be in scale and Compatible with existing~~
2401 ~~Historic Buildings in the neighborhood. Larger Building masses should be located~~
2402 ~~to rear of the Structure to minimize the perceived mass from the Street.~~

2403 ~~E. Parking requirements of Section 15-3 shall be met. The Planning Commission~~
2404 ~~may waive parking requirements for Historic Structures. The Planning~~

~~Commission may allow on-Street parallel parking adjacent to the Front Yard to count as parking for Historic 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

15-2.4-43 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. **LOT AREA**. 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.

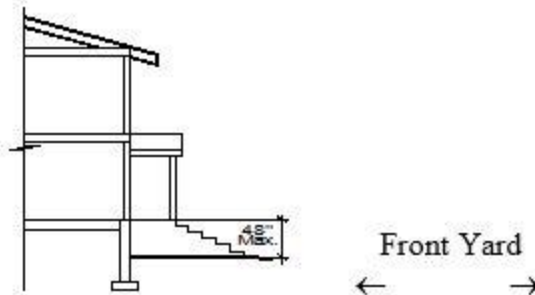
C. **LOT WIDTH.** The minimum width of a Lot is 37.50 feet, measured fifteen feet (15') from the Front Lot Line. Existing platted Lots of record, with a minimum width of at least twenty five feet (25'), are considered legal Lots in terms of Lot Width. In the case of unusual Lot configurations, Lot Width 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 15-2.4-57 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:

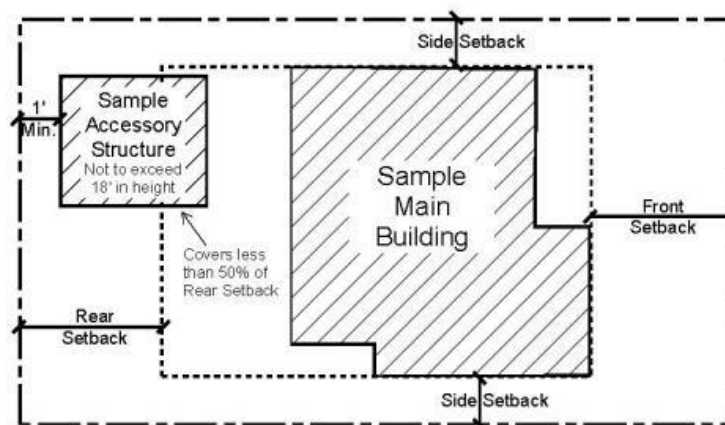
1. Fences, walls, and retaining walls not more than four feet (4') in height, or as permitted in Section 15-4-2. On Corner Lots, Fences more than three (3') in height are prohibited within twenty-five feet (25') of the intersection, at back of curb.
2. Uncovered steps leading to the Main Building; provided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

- 2471 1. The minimum Rear Setback is ten feet (10') for all Main Buildings, and one
2472 foot (1') for detached Accessory Buildings.
- 2473 2. See Section 15-2.4-57, Special Requirements for Multi-Unit Dwellings.
- 2474 G. **REAR SETBACK EXCEPTIONS.** The Rear Setback must be open and free of
2475 any Structure except:
- 2476 1. Bay Windows not more than ten feet (10') wide and projecting not more
2477 than two feet (2') into the Rear Setback.
- 2478 2. Chimneys not more than five feet (5') wide and projecting not more than
2479 two feet (2') into the Rear Setback.
- 2480 3. Window wells and light wells projecting not exceeding the minimum
2481 International Residential Code (IRC) or International Building Code (IBC)
2482 requirements for egress may extend not more than four feet (4') into the
2483 Rear Setback. Should egress requirements be met within the building pad,
2484 no Rear Setback exception is permitted.
- 2485 4. Roof overhangs and eaves projecting not more than three feet (3') into the
2486 Rear Setback.
- 2487 5. Window sills, belt courses, cornices, trim, and other ornamental features
2488 projecting not more than six inches (6") beyond the ~~window or~~ main
2489 Structure to which they are attached.
- 2490 6. Detached Accessory Buildings, not more than eighteen feet (18') in height,
2491 and including any free-standing Solar Energy Systems, located a
2492 minimum of five feet (5') behind the front façade of the Main Building, and
2493 maintaining a minimum Rear Setback of one foot (1'). Such Structure must
2494 not cover over fifty percent (50%) of the Rear Setback. See the following
2495 illustration:



- 2496
- 2497 7. A Hard-Surfaced Parking Area subject to the same location requirements
2498 as a detached Accessory Building.

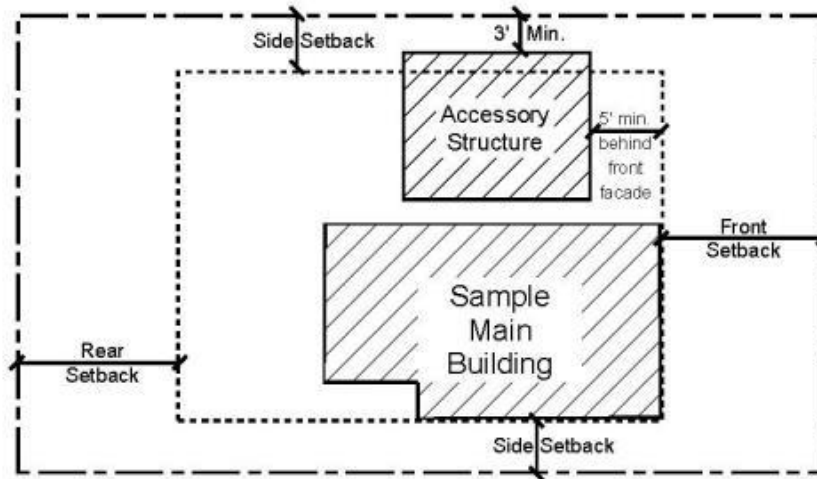
- 2499 8. Mechanical equipment (which must be screened), hot tubs, or similar
2500 Structures located at least three feet (3') from the Rear Lot Line.
- 2501 9. Fences, ~~or~~ walls, and retaining walls as permitted in Section 15-4-2
2502 Fences And Retaining Walls.
- 2503 10. Patios, decks, pathways, steps, and similar Structures not more than thirty
2504 inches (30") above Final Grade, not including any required handrail, and
2505 located at least one foot (1') from the Rear Lot Line.
- 2506 11. One (1) Shared Driveway leading to a garage or approved Parking Area.
2507 See Section 15-2.4-11 Parking Regulations for additional requirements.

2508 H. **SIDE SETBACK.**

- 2509 1. The minimum Side Setback for any Single Family, Duplex Dwelling or
2510 Accessory Building is five feet (5').
- 2511 2. The minimum Side Setback for Lots twenty-five feet (25') wide or less is
2512 three feet (3').
- 2513 3. On Corner Lots, the minimum Side Setback that faces a side Street or
2514 platted Right-of-Way is ten feet (10') for both Main and Accessory
2515 Buildings. A three foot (3') Side Setback along the platted Right-of-Way
2516 may be approved by the City Engineer when the Lot Width is less than
2517 37.5 feet; no Side Setback exceptions shall be utilized and the sight
2518 triangle shall be maintained when the Setback is three feet (3') along the
2519 Right-of-Way.
- 2520 4. A Side Setback between connected Structures is not required where
2521 Structures are designed with a common wall on a Property Line, each
2522 Structure is located on an individual Lot, the Lots are burdened with a
2523 party wall agreement in a form approved by the City Attorney and Chief
2524 Building Official, all applicable Building and Fire Code requirements are
2525 met, and the Use is an Allowed or Conditional Use in the Zoning District.
- 2526
- 2527 a. Exterior Side Setbacks shall be based on the required minimum
2528 Side Setback for each Lot; however the Planning Commission may
2529 consider increasing exterior Side Setbacks during Conditional Use
2530 Permit review to mitigate potential impacts on adjacent Property.
2531 Side Setback exceptions continue to apply.
- 2532 b. The longest dimension of a Building joined at the Property Line may
2533 not exceed one hundred feet (100').
- 2534 ~~5. The minimum Side Setback for a detached Accessory Building, not~~
2535 ~~greater than eighteen feet (18') in height, including any free-standing Solar~~
2536 ~~Energy Systems, located at least five feet (5') behind the front facade of~~

2537

the Main Building, is three feet (3'). See the following illustration:



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~~6. On Corner Lots, the Side Yard that faces a Street or platted Right-of-Way is considered a Front Yard, and the minimum Setback is ten feet (10') for both Main and Accessory Buildings.~~

2542

7. See Section 15-2.4-~~57~~ special requirements for Multi-Unit Dwellings.

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I. **SIDE SETBACK EXCEPTIONS.** The Side Setback must be open and free of any Structure except:

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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.

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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.

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3. Window wells and light wells projecting not exceeding the minimum International Residential Code (IRC) or International Building Code (IBC) requirements for egress may extend not more than four feet (4') into the Side Setback. ⁺Only permitted on Lots with a minimum required Side Setback of five feet (5') or greater. Should egress requirements be met within the building pad, no Rear Setback exception is permitted.

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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.

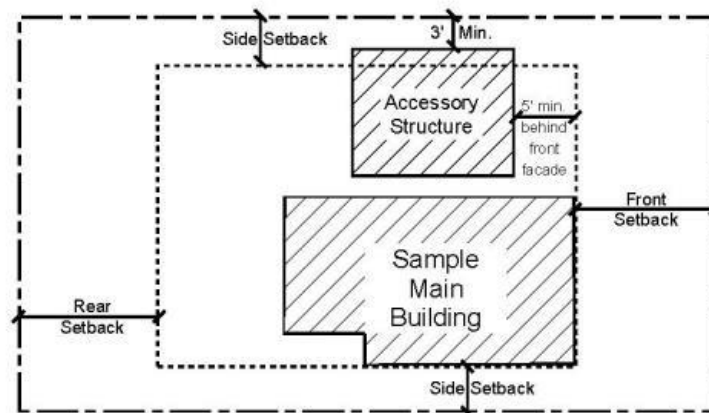
2560

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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. Fences, ~~or~~ walls, and retaining walls as permitted in Section 15-4-2 Fences And Retaining Walls.
7. Patios, decks, pathways, steps, and similar Structures not more than thirty inches (30") in height above Final Grade, not including any required handrail.
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. Mechanical equipment (which must be screened), hot tubs, or similar Structures located at least three feet (3') from the Side Lot Line.
11. 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 façade of the Main Building, maintaining a minimum Side Setback of three feet (3'). See the following illustration:



- 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.

~~¹Applies 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

2592 Amended by Ord. 2016-44 on 9/15/2016
2593 Amended by Ord. 2018-27 on 5/31/2018
2594 Amended by Ord. 2018-43 on 7/19/2018

2595

2596 **15-2.4.5 Special Requirements For Multi-Unit Dwellings**

2597 A. ~~**FRONT SETBACK.** The Front Setback for any Triplex, or Multi-Unit Dwelling is~~
2598 ~~twenty (20') feet. All new Front-Facing Garages shall be a minimum of twenty-~~
2599 ~~five feet (25') from the Front Property Line. All Yards fronting any Street are~~
2600 ~~considered Front Yards for the purposes of determining required Setbacks. See~~
2601 ~~Section 15-2.4-4(D), Front Setback Exceptions.~~

2602 B. ~~**REAR SETBACK.** The Rear Setback for a Triplex or Multi-Unit Dwelling is ten~~
2603 ~~feet (10'). See Section 15-2.4-4(F), Rear Setback Exceptions.~~

2604 C. ~~**SIDE SETBACK.** The Side Setback for any Triplex, or Multi-Unit Dwelling is ten~~
2605 ~~feet (10'). See Section 15-2.4-4(H), Side Setback Exceptions.~~

2606 D. ~~**OPEN SPACE.** The Applicant must provide Open Space equal to at least sixty~~
2607 ~~percent (60%) of the total Site for all Triplex and Multi-Unit Dwellings. If reviewed~~
2608 ~~as a Master Planned Development, then the Open Space requirements of~~
2609 ~~Section 15-6-5 (D) shall apply. Parking is prohibited within the Open Space. See~~
2610 ~~Section Chapter 15-15 Open Space. In cases of redevelopment of existing~~
2611 ~~historic sites on the Historic Sites Inventory and containing at least fifty percent~~
2612 ~~(50%) deed restricted affordable housing, the minimum open space requirement~~
2613 ~~shall be thirty percent (30%).~~

2614 **HISTORY**

2615 ~~Adopted by Ord. 00-51 on 9/21/2000~~
2616 ~~Amended by Ord. 09-10 on 3/5/2009~~
2617 ~~Amended by Ord. 12-37 on 12/20/2012~~
2618 ~~Amended by Ord. 13-42 on 10/17/2013~~
2619 ~~Amended by Ord. 2018-43 on 7/19/2018~~

2620

2621 **15-2.4-64 Existing Historic Buildings And/Or Structures**

2622 Historic Buildings and/or Structures that do not comply with Building Footprint, Building
2623 Height, Building Setbacks, Off-Street parking, and driveway location standards are valid
2624 Non-Complying Structures. Additions to Historic Buildings and/or Structures are exempt
2625 from Off-Street parking requirements provided the addition does not create a Lockout
2626 Unit or an Accessory Apartment. Additions must comply with Building Setbacks,
2627 Building Footprint, driveway location standards and Building Height.

2628 A. ~~**EXCEPTION.** For additions to Historic Buildings and new construction on sites~~
2629 ~~listed on the Historic Sites Inventory and in~~In order to achieve new construction
2630 consistent with the Historic District Design Guidelines, the Planning Commission
2631 may grant an exception to the Building Setback and driveway location standards
2632 for additions to Historic Buildings and/or Structures, including detached 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

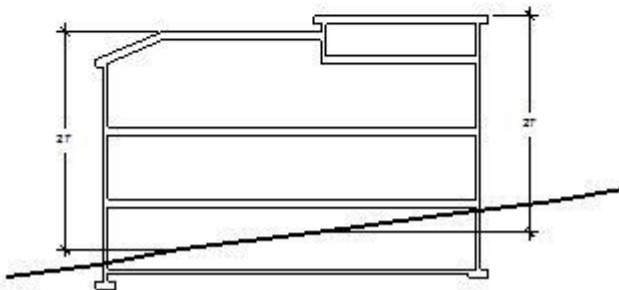
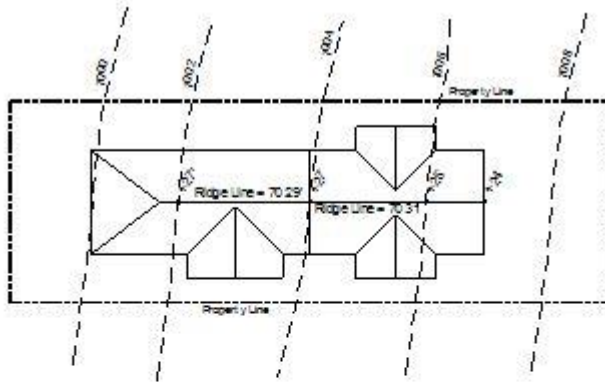
Amended by Ord. 06-69 on 10/19/2006

Amended by Ord. 13-42 on 10/17/2013

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

15-2.4-75 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 Section 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 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.
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

15-2.4-36 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 Chapter 15-13 and Chapter 15-5. 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 Chapter 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

15-2.4-57 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, 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, 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, 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 shall apply. Parking is prohibited within the Open Space. See Chapter 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

2816 **15-2.4-129 Outdoor Events And Music**

2817 Outdoor events and music require an Administrative Conditional Use permit. The Use
2818 must comply with Section 15-1-10, Conditional Use Review. The Applicant must submit
2819 a Site plan and written description of the event, addressing the following:

- 2820 A. Notification of adjacent Property Owners.
- 2821 B. No violation of the City Noise Ordinance, Title 6.
- 2822 C. Impacts on adjacent Residential Uses.
- 2823 D. Proposed plans for music, lighting, Structures, electrical, signs, etc.
- 2824 E. Parking demand and impacts on neighboring Properties.
- 2825 F. Duration and hours of operation.
- 2826 G. Impacts on emergency Access and circulation.

2827 **HISTORY**

2828 Adopted by Ord. 00-51 on 9/21/2000

2830 **15-2.4-110 Criteria For Bed And Breakfast Inns**

2831 A Bed and Breakfast Inn is a Conditional Use subject to an Administrative Conditional
2832 Use permit. No Conditional Use permit may be issued unless the following criteria are
2833 met:

- 2834 A. The Use is in a Historic Building and/or Structure, addition thereto, or a
2835 historically Compatible Structure.
- 2836 B. The Applicant will make every attempt to rehabilitate the Historic portion of the
2837 Structure.
- 2838 C. The Structure has at least two (2) rentable rooms. The maximum number of
2839 rooms will be determined by the Applicant's ability to mitigate neighborhood
2840 impacts.
- 2841 D. In a Historic Building and/or Structure, the size and configuration of the rooms
2842 are Compatible with the Historic character of the Building and neighborhood.
- 2843 E. The rooms are available for Nightly Rental only.
- 2844 F. An Owner/manager is living on-Site, or in Historic Buildings and/or Structures
2845 there must be twenty-four (24) hour on-Site management and check-in.
- 2846 G. Food service is for the benefit of overnight guests only.
- 2847 H. No Kitchen is permitted within rental room(s).
- 2848 I. Parking on-Site is required at a rate of one (1) space per rentable room. If no on-
2849 Site parking is possible, the Applicant must provide parking in close proximity to
2850 the Bed and Breakfast Inn. The Planning Director may waive the parking
2851 requirement for Historic Buildings and/or Structures if the Applicant proves that:
2852

2853 1. no on-Site parking is possible without compromising the Historic Building
2854 and/or Structure or Site, including removal of existing Significant
2855 Vegetation and all alternatives for proximate parking have been explored
2856 and exhausted; and

2857 2. the Structure is not economically feasible to restore or maintain without
2858 the adaptive Use.

2859 J. The Use complies with Section 15-1-10, Conditional Use review.

2860 HISTORY

2861 Adopted by Ord. 00-51 on 9/21/2000

2862 Amended by Ord. 06-69 on 10/19/2006

2863

2864 **15-2.4-811 Parking Regulations**

2865 A. Tandem Parking is allowed in the Historic District.

2866 B. Common driveways are One (1) Shared Driveway is allowed along shared Side
2867 or Rear Yard Property Lot Lines to provide Access to Parking in the rear of the
2868 Main Building or below Grade if both Properties are deed restricted to allow for
2869 the perpetual Use of the shared drive.

2870 C. Common Parking Structures are allowed as a Conditional Use permit where it
2871 facilities:

2872 1. the Development of individual Buildings that more closely conform to the
2873 scale of Historic Buildings and/or Structures in the District; and

2874 2. the reduction, mitigation or elimination of garage doors at the Street edge.

2875 D. A common Parking Structure may occupy below Grade Side Yards between
2876 participating Developments if the Structure maintains all Setbacks above Grade.
2877 Common Parking Structures requiring a Conditional Use permit are subject to a
2878 Conditional Use review, Section 15-1-10.

2879 E. Driveways between Structures are allowed in order to eliminate garage doors
2880 facing the Street, to remove cars from on-Street parking, and to reduce paved
2881 Areas, provided the driveway leads to an approved Garage or approved Parking
2882 Area.

2883 F. Turning radii are subject to review by the City Engineer as to function and
2884 design.

2885 G. See Section Chapter 15-3 Off Street Parking for additional parking requirements.

2886 HISTORY

2887 Adopted by Ord. 00-51 on 9/21/2000

2888 Amended by Ord. 06-69 on 10/19/2006

2889 Amended by Ord. 09-10 on 3/5/2009

2890

2891 **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 Chapter 15-13, 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 Chapter 15-13, Historic Preservation LMC Chapter 15-11, and Architectural Review 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

~~15-2.4-11 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~~

2932 ~~2. the Structure is not economically feasible to restore or maintain without~~
2933 ~~the adaptive Use.~~

2934 ~~T. The Use complies with Section 15-1-10, Conditional Use review.~~

2935 ~~HISTORY~~

2936 ~~Adopted by Ord. 00-51 on 9/21/2000~~

2937 ~~Amended by Ord. 06-69 on 10/19/2006~~

2938

2939 **15-2.4-12 Outdoor Events And Music**

2940 ~~Outdoor events and music require an Administrative Conditional Use permit. The Use~~
2941 ~~must comply with Section 15-1-10, Conditional Use Review. The Applicant must submit~~
2942 ~~a Site plan and written description of the event, addressing the following:~~

2943 ~~H. Notification of adjacent Property Owners.~~

2944 ~~I. No violation of the City Noise Ordinance, Title 6.~~

2945 ~~J. Impacts on adjacent Residential Uses.~~

2946 ~~K. Proposed plans for music, lighting, Structures, electrical, signs, etc.~~

2947 ~~L. Parking demand and impacts on neighboring Properties.~~

2948 ~~M. Duration and hours of operation.~~

2949 ~~N. Impacts on emergency Access and circulation.~~

2950 ~~HISTORY~~

2951 ~~Adopted by Ord. 00-51 on 9/21/2000~~

2952

2953 **15-2.4-13 Vegetation Protection**

2954 The Property Owner must protect Significant Vegetation during any Development
2955 activity. Significant Vegetation includes large trees six inches (6") in diameter or greater
2956 measured four and one-half feet (4 ½') above the ground, groves of small trees, or
2957 clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more
2958 measured at the drip line.

2959 Development plans must show all Significant Vegetation within twenty feet (20') of a
2960 proposed Development. The Property Owner must demonstrate the health and viability
2961 of all large trees through a certified arborist. The Planning Director shall determine the
2962 Limits of Disturbance and may require mitigation for loss of Significant Vegetation
2963 consistent with Landscape Criteria in ~~LMC-Chapter~~Section 15-3-3 and Title 14.

2964 ~~HISTORY~~

2965 ~~Adopted by Ord. 00-51 on 9/21/2000~~

2966 ~~Amended by Ord. 06-69 on 10/19/2006~~

2967

2968 **15-2.4-14 Signs**

2969 Signs are allowed in the HRM District as provided in the Park City Sign Code, Title 12.

2970 HISTORY

2971 *Adopted by Ord. 00-51 on 9/21/2000*

2972

2973 **15-2.4-15 Related Provisions**

- 2974 • Fences And Retaining Walls. LMC Chapter Section 15-4-2.
- 2975 • Accessory Apartments. LMC Chapter Section 15-4-7.
- 2976 • Placement of Satellite Receiving Antennas. LMC Chapter Section 15-5-13.
- 2977 • Telecommunication ~~Facility~~Facilities. LMC Chapter Section 15-5-14.
- 2978 • Off-Street Parking. LMC Chapter 15-3.
- 2979 • Landscaping. Title 14; LMC Chapter Section 15-3.3(D)15-3-3 and Chapter 15-5.
- 2980 • Lighting. LMC Chapters Sections 15-3-3(~~C~~), 15-5-5(~~H~~).
- 2981 • Historic Preservation-~~Board~~. LMC Chapter 15-11.
- 2982 • Park City Sign Code. Title 12.
- 2983 • Architectural Review. LMC Chapter15-5.
- 2984 • Snow Storage. LMC Chapter Section 15-3.3(E) 15-3-3.
- 2985 • Parking Ratio Requirements. LMC Chapter Section 15-3-6.

2986 HISTORY

2987 *Adopted by Ord. 00-51 on 9/21/2000*

2988 **15-2.5 Historic Recreation Commercial (HRC) District**

2989 15-2.5-1 Purpose

2990 15-2.5-2 Uses

2991 15-2.5-3 Lot And Site Requirements

2992 ~~15-2.5-4 Access~~

2993 ~~15-2.5-64 Existing Historic Buildings And/Or Structures~~

2994 15-2.5-5 Building Height

2995 ~~15-2.5-6 Existing Historic Structures~~

2996 ~~15-2.5-106 Heber Avenue Sub-Zone~~

2997 ~~15-2.5-47 Access~~

2998 ~~15-2.5-98 Service Access~~Access, Service, and Delivery

2999 ~~15-2.5-7 Architectural Review~~

3000 15-2.5-89 Mechanical Service

3001 ~~15-2.5-9 Service Access~~

3002 ~~15-2.5-10 Heber Avenue Sub-Zone~~

3003 ~~15-2.5-1210 Criteria For Bed And Breakfast Inns~~

3004 15-2.5-11 Parking Regulations

3005 ~~15-2.5-12 Criteria For Bed And Breakfast Inns~~

3006 ~~15-2.5-712 Architectural Review~~

3007 ~~15-2.5-13 Goods And Uses To Be Within Enclosed Building~~

3008 ~~15-2.5-1413~~ Vegetation Protection

3009 15-2.5-1514 Signs

3010 15-2.5-1615 Related Provisions

3011

3012 **15-2.5-1 Purpose**

3013 The purpose of the Historic Recreation Commercial (HRC) District is to:

3014 A. maintain and enhance characteristics of Historic Streetscape elements such as
3015 yards, trees, vegetation, and porches₁

3016 B. encourage pedestrian oriented, pedestrian-scale Development₁

3017 C. minimize visual impacts of automobiles and parking₁

3018 D. preserve and enhance landscaping and public spaces adjacent to Streets and
3019 thoroughfares₁

3020 E. provide a transition in scale and land Uses between the HR-1 and HCB Districts
3021 that retains the character of Historic Buildings and/or Structures in the Area₁

3022 F. provide a moderate Density bed base at the Town Lift₁

3023 G. allow for limited retail and Commercial Uses consistent with resort bed base and
3024 the needs of the local community₁

3025 H. encourage preservation and rehabilitation of Historic Buildings and/or Structures
3026 and resources₁; and

3027 I. maintain and enhance the long term viability of the downtown core as a
3028 destination for residents and tourists by ensuring a Business mix that encourages

3029 a high level of vitality, public Access, vibrancy, activity, and public/resort-related
3030 attractions.

3031 HISTORY

3032 *Adopted by Ord. 00-51 on 9/21/2000*

3033 *Amended by Ord. 07-55 on 8/30/2007*

3034

3035 **15-2.5-2 Uses**

3036 Uses in the HRC are limited to the following:

3037 A. **ALLOWED USES.**¹⁰

- 3038 1. Single Family Dwelling⁵
- 3039 2. Duplex Dwelling⁵
- 3040 3. Secondary Living Quarters⁵
- 3041 4. Lockout Unit^{1,5}
- 3042 5. Accessory Apartment^{2,5}
- 3043 6. Nightly Rental⁵
- 3044 7. Home Occupation⁵
- 3045 8. Child Care, In-Home Babysitting
- 3046 9. Child Care, Family³
- 3047 10. Child Care, Family Group³
- 3048 11. Child Care Center³
- 3049 12. Accessory Building and Use
- 3050 13. Conservation Activity
- 3051 14. Agriculture
- 3052 15. Bed and Breakfast Inn^{4,5}
- 3053 16. Boarding House, Hostel⁵
- 3054 17. Hotel, Minor, fewer than 16 rooms⁵
- 3055 18. Office, General⁵
- 3056 19. Parking Area or Structure, with four (4) or fewer spaces⁵
- 3057 20. Food Truck Location¹¹

3058 B. **CONDITIONAL USES.**^{9, 10}

- 3059 1. Triplex Dwelling⁵
- 3060 2. Multi-Unit Dwelling⁵
- 3061 3. Guest House, on Lots one acre⁵
- 3062 4. Group Care Facility⁵
- 3063 5. Public and Quasi-Public Institution, Church, School
- 3064 6. Essential Municipal Public Utility Use, Facility, Service and Structure
- 3065 7. Telecommunication Antenna⁶
- 3066 8. Satellite Dish, greater than thirty-nine inches (39") in diameter⁷
- 3067 9. Plant and Nursery stock products and sales
- 3068 10. Hotel, Major⁵
- 3069 11. Timeshare Projects and Conversions⁵
- 3070 12. Private Residence Club Project and Conversion^{4,5}
- 3071 13. Office, Intensive⁵

- 3072 14. Office and Clinic, Medical⁵
 3073 15. Financial Institution, without drive-up window⁸
 3074 16. Commercial Retail and Service, Minor⁸
 3075 17. Commercial Retail and Service, personal improvement⁸
 3076 18. Neighborhood Convenience Commercial, without gasoline sales
 3077 19. Café or Deli⁸
 3078 20. Restaurant, General⁸
 3079 21. Restaurant and café, Outdoor Dining⁴
 3080 22. Outdoor Events and Uses⁴
 3081 23. Bar
 3082 24. Parking Area or Structure, with five (5) or more spaces⁵
 3083 25. Temporary Improvement⁴
 3084 26. Passenger Tramway Station and Ski Base Facility
 3085 27. Ski Tow, Ski Lift, Ski Run, and Ski Bridge
 3086 28. Recreation Facility, Commercial, Public, and Private
 3087 29. Entertainment Facility, Indoor
 3088 30. Fences greater than six feet (6') in height from Final Grade⁴
 3089 31. Private Residence Club, Off-Site⁵
 3090 32. Private Event Facility⁵
 3091 33. Special Events⁴
 3092 C. **PROHIBITED USES.** Unless otherwise allowed herein, any Use not listed above
 3093 as an Allowed or Conditional Use is a prohibited Use.

3094 ¹Nightly rental of Lockout Units requires a Conditional Use permit.

3095 ²See ~~LMC Chapter Section~~ 15-4-7, ~~Supplementary Regulations for~~ Accessory
 3096 Apartments.

3097 ³See ~~LMC Chapter Section~~ 15-4-9, ~~for~~ Child Care ~~Regulations~~ And Child Care Facilities.

3098 ⁴Requires an Administrative or Administrative Conditional Use permit, see
 3099 ~~Section~~ Chapter 15-4.

3100 ⁵Prohibited in HRC Zoned Storefront Property adjacent to Main Street, Heber Avenue
 3101 and Park Avenue, excluding those HRC Zoned Properties on the west side of Park
 3102 Avenue and also excluding those HRC Zoned Properties with the following addresses:
 3103 702 Main Street, 710 Main Street, 738 Main Street (for the plaza side storefronts), 780
 3104 Main Street, 804 Main Street (for the plaza side storefronts), 875 Main Street, 890 Main
 3105 Street, 900 Main Street, and 820 Park Avenue. Hotel rooms shall not be located within
 3106 Storefront Property; however access, circulation, and lobby areas are permitted within
 3107 Storefront Property.

3108 ⁶See ~~LMC Chapter Section~~ 15-4-14, ~~Supplemental Regulations For~~ Telecommunication
 3109 Facilities.

3110 ⁷See ~~LMC Chapter Section~~ 15-4-13, ~~Supplemental Regulations For~~ Placement of
 3111 Satellite Receiving Antennas.

3112 ⁸If Gross Floor Area is less than 2,000 sq. ft., the Use shall be considered an Allowed
 3113 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.

¹¹The Planning Director, or his designee shall, upon finding a Food Truck Location in compliance with Municipal Code 4-5-6, issue the property owner a Food Truck Location administrative approval letter.

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

Amended by Ord. 2018-55 on 10/23/2018

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:

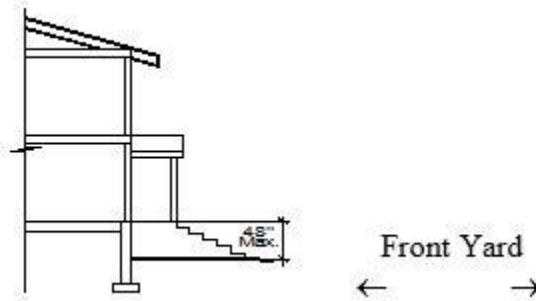
A. **FRONT SETBACK**. The minimum Front Setback is ten feet (10').

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

3150 obstructing the view of the Street or intersection.



- 3151
- 3152 3. Decks, porches, and Bay Windows, not more than ten feet (10') wide,
- 3153 projecting not more than three feet (3') into the Front Setback.
- 3154 4. Roof overhangs, eaves, and cornices, projecting not more than three feet
- 3155 (3') into the Front Setback.
- 3156 5. Sidewalks, patios, and pathways.
- 3157 6. Driveways leading to a garage or approved Parking Area. No portion of a
- 3158 Front Yard, except for approved driveways, allowed Parking Areas, patios,
- 3159 and sidewalks may be Hard-Surfaced or graveled.

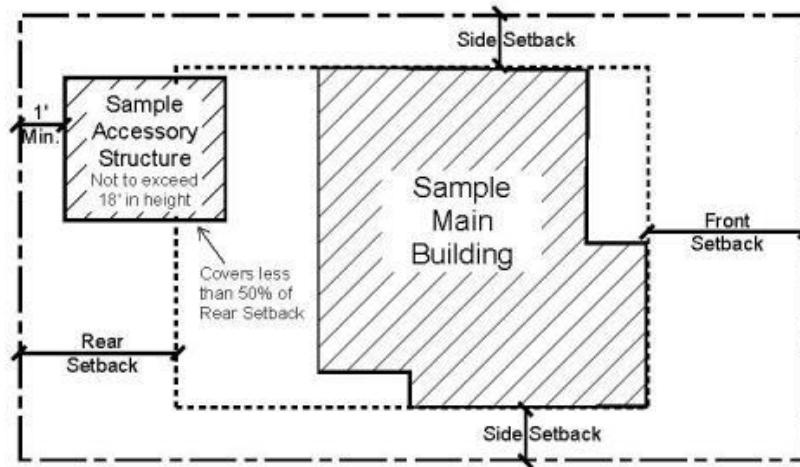
3160 C. **REAR SETBACK**. The minimum Rear Setback is ten feet (10').

3161 D. **REAR SETBACK EXCEPTIONS**. The Rear Setback must be open and free of

3162 any Structure except:

- 3163 1. Bay Windows not more than ten feet (10') wide projecting not more than
- 3164 two feet (2') into the Rear Setback.
- 3165 2. Chimneys not more than five feet (5') wide projecting not more than two
- 3166 feet (2') into the Rear Setback.
- 3167 3. Window wells and light wells projecting not more than four feet (4') into the
- 3168 Rear Setback.
- 3169 4. Window wells and light wells not exceeding the minimum International
- 3170 Residential Code (IRC) or International Building Code (IBC) requirements
- 3171 for egress may projecting not more than four feet (4') into the Rear
- 3172 Setback. Should egress requirements be met within the building pad, no
- 3173 Rear Setback exception is permitted.
- 3174 5. Roof overhangs and eaves projecting not more than two feet (2') into the
- 3175 Rear Setback.
- 3176 6. Window sills, belt courses, cornices, trim, exterior siding, or other
- 3177 ornamental features projecting not more than six inches (6") beyond the
- 3178 window or main Structure to which it is attached.
- 3179 7. Detached Accessory Buildings, not more than eighteen feet (18') in height,
- 3180 and including any free-standing Solar Energy Systems, located a
- 3181 minimum of five feet (5') behind the front facade 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:



8. A Hard-Surfaced Parking Areas subject to the same location requirements as a detached Accessory Building.
9. Screened mechanical equipment, hot tubs, and similar Structures located at least five feet (5') from the Rear Lot Line.
10. Fences, walls, and retaining walls ~~not more than six feet (6') in height, or~~ as permitted in Section 15-4-2.
11. 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.
12. One (1) Shared Driveway leading to a garage or approved Parking Area. See Section 15-2.5-11 Parking Regulations for additional requirements.

E. **SIDE SETBACK.**

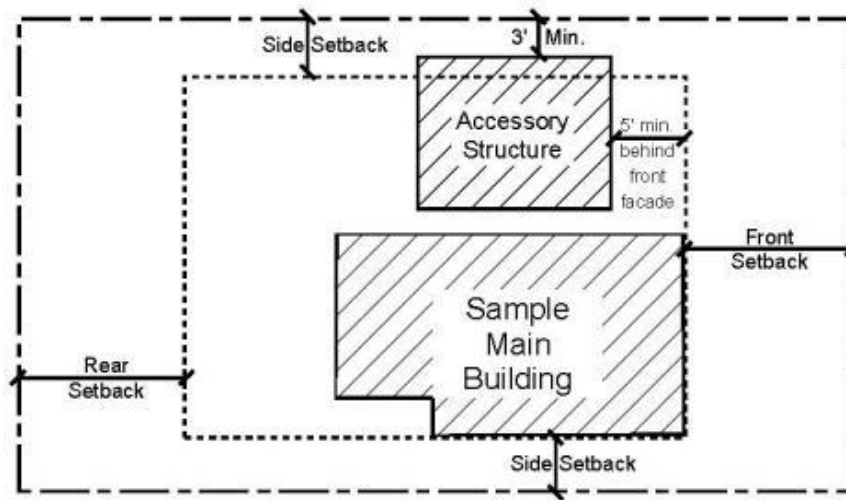
1. The minimum Side Setback is five feet (5').
2. On Corner Lots, the ~~Side Yard that faces a Street or platted Right-of-Way is considered a Front Yard, and the~~ minimum Side Setback that faces a side Street or platted Right-of-Way is ten feet (10') for both Main and Accessory Buildings.
3. A Side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

3209 a. Exterior Side Setbacks shall be based on the minimum required
3210 Side Setback for each Lot; however the Planning Commission may
3211 consider increasing exterior Side Setbacks during Conditional Use
3212 Permit review to mitigate potential impacts on adjacent Property.
3213 Side Yard exceptions continue to apply.

3214 F. **SIDE SETBACK EXCEPTIONS.** The Side Setback must be open and free of any
3215 Structure except:

- 3216 1. Bay Windows, not more than ten feet (10') wide, and projecting not more
3217 than two feet (2') into the Side Setback.
- 3218 2. Chimneys not more than five feet (5') wide, and projecting not more than
3219 two feet (2') into the Side Setback.
- 3220 3. Window wells and light wells not exceeding the minimum International
3221 Residential Code (IRC) or International Building Code (IBC) requirements
3222 for egress may projecting not more than four feet (4') into the Side
3223 Setback. Should egress requirements be met within the building pad, no
3224 Side Setback exception is permitted.
- 3225 4. Roof overhangs and eaves projecting not more than two feet (2') into the
3226 Side Setback.
- 3227 5. Window sills, belt courses, cornices, trim, exterior siding, and other
3228 ornamental features, projecting not more than six inches (6") beyond the
3229 ~~window or~~ main Structure to which it is attached.
- 3230 ~~6. Roof overhangs and eaves projecting not more than two feet (2') into the~~
3231 ~~Side Setback.~~
- 3232 7. Patios, decks, pathways, steps, and similar Structures not more than thirty
3233 inches (30") in height from Final Grade, not including any required
3234 handrail, and located provided there is at least a one foot (1') Setback to
3235 from the Side Lot Line.
- 3236 8. Fences, walls, and retaining walls ~~not more than six feet (6'), or~~ as
3237 permitted in Section 15-4-2.
- 3238 9. One (1) private or Shared Driveways leading to a garage or approved
3239 Parking Area. See Section 15-2.5-11 Parking Regulations for additional
3240 requirements.
- 3241 10. Pathways and steps connecting to a City stairway or pathway.
- 3242 11. Detached Accessory Buildings, not more than eighteen feet (18') in height,
3243 and including any free-standing Solar Energy Systems, located a
3244 minimum of five feet (5') behind the front facade of the Main Building,
3245 maintaining a minimum Side Setback Setback of three feet (3'). See the

3246 following illustration:



3247

3248 12. A covered arcade between projects provided that the highest point of the
3249 arcade is not more than fifteen feet (15') above the elevation of the walk.

3250 13. Mechanical equipment (which must be screened), hot tubs, or similar
3251 Structures, located at least three feet (3') from the Side Lot Line.

3252 G. **FLOOR AREA RATIO.** In all projects within the HRC Zone:

3253 1. **STRUCTURES BUILT AFTER OCTOBER 1, 1985.** Except in the Heber
3254 Avenue Sub-Zone Area, non-residential Uses are subject to a Floor Area
3255 Ratio to restrict the scope of non-residential Use within the District. For
3256 Properties located east of Park Avenue, the Floor Area Ratio for non-
3257 residential Uses is 1. For Properties located on the west side of Park
3258 Avenue, the Floor Area Ratio for non-residential Uses is 0.7.

3259 2. **STRUCTURES BUILT PRIOR TO OCTOBER 1, 1985.** Structures existing
3260 as of October 1, 1985 are not subject to the Floor Area Ratio, and may be
3261 used in their entirety for non-residential Uses as provided in this
3262 ordinance.

3263 H. **SNOW RELEASE.** Site plans and Building designs must resolve snow release
3264 issues to the satisfaction of the Chief Building Official.

3265 I. **CLEAR VIEW OF INTERSECTION.** No visual obstruction in excess of two feet
3266 (2') in height above road Grade shall be placed on any Corner Lot within the Site
3267 Distance Triangle. A reasonable number of trees may be allowed, if pruned high
3268 enough to permit automobile drivers an unobstructed view. This provision must
3269 not require changes in the Natural Grade on the Site.

3270 J. **VERTICAL ZONING.** For HRC Zoned Storefront Property adjacent to Main
3271 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 Structure~~structure 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*~~

15-2.5-6d 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, driveway location standards, and Building height.

A. **EXCEPTION.** In order to achieve new construction consistent with the Historic District Design Guidelines, the Planning Director may grant an exception to the Building Setbacks and driveway location standards for additions to Historic Buildings and/or Structures:

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. 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.

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 LMG Section 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)~~ 15-2.5-5.

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

~~15-2.5-6 Existing Historic Structures~~

~~Historic 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 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, driveway location standards, and Building height.~~

~~B. **EXCEPTION.** In order to achieve new construction consistent with the Historic District Design Guidelines, the Planning Director may grant an exception to the Building Setbacks and driveway location standards for additions to Historic Buildings:~~

- ~~1. Upon approval of a Conditional Use Permit, and~~
- ~~2. When the scale of the addition and/or driveway is Compatible with the Historic 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

~~15-2.5-106 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~~

- 3391 Right-of-Way. Within the Heber Avenue Sub-Zone, all of the Site Development
3392 standards and land Use limitations of the HRC District apply, except:
- 3393 A. The Allowed Uses within the sub-zones are identical to the Allowed Uses in the
3394 HCB District.
- 3395 B. The Conditional Uses within the sub-zone are identical to the Conditional Uses in
3396 the HCB District.
- 3397 C. The Floor Area Ratio limitation of the HRC District does not apply.

3398 HISTORY

3399 Adopted by Ord. 00-51 on 9/21/2000

3400

3401 **15-2.5-47 Access**

- 3402 A. **VEHICULAR ACCESS.** A Project may have only one vehicular Access from Park
3403 Avenue, Main Street, Heber Avenue, Swede Alley, or Deer Valley Drive, unless
3404 an additional Access is approved by the Planning Commission.
- 3405 B. **PEDESTRIAN ACCESS.** An Applicant must build, and if necessary, dedicate a
3406 Sidewalk on all Street Frontages.

3407 HISTORY

3408 Adopted by Ord. 00-51 on 9/21/2000

3409

3410 **15-2.5-98 ~~Service Access~~Access, Service, and Delivery**

3411 Service areas must be properly Screened. The loading and unloading of goods must
3412 take place entirely on the Site. Loading areas must be Screened from general public
3413 view. All loading areas shall be shown on the plans prepared for Conditional Use Permit
3414 and architectural review.

3415 All Structures must provide a means of storing refuse generated by the Structure's
3416 occupants. All refuse storage facilities must be shown on the plans prepared for
3417 Conditional Use Permit and architectural review by the Planning, Engineering, and
3418 Building Departments. Refuse storage must be Screened, enclosed, and properly
3419 ventilated. The Planning Department will approve or reject the location, Screening and
3420 painting of such equipment as part of the architectural review process.

3421

3422 HISTORY

3423 Adopted by Ord. 00-51 on 9/21/2000

3424 Amended by Ord. 2016-44 on 9/15/2016

3425

3426 **15-2.5-7 Architectural Review**

3427 ~~Prior to issuance of a Building Permit for any Conditional or Allowed Use, the Planning~~
3428 ~~Department shall review the proposed plans for compliance with the Design Guidelines~~

3429 ~~for historic Districts and Historic Sites, Historic Preservation LMC Chapter 15-11, and~~
3430 ~~Architectural Review LMC Chapter 15-5.~~

3431 ~~Appeals of departmental actions on compliance with the Design Guidelines for Historic~~
3432 ~~Districts and Historic Sites, LMC Chapter 15-11, and LMC Chapter 15-5 are heard by~~
3433 ~~the Board of Adjustment as outlined in Section 15-1-18 of the Code.~~

3434 **HISTORY**

3435 ~~Adopted by Ord. 00-51 on 9/21/2000~~

3436 ~~Amended by Ord. 06-69 on 10/19/2006~~

3437 ~~Amended by Ord. 09-23 on 7/9/2009~~

3438 ~~Amended by Ord. 15-53 on 12/17/2015~~

3439

3440 **15-2.5-89 Mechanical Service**

3441 All exterior mechanical equipment must be Screened to minimize noise infiltration to
3442 adjoining Properties and to mitigate visual impacts on nearby Properties, including
3443 those Properties located above the roof tops of Structures in the HRC District, and
3444 general public view.

3445 All mechanical equipment must be shown on the plans prepared for Conditional Use
3446 Permit and/or architectural review by the Planning, Engineering, and Building
3447 Departments. The Planning Department will approve or reject the location, Screening
3448 and painting of such equipment as part of the architectural review process. All
3449 ~~Structures must provide a means of storing refuse generated by the Structure's~~
3450 ~~occupants. All refuse storage facilities must be shown on the plans prepared for~~
3451 ~~Conditional Use Permit and architectural review. Refuse storage must be Screened,~~
3452 ~~enclosed, and properly ventilated.~~

3453 **HISTORY**

3454 ~~Adopted by Ord. 00-51 on 9/21/2000~~

3455 ~~Amended by Ord. 06-69 on 10/19/2006~~

3456 ~~Amended by Ord. 2016-44 on 9/15/2016~~

3457

3458 **15-2.5-9 Service Access**

3459 ~~Service areas must be properly Screened. The loading and unloading of goods must~~
3460 ~~take place entirely on the Site. Loading areas must be Screened from general public~~
3461 ~~view. All loading areas shall be shown on the plans prepared for Conditional Use Permit~~
3462 ~~and architectural review.~~

3463 **HISTORY**

3464 ~~Adopted by Ord. 00-51 on 9/21/2000~~

3465 ~~Amended by Ord. 2016-44 on 9/15/2016~~

3466

3467 **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:~~

~~D. The Allowed Uses within the sub-zones are identical to the Allowed Uses in the HCB District.~~

~~E. The Conditional Uses within the sub-zone are identical to the Conditional Uses in the HCB District.~~

~~F. 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.

3507 J. The Use complies with Section 15-1-10, Conditional Use review.

3508 HISTORY

3509 Adopted by Ord. 00-51 on 9/21/2000

3510 Amended by Ord. 06-69 on 10/19/2006

3511

3512 **15-2.5-11 Parking Regulations**

3513 A. Tandem Parking is allowed in the Historic District.

3514 B. ~~Common driveways are~~ One (1) Shared Driveway is allowed along shared Side
3515 or Rear Yard Property Lot Lines to provide Access to parking in the rear of the
3516 Main Building, or below Grade, if both Properties are deed restricted to allow for
3517 the perpetual use of the shared drive.

3518 C. Common Parking Structures are allowed where such a grouping facilitates:

3519 1. the Development of individual Buildings that more closely conform to the
3520 scale of Historic Buildings and/or Structures in the District; and

3521 2. the reduction, mitigation, or elimination of garage doors at the Street edge.

3522 D. A common Parking Structure may occupy below Grade Side Setbacks between
3523 participating Developments if the Structure maintains all Setbacks above Grade.
3524 Common Parking Structures are subject to a Conditional Use Review, Section
3525 15-1-10.

3526 E. Driveways between Structures are allowed to eliminate garage doors facing the
3527 Street, to remove cars from on-Street parking, and to reduce paved Areas,
3528 provided the driveway leads to an approved garage or approved Parking Area.

3529 F. Turning radii are subject to review by the City Engineer as to function and design.

3530 G. See ~~Section~~Chapter 15-3 Off Street Parking for additional parking requirements.

3531 HISTORY

3532 Adopted by Ord. 00-51 on 9/21/2000

3533 Amended by Ord. 06-69 on 10/19/2006

3534 Amended by Ord. 09-10 on 3/5/2009

3535 Amended by Ord. 2018-43 on 7/19/2018

3536

3537 **15-2.5-12 Criteria For Bed And Breakfast Inns**

3538 ~~A Bed and Breakfast Inn is an Allowed Use subject to an Administrative Conditional Use~~
3539 ~~permit. No Administrative Conditional Use permit may be issued unless the following~~
3540 ~~criteria are met:~~

3541 ~~K. The Use is in a Historic Structure or addition thereto, or a historically Compatible~~
3542 ~~Structure.~~

3543 ~~L. The Applicant will make every attempt to rehabilitate the Historic portion of the~~
3544 ~~Structure.~~

- 3545 ~~M. The Structure has at least two (2) rentable rooms. The maximum number of~~
3546 ~~rooms will be determined by the Applicant's ability to mitigate neighborhood~~
3547 ~~impacts.~~
- 3548 ~~N. In Historic Structures, the size and configuration of the rooms are Compatible~~
3549 ~~with the Historic character of the Building and neighborhood.~~
- 3550 ~~O. The rooms are available for Nightly Rental only.~~
- 3551 ~~P. An Owner/manager is living on Site, or in Historic Structures there must be~~
3552 ~~twenty-four (24) hour on-Site management and check-in.~~
- 3553 ~~Q. Food service is for the benefit of overnight guests only.~~
- 3554 ~~R. No Kitchen is permitted within rental room(s).~~
- 3555 ~~S. Parking on-Site is required at a rate of one (1) space per rentable room. The~~
3556 ~~Planning Director may waive the parking requirement for Historic Structures if the~~
3557 ~~Applicant proves that:~~
- 3558 ~~1. no on-Site parking is possible without compromising the Historic Structure~~
3559 ~~or Site, including removal of existing Significant Vegetation, and all~~
3560 ~~alternatives for proximate parking have been explored and exhausted; and~~
- 3561 ~~2. the Structure is not economically feasible to restore or maintain without~~
3562 ~~the adaptive Use.~~
- 3563 ~~T. The Use complies with Section 15-1-10, Conditional Use review.~~

3564 **HISTORY**

3565 *Adopted by Ord. 00-51 on 9/21/2000*

3566 *Amended by Ord. 06-69 on 10/19/2006*

3567

3568 **15-2.5-712 Architectural Review**

3569 Prior to issuance of a Building Permit for any Conditional or Allowed Use, the Planning
3570 Department shall review the proposed plans for compliance with the Design Guidelines
3571 for historic Districts and Historic Sites Chapter 15-13, Historic Preservation LMG
3572 Chapter 15-11, and Architectural Review LMG Chapter 15-5.

3573 Appeals of departmental actions on compliance with the Design Guidelines for Historic
3574 Districts and Historic Sites Chapter 15-13, Historic Preservation LMG Chapter 15-11,
3575 and Architectural Review LMG Chapter 15-5 are heard by the Board of Adjustment as
3576 outlined in Section 15-1-18 of the Code.

3577 **HISTORY**

3578 *Adopted by Ord. 00-51 on 9/21/2000*

3579 *Amended by Ord. 06-69 on 10/19/2006*

3580 *Amended by Ord. 09-23 on 7/9/2009*

3581 *Amended by Ord. 15-53 on 12/17/2015*

3582

3583 **15-2.5-13 Goods And Uses To Be Within Enclosed Building**

3584 ~~A. **OUTDOOR DISPLAY OF GOODS PROHIBITED.** Unless expressly allowed as~~
3585 ~~an Allowed or Conditional Use, or allowed with an Administrative Permit, all~~
3586 ~~goods, including food, beverage and cigarette vending machines, must be within~~
3587 ~~a completely enclosed Structure. New construction of enclosures for the storage~~
3588 ~~of goods shall not have windows and/or other fenestration that exceeds a wall-to-~~
3589 ~~window ratio of thirty percent (30%). This section does not preclude temporary~~
3590 ~~sales in conjunction with a Master Festival License, sidewalk sale, or seasonal~~
3591 ~~plant sale. See Section 15-2.5-13(B)(3) for outdoor display of bicycles, kayaks,~~
3592 ~~and canoes.~~

3593 ~~B. **OUTDOOR USES PROHIBITED/EXCEPTIONS.** The following outdoor uses may~~
3594 ~~be allowed by the Planning Department upon the issuance of an Administrative~~
3595 ~~Conditional Use permit or an Administrative Permit as described herein. The~~
3596 ~~Applicant must submit the required Application, pay all applicable fees, and~~
3597 ~~provide all required materials and plans. Appeals of Departmental Actions are~~
3598 ~~heard by the Planning Commission.~~

3599 ~~1. **OUTDOOR DINING.** Outdoor dining requires an Administrative~~
3600 ~~Conditional Use Permit and is subject to the following criteria:~~

3601 ~~a. The proposed seating Area is located on private Property or leased~~
3602 ~~public Property and does not diminish parking or landscaping.~~

3603 ~~b. The proposed seating Area does not impede pedestrian circulation.~~

3604 ~~c. The proposed seating Area does not impede emergency Access or~~
3605 ~~circulation.~~

3606 ~~d. The proposed furniture is Compatible with the Streetscape.~~

3607 ~~e. No music or noise is in excess of the City Noise Ordinance, Title 6.~~

3608 ~~f. No Use after 10:00 p.m.~~

3609 ~~g. Review of the Restaurant's seating capacity to determine~~
3610 ~~appropriate mitigation measures in the event of increased parking~~
3611 ~~demand.~~

3612 ~~2. **OUTDOOR GRILLS/BEVERAGE SERVICE STATIONS.** Outdoor grills~~
3613 ~~and/or beverage service stations require an Administrative Conditional~~
3614 ~~Use permit and are subject to the following criteria:~~

3615 ~~a. The Use is on private Property or leased public Property and does~~
3616 ~~not diminish parking or landscaping.~~

3617 ~~b. The Use is only for the sale of food or beverages in a form suited~~
3618 ~~for immediate consumption.~~

3619 ~~c. The Use is Compatible with the neighborhood.~~

3620 ~~d. The proposed service station does not impede pedestrian~~
3621 ~~circulation.~~

3622 ~~e. The proposed service station does not impede emergency Access~~
3623 ~~or circulation.~~

3624 f. ~~Design of the service station is Compatible with the adjacent~~
3625 ~~Building and Streetscape.~~

3626 g. ~~No violation of the City Noise Ordinance, Title 6.~~

3627 h. ~~Compliance with the City Sign Code, Title 12.~~

3628 ~~3. **OUTDOOR STORAGE AND DISPLAY OF BICYCLES, KAYAKS,**~~
3629 ~~**MOTORIZED SCOOTERS, AND CANOES.** Outdoor storage and display~~
3630 ~~of bicycles, kayaks, motorized scooters, and canoes, requires an~~
3631 ~~Administrative Permit subject to the following criteria:~~

3632 a. ~~The Area of the proposed bicycle, kayak, motorized scooters, or~~
3633 ~~canoe storage or display is on private Property and not in Areas of~~
3634 ~~required parking or landscaped planting beds.~~

3635 b. ~~Bicycles, kayaks, and canoes may be hung on a Historic Structure~~
3636 ~~if sufficient Site Area is not available, provided the display does not~~
3637 ~~impact or alter the architectural integrity or character of the~~
3638 ~~Structure.~~

3639 c. ~~No more than a total of fifteen (15) pieces of equipment may be~~
3640 ~~displayed.~~

3641 d. ~~Outdoor display is only allowed during Business hours.~~

3642 e. ~~Additional outdoor storage Areas may be considered for rental~~
3643 ~~bicycles or motorized scooters, provided there are no or only~~
3644 ~~minimal impacts on landscaped Areas, Parking Spaces, and~~
3645 ~~pedestrian and emergency circulation.~~

3646 ~~4. **OUTDOOR EVENTS AND MUSIC.** Outdoor events and music require an~~
3647 ~~Administrative Conditional Use permit. The Use must also comply with~~
3648 ~~Section 15-1-10, Conditional Use review. The Applicant must submit a~~
3649 ~~Site plan and written description of the event, addressing the following:~~

3650 a. ~~Notification of adjacent Property Owners.~~

3651 b. ~~No violation of the City Noise Ordinance, Title 6.~~

3652 c. ~~Impact on adjacent residential Uses.~~

3653 d. ~~Proposed plans for music, lighting, Structures, electrical, sign, etc.~~

3654 e. ~~Parking demand and impacts on neighboring Properties.~~

3655 f. ~~Duration and hours of operation.~~

3656 g. ~~Impacts on emergency Access and circulation.~~

3657 ~~5. **DISPLAY OF MERCHANDISE.** Display of outdoor merchandise is subject~~
3658 ~~to an Administrative Permit subject to the following criteria:~~

3659 a. ~~The display is immediately available for purchase at the Business~~
3660 ~~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

3704 *Amended by Ord. 05-49 on 8/4/2005*
3705 *Amended by Ord. 06-69 on 10/19/2006*
3706 *Amended by Ord. 09-10 on 3/5/2009*

3707

3708 **15-2.5-~~1413~~ Vegetation Protection**

3709 The Property Owner must protect Significant Vegetation during any Development
3710 activity. Significant Vegetation includes large trees six inches (6") in diameter or greater
3711 measured four and one-half feet (4 ½') above the ground, groves of small trees, or
3712 clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more
3713 measured at the drip line.

3714 Development plans must show all Significant Vegetation within twenty feet (20') of a
3715 proposed Development. The Property Owner must demonstrate the health and viability
3716 of all large trees through a certified arborist. The Planning Director shall determine the
3717 Limits of Disturbance and may require mitigation for loss of Significant Vegetation
3718 consistent with Landscape Criteria in *LMC Chapter Section* 15-3-3 and Title 14.

3719 HISTORY

3720 *Adopted by Ord. 00-51 on 9/21/2000*
3721 *Amended by Ord. 06-69 on 10/19/2006*

3722

3723 **15-2.5-~~1514~~ Signs**

3724 Signs are allowed in the HRC District as provided in the Park City Sign Code, Title 12.

3725 HISTORY

3726 *Adopted by Ord. 00-51 on 9/21/2000*

3727

3728 **15-2.5-~~1615~~ Related Provisions**

- 3729 • Fences And *Retaining* Walls. *LMC Chapter Section* 15-4-2.
- 3730 • Accessory Apartments. *LMC Chapter Section* 15-4-7.
- 3731 • *Placement of* Satellite Receiving Antennas. *LMC Chapter Section* 15-4-13.
- 3732 • Telecommunication *Facility*~~Facilities~~. *LMC Chapter Section* 15-4-14.
- 3733 • *Off-Street* Parking. *LMC Chapter* 15-3.
- 3734 • Landscaping. Title 14; *LMC Chapter Section* 15-3-3(~~D~~) and Chapter 15-5.
- 3735 • Lighting. *LMC Chapters Sections* 15-3-3(~~C~~), 15-5-5(~~H~~).
- 3736 • Historic Preservation-~~Board~~. *LMC Chapter* 15-11.
- 3737 • Park City Sign Code. Title 12.
- 3738 • Architectural Review. *LMC Chapter* 15-5.
- 3739 • Snow Storage. *LMC Chapter Section* 15-3-3(~~E~~).

3740 • Parking Ratio Requirements. ~~LMC Chapter~~ Section 15-3-6.

3741 HISTORY

3742 *Adopted by Ord. 00-51 on 9/21/2000*

- 3743 **15-2.6 Historic Commercial Business (HCB) District**
- 3744 15-2.6-1 Purpose
- 3745 15-2.6-2 Uses
- 3746 15-2.6-3 Lot And Site Requirements
- 3747 15-2.6-4 Existing Historic Buildings And/Or Structures
- 3748 15-2.6-5 Maximum Building Volume And Height
- 3749 15-2.6-46 Floor Area Ratio
- 3750 15-2.6-6 Architectural Review
- 3751 15-2.6-7 Swede Alley Development Criteria
- 3752 15-2.6-8 Canopy And Awning
- 3753 15-2.6-9 Parking Regulations
- 3754 15-2.6-119 Access, Service And Delivery
- 3755 15-2.6-10 Mechanical Service
- 3756 15-2.6-11 Access, Service And Delivery
- 3757 15-2.6-12 Goods And Uses To Be Within Enclosed Building
- 3758 15-2.6-1311 Criteria For Bed And Breakfast Inns
- 3759 15-2.6-912 Parking Regulations
- 3760 15-2.6-613 Architectural Review
- 3761 15-2.6-14 Vegetation Protection
- 3762 15-2.6-15 Signs
- 3763 15-2.6-16 Related Provisions

3765 **15-2.6-1 Purpose**

3766 The purpose of the Historic Commercial Business (HCB) District is to:

- 3767 A. preserve the cultural heritage of the City’s original Business, governmental and
3768 residential center;
- 3769 B. allow the Use of land for retail, commercial, residential, recreational, and
3770 institutional purposes to enhance and foster the economic and cultural vitality of
3771 the City;
- 3772 C. facilitate the continuation of the visual character, scale, and Streetscape of the
3773 original Park City Historical District;
- 3774 D. encourage the preservation of Historic Buildings and/or Structures within the
3775 district;
- 3776 E. encourage pedestrian-oriented, pedestrian-scale Development;
- 3777 F. minimize the impacts of new Development on parking constraints of Old Town;
- 3778 G. minimize the impacts of commercial Uses and business activities including
3779 parking, Access, deliveries, service, mechanical equipment, and traffic, on
3780 surrounding residential neighborhoods;
- 3781 H. minimize visual impacts of automobiles and parking on Historic Buildings and/or
3782 Structures and Streetscapes; and

- 3783 I. support Development on Swede Alley which maintains existing parking and
3784 service/delivery operations while providing Areas for public plazas and spaces.
- 3785 J. maintain and enhance the long term viability of the downtown core as a
3786 destination for residents and tourists by ensuring a Business mix that encourages
3787 a high level of vitality, public Access, vibrancy, activity, and public/resort-related
3788 attractions.

3789 HISTORY

3790 *Adopted by Ord. 00-51 on 9/21/2000*

3791 *Amended by Ord. 07-55 on 8/30/2007*

3792

3793 **15-2.6-2 Uses**

3794 Uses in the Historic Commercial Business (HCB) District are limited to the following:

3795 A. **ALLOWED USES.**¹¹

- 3796 1. Single Family Dwelling¹
- 3797 2. Multi-Unit Dwelling¹
- 3798 3. Secondary Living Quarters¹
- 3799 4. Lockout Unit^{1,2}
- 3800 5. Accessory Apartment^{1,3}
- 3801 6. Nightly Rental⁴
- 3802 7. Home Occupation¹
- 3803 8. Child Care, In-Home Babysitting¹
- 3804 9. Child Care, Family^{1,5}
- 3805 10. Child Care, Family Group^{1,5}
- 3806 11. Child Care Center^{1,5}
- 3807 12. Accessory Building and Use¹
- 3808 13. Conservation Activity
- 3809 14. Agriculture
- 3810 15. Bed and Breakfast Inn^{1, 6}
- 3811 16. Boarding House, Hostel¹
- 3812 17. Hotel, Minor, fewer than 16 rooms¹
- 3813 18. Office, General¹
- 3814 19. Office, Moderate Intensive¹
- 3815 20. Office and Clinic, Medical¹
- 3816 21. Financial Institution, without drive-up window
- 3817 22. Commercial Retail and Service, Minor
- 3818 23. Commercial Retail and Service, personal improvement
- 3819 24. Commercial Neighborhood Convenience, without gasoline sales
- 3820 25. Restaurant, Cafe or Deli
- 3821 26. Restaurant, General
- 3822 27. Bar
- 3823 28. Parking Lot, Public or Private with four (4) or fewer spaces
- 3824 29. Entertainment Facility, Indoor
- 3825 30. Salt Lake City 2002 Winter Olympic Games Legacy Displays⁷

- 3826 31. Temporary Winter Balcony Enclosures
- 3827 32. Food Truck Location¹²
- 3828 B. **CONDITIONAL USES.**^{10, 11}
- 3829 1. Group Care Facility¹
- 3830 2. Public and Quasi-Public Institution, Church, School
- 3831 3. Essential Municipal Public Utility Use, Facility, Service, and Structure
- 3832 4. Telecommunication Antenna⁸
- 3833 5. Satellite Dish, greater than thirty-nine inches (39") in diameter⁹
- 3834 6. Plant and Nursery stock products and sales
- 3835 7. Hotel, Major¹
- 3836 8. Timeshare Projects and Conversions¹
- 3837 9. Timeshare Sales Office, Off-Site within an enclosed Building¹
- 3838 10. Private Residence Club Project and Conversion^{1,6}
- 3839 11. Commercial Retail and Service, Major
- 3840 12. Office, Intensive¹
- 3841 13. Restaurant, Outdoor Dining⁶
- 3842 14. Outdoor Events and Uses⁶
- 3843 15. Hospital, Limited Care Facility¹
- 3844 16. Parking Area or Structure for five (5) or more cars¹
- 3845 17. Temporary Improvement⁶
- 3846 18. Passenger Tramway Station and Ski Base Facility
- 3847 19. Ski Tow, Ski Lift, Ski Run, and Ski Bridge
- 3848 20. Recreation Facility, Public or Private
- 3849 21. Recreation Facility, Commercial
- 3850 22. Fences greater than six feet (6') in height from Final Grade⁶
- 3851 23. Private Residence Club, Off-Site¹
- 3852 24. Special Events⁶
- 3853 25. Private Event Facility¹
- 3854 C. **PROHIBITED USES.** Any Use not listed above as an Allowed or Conditional Use
- 3855 is a prohibited Use.

3856 ¹Prohibited in HCB Zoned Storefront Property adjacent to Main Street, Heber Avenue,

3857 Grant Avenue, and Swede Alley. Hotel rooms shall not be located within Storefront

3858 Property; however access, circulation and lobby areas are permitted within Storefront

3859 Property.

3860 ²Nightly Rental of Lock Units requires a Conditional Use permit.

3861 ³See ~~LMC Chapter Section~~ 15-4-~~7~~, ~~Supplementary Regulations for~~ Accessory

3862 Apartments.

3863 ⁴Nightly Rental of residential dwellings does not include the Use of dwellings for

3864 Commercial Uses.

3865 ⁵See ~~LMC Chapter Section~~ 15-4-9, ~~for~~ Child Care Regulations And Child Care Facilities.

3866 ⁶Requires an Administrative or Administrative Conditional Use permit.

3867 ⁷Olympic Legacy Displays limited to those specific Structures approved under the

3868 SLOC/Park City Municipal Corporation Olympic Services Agreement and/or Olympic

3869 Master Festival License and placed on the original Property set forth in the services
3870 Agreement and/or Master Festival License. Requires an Administrative Permit.

3871 ⁸See LMC Chapter Section 15-4-14, Supplemental Regulations for Telecommunication
3872 Facilities.

3873 ⁹See LMC Chapter Section 15-4-13, Supplemental Regulations for Placement of
3874 Satellite Receiving Antennas.

3875 ¹⁰No community locations as defined by Utah Code 32B-1-102 (Alcoholic Beverage
3876 Control Act) are permitted within 200 feet of Main Street unless a variance is permitted
3877 for an outlet, as defined by Utah Code 32B-1-202, to obtain a liquor license.

3878 ¹¹Within the HCB Zoning District, no more than seventeen (17) Conventional Chain
3879 Businesses are permitted in Storefront Properties.

3880 ¹²The Planning Director, or his designee shall, upon finding a Food Truck Location in
3881 compliance with Municipal Code 4-5-6, issue the property owner a Food Truck Location
3882 administrative approval letter.

3883 HISTORY

3884 *Adopted by Ord. 00-51 on 9/21/2000*

3885 *Amended by Ord. 02-38 on 9/12/2002*

3886 *Amended by Ord. 04-39 on 3/18/2004*

3887 *Amended by Ord. 06-69 on 10/19/2006*

3888 *Amended by Ord. 07-55 on 8/30/2007*

3889 *Amended by Ord. 09-10 on 3/5/2009*

3890 *Amended by Ord. 12-37 on 12/20/2012*

3891 *Amended by Ord. 16-02 on 1/7/2016*

3892 *Amended by Ord. 16-01 on 1/7/2016*

3893 *Amended by Ord. 2017-45 on 8/17/2017*

3894 *Amended by Ord. 2018-55 on 10/23/2018*

3895 *Amended by Ord. 2018-55 on 10/23/2018*

3896

3897 **15-2.6-3 Lot And Site Requirements**

3898 Except as may otherwise be provided in this Code, no Building Permit will be issued for
3899 a Lot unless such Lot has the Area, width, and depth as required, and Frontage on a
3900 Street shown as a private or Public Street on the Streets Master Plan, or on private
3901 easement connecting the Lot to a Street shown on the Streets Master Plan.

3902

3903 All Development activity must comply with the following minimum Lot and Site
3904 requirements:

3905 A. **LOT SIZE.** The minimum Lot Area is 1250 square feet. ~~The minimum Lot Width~~
3906 ~~is twenty-five feet (25') and Minimum Lot Depth is fifty feet (50').~~

3907 B. **LOT WIDTH.** ~~The minimum Lot Width is twenty-five feet (25') and Minimum Lot~~
3908 ~~Depth is fifty feet (50').~~

- 3909 C. **FRONT, REAR AND SIDE SETBACKS.** There are no minimum required Front,
3910 Rear, or Side Setback dimensions in the HCB District.
- 3911 D. **SIDEWALK PROVISION.** Buildings must be located so as to provide an
3912 unobstructed sidewalk at least nine feet (9') wide on both Main Street and Swede
3913 Alley. The sidewalk width is measured from the front face of curb to the front of
3914 the Building. The alignment of new Building fronts with adjacent Historic fronts is
3915 encouraged. A narrower sidewalk may result from the alignment of Building
3916 fronts. The Planning and Engineering Departments may grant an exception to the
3917 minimum sidewalk width to facilitate such alignment.
- 3918 E. **BALCONIES AND TEMPORARY WINTER BALCONY ENCLOSURES.**
- 3919 1. No Balcony may be erected, enlarged, or altered over a public pedestrian
3920 Right-of-Way without the advance approval of the City Council. Balcony
3921 supports may not exceed eighteen inches (18") square and are allowed no
3922 closer than thirty-six inches (36") from the front face of the curb. Balconies
3923 must provide vertical clearance of not less than ten feet (10') from the
3924 sidewalk and may not be enclosed permanently. With reasonable notice,
3925 the City may require a Balcony be removed from City Property without
3926 compensating the Building Owner.
- 3927 2. Temporary Winter Balcony Enclosures may only be permitted on existing
3928 balconies which are on structures which are not on the Historic Sites
3929 Inventory. Temporary Winter Balcony Enclosures are only permitted from
3930 November 15th through April 30th on balconies facing Main Street.
- 3931 F. **INSURANCE REQUIRED.** No Balcony projecting over City Property may be
3932 erected, re-erected, located or relocated, or enlarged or structurally modified
3933 without first receiving approval of the City Council and submitting a certificate of
3934 insurance or a continuous bond protecting the Owner and the City against all
3935 claims for personal injuries and/or Property damage in the standard amount
3936 determined by City Council. Park City Municipal Corporation must be named in
3937 the certificate of insurance as an additional insured. A thirty (30) day obligation to
3938 provide written notice to Park City Municipal Corporation of cancellation or
3939 expiration must be included in the insurance certificate.
- 3940 G. **CLEAR VIEW OF INTERSECTION.** No visual obstruction in excess of two feet
3941 (2') in height above road Grade shall be placed on any Corner Lot within the Site
3942 Distance Triangle. A reasonable number of trees may be allowed, if pruned high
3943 enough to permit automobile drivers an unobstructed view. This provision must
3944 not require changes in the Natural Grade on the Site.
- 3945 H. **VERTICAL ZONING.** For HCB Zoned Storefront Property adjacent to Main
3946 Street and Heber Avenue, new Construction and Construction adding Floor Area
3947 to a Building or Lot shall have a minimum of seventy-five percent (75%) of the
3948 width of the Building façade as Storefront Property.
- 3949 I. **STOREFRONT ENHANCEMENT ZONING.** The maximum width of any
3950 Storefront Property Facade abutting Main Street or Heber Avenue shall be fifty-
3951 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 Structure~~structure 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. 16-02 on 1/7/2016

Amended by Ord. 16-01 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 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 15-2.6-9: Off-Street Parking, for parking implications for Buildings that exceed 1.5 FAR.~~

~~HISTORY~~

~~*Adopted by Ord. 00-51 on 9/21/2000*~~

15-2.6-4 Existing Historic Buildings And/Or Structures

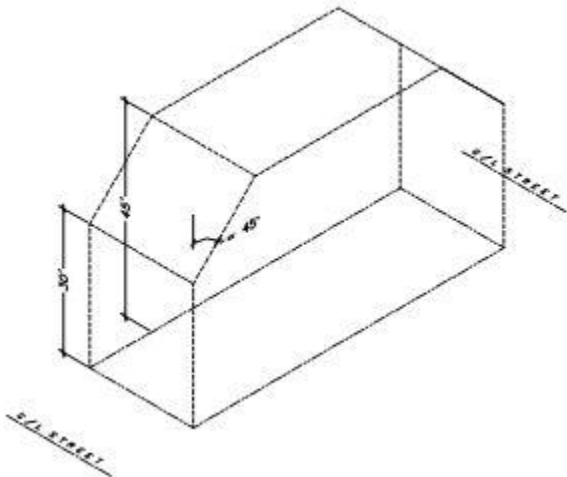
Historic Buildings and/or Structures that do not comply with, Building Footprint, Building Height, Building Setbacks, Off-Street parking, and driveway location standards are valid Non-Complying Structures. Additions must comply with Building Setbacks, Building Footprint, driveway location standards and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

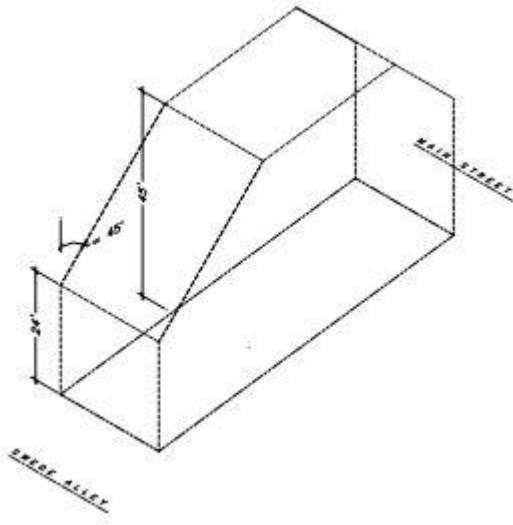
15-2.6-5 Maximum Building Volume And Height

- 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.

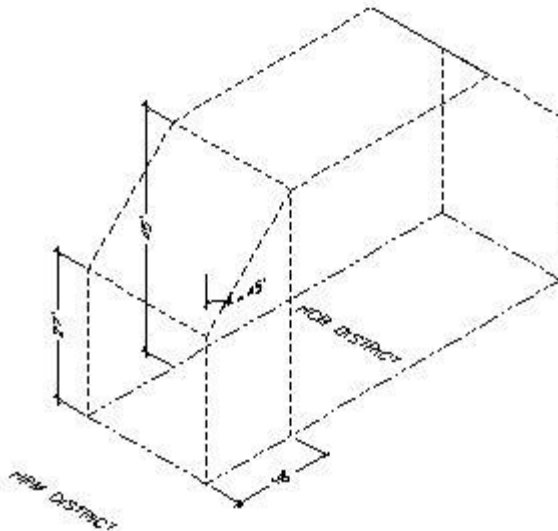


- B. The rear portion of the bulk plane for each Lot that does not abut Swede Alley is defined by the plane that rises vertically at the Rear Property Line to a height of thirty feet (30') measured above the average Natural Grade and then proceeds at a forty-five degree (45°) angle toward the Front Lot 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

4023 construed to encourage solid roofing to follow the forty-five degree (45°) back
4024 plane.



- 4025
- 4026 D. Wherever the HCB District abuts a residential Zoning District, the abutting portion
- 4027 of the bulk plane is defined by a plane that rises vertically at the abutting Lot Line
- 4028 to a height matching the maximum height of the abutting Zone, measured from
- 4029 Existing Grade, and then proceeds at a forty-five degree (45°) angle toward the
- 4030 opposite Lot Line until it intersects with a point forty-five feet (45') above Existing
- 4031 Grade.



- 4032
- 4033 E. The Zone Height for the HCB District shall correspond to the maximum height of
- 4034 the Building plane as described in Section 15-2.6-5(A) through (D).
- 4035 F. **MAXIMUM BUILDING VOLUME AND BUILDING HEIGHT EXCEPTIONS.** The
- 4036 following exceptions apply:
- 4037 1. A gable, hip, gambrel or similarly pitched roof may extend up to five feet
 - 4038 (5') above the Zone Height.

- 4039 2. Antennas, chimneys, flues, vents, and similar Structures may extend up to
4040 five feet (5') above the highest point of the Building to comply with
4041 International Building Code (IBC) requirements.
- 4042 3. Water towers, mechanical equipment, and Solar Energy Systems, when
4043 enclosed or Screened, may extend up to five feet (5') above the height of
4044 the Building. See LMC Section 15-5-5(G)(7)(a).
- 4045 4. Church spires, bell towers, and like architectural features, subject to the
4046 Historic District Design Guidelines, may extend up to fifty percent (50%)
4047 above the Zone Height, but may not contain Habitable Space above the
4048 Zone Height. Such exception requires approval by the Planning Director.
- 4049 5. Elevator Penthouses may extend up to eight feet (8') above the Zone
4050 Height.
- 4051 6. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays,
4052 including Olympic way-finding towers, are permitted to a height of sixty-
4053 five feet (65').

4054 HISTORY

4055 *Adopted by Ord. 00-51 on 9/21/2000*

4056 *Amended by Ord. 03-38 on 7/17/2003*

4057 *Amended by Ord. 06-69 on 10/19/2006*

4058 *Amended by Ord. 2018-27 on 5/31/2018*

4059 *Amended by Ord. 2018-43 on 7/19/2018*

4060

4061 **15-2.6-46 Floor Area Ratio**

4062 To encourage variety in Building Height, a floor Area to ground Area ratio must be used
4063 to calculate maximum buildable Area. The maximum Floor Area Ratio (FAR) is 4.0
4064 measured as: total floor Area divided by Lot Area equals 4.0. Note that this is the
4065 potential maximum floor Area, and is not always achievable. Buildings of lesser floor
4066 Area are encouraged. See Off-Street Parking Section 15-2.6-912: Off-Street Parking,
4067 for parking implications for Buildings that exceed 1.5 FAR.

4068 HISTORY

4069 *Adopted by Ord. 00-51 on 9/21/2000*

4070

4071 **15-2.6-6 Architectural Review**

4072 ~~Prior to issuance of a Building Permit for any Conditional or Allowed Use, the Planning~~
4073 ~~Department shall review the proposed plans for compliance with the Design Guidelines~~
4074 ~~for Historic Districts and Historic Sites, Historic Preservation LMC Chapter 15-11, and~~
4075 ~~Architectural Review LMC Chapter 15-5.~~

4076 ~~Appeals of departmental actions on compliance with the Design Guidelines for Historic~~
4077 ~~Districts and Historic Sites, LMC Chapter 15-11, and LMC Chapter 15-5 are heard by~~
4078 ~~the Board of Adjustment as outlined in Section 15-1-18 of the Code.~~

4079 ~~HISTORY~~
4080 ~~Adopted by Ord. 00-51 on 9/21/2000~~
4081 ~~Amended by Ord. 06-69 on 10/19/2006~~
4082 ~~Amended by Ord. 09-23 on 7/9/2009~~
4083 ~~Amended by Ord. 15-53 on 12/17/2015~~

4084

4085 **15-2.6-7 Swede Alley Development Criteria**

4086 In addition to the standards set forth in this Chapter, all Development abutting Swede
4087 Alley must comply with the following criteria:

4088 A. Structures must step down toward Swede Alley at an angle of forty-five degrees
4089 (45°) to a maximum height of twenty-four feet (24') at the edge of the Swede
4090 Alley Right-of-Way. A variety of one and two-Story facades are encouraged.
4091 Designs that create a strong indoor/outdoor connection at the ground level are
4092 strongly encouraged.

4093 B. Entrances must be pedestrian-scaled and defined with porches, awnings and
4094 other similar elements as described in the Park City Historic District Design
4095 Guidelines. Entrances must make provisions for shared public and service
4096 Access whenever possible. When Main Street additions extend to Swede Alley,
4097 the materials and colors of the new construction must be designed to coordinate
4098 with the existing Structure.

4099 C. Structures must continue the existing stair-step facade rhythm along Swede
4100 Alley. No more than sixty feet (60') of a Swede Alley facade may have the same
4101 height or Setback. On facades greater than sixty feet (60') wide, Structures must
4102 provide a variety of Building Setbacks, height, and Building form. Setbacks in the
4103 facades and stepping upper stories, decks, and Balconies are strongly
4104 encouraged. Uniform height and Setbacks are discouraged.

4105 D. Provisions for public Open Space, open courtyards, and landscaping are strongly
4106 encouraged.

4107 E. Pedestrian connections from Swede Alley to Main Street are encouraged
4108 whenever possible. Open and landscaped pedestrian connections are favored.

4109 F. Swede Alley facades must be simple, utilitarian, and subordinate in character to
4110 Main Street facades. While facades should be capped, details should be simple.
4111 Ornate details typically found on Main Street facades are prohibited. The
4112 Applicant must incorporate a mix of materials, accent trim and door treatments to
4113 provide architectural interest. Materials must be similar in character, color,
4114 texture and scale to those found on Main Street. Exposed concrete, large Areas
4115 of stucco and unfinished materials are prohibited.

4116 G. Window display Areas are allowed. However, the Swede Alley window Area must
4117 be subordinate in design to the Main Street window Area.

4118 H. Service Areas and service equipment must be Screened. Utility boxes must be
4119 painted to blend with the adjacent Structures. Group trash containers must be
4120 Screened.

4121 HISTORY
4122 Adopted by Ord. 00-51 on 9/21/2000

4123

4124 **15-2.6-8 Canopy And Awning**

4125 A. **APPROVAL**. No awning or Canopy may be erected, enlarged, or altered over
4126 the Main Street sidewalk without the written advance approval by the City
4127 Engineer. An awning or Canopy attached to a Building may extend over the
4128 public pedestrian Right-of-Way and project a maximum of thirty-six inches (36")
4129 from the face of a Building. An awning or Canopy must provide vertical clearance
4130 of no less than eight feet (8') from the sidewalk. With reasonable notice, the City
4131 may require that an awning or Canopy be removed from over City Right-of Way
4132 without compensating the Building Owner.

4133 B. **INSURANCE REQUIRED**. No awning or Canopy projecting over City Property
4134 may be erected, re-erected, located or relocated, or enlarged or modified
4135 structurally, without a certificate of insurance or a continuous bond protecting the
4136 Owner and City against all claims for personal injuries and/or Property damage in
4137 the standard amount determined by City Council. Park City Municipal
4138 Corporation must be named in the certificate of insurance as an additional
4139 insured. A thirty (30) day obligation to provide written notice to Park City
4140 Municipal Corporation of cancellation or expiration must be included in the
4141 insurance certificate.

4142 HISTORY
4143 Adopted by Ord. 00-51 on 9/21/2000

4144

4145 **15-2.6-9 Parking Regulations**

4146 ~~New construction must provide Off-Street parking. The parking must be on-Site or paid~~
4147 ~~by fee in lieu of on-Site parking set by Resolution equal to the parking obligation~~
4148 ~~multiplied by the per space parking fee/in-lieu fee. The parking obligation is as follows:—~~

4149 A. ~~**RESIDENTIAL USE**. See Parking Requirements shown in Chapter 3.~~

4150 B. ~~**NON-RESIDENTIAL USE**. Non-Residential Uses must provide parking at the~~
4151 ~~rate of six (6) spaces per 1,000 square feet of Building Area, not including~~
4152 ~~bathrooms, and mechanical and storage spaces¹. Churches, Auditoriums,~~
4153 ~~Assembly Halls and Indoor Entertainment Businesses generate a parking~~
4154 ~~obligation shown in Chapter 15-3.—~~

4155 ~~Fully enclosed Parking Spaces and associated maneuvering spaces are not~~
4156 ~~included in the Floor Area.—~~

4157 C. ~~**GENERAL PARKING REGULATIONS**. Property Owners may not install a~~
4158 ~~driveway across the Main Street sidewalk to meet on-Site parking requirements~~
4159 ~~without a variance and an obligation to reconstruct adjacent portions of the Main~~
4160 ~~Street sidewalk to render the driveway crossing ADA accessible and convenient~~
4161 ~~to pedestrians as possible. The sidewalk reconstruction must include lighting and~~
4162 ~~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~~

~~**15-2.6-119 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.~~

4204 Refuse shall be stored in containers made of durable metallic or plastic materials with a
4205 close-fitting lid. Refuse containers shall not be set out for collection earlier than 10:00
4206 PM on the day prior to collection, and must be removed no later than 10:00 AM on the
4207 day of collection. Refuse containers set out for collection shall be placed on or directly in
4208 front of the Owner's Property, and shall not be placed in the street, sidewalk, or other
4209 public Right-of-Way in any manner that will interfere with vehicular or pedestrian traffic.
4210 Except when set out for collection pursuant to this Section, refuse containers shall be
4211 placed in a location fully Screened from view from the public Rights-of-Way via Fencing
4212 and/or walls. Public trash receptacles set in the Right-of-Way by the City for Use by the
4213 public are exempt from this regulation.

4214 All service and delivery for businesses on the west side of Main Street must be made
4215 within the HCB Zone, and shall not be made from the upper Park Avenue residential
4216 districts (HR-1 and HR-2).

4217 HISTORY

4218 Adopted by Ord. 00-51 on 9/21/2000

4219 Amended by Ord. 01-28 on 7/12/2001

4220 Amended by Ord. 06-69 on 10/19/2006

4221

4222 **15-2.6-10 Mechanical Service**

4223 All exterior mechanical equipment must be Screened to minimize noise infiltration to
4224 adjoining Properties and to eliminate visual impacts on nearby Properties, including
4225 those Properties located above the roof tops of Structures in the HCB District.

4226 All mechanical equipment must be shown on the plans prepared for architectural review
4227 by the Planning, Engineering, and Building Departments. The Planning Department will
4228 approve or reject the location, Screening and painting of such equipment as part of the
4229 architectural review process.

4230 HISTORY

4231 Adopted by Ord. 00-51 on 9/21/2000

4232 Amended by Ord. 06-69 on 10/19/2006

4233

4234 **15-2.6-11 Access, Service And Delivery**

4235 ~~All Access for commercial Businesses and facilities shall be located within the HCB~~
4236 ~~District. Emergency Access to the HR-1 and HR-2 Districts may be allowed by the~~
4237 ~~Planning Director, with review by the Chief Building Official, but such emergency exits~~
4238 ~~shall be designed in such a manner as to prohibit non-emergency Use. The primary~~
4239 ~~Access to parking facilities for commercial Uses shall not be from residential districts,~~
4240 ~~such as HR-1 and HR-2.~~

4241 ~~All Structures must provide a means of storing refuse generated by the Structure's~~
4242 ~~occupants. The refuse storage must be on-Site and accessible only from Main Street,~~
4243 ~~for Structures on the west side of Main Street, or from either Main Street or Swede~~
4244 ~~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.~~

4323 e. ~~Additional outdoor bicycle storage Areas may be considered for~~
4324 ~~rental bicycles provided there are no or only minimal impacts on~~
4325 ~~landscaped Areas, parking spaces, and pedestrian and emergency~~
4326 ~~circulation.~~

4327 ~~4. **OUTDOOR EVENTS AND MUSIC.** Outdoor events and music require an~~
4328 ~~Administrative Permit. The Use must also comply with Section 15-1-10,~~
4329 ~~Conditional Use review. The Applicant must submit a Site plan and written~~
4330 ~~description of the event, addressing the following:~~

4331 a. ~~Notification of adjacent Property Owners.~~

4332 b. ~~No violation of the City Noise Ordinance, Title 6.~~

4333 c. ~~Impacts on adjacent Residential Uses.~~

4334 d. ~~Proposed plans for music, lighting, structures, electrical signs, etc.~~

4335 e. ~~Parking demand and impacts on neighboring Properties.~~

4336 f. ~~Duration and hours of operation.~~

4337 g. ~~Impacts on emergency Access and circulation.~~

4338 ~~5. **DISPLAY OF MERCHANDISE.** Display of outdoor merchandise requires~~
4339 ~~an Administrative Permit and is subject to the following criteria:~~

4340 a. ~~The display is immediately available for purchase at the Business~~
4341 ~~displaying the item.~~

4342 b. ~~The merchandise is displayed on private Property directly in front of~~
4343 ~~or appurtenant to the Business which displays it, so long as the~~
4344 ~~private Area is in an alcove, recess, patio, or similar location that~~
4345 ~~provides a physical separation from the public sidewalk. No item of~~
4346 ~~merchandise may be displayed on publicly owned Property~~
4347 ~~including any sidewalk or prescriptive Right of Way regardless if~~
4348 ~~the Property Line extends into the public sidewalk. An item of~~
4349 ~~merchandise may be displayed on commonly owned Property;~~
4350 ~~however, written permission for the display of the merchandise~~
4351 ~~must be obtained from the Owner's association.~~

4352 c. ~~The display is prohibited from being permanently affixed to any~~
4353 ~~Building. Temporary fixtures may not be affixed to any Historic~~
4354 ~~Building in a manner that compromises the Historic integrity or~~
4355 ~~Façade Easement of the Building as determined by the Planning~~
4356 ~~Director.~~

4357 d. ~~The display does not diminish parking or landscaping.~~

4358 e. ~~The Use does not violate the Summit County health Code, the Fire~~
4359 ~~Code, or International Building Code. The display does not impede~~
4360 ~~pedestrian circulation, sidewalks, emergency Access, or circulation.~~
4361 ~~At minimum, forty-four inches (44") of clear and unobstructed~~
4362 ~~Access to all fire hydrants, egress and Access points must be~~

- 4363 ~~maintained. Merchandise may not be placed so as to block visibility~~
4364 ~~of or Access to any adjacent Property.~~
- 4365 ~~f. The merchandise must be removed if it becomes a hazard due to~~
4366 ~~wind or weather conditions, or if it is in a state of disrepair, as~~
4367 ~~determined by either the Planning Director or Building Official.~~
- 4368 ~~g. The display shall not create a hazard to the public due to moving~~
4369 ~~parts, sharp edges, or extension into public Rights-of-Way,~~
4370 ~~including sidewalks, or pedestrian and vehicular Areas; nor shall~~
4371 ~~the display restrict vision at intersections.~~
- 4372 ~~h. No inflatable devices other than decorative balloons smaller than~~
4373 ~~eighteen inches (18") in diameter are permitted. Balloon height may~~
4374 ~~not exceed the finished floor elevation of the second floor of the~~
4375 ~~Building.~~
- 4376 ~~i. No additional signs are allowed. A sales tag, four square inches (4~~
4377 ~~sq. in.) or smaller may appear on each display item, as well as an~~
4378 ~~informational plaque or associated artwork not to exceed twelve~~
4379 ~~square inches (12 sq. in.). The proposed display shall be in~~
4380 ~~compliance with the City Sign Code, Municipal Code Title 12, the~~
4381 ~~City's Licensing Code, Municipal Code Title 4, and all other~~
4382 ~~requisite City codes.~~

4383 **HISTORY**

4384 ~~Adopted by Ord. 00-51 on 9/21/2000~~

4385 ~~Amended by Ord. 05-49 on 8/4/2005~~

4386 ~~Amended by Ord. 06-69 on 10/19/2006~~

4387 ~~Amended by Ord. 09-10 on 3/5/2009~~

4388

4389 **15-2.6-1311 Criteria For Bed And Breakfast Inns**

4390 A Bed and Breakfast Inn is an Allowed Use subject to an Administrative Conditional Use
4391 Permit. No permit may be issued unless the following criteria are met:

- 4392 A. The Use is in a Historic Building and/or Structure or addition thereto, or a
4393 Historically Compatible Structure.
- 4394 B. The Applicant will make every attempt to rehabilitate the Historic portion of the
4395 Structure.
- 4396 C. The Structure has at least two (2) rentable rooms. The maximum number of
4397 rooms will be determined by the Applicant's ability to mitigate neighborhood
4398 impacts.
- 4399 D. In Historic Buildings and/or Structures, the size and configuration of the rooms
4400 are Compatible with the Historic character of the Building and neighborhood.
- 4401 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 15-3.

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.

4441 The Planning Commission may recommend to the City Council that new
4442 additions to Historic Buildings and/or Structures be exempt from a portion of or all
4443 parking requirements where the preservation of the Historic Building and/or
4444 Structure has been guaranteed to the satisfaction of the City.

4445 D. **PRE 1984 PARKING EXCEPTION.** Lots, which were current in their assessment
4446 to the Main Street Parking Special Improvement District as of January 1, 1984,
4447 are exempt from the parking obligation for a Floor Area Ratio (FAR) of 1.5.
4448 Buildings that are larger than 1.5 FAR are Non-Conforming Buildings for Off-
4449 Street parking purposes.

4450 To claim the parking exemption for the 1.5 FAR, the Owner must establish
4451 payment in full to the Main Street Parking Special Improvement District prior to
4452 January 1, 1984.

4453 Additions or remodels to Non-Conforming Churches, Auditoriums, Assembly
4454 Halls and Indoor Entertainment Businesses, that reduce the net parking demand
4455 must not prompt an additional Off-Street parking obligation.

4456 E. See SectionChapter 15-3 Off Street Parking for additional parking requirements.

4457 ¹Mechanical and storage spaces must be in accordance with IBC requirements in order
4458 to be subtracted from the Building Area; it is the intent of this Code that closets and
4459 shelves in occupied spaces are included in the Area measured for the parking
4460 requirement. For Condominium Units, the Building Area is the total Area of the Unit.

4461 **HISTORY**

4462 Adopted by Ord. 00-51 on 9/21/2000

4463 Amended by Ord. 06-69 on 10/19/2006

4464 Amended by Ord. 09-10 on 3/5/2009

4465

4466 **15-2.6-613 Architectural Review**

4467 Prior to issuance of a Building Permit for any Conditional or Allowed Use, the Planning
4468 Department shall review the proposed plans for compliance with the Design Guidelines
4469 for Historic Districts and Historic Sites Chapter 15-13, Historic Preservation LMG
4470 Chapter 15-11, and Architectural Review LMG Chapter 15-5.

4471 Appeals of departmental actions on compliance with the Design Guidelines for Historic
4472 Districts and Historic Sites Chapter 15-13, Historic Preservation LMG Chapter 15-11,
4473 and Architectural Review LMG Chapter 15-5 are heard by the Board of Adjustment as
4474 outlined in Section 15-1-18 of the Code.

4475 **HISTORY**

4476 Adopted by Ord. 00-51 on 9/21/2000

4477 Amended by Ord. 06-69 on 10/19/2006

4478 Amended by Ord. 09-23 on 7/9/2009

4479 Amended by Ord. 15-53 on 12/17/2015

4480

4481 **15-2.6-14 Vegetation Protection**

4482 The Property Owner must protect Significant Vegetation during any Development
4483 activity. Significant Vegetation includes large trees six inches (6") in diameter or greater
4484 measured four and one-half feet (4½') above the ground, groves of smaller trees, or
4485 clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more
4486 measured at the drip line.

4487 Development plans must show all Significant Vegetation within twenty feet (20') of a
4488 proposed Development. The Property Owner must demonstrate the health and viability
4489 of all large trees through a certified arborist. The Planning Director shall determine the
4490 Limits of Disturbance and may require mitigation for loss of Significant Vegetation
4491 consistent with landscape criteria in LMG Chapter Section 15-3-3~~(D)~~ and Title 14.

4492 HISTORY

4493 *Adopted by Ord. 00-51 on 9/21/2000*

4494 *Amended by Ord. 06-69 on 10/19/2006*

4495

4496 **15-2.6-15 Signs**

4497 Signs are allowed in the HCB District as provided in the Park City Sign Code, Title 12.

4498 HISTORY

4499 *Adopted by Ord. 00-51 on 9/21/2000*

4500

4501 **15-2.6-16 Related Provisions**

- 4502 • Fences And Retaining Walls. LMG Chapter Section 15-4-2.
- 4503 • Accessory Apartments. LMG Chapter Section 15-4-7.
- 4504 • Placement of Satellite Receiving Antennas. LMG Chapter Section 15-4-13.
- 4505 • Telecommunication ~~Facility~~Facilities. LMG Chapter Section 15-4-14.
- 4506 • Off-Street Parking. LMG Chapter 15-3.
- 4507 • Landscaping. Title 14; LMG Chapter Section 15-3-3~~(D)~~ and Chapter 15-5.
- 4508 • Lighting. LMG Chapters Sections 15-3-3~~(C)~~, 15-5-5~~(I)~~.
- 4509 • Historic Preservation~~Board~~. LMG Chapter 15-11.
- 4510 • Park City Sign Code. Title 12.
- 4511 • Architectural Review. LMG Chapter 15-5.
- 4512 • Snow Storage. LMG Chapter Section 15-3-3~~(E)~~.
- 4513 • Parking Ratio Requirements. LMG Chapter Section 15-3-6.
- 4514 • Passenger Tramways and Ski Base Facilities. LMG Chapter Section 15-4-18.

4515 HISTORY

4516 *Adopted by Ord. 00-51 on 9/21/2000*

4517 **15-4 Supplemental Regulations**

4518 15-4-1 Purpose

4519 15-4-2 Fences and Retaining Walls

4520 15-4-3 Home Occupation

4521 15-4-4 Secondary Living Quarters

4522 15-4-5 Lockout Units

4523 15-4-6 Guest Houses

4524 15-4-7 Accessory Apartments

4525 15-4-8 Group Care Facilities

4526 15-4-9 Child Care And Child Care Facilities

4527 15-4-10 Timeshare Projects

4528 15-4-11 Timeshare Conversion

4529 15-4-12 Condominium Conversion

4530 15-4-13 Placement Of Satellite Receiving Antennas

4531 15-4-14 Telecommunication Facilities

4532 15-4-15 Outdoor Display Of Works Of Art On City-Owned Property

4533 15-4-16 Temporary Structures, Tents, And Vendors

4534 15-4-17 Setback Requirements For Unusual Lot Configurations

4535 15-4-18 Passenger Tramways And Ski Base Facilities

4536 15-4-19 Review Criteria For Vehicle Control Gates

4537 15-4-20 Special Events And Temporary Change Of Occupancy Permits

4538 15-4-21 Goods and Uses To Be Within Enclosed Buidling

4539 (...)

4540 **15-2.5-1315-4-21 Goods And Uses To Be Within Enclosed Building**

4541 A. **OUTDOOR DISPLAY OF GOODS PROHIBITED.** Unless expressly allowed as
4542 an Allowed or Conditional Use, or allowed with an Administrative Permit, all
4543 goods, including food, beverage, and cigarette vending machines, and last mile
4544 parcel pick-up stations must be within a completely enclosed Structure. New
4545 construction of enclosures for the storage of goods shall not have windows
4546 and/or other fenestration that exceeds a wall-to-window ratio of thirty percent
4547 (30%). This section does not preclude temporary sales in conjunction with a
4548 Master Festival License, sidewalk sale, or seasonal plant sale. See Section 15-
4549 2.5-1311(B)(3) for outdoor display of bicycles, kayaks, and canoes.

4550
4551 B. **OUTDOOR USES PROHIBITED/EXCEPTIONS.** The following outdoor uses may
4552 be allowed by the Planning Department upon the issuance of an Administrative
4553 Conditional Use permit Permit, or an Administrative Permit, or Conditional Use
4554 Permit as described herein, pursuant to the Zoning in which the Use is located.
4555 The Applicant must submit the required Application application, pay all applicable
4556 fees, and provide all required materials and plans. Appeals of Departmental
4557 Aactions are heard by the Planning Commission.

4558
4559 1. **OUTDOOR DINING.** Outdoor dining may requires an Administrative
4560 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. 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.

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;

4713 9. Plywood siding, ~~except that plywood may be approved by the Planning~~
4714 ~~Director if utilized as a base for board and batten siding;~~

4715 10. Aluminum siding ~~is generally not considered an appropriate material. The~~
4716 ~~Planning Director may, however, consider requests for the Use of~~
4717 ~~aluminum siding. The design of the Structure shall be consistent with the~~
4718 ~~Park City Design Guidelines. The Applicant will be required to bring a~~
4719 ~~sample of the type and color of siding to be approved by the Planning~~
4720 ~~Director. When aluminum siding is approved by the Planning Director, it~~
4721 ~~shall have a minimum thickness of .019 inches and shall be backed or~~
4722 ~~insulated with a minimum of 3/8 inch fiberboard of polystyrene foam;~~

4723 11. Vinyl, or other similar material derived from petroleum;

4724 12. Exemption. The Applicant is may request to use a prohibited siding
4725 material, but shall be required to bring a sample of the material and
4726 description of the application method of the requested siding and/or
4727 synthetic stone to be approved by the Planning Director.

4728 a. ~~Aluminum~~Vinyl siding, including soffits and fascia, and synthetic
4729 stone products may be permitted upon approval by the Planning
4730 Director, on Structures when such Structures are located in Areas
4731 predominately developed with Structures utilizing the same type of
4732 materials, such as in Prospector Village, Park Meadows and
4733 Prospector Park Subdivisions. The Applicant shall submit an exhibit
4734 documenting siding materials found in the surrounding
4735 neighborhood.

4736 b. Metal siding shall have a minimum thickness of .019 inches; shall
4737 be backed or insulated with a minimum of 3/8 inch fiberboard of
4738 polystyrene foam; and shall have a matte or flat finish.

4739 c. Plywood siding may be approved by the Planning Director if utilized
4740 as a base for board and batten siding;

4741 d. Existing Buildings with synthetic stone products and aluminum or
4742 vinyl siding may be re-sided or repaired using synthetic stone
4743 products and aluminum or vinyl siding with specific approval by the
4744 Planning Director.

4745 e. ~~The Applicant is required to bring a sample of the material and~~
4746 ~~description of the application method of the requested siding and/or~~
4747 ~~synthetic stone to be approved by the Planning Director and an~~
4748 ~~exhibit documenting siding materials found in the surrounding~~
4749 ~~neighborhood.~~

4750 C. **DESIGN ORNAMENTATION.** Architectural design in Park City has historically
4751 been simple. Highly ornate Buildings are inconsistent with the architectural
4752 patterns of the community, and due to the close proximity of one Development to
4753 another, inconsistent ornamentation may become unsightly and detract from
4754 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;
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;

4796 5. Except on Historic renovations or reconstructions with adequate
4797 documentation, roof ornamentation such as scroll work, finials, and bead-
4798 and-dowel work are prohibited.

4799 F. **ROOF SHAPES**. The following roof shapes are prohibited in Park City as the
4800 dominant roof form because they either do not perform well in the harsh climate,
4801 or tend to detract from the value of adjoining Property. As minor roof elements,
4802 the following shapes may be allowed if approved by the Planning Director:

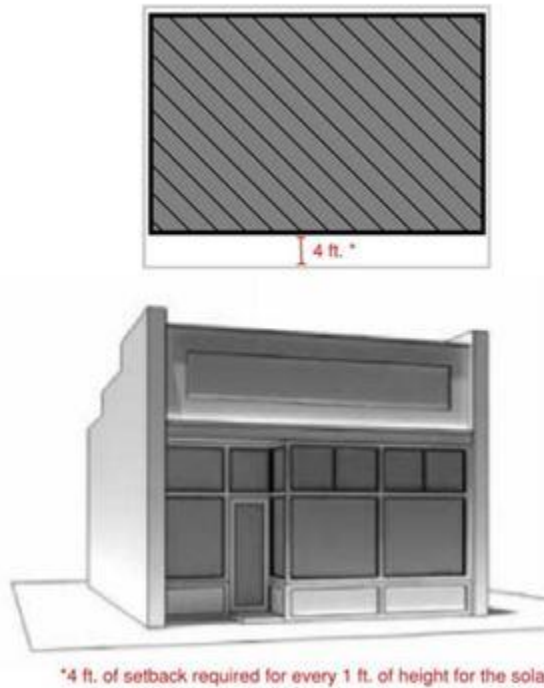
- 4803 1. Mansard or fake mansard roofs;
- 4804 2. Gambrel roofs;
- 4805 3. Curvilinear roofs;
- 4806 4. Domed roofs;
- 4807 5. Geodesic domes;
- 4808 6. Conical roofs, greater than 270 degrees around;
- 4809 7. A-frame or modified A-frame roofs.
- 4810 8. Mechanical equipment on roofs must be hidden with a visual barrier so it
4811 is not readily visible from nearby Properties.

4812 G. **SOLAR ENERGY SYSTEMS**. Any solar energy system shall be designed as
4813 follows:

- 4814 1. Solar Energy Systems shall be designed so as to be incorporated in the
4815 roof plan or architectural features of the structure to the best extent
4816 possible. Solar Energy Systems shall generally be mounted flush to the
4817 roof plane. In instances where due to the existing roof angle the panel
4818 needs to be angled from the roof plane for optimum solar gain, alternative
4819 designs may be considered upon review of a visual analysis and
4820 mitigation of visual impacts from surrounding properties.
- 4821 2. Solar panels, solar devices, and Solar Energy Systems and mounting
4822 equipment shall use non-reflective finishes such as an anodized finish.
- 4823 3. Solar energy systems in the Historic Districts are subject to the Design
4824 Guidelines for Historic Districts and Historic Sites and shall also meet the
4825 following:
 - 4826 a. On a Flat Roof, the Solar Energy System shall be mounted flush to
4827 the roof or on racks. When this is not possible, the Solar Energy
4828 System shall extend no more than five Feet (5') above the highest
4829 point of the roof. Solar Energy Systems shall be screened from
4830 view of the primary right-of-way by:
 - 4831 1) An existing parapet along the street-facing facade that is as
4832 tall as the tallest part of the Solar Energy System; or
 - 4833 2) Setting the Solar Energy System back from the edge of the
4834 roof facing the primary right-of-way at least four feet (4') for
4835 each one foot (1') of Solar Energy System height (including

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any necessary racks).



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- 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:

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- 1) The Solar Energy System shall be located at least one foot (1') from the ridgeline of the pitched roof.

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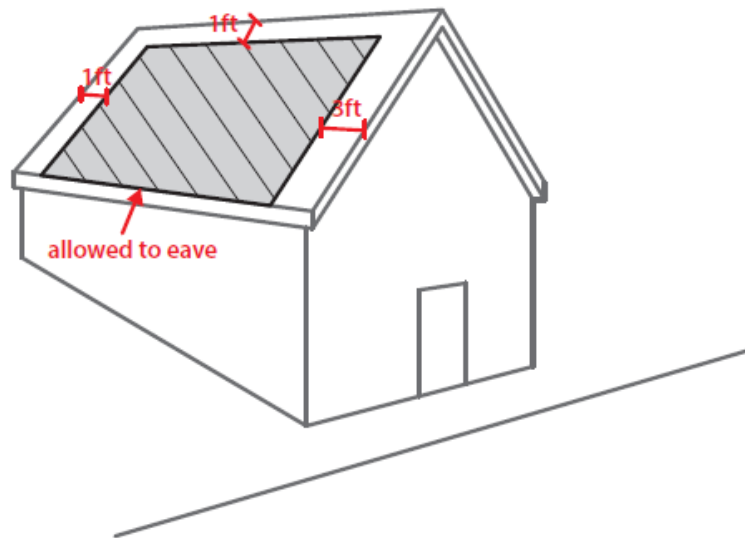
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- 2) The Solar Energy System shall be located at least three feet (3') from the edge of the roof facing a right-of-way and one foot (1') from the edge of the roof facing the rear property line.

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- 3) The Solar Energy System shall not alter the slope of the roof.



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- 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.

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- 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.

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- 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:

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- 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

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- 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

4877 3) The application has demonstrated that the proposed plan will
4878 result in a net positive generation of 105% or greater.

4879 H. **SKYLIGHTS.** Any skylight, or other translucent roof material which allows the
4880 transmission of light from the interior of the Building to the exterior, shall be
4881 designed as follows:

- 4882 1. Skylights shall be limited to no more than twenty-five percent (25%) of the
4883 total roof Area;
- 4884 2. The skylight design shall facilitate the Use of natural light into the Building
4885 and any light emitted or reflected from the skylight shall be shielded from
4886 adjacent Properties;
- 4887 3. The skylight feature shall not be the highest point of the Structure; and
- 4888 4. The skylight feature shall be designed to fit as flush as possible with the
4889 roof. Skylights shall generally extend no more than two feet (2') above the
4890 roof plane.
- 4891 5. Skylights in the Historic Districts are subject to the Design Guidelines for
4892 Historic Districts and Historic Sites.

4893 I. **WINDOW TREATMENTS.** Windows other than rectangular windows may be
4894 used as accents and trim, but arched, rounded, or Bay Windows as the primary
4895 window treatment are prohibited. Untreated aluminum and untreated metal
4896 window frames are prohibited. Small pane colonial style windows are not
4897 allowed. Untreated aluminum, untreated metal, vinyl, and other similar window
4898 frames are generally not considered appropriate in the Historic Districts (HRL,
4899 HR-1, HR-2, HRM, HRC, HCB), and on any site designated as Historic outside of
4900 the Historic Districts. The Planning Director may, however, consider requests for
4901 the Use of these materials. The design of the Structure shall be consistent with
4902 the Park City Design Guidelines. The Applicant will be required to bring a sample
4903 of the type and color of the material to be approved by the Planning Director.

4904 J. **LIGHTING.**

- 4905 1. **PURPOSE.** The functional objectives in providing exterior Area lighting
4906 are to illuminate Areas necessary for safe, comfortable and energy
4907 efficient Use. The number of fixtures shall be limited to provide for safe
4908 entry and egress and for sign and Business identification. Illumination of
4909 new Building features for architectural enhancement is prohibited. Historic
4910 Buildings and/or Structures may be illuminated under the terms prescribed
4911 in this Code.

4912 With the exception of Americans with Disabilities Act lighting
4913 requirements, the minimum lighting standards generally applied and
4914 recommended by the Illuminating Engineering Society of North America
4915 (IES), are observed by this Code.

- 4916 2. **CONFORMANCE WITH APPLICABLE CODES.** All outdoor electrically
4917 powered illuminating devices shall be installed in conformance with the
4918 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.

4960 Adequate information to assure compliance with this Code must be
4961 provided and the request must be received prior to substitution.

4962 5. **SHIELDING.** All non-exempt outdoor lighting fixtures shall have shielding
4963 as required by Table 1 of this Chapter below.

4964 a. Historic District Shielding and Fixture Exemption. Fixtures in the
4965 HR-L, HR-1, HR-2, HCB, HRM, and HRC Zoning Districts that
4966 replicate a Historic fixture shall be permitted to be installed without
4967 partial shields with the approval of the Planning Director. All fixtures
4968 shall be filtered and refractors that direct the light downward shall
4969 be installed if the bulb is exposed.

4970 Historic fixtures that are fifty (50) years or older and contribute to
4971 the architectural and cultural character of the Historic District, are
4972 exempt from these requirements.

4973 Architectural features on Historic Buildings and/or Structures may
4974 be illuminated with fully shielded fixtures.

4975 6. **WATTAGE/FIXTURE AND LIGHT SOURCE REQUIREMENTS.** Wattage,
4976 fixture and Light Source requirements as outlined in the following Table 1
4977 apply to all zones throughout the City:

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4979 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

4980 Other Sources: As approved by the Planning Director
4981 Note: "x" indicates the required standard.

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4983 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.

- 5027 c. Moonlighting. Low voltage systems may be placed in trees or on
5028 Buildings to give the effect of moonlight. Lights must be down-
5029 directed and partially shielded. A maximum Foot Candle permitted
5030 at ten feet (10') is 0.25 Horizontal Foot Candle from the Light
5031 Source. Up-lighting is prohibited.

5032 **11. RECREATIONAL LIGHTING.** Because of their unique requirements for
5033 nighttime visibility and their limited hours of operation, baseball diamonds,
5034 playing fields, tennis courts and ski area runs may Use the Light Source
5035 permitted under Table 1 above with the following conditions and
5036 exceptions:

- 5037 a. The height of outdoor recreational posts shall not exceed seventy
5038 feet (70') above Natural Grade. The average Horizontal Foot
5039 Candle shall not exceed 3.6 across the Area boundary with a
5040 uniformity ratio of 4:1. Ski area lighting may require higher
5041 illumination levels in some instances. Those levels shall be
5042 reviewed and approved by the Planning Commission under the
5043 Conditional Use process outlined in the LMC.
- 5044 b. All fixtures used for event lighting shall be fully shielded as defined
5045 in Section (4) herein, or be designed or provided with sharp, cutoff
5046 capability, so as to minimize up-light, spill light and glare.
- 5047 c. Recreational lighting shall be turned off within thirty (30) minutes of
5048 the completion of the last game, practice, or event. In general,
5049 recreational lighting shall be turned off after 11:00 p.m., unless an
5050 exception is granted by the Planning Director for a specific event or
5051 as approved as part of a Master Festival license.

5052 **12. RESIDENTIAL LIGHTING.**

- 5053 a. All exterior lights on porches, garage doors or entryways shall be
5054 shielded to prevent glare onto adjacent Property or public right of
5055 ways and light trespass into the night sky. Lights shall be directed
5056 at walkways or entries and shall not be directed into the night sky.
- 5057 b. Compact fluorescent fixtures are the recommended Light Source.
5058 High pressure sodium and incandescent bulbs may be permitted,
5059 provided the wattage is low and the light is Shielded and down-
5060 directed.
- 5061 c. Bare bulb light fixtures such as flood or spotlights are not permitted.
- 5062 d. Lighting exterior Building features for architectural interest is
5063 prohibited.
- 5064 e. Security lighting shall be fully shielded and shall be set on a timer
5065 or motion detector. Infrared sensor spotlights are the recommended
5066 light type for security.
- 5067 f. Private sport court facilities shall Use fully shielded fixtures and
5068 shall not Use the lights past 11 p.m.

- 5069 **13. SEASONAL DISPLAY OF LIGHTS.** Seasonal restrictions apply to the
5070 HCB, GC, LI and HRC zones. Residential Uses in the HR-1, HR-2, E,
5071 HRL, SF, RM, R-1, RDM, and RD zones are exempt from these
5072 requirements. Winter seasonal displays are permitted from the first of
5073 November to the 15th of April per the Park City Municipal Code.
- 5074 Displays should be turned off at midnight. Any color of lights may be used;
5075 however, the lights shall not be used to create advertising messages or
5076 signs. Spelling out the name of a Business is prohibited.
- 5077 **14. OUTDOOR DISPLAY LOTS.** Any Light Source permitted by this Code
5078 may be used for lighting of outdoor display Lots such as, but not limited to,
5079 automobile sales or rental, recreational vehicle sales, Building material
5080 sales, and seasonal goods, provided all the following conditions are met:
- 5081 a. All fixtures shall be Fully Shielded as defined in LMC Chapter 15-
5082 15.
 - 5083 b. The maximum horizontal illumination across the Site shall not
5084 exceed an average Foot Candle of two (2) across the Site with a
5085 uniformity ratio of 4:1.
 - 5086 c. Display lighting shall be turned off within thirty (30) minutes of
5087 closing of the Business. Lighting used after 11 p.m. shall be
5088 security lighting. Security lighting shall be required to be motion
5089 sensitive not permanently illuminated. Infrared sensor security
5090 lights are the only type of security light permitted.
- 5091 **15. PROHIBITIONS.** The following light fixtures and Light Sources are
5092 prohibited: mercury vapor lamps, laser Light Sources, unshielded
5093 floodlights or spotlights, metal halide, except for recreational Uses, see
5094 Section (10), and searchlights.
- 5095 **16. OTHER EXEMPTIONS.**
- 5096 a. Nonconformance. All other outdoor light fixtures lawfully installed
5097 prior to and operable on the effective date of the ordinance codified
5098 in this Chapter, including City owned or leased Street lights, are
5099 exempt from all requirements of this Code. On commercial projects,
5100 all such fixtures shall be brought into compliance with this Code
5101 upon any Application for any exterior Building Permit. On residential
5102 Structures, only new exterior fixtures on remodels or new additions
5103 must comply with this ordinance.
 - 5104 b. Fossil Fuel Light. All outdoor light fixtures producing light directly by
5105 the combustion of natural gas or other fossil fuels are exempt from
5106 the requirements of this Code.
 - 5107 c. Up-lighting. Up-lighting is permitted under the following conditions:
 - 5108 1) The use of luminaires for up-lighting on any residentially or
5109 commercial zoned Lot or Property or within a City ROW or
5110 Open Space zone, is permitted only for City-funded or

5111 owned statues, public monuments, ground –mounted Public
5112 Art, or flags of the United States of America.

5113 2) All up-lighting shall be shielded and/or have beam-angle
5114 control and shall be aimed to limit the directed light to the
5115 illuminated object only.

5116 3) Up-lighting is permitted thirty (30) minutes before sunset and
5117 until 11:00 p.m.; or, one hour after the close of location
5118 based on normal hours of operations, whichever is later.

5119 **17. TEMPORARY EXEMPTION.**

5120 a. Requests. Any Person may submit a written request to the Planning
5121 Director for a temporary exemption. A temporary exemption request
5122 shall contain the following information:

5123 1) Specific exemption or exemption request;

5124 2) Type and Use of outdoor light fixtures involved;

5125 3) Duration of time for requested exemption;

5126 4) Total wattage;

5127 5) Proposed location on Site;

5128 6) Description of event or reason for need of exemption; and

5129 7) Other data as deemed necessary to adequately review and
5130 made a determination on the request.

5131 b. Approval; Duration. The Planning Department shall have ten (10)
5132 Business days from the date of a complete submission of the
5133 temporary request to act, in writing, on the request. The Planning
5134 Department shall approve the request if it finds that the exemption
5135 is necessary for public safety, security or other public necessity and
5136 the exemption does not materially subvert the purpose of this
5137 Chapter. If approved, the exemption shall be valid for not more than
5138 thirty (30) days from the date of approval. The approval shall be
5139 renewable by the Planning Director upon consideration of all the
5140 circumstances and provided a finding of public safety or necessity
5141 is made, and no intent to circumvent the intent of this Chapter is
5142 present. Each such renewed exemption shall be valid for not more
5143 than thirty (30) days.

5144 c. Denial/Appeal. If the request for a temporary exemption is denied,
5145 the Person making the request, in writing, may appeal the decision
5146 to the Planning Commission within ten (10) days of the denial as
5147 provided for in LMC Chapter 15-1.

5148 K. **TRASH AND RECYCLING ENCLOSURES**. In addition to County health
5149 standards, the following trash enclosure design standards shall apply:

- 5150 1. Trash and storage Areas shall be Screened by landscaping, Fencing,
5151 berms or other devices integral to overall Site and Building design;
- 5152 2. Trash and storage enclosures shall be designed and constructed of
5153 materials that are Compatible with the proposed or existing Building and
5154 with surrounding Structures. The enclosure's design, construction, and
5155 materials shall be substantial and consisting of masonry, steel, or other
5156 materials approved by the Planning and Building Department and capable
5157 of sustaining active use by residents and trash/recycling haulers. The
5158 design shall, if physically possible, include both a pedestrian door and a
5159 truck door or gate;
- 5160 3. Trash and storage Areas shall be well maintained including prompt repair
5161 and replacement of damaged gates, Fences and plants;
- 5162 4. Openings of trash enclosures shall be oriented away from public view or
5163 Screened with sturdy gates wide enough to allow easy Access for trash
5164 collection, where practical;
- 5165 5. The consolidation of trash Areas between Businesses and the Use of
5166 modern disposal techniques is encouraged.
- 5167 6. Exception. These standards shall not apply to existing Structures that
5168 have been built with zero Setbacks or when such enclosures would
5169 negatively impact Access, circulation, or snow removal efforts.

5170 L. **MECHANICAL EQUIPMENT**. All electrical service equipment and sub-panels
5171 and all mechanical equipment, including but not limited to, air conditioning, pool
5172 equipment, fans and vents, utility transformers, except those owned and
5173 maintained by public utility companies, and solar panels, shall be painted to
5174 match the surrounding wall color or painted or Screened to blend with the
5175 surrounding natural terrain. Roof mounted equipment and vents shall be painted
5176 to match the roof and/or adjacent wall color and shall be Screened or integrated
5177 into the design of the Structure. Minor exceptions to Setback requirements for
5178 Screened mechanical equipment may be approved by the Planning Director
5179 where the proposed location is the most logical location for the equipment and
5180 impacts from the equipment on neighboring properties, historic facades, and
5181 streetscapes can be mitigated and roof top mechanical placement and visual
5182 clutter is minimized.

5183 M. **PATIOS AND DRIVEWAYS**. A Building Permit is required for all non-bearing
5184 concrete flatwork, asphalt, and/or any Impervious Surface, regardless of size or
5185 area. This includes any repairs, alterations, modifications, and expansion of
5186 existing flatwork.

5187 N. **LANDSCAPING**. A complete landscape plan must be prepared for the limits of
5188 disturbance area for all Development activity. The landscape plan shall utilize the
5189 concept of Water Wise Landscaping for plant selection and location, irrigation,
5190 and mulching of all landscaped areas. The plan shall include foundation plantings
5191 and ground cover, in addition to landscaping for the remainder of the lot. The
5192 plan shall indicate the percentage of the lot that is landscaped, the percentage of

5193 the landscaping that is irrigated, the type of irrigation to be used, and
5194 Hydrozones. The plan shall identify all existing Significant Vegetation. The plan
5195 shall also identify the 50 percent (50%) of any Water Wise Landscaped area
5196 comprised of appropriate plants, trees, and shrubs. Any proposed boulders or
5197 rocks greater than two inches (2") in diameter and Gravel must be identified.

5198 Materials proposed for driveways, parking areas, patios, decks, and other hard-
5199 scaped areas shall be identified on the plan. A list of plant materials indicating
5200 the botanical name, the common name, quantity, and container or caliper size
5201 and/or height shall be provided on the plan. Refer to the Municipal Code of Park
5202 City Title 14-1-5 for a City approved Plant List. A diverse selection of plantings is
5203 suggested to provide plantings appropriate to the Park City climate and growing
5204 season, to provide aesthetic variety and to prevent the spread of disease
5205 between the same species. Artificial turf is allowed to be used in limited
5206 quantities on decks, pathways, recreation and play areas, or as a limited
5207 landscaping material on areas in which vegetation may be unsuccessful. Artificial
5208 turf's installation shall not pool water and be installed to allow for drainage. Areas
5209 of mulch shall be identified on the plan. Approved mulches include natural
5210 organic plant based or recycled materials. Gravel is only allowed in the following
5211 applications: as an approved walkway, patio, drainage plan, and/or defensible
5212 space. The Planning Director or his/her designee may determine if proposed
5213 defensible space areas are not required to include plantings. Any Gravel or stone
5214 within the HRL, HR-1, HR-2, HRM, HRC, or HCB Zoning Districts must meet the
5215 requirements of Park City's Design Guidelines for Historic District and Historic
5216 Sites. Gravel is not an allowed surface for parking, ground cover on berms or
5217 finished grade with a ratio greater than 3:1, within platted or zoned open space,
5218 or as a material in parking strips or City rights-of-way.

5219 To the extent possible, existing Significant Vegetation shall be maintained on Site
5220 and protected during construction. When approved to be removed, based on a
5221 Site Specific plan, Conditional Use, Master Planned Development, or Historic
5222 District Design Review approval, the Significant Vegetation shall be replaced with
5223 equivalent landscaping in type and size. The Forestry Manager or Planning
5224 Director may grant exceptions to this if upon their review it is found that
5225 equivalent replacement is impossible or would be detrimental to the site's existing
5226 and/or proposed vegetation. Multiple trees equivalent in caliper to the size of the
5227 removed Significant Vegetation may be considered instead of replacement in
5228 kind and size. Where landscaping does occur, it should consist primarily of native
5229 and drought tolerant species, drip irrigation, and all plantings shall be adequately
5230 mulched.

5231 A detailed irrigation plan shall be drawn at the same scale as the landscape plan
5232 including, but not limited to: a layout of the heads, lines, valves, controller,
5233 backflow preventer, and a corresponding legend and key. Landscaped areas
5234 shall be provided with a WaterSense labeled smart irrigation controller which
5235 automatically adjusts the frequency and/or duration of irrigation events in
5236 response to changing weather conditions. All controllers shall be equipped with
5237 automatic rain delay or rain shut-off capabilities.

5238 Irrigated lawn and turf areas are limited to a maximum percentage of the allowed
5239 Limits of Disturbance Area of a Lot or Property that is not covered by Buildings,
5240 Structures, or other Impervious paving, based on the size of the Lot or Property
5241 according to the following table:
5242

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

5243 Where rock and boulders are allowed and identified on the Landscape Plan,
5244 these shall be from local sources. All noxious weeds, as identified by Summit
5245 County, shall be removed from the Property in a manner acceptable to the City
5246 and Summit County, prior to issuance of Certificates of Occupancy.

5247

5248 HISTORY

5249 *Adopted by Ord. 02-07 on 5/23/2002*

5250 *Amended by Ord. 06-56 on 7/27/2006*

5251 *Amended by Ord. 11-05 on 1/27/2011*

5252 *Amended by Ord. 12-37 on 12/20/2012*

5253 *Amended by Ord. 2018-27 on 5/31/2018*

5254 *Amended by Ord. 2019-30 on 5/30/2019*

5255

5256 **15-15 Defined Terms**

5257 (...)

5258 **Shared Driveway.** A single access vehicular way that is privately owned and
5259 maintained and provides access to two (2) or more Structures or off-street Parking
5260 Areas, which are located on individual Lots.

5261 (...)