

Ordinance No. 2020-12

**AN ORDINANCE REPEALING LAND MANAGEMENT CODE § 15-3-5,
DRIVEWAY STANDARDS FOR PRIVATE DRIVEWAYS WITHIN PLATTED, UNBUILT
CITY STREETS**

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;

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 City residents and visitors;

WHEREAS, the City reviews the Land Management Code on a regular basis and identifies necessary amendments to address updates to City planning and zoning policy; to address specific Land Management Code issues raised by Staff, the Planning Commission, and the City Council; and to align the Code with the Council's policies and goals;

WHEREAS, City Council has jurisdiction and control of the City rights-of-way and Council is re-evaluating City policy on private encroachment onto and use of City rights-of-way;

WHEREAS, Land Management Code § 15-3-5, *Driveway Standards for Private Driveways Within Platted, Unbuilt City Streets* is repealed while the City Council determines whether there are instances when the Planning Commission may approve private use of the platted, un-built rights-of-way;

WHEREAS, the Planning Commission duly noticed and conducted a public hearing on January 22, 2020, and forwarded a positive recommendation to City Council;

WHEREAS, the City Council duly noticed and conducted a public hearing on February 6, 2020; and

WHEREAS, it is in the best interest of the residents and visitors of Park City, Utah, to repeal Land Management Code § 15-3-5, *Driveway Standards for Private Driveways Within Platted, Unbuilt City Streets* 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 to maintain the quality of life for its residents and visitors.

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

SECTION 1. REPEAL OF LAND MANAGEMENT CODE § 15-3-5, *Driveway Standards For Private Driveways Within Platted, Unbuilt City Streets*. The recitals above are incorporated herein as findings of fact. Section 15-3-5 of the Land Management Code of Park City is hereby repealed (Exhibit A).

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

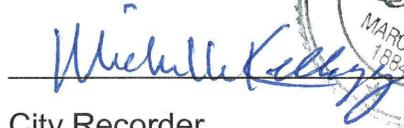
PASSED AND ADOPTED this 6th day of February, 2020

PARK CITY MUNICIPAL CORPORATION



Andy Beerman, Mayor

Attest:



City Recorder

Approved as to form:



Mark Harrington, City Attorney

Exhibit A:

~~15-3-5 Driveway Standards For Private Driveways Within Platted, Unbuilt City Streets~~

~~The following standards apply to driveways within platted but un-built Streets.~~

- ~~A. The driveway shall not exceed ten percent (10%) Slope.~~
- ~~B. Adequate snow storage Area along the downhill side and/or end of the driveway shall be provided.~~
- ~~C. The driveway must be paved with asphalt or concrete.~~
- ~~D. The driveway must not pre-empt any existing physical parking, which may occur in the platted Street. If the platted Street has been improved to provide Public Parking, then any driveway proposal must replace such parking with new Public Parking of equal or better convenience and construction.~~
- ~~E. The driveway and related improvements such as retaining walls shall be designed and built to minimize present and future conflicts with public utilities and stairs.~~
- ~~F. The driveway construction requires a Conditional Use permit, Section 15-1-10.~~
- ~~G. An encroachment permit for the driveway is required.~~
- ~~H. Private utilities, including snow melt devices, within the platted City Street require approval by the City Engineer.~~