

PARK CITY MUNICIPAL CODE
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TITLE 15 - LAND MANAGEMENT CODE (LMC)
CHAPTER 2.12 - RESIDENTIAL (R-1) DISTRICT

Chapter adopted by Ordinance No. 00-51

15-2.12-1. PURPOSE.

The purpose of the Residential R-1 District is to:

- (A) allow continuation of land Uses and architectural scale and styles of the original Park City residential Area,
- (B) encourage Densities that preserve the existing residential environment and that allow safe and convenient traffic circulation,
- (C) require Building and Streetscape design that minimizes impacts on existing residents and reduces architectural impacts of the automobile,
- (D) require Building design that is Compatible with the topographic terrain and steps with the hillsides to minimize Grading,
- (E) encourage Development that protects and enhances the entry corridor to the Deer Valley Resort Area,
- (F) provide a transition in Use and scale between the Historic Districts and the Deer Valley Resort; and

(G) encourage designs that minimize the number of driveways accessing directly onto Deer Valley Drive.

15-2.12-2. USES.

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

(A) **ALLOWED USES.**

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

¹Nightly rental of Lockout Units requires a Conditional Use permit

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

³Commercial Uses are not allowed within Nightly Rental Units

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

- (10) Child Care, Family Group⁴
- (11) Accessory Building and Use
- (12) Conservation Activity
- (13) Agriculture
- (14) Parking Area or Structure with four (4) or fewer spaces

- (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) Recreation Facility, Private
- (16) Fences and walls greater than six feet (6') in height from Final Grade⁸

(B) **CONDITIONAL USES.**

- (1) Triplex Dwelling⁵
- (2) Guest House, on Lots one (1) acre or larger
- (3) Group Care Facility
- (4) Child Care Center⁴
- (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 & Breakfast Inn
- (10) Temporary Improvement⁸
- (11) Ski tow rope, ski lift, ski run, and ski bridge⁹

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

(Amended by Ord. No. 06-76)

15-2.12-3. 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 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 must comply with the following:

⁵Must comply with special parking requirements, see Section 15-3.

⁶See LMC Chapter 15-4-14, Supplemental Regulations for Telecommunications Facilities

⁷See LMC Chapter 15-4-13, Supplemental Regulations for Satellite Receiving Antennas

⁸Subject to an administrative Conditional Use permit.

⁹As part of an approved Ski Area

Master Plan. See LMC Chapter 15-4-18, Passenger Tramways and Ski Base Facilities

¹⁰Subject to provisions of LMC Chapter 15-6, Master Planned Development

(A) **LOT SIZE.** The minimum Lot Area for a Single-Family Dwelling is 2,812 square feet; Duplex Dwelling is 3,750 square feet; and Triplex Dwelling is 5,625 square feet. The minimum width of a Lot must be thirty-seven and one-half feet (37.5') measured fifteen feet (15') back from Front Lot Line. In the case of unusual Lot configurations, Lot Width measurements shall be determined by the Planning Director.

(B) **FRONT YARD.**

(1) The minimum Front Yard is fifteen feet (15').

(2) New Front Facing Garages for Single Family and Duplex Dwellings must be at least than twenty feet (20') from the Front Property Line.

(3) Parking Spaces are allowed within the required Front Yard, but not within five feet (5') of Side Lot Lines.

(C) **FRONT YARD EXCEPTIONS.**

The Front Yard 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 handrails, 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, projecting not more than five feet (5') into the Front Yard.

(4) Roof overhangs, eaves, and cornices projecting not more than two feet (2') into the Front Yard.

(5) Sidewalks, patios, and pathways.

(6) Driveways leading to a garage or Parking Area. No portion of a Front Yard, except for approved driveways, allowed Parking Areas, patios, and sidewalks may be Hard-Surfaced or graveled.

(7) Circular driveways meeting all requirements stated in Section 15-3-4 herein.

(D) **REAR YARD.** The minimum Rear Yard is ten feet (10').

(E) **REAR YARD EXCEPTIONS.** The Rear Yard must be open and free of any Structure except:

(1) Bay Windows not more than ten feet (10') wide projecting not

more than two feet (2') into the Rear Yard.

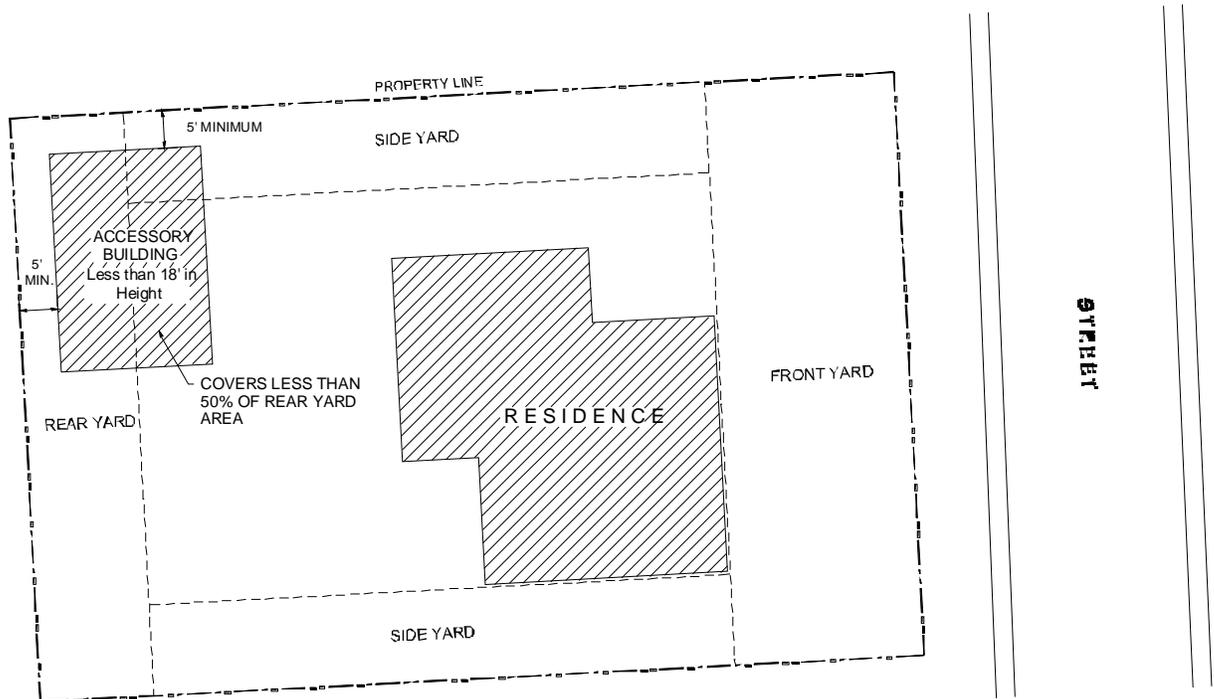
(2) Chimneys not more than five feet (5') wide projecting not more than two feet (2') into the Rear Yard.

(3) Window wells and light wells projecting not more than four feet (4') into the Rear Yard.

(4) Roof overhangs and eaves projecting not more than two feet (2') into the Rear Yard.

(5) Window sills, belt courses, cornices, trim, and other ornamental features projecting not more than six inches (6") beyond the window or Structure to which it is attached.

(6) Detached Accessory Buildings, not more than eighteen feet (18') in height, located a minimum of five feet (5') behind the front façade of the Main Building and maintaining a minimum Rear Yard Setback of five feet (5'). Such Structure must not cover over fifty percent (50%) of the Rear Yard. See the following illustration:



equipment, not tubs, and similar

Structures located at least five feet (5') from the Rear Lot Line.

(9) Fences, walls, and retaining walls not more than six feet (6') in height, or as permitted in Section 15-4-2. Retaining walls may have multiple steps; however, each exposed face cannot exceed six feet (6') in height and the horizontal distance between the walls, front face to rear face, must be at least three feet (3') and planted with approved vegetation. The Planning Director may approve minor deviations to the height and stepping requirements based on Site specific review.¹¹

(10) Patios, decks, pathways, steps and similar Structures not more than thirty inches (30") above Final Grade, located at least five feet (5') from the Rear Lot Line.

(F) **SIDE YARD.**

(1) The minimum Side Yard is five feet (5').

(2) A Side Yard between connected Structures is not required where the Structures are designed with a common wall on a Property Line and the Lots are burdened with a party wall agreement in a form approved by the City Attorney and Chief

¹¹Fences and walls greater than six feet (6') in height require an administrative Conditional Use permit.

Building Official.

(3) The minimum Side Yard for a Detached Accessory Building not greater than eighteen feet (18') in height, located at least five feet (5') behind the front facade of the Main Building is one foot (1'), except when an opening is proposed on an exterior wall adjacent to the Property Line, at which time the minimum Side Yard must be three feet (3').

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

(G) **SIDE YARD EXCEPTIONS.** The Side Yard must be open and free of any Structure except:

(1) Bay Windows not more than ten feet (10') wide, projecting not more than two feet (2') into the Side Yard.

(2) Chimneys not more than five feet (5') wide projecting not more than two feet (2') into the Side Yard.

(3) Window wells and light wells projecting not more than four feet (4') into the Side Yard.

(4) Roof overhangs and eaves projecting not more than two feet (2') into the Side Yard.

(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 it is attached.

(6) Patios, decks, pathways, steps, and similar Structures not more than thirty inches (30") in height above Final Grade located at least a one foot (1') from the Side Lot Line.

(7) Fences, walls, and retaining walls not more than six feet (6') in height, or as permitted in Section 15-4-2. A retaining wall may have multiple steps, however, each exposed face cannot exceed six feet (6') in height and the horizontal distance between the walls, front face to rear face, must be at least three feet (3') and planted with approved vegetation. The Planning Director may approve minor deviations to the height and stepping requirements based on Site specific review.¹²

(8) Driveways leading to an approved garage or Parking Area, maintaining a three foot (3') landscaped Setback to the Side Lot Line. A paved turn out Area, to aid in backing a vehicle out of a garage or Parking Area, is allowed, but may not be used for parking and must maintain a one foot (1') landscaped Setback to the Side Lot Line.

¹²Fences and walls greater than six feet (6') in height require an administrative Conditional Use permit.

(9) Paths and steps connecting to a City stairway or path.

(10) Screened mechanical equipment, hot tubs, and similar Structures located a minimum of five feet (5') from the Side Lot Line.

(H) **SNOW RELEASE**. Site plans and Building design must resolve snow release issues to the satisfaction of the Chief Building Official.

(I) **CLEAR VIEW OF INTERSECTION**. No visual obstruction in excess of two feet (2') in height above Road Grade shall be placed on any Corner Lot within the Site Distance Triangle. A reasonable number of trees may be allowed, if pruned high enough to permit automobile drivers an unobstructed view. This provision must not require changes in the Natural Grade on the Site.

(Amended by Ord. No. 06-76)

15-2.12-4. SPECIAL SETBACK REQUIREMENTS FOR CONDITIONAL USES.

Conditional Uses in the R-1 District must maintain the following Setbacks:

(A) **SIDE YARD**. The minimum Side Yard is ten feet (10').

(B) **FRONT YARD**. The minimum Front Yard is twenty feet (20'). All yards of Structures fronting on any Streets must be considered Front Yards for the purposes of determining required Setbacks. Garages must be a minimum of five feet (5') behind

the front facade of the Main Building or underground.

(C) **REAR YARD.** The minimum Rear Yard is ten feet (10').

(D) Front, Rear, and Side Yard Exceptions as stated in Section 15-2.12-3 apply.

15-2.12-5. BUILDING HEIGHT.

No Structure may be erected to a height greater than the Zone Height of twenty-eight feet (28') 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 associated Screening, when enclosed or Screened, may extend up to five feet (5') above the height of the Building.
- (4) Church spires, bell towers, and like architectural features, subject to the Architectural Design

Guidelines, LMC Chapter 15-5, 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 Department.

(5) Elevator Penthouses may extend up to eight feet (8') feet above the Zone Height.

(6) Ski lifts and tramway towers may extend above the Zone Height subject to a visual analysis and administrative approval by the Planning Commission.

(Amended by Ord. Nos. 06-76; 07-25)

15-2.12-6. ARCHITECTURAL REVIEW.

Prior to the issuance of a Building Permit, the Planning Department must review the proposed plans for compliance with the Architectural Design Guidelines, LMC Chapter 15-5.

Appeals of departmental actions on architectural compliance are heard by the Planning Commission.

(Amended by Ord. No. 06-76)

15-2.12-7. PARKING REQUIREMENTS FOR TRIPLEXES.

All required parking for triplexes within the R-1 District shall be completely enclosed and located on the Site such that at least fifty percent (50%) of the Parking Structure mass is below Natural Grade.

The Parking Structure may serve one or more Developments as long as ownership of the Structure is tied to ownership of the dwellings through easements or Condominium ownership.

15-2.12-8. CRITERIA FOR BED AND BREAKFAST INN.

A Bed and Breakfast Inn is a Conditional Use. No Conditional Use permit may be issued unless the following criteria are met:

- (A) If the Use is in a Historic Structure, the Applicant will make every attempt to rehabilitate the Historic portion of the Structure.
- (B) 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.
- (C) In a Historic Structure, the size and configuration of the rooms are Compatible with the Historic character of the Building and neighborhood.
- (D) The rooms are available for Nightly Rental only.
- (E) An Owner/manager is living on-Site, or in Historic Structures there must be twenty-four (24) hour on-Site management and check-in.
- (F) Food service is for the benefit of overnight guests only.
- (G) No Kitchen is permitted within rooms.

(H) Parking on-Site is required at a rate of one (1) space per rentable room. The Planning Commission may waive the parking requirement for Historic Structures only, if the Applicant proves that:

- (1) no on-Site parking is possible without compromising the Historic Structure or Site, including removal of existing Significant Vegetation, and all alternatives for proximate parking have been explored and exhausted; and
- (2) the Structure is not economically feasible to restore or maintain without the adaptive use.

(I) The Use complies with Chapter 15-1-10, Conditional Use review.

15-2.12-9. OUTDOOR EVENTS AND MUSIC.

Outdoor events and music require an Administrative Conditional Use permit. The use must also comply with Section 15-1-10. An Applicant must submit a Site plan and written description of the event, addressing the following:

- (A) Notification of adjacent property Owners.
- (B) No violation of the City Noise Ordinance, Title 6.
- (C) Impacts on adjacent residential Uses.
- (D) Proposed plans for music, lighting, Structures, electrical, signs, etc.

(E) Parking demand and impacts on neighboring Properties.

(F) Duration and hours of operation.

(G) Impacts on emergency Access and circulation.

15-2.12-10. VEGETATION PROTECTION.

The Property Owner must protect Significant Vegetation during any Development activity. Significant Vegetation includes large trees six inches (6") in diameter or greater measured four and one-half feet (4 ½ ') above the ground, groves of smaller trees, or clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more measured at the drip line.

Development plans must show all Significant Vegetation within twenty feet (20') of a proposed Development. The Property Owner must demonstrate the health and viability of all large trees through a certified arborist. The Planning Director shall determine the Limits of Disturbance and may require mitigation for loss of Significant Vegetation consistent with Landscape Criteria in LMC Chapter 15-3-3(D) and Title 14.

(Amended by Ord. No. 06-76)

15-2.12-11. SIGNS.

Signs are allowed in the R-1 District as provided in the Park City Sign Code, Title 12.

15-2.12-12. RELATED PROVISIONS.

- Fences and Walls. LMC Chapter 15-4-2.
- Accessory Apartment. LMC Chapter 15-4-7.
- Satellite Receiving Antenna. LMC Chapter 15-4-13.
- Telecommunication Facility. LMC Chapter 15-4-14.
- Parking. LMC Chapter 15-3.
- Landscaping. Title 14; LMC Chapter 15-3 -3(D).
- Lighting. LMC Chapters 15-3 -3(C); 15-5-5(I).
- Historic Preservation Board. LMC Chapter 15-11.
- Park City Sign Code. Title 12.
- Architectural Review. LMC Chapter 15-5.
- Snow Storage. LMC Chapter 15-3 -3(E)
- Parking Ratio Requirements. LMC Chapter 15-3 -6.