

Ordinance 2020-14

**AN ORDINANCE AMENDING THE LAND MANAGEMENT CODE OF PARK CITY,
UTAH, AMENDING CHAPTER 15-11 HISTORIC PRESERVATION.**

WHEREAS, the Land Management Code was adopted by the City Council of Park City, Utah to promote the health, safety and welfare of the residents, visitors, and property owners of Park City; and

WHEREAS, the Land Management Code implements the goals, objectives and policies of the Park City General Plan to maintain the quality of life and experiences for its residents and visitors and to preserve the community's unique character and values; and

WHEREAS, the proposed Land Management Code (LMC) amendments enhance the design standards to maintain aesthetic experience of Park City; and

WHEREAS, these proposed Land Management Code (LMC) amendments were reviewed for consistency with the Park City General Plan; and

WHEREAS, the City Council finds that the proposed changes to the Land Management Code are necessary to supplement existing zoning regulations to protect Historic structures and the economic investment by owners of similarly situated property (currently Historic);

WHEREAS, Park City was originally developed as a mining community and much of the City's unique cultural identity is based on the historic character of its mining era buildings; and

WHEREAS, the Historic buildings are among the City's most important cultural, educational, and economic assets;

WHEREAS, the demolition and significant alteration of Historic buildings would permanently alter the character of a neighborhood, community and City;

WHEREAS, the Historic Preservation Board duly noticed and conducted public hearings at the regularly scheduled meetings on February 5, 2020 and forwarded a recommendation to Planning Commission and City Council; and

WHEREAS, the Planning Commission duly noticed and conducted public hearings at the regularly scheduled meetings on February 12, 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 February 27, 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 15-11 HISTORIC PRESERVATION. The recitals above are incorporated herein as findings of fact. Chapters 15-11 of the Land Management Code of Park City are hereby amended as redlined in Exhibit A.

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

PASSED AND ADOPTED this 27th day of February, 2020

PARK CITY MUNICIPAL CORPORATION



Andy Beerman, Mayor

Attest:



Michelle Kellogg, City Recorder



Approved as to form:



Margaret Plane, Special Counsel

Exhibits

Exhibit 1 – LMC §15-11-12.5 Historic Preservation Board Review for Material Deconstruction

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15-11-12.5 Historic Preservation Board Review For Material Deconstruction

A. ~~[The Historic Preservation Board shall review and approve, approve with conditions, or deny,]~~ All Applications for Material Deconstruction involving any Building(s) (main, attached, detached, or public, Accessory Buildings and/or Structures designated to the Historic Sites Inventory as Landmark or Significant shall be subject to review and approval, approval with conditions, or denied by the following Review Authorities:

1. The Planning Director or his/her designee shall review the following:
 - a. Routine Maintenance, including, but not limited to:
 - i. Re-roof;
 - ii. Chimney repair;
 - iii. Foundation repair; or
 - iv. Replacement or repair of the following:
 - (1) Historic wood features;
 - (2) Door or Window replacement; and
 - (3) Historic Site Features.
 - b. Removing or Replacing Non-Historic Features.
2. The Historic Preservation Board shall review the following:
 - a. Removal of Historic Material to Accommodate New additions, New Construction, or Structural Upgrades.

Prior to issuance of a Building Permit for any Material Deconstruction work, the Review Authority [Historic Preservation Board] shall review the proposed plans for compliance with the Land Management Code 15-13 Design Guidelines For Historic Districts And Historic Sites.

~~[Planning staff shall review Material Deconstruction applications of interior elements that (1) have no impact on the exterior of the structure; or (2) are not structural in nature; or (3) the scope of work is limited to exploratory demolition.]~~

B. Material Deconstruction Reviews are subject to the following review process:

1. **COMPLETE APPLICATION.** The Owner and/or Applicant for any Property shall be required to submit a Historic Preservation Board Review For Material Deconstruction for proposed work requiring a Building Permit in order to complete the work.
2. **NOTICE.** Upon receipt of a Complete Application, but prior to taking action on any Historic Preservation Board Review for Material Deconstruction application, the Planning staff shall provide notice pursuant to Section 15-1-12 and 15-1-21 of this Code.
3. **PUBLIC HEARING AND DECISION.** Following the fourteen (14) day public notice period noted in Section 15-1-21 of this Code, the Historic Preservation Board and/or the Planning Director or his/her designee shall hold a public

hearing and make written findings, conclusions of law, and conditions of approval or reasons for denial, supporting the decision and shall provide the Owner and/or Applicant with a copy.

HISTORY

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

Amended by Ord. [03-34](#) on 7/10/2003

Amended by Ord. [15-53](#) on 12/17/2015

Amended by Ord. [16-15](#) on 3/24/2016