

**Ordinance No. 2022-16**

**AN ORDINANCE AMENDING THE LAND MANAGEMENT CODE TO EXEMPT SINGLE-FAMILY DWELLINGS AND DUPLEXES FROM CERTAIN ARCHITECTURAL REVIEW REQUIREMENTS IN CHAPTER 15-5 TO COMPLY WITH CHANGES TO STATE LAW; TO UPDATE APPEALS IN SECTIONS 15-1-18, 15-10-3, AND 15-10-7 TO COMPLY WITH CHANGES TO STATE LAW; TO UPDATE THE DEFINITION OF *FOOD TRUCK* IN SECTION 15-15-1 TO COMPLY WITH CHANGES TO STATE LAW; AND TO MAKE NON-SUBSTANTIVE CORRECTIONS FOR CONSISTENT CITATION TO THE UTAH CODE AND INTERNAL CITATIONS, TO UPDATE REFERENCES TO THE INTERNATIONAL BUILDING CODE, AND OTHER MINOR MODIFICATIONS**

WHEREAS, in the First Special Session of 2021, the Utah legislature enacted H.B. 1003, *Government Building Regulation Amendments*, requiring amendments to the regulation of building design elements for Single-Family and Duplex Dwellings outlined in Land Management Code Chapter 15-5, *Architectural Review*;

WHEREAS, in 2017, the Utah Legislature enacted H.B. 30, *Historic Preservation Amendments*, requiring the City to designate the governing body as the historic preservation appeal authority;

WHEREAS, on August 3, 2017, the City Council adopted Ordinance No. 2017-42, amending the Land Management Code to provide an avenue for Historic District Design Review and Historic Site Designations to be appealed to City Council;

WHEREAS, in 2019 the Utah legislature enacted H.B. 315, *Land Use and Development Amendments*, removing the requirement that the historic preservation appeal authority be comprised of the governing body;

WHEREAS, the proposed amendments remove the City Council as an appeal authority for historic preservation appeals;

WHEREAS, the proposed amendments restore the Board of Adjustment as the appeal authority for historic preservation appeals;

WHEREAS, the proposed amendments clarify conflicting provisions in Land Management Code Sections 15-1-18, 15-10-3, and 15-10-7 regarding appeals to the Board of Adjustment and consolidate appeals to the Board of Adjustment in Section 15-1-18;

WHEREAS, in 2022, the Utah legislature enacted H.B. 146, expanding the definition of *Food Truck* to include food carts and ice cream trucks and the proposed amendments align the definition of *Food Truck* in Land Management Code Section 15-15-1 with the expanded state definition;

WHEREAS, the Planning Commission conducted a duly noticed public hearing on April 13, 2022, and unanimously forwarded a positive recommendation for City Council's consideration;

WHEREAS, the City Council conducted a duly noticed public hearing on May 26, 2022.

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

**SECTION 1. AMEND MUNICIPAL CODE OF PARK CITY LAND MANAGEMENT**

**CODE TITLE 15.** The recitals are incorporated herein as findings of fact. Municipal Code of Park City Title 15 Land Management Code § 15-2.3-8 *Special Requirements for MPDs and CUPs in Sub-Zone A*, § 15-2.3-13 *Architectural Review*, § 15-2.3-14 *Vegetation Protection*, § 15-2.3-16 *Related Provisions*, § 15-2.4-5 *Building Height*, § 15-2.4-7 *Special Requirements for Multi-Unit Dwellings*, § 15-2.4-12 *Architectural Review*, § 15-2.4-13 *Vegetation Protection*, § 15-2.4-15 *Related Provisions*, § 15-2.5-2 *Uses*, § 15-2.5-5 *Building Height*, § 15-2.5-12 *Architectural Review*, § 15-2.5-13 *Vegetation Protection*, § 15-2.5-4, *Existing Historic Buildings and/or Structures*, § 15-2.5-15 *Related Provisions*, § 15-2.6-2 *Uses*, § 15-2.6-5 *Maximum Building Volume and Height*, § 15-2.6-7 *Swede Alley Development Criteria*, § 15-2.6-13 *Architectural Review*, § 15-2.6-14 *Vegetation Protection*, § 15-2.6-16 *Related Provisions*, § 15-2.7-2 *Uses*, § 15-2.7-5 *Architectural Review*, § 15-2.7-6 *Vegetation Protection*, § 15-2.7-11 *Related Provisions*, § 15-2.8-5 *Architectural Review*, § 15-2.8-6 *Vegetation Protection*, § 15-2.8-8 *Related Provisions*, § 15-2.9-5 *Architectural Review*, § 15-2.9-10 *Vegetation Protection*, § 15-2.9-12 *Related Provisions*, § 15-2.10-5 *Architectural Review*, § 15-2.10-10 *Vegetation Protection*, § 15-2.10-12 *Related Provisions*, § 15-2.11-5 *Architectural Review*, § 15-2.11-10 *Vegetation Protection*, § 15-2.11-12 *Related Provisions*, § 15-2.12-6 *Architectural Review*, § 15-2.12-10 *Vegetation Protection*, § 15-2.12-12 *Related Provisions*, § 15-2.13-5 *Architectural Review*, § 15-2.13-10 *Vegetation Protection*, § 15-2.14-5 *Architectural Review*, § 15-2.14-10 *Vegetation Protection*, § 15-2.14-12 *Related Provisions*, § 15-2.15-6 *Architectural Review*, § 15-2.15-9 *Vegetation Protection*, § 15-2.15-11 *Related Provisions*, § 15-2.16-7 *Architectural Review*, § 15-2.16-13 *Vegetation Protection*, § 15-2.16-15 *Related Provisions*, § 15-2.17-3 *Procedure for Commercial Development Option*, § 15-2.17-9 *Vegetation Protection*, § 15-2.17-11 *Related*

*Provisions, § 15-2.18-5 Architectural Review, § 15-2.18-11 Vegetation Protection, § 15-2.18-13 Related Provisions, § 15-2.19-7 Architectural Review, § 15-2.19-13 Vegetation Protection, § 15-2.19-15 Related Provisions, § 15-2.22-5 Architectural Review, § 15-2.22-10 Vegetation Protection, § 15-2.22-12 Related Provisions, § 15-2.23-13 Vegetation Protection, § 15-2.23-16 Related Provisions, § 15-2.24-4 Development Credit Determination Letter, § 15-2.25-2 Related Provisions, § 15-2.26-2 Uses, § 15-2.26-5 Related Provisions, § 15-3-7 Parking in Master Planned Developments and Conditional Use Permits, § 15-4-2 Fences and Retaining Walls, § 15-4-11 Timeshare Conversion, § 15-5-2 Historic Districts and Historic Sites, § 15-5-3 Conditional Use Review, § 15-5-4 Permitted Use Review, § 15-5-5 Architectural Design Guidelines, § 15-5-6 Permitted Design Features, § 15-5-8 Façade Length and Variations, § 15-5-9 Sensitive Lands Review, § 15-6-5 Master Planned Development Requirements, § 15-6.1-11 Site Planning, § 15-7-3 Policy, § 15-7-4 Authority, § 15-7-7 Vacation, Alteration or Amendment of Plats, § 15-7.2-1 Improvements, § 15-7.4-3 Final Subdivision Plat, § 15-9-1 Purpose, § 15-9-4 Abandonment or Loss of Non-Conforming Use, § 15-10-1 Establishment of Board, § 15-10-3 Powers and Duties, § 15-10-7 Appeals, § 15-10-8 Variance, § 15-10-9 Persons Entitled to Appear, § 15-11-1 Establishment of Board, § 15-11-5 Purpose, § 15-11-6 Additional Duties, § 15-11-11 Design Guidelines for Historic Districts and Historic Sites, § 15-11-12 Historic District or Historic Site Design Review, § 15-11-12.5 Historic Preservation Board Review for Material Deconstruction, § 15-12-5 Authority, § 15-12-15 Review by Planning Commission, § 15-15-1 Definitions are hereby amended as outlined in Attachment 1.*

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

PASSED AND ADOPTED THIS 26<sup>th</sup> day of May, 2022.

PARK CITY MUNICIPAL CORPORATION

DocuSigned by:

*Nann Worel*

57775BCB46414F6...

Nann Worel, Mayor

Attest:

DocuSigned by:

*Michelle Kellogg*

E5F906BB533F431...

City Recorder

Approved as to form:

DocuSigned by:

*Mark Harrington*

B7478B7734C7490

City Attorney's Office



1 **Attachment 1**

2 **15-1-2 Statement Of Purpose**

3 The LMC is designed, enacted, restated and reorganized to implement the goals and  
4 policies of the Park City General Plan, and for the following purposes:

5 A. To promote the general health, safety and welfare of the present and future  
6 inhabitants, Businesses, and visitors of the City,

7 B. To protect and enhance the vitality of the City's resort-based economy, the  
8 overall quality of life, the Historic character, and unique mountain town  
9 community,

10 C. To protect and preserve peace and good order, comfort, convenience, and  
11 aesthetics of the City,

12 D. To protect the tax base and to secure economy in governmental expenditures,

13 E. To allow Development in a manner that encourages the preservation of  
14 environmentally sensitive lands, Historic Structures, the integrity of Historic  
15 Districts, and the unique urban scale of original Park City,

16 F. To provide for well-planned commercial and residential centers, safe and efficient  
17 traffic and pedestrian circulation, preservation of night skies and efficient delivery  
18 of municipal services,

19 G. To prevent Development that adds to existing Geologic Hazards, erosion,  
20 flooding, degradation of air quality, wildfire danger or other conditions that create  
21 potential dangers to life and safety in the community or that detracts from the  
22 quality of life in the community,

23 H. To protect and ensure access to sunlight for Solar Energy Systems, and

24 I. To protect or promote moderate income housing.

25 It is the intention of the City in adopting this LMC to fully exercise all of the powers  
26 granted to the City by the provisions of ~~the~~ Utah Code Title 10, Chapter 9a, ~~of~~ the  
27 ~~Utah~~ Municipal Land Use, Development, and Management Act ~~[- Utah Code Annotated,~~  
28 ~~1994]~~, as amended, and all other powers granted by statute or by common law for the  
29 necessary regulation of the Use and Development of land within the City.

30 HISTORY

31 *Adopted by Ord. [00-25](#) on 3/30/2000*

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

33 *Amended by Ord. [2018-27](#) on 5/31/2018*

34 . . . .

35 **15-1-9 Allowed Use Review Process**

36 A. An Applicant must file a Complete Application, using the forms established by the  
37 Planning Department, and include payment of all fees. On any Application to  
38 construct a Building or other Improvement to Property which is defined by this  
39 Code as an Allowed Use in the Zone in which the Building is proposed, the  
40 Planning Department must review the Application to determine whether the  
41 proposal:

- 42 1. is an Allowed Use within the zone for which it is proposed;
- 43 2. complies with all applicable Development requirements of that zone,  
44 including Building Height, ~~Setback,~~ Front, Side, and Rear ~~Yards~~  
45 Setbacks, and Lot coverage;
- 46 3. respects Lot Lines of a legally subdivided Lot;
- 47 4. meets the applicable parking requirements;

48 5. conforms to ~~[the Park City]~~ Architectural ~~[Design Guidelines]~~ Review  
49 and/or the Design Guidelines for Historic Districts and Historic Sites, and  
50 the architectural review process established for that zone;

51 6. can be adequately serviced by roads, and existing or proposed utility  
52 systems or lines; and

53 7. pertains to land in which all tax assessments have been paid.

54 B. If approved by the Planning Department ~~[Planning]~~ Staff, the plans must be  
55 forwarded to the Engineering Department and Building Department. The plans  
56 shall be reviewed for Building Code compliance and permit issuance procedures.  
57 Approval of Allowed Uses must be noted by the issuance of a Building Permit in  
58 compliance with the provisions of the ~~[Uniform Building Code]~~ International  
59 Building Code, as adopted by Park City.

60 C. If the Application does not comply with the requirements of the zone, the  
61 Planning Department shall notify the Owner of the project or ~~[his]~~ the Owner's  
62 Agent, if any, stating specifically what requirements of the zone have not been  
63 satisfied, and also stating whether the project could be reviewed as submitted as  
64 a Conditional Use for that zone.

65 D. **DISCLAIMER**. No permit issued shall be valid if any of the criteria listed in this  
66 section have not been met.

67 HISTORY

68 *Adopted by Ord. 00-25 on 3/30/2000*

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

70 Amended by Ord. [09-23](#) on 7/9/2009

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

72 . . . .

73 **15-1-11 Special Applications**

74 A. **MASTER PLANNED DEVELOPMENT (MPD) REVIEW PROCESS**. Applications  
75 for MPDs shall be reviewed according to [LMC] Chapter 15-6. Applications for  
76 Affordable MPDs shall be reviewed according to Chapter 15-6.1.

77 B. **VARIANCES [AND NON-CONFORMING USES]**. The Board of Adjustment must  
78 review Applications for Variances. ~~[and appeals of Planning Director~~  
79 ~~determinations regarding Non-Conforming Uses and Non-Complying Structures~~  
80 ~~in accordance with the regulations set forth in LMC Chapter 15-9.]~~ Such approval  
81 must be obtained from the Board of Adjustment prior to the issuance of any  
82 Conditional Use permit or Master Planned Development, or other approval by the  
83 Planning Commission or Planning Department. All action on an Application shall  
84 be stayed upon the determination that a Board of Adjustment approval is  
85 required.

86 C. **PLAT AMENDMENTS/SUBDIVISION**. Plat Amendments and Subdivisions must  
87 be reviewed pursuant to [LMC] Chapter 15-7. No Building Permit may be issued  
88 prior to such an approval.

89 D. **ADMINISTRATIVE CONDITIONAL USE PERMITS**. The Planning Director~~[,]~~ or  
90 ~~[his or her]~~ designee~~[,]~~ shall review and take Final Action on Administrative  
91 Conditional Use permits. Review process shall be consistent with Section 15-1-

92 10~~(A-H)~~, with the exception that no published notice, as described in Section  
93 15-1-12, shall be required.

94 E. **ADMINISTRATIVE PERMITS**. The Planning Department shall review and take  
95 Final Action on Administrative Permits. Review process shall be consistent with  
96 the requirements herein for those Uses requiring an Administrative Permit, such  
97 as a Medical Cannabis Production Establishment or a Medical Cannabis  
98 Pharmacy; ~~;~~ temporary tents, Structures, and vendors; temporary change of  
99 occupancy permits; ~~regulated~~ Accessory Apartments; specified Outdoor Events  
100 and Uses; Family Child Care in specified Zoning Districts; and temporary  
101 Telecommunication Antennas, where these Uses are designated as requiring  
102 Administrative Permits. These Uses may require Administrative Conditional Use  
103 permits or Conditional Use permits in some Zoning Districts pursuant to Chapter  
104 15-2.

105 HISTORY

- 106 *Adopted by Ord. [00-25](#) on 3/30/2000*
- 107 *Amended by Ord. [06-22](#) on 4/27/2006*
- 108 *Amended by Ord. [09-10](#) on 3/5/2009*
- 109 *Amended by Ord. [12-37](#) on 12/20/2012*
- 110 *Amended by Ord. [2016-44](#) on 9/15/2016*
- 111 *Amended by Ord. [2019-64](#) on 12/19/2019*
- 112 *Amended by Ord. [2020-36](#) on 7/30/2020*

113 . . . .  
114 **15-1-12 Notice**

115 All notice of public hearing, unless otherwise specified in this Code or State law, must  
116 be provided in accordance with this Section and must state the general nature of the  
117 proposed action; describe the land affected; and state the time, place, and date of the  
118 hearing. Once opened, the hearing may be continued, if necessary, without  
119 republication of notice until the hearing is closed. Notice shall be given according to  
120 Section 15-1-21 Notice Matrix and as follows:

121 A. **POSTED NOTICES**. The Planning Department must post notice on the Property  
122 affected by the Application and as further specified in Section 15-1-21 Notice  
123 Matrix.

124 B. **PUBLISHED NOTICE**. Published notice shall be given by publication in a  
125 newspaper having general circulation in Park City and by publication on the Utah  
126 Public Notice Website, as further specified in Section 15-1-21 Notice Matrix.

127 C. **MAILED NOTICE**. Pursuant to Section 15-1-21 Notice Matrix for required or  
128 courtesy mailed notice to adjacent and surrounding Property Owners, and to  
129 Affected Entities, the Applicant must provide the Planning Department with an  
130 electronic list of each Property Owner of record of each Parcel located entirely or  
131 partly within [~~three hundred feet (300')~~] the distance designated by Application  
132 type in Section 15-1-21 from all Property Lines of the subject Property, and as  
133 further specified in Section 15-1-21 Notice Matrix. The addresses for Property  
134 Owners must be as shown on the most recently available Summit County tax  
135 assessment rolls. If the [~~subject~~] Property that is the subject of the Application is  
136 a Condominium, the Owners Association is sufficient in lieu of the address for  
137 each unit Owner. For courtesy mailed notice that is not a legal requirement per

138 Utah [~~State~~] Code, for specific actions and noted herein, and further specified in  
139 Section 15-1-21 Notice Matrix, any defect in such courtesy mailed notice shall  
140 not affect or invalidate any hearing or action by the City Council or any Board or  
141 Commission.

142 D. **APPLICANT NOTICE**. For each land Use Application, the Planning Department  
143 must notify the Applicant of the date, time, and place of each public hearing and  
144 public meeting to consider the Application and of any Final Action on the pending  
145 Application. A copy of each Staff report regarding the Applicant or the pending  
146 Application shall be provided to the Applicant at least three (3) business days  
147 before the public hearing or public meeting. If the requirements of this  
148 [~~subsection~~] **Subsection** are not met, an Applicant may waive the failure so that  
149 the Applicant may stay on the agenda and be considered as if the requirements  
150 had been met.

151 E. **EFFECT OF NOTICE**. Proof that notice was given pursuant to this Section is  
152 prima facie evidence that notice was properly given. If notice given under  
153 authority of this [~~section~~] **Section** is not challenged as provided for under State  
154 law within thirty (30) days after the date of the hearing or action for which the  
155 challenged notice was given, the notice is considered adequate and proper.

156 F. **OWNERS ASSOCIATION REGISTRATION AND NOTIFICATION**.

157 1. **REGISTRATION**. Owners associations desiring notice of requests for  
158 Building Permits within their boundaries must file written registration  
159 annually with the Park City Building Department and pay an annual fee of  
160 fifty dollars (\$50.00). The registration must consist of a copy of the Owners

161 association's Utah State Business or corporate registration and the  
162 ~~[name(s)]~~ names, addresses including post office box numbers, and  
163 telephone numbers of at least three (3) authorized representatives of the  
164 Owners association and a notarized statement certifying that these  
165 individuals are the authorized representatives of said association.

166  
167 Associations not registered with the City will not be included in the  
168 published list of Owners associations and do not receive notice of Building  
169 Permit requests prior to their issuance.

170  
171 Any change(s) in the above information must be forwarded in writing to the  
172 Building Department within ten (10) days of the change.

173 2. **NOTICE.** Prior to, or at the time of Application for a permit for any  
174 Development, the Applicant must file with the City evidence of notification  
175 to the appropriate registered Owners association(s). Acceptable evidence  
176 of notification shall be the following:

- 177 a. the properly executed notice form, as approved by the City; or
- 178 b. a signed return receipt from a certified letter posted to the  
179 registered association representative, with a copy of the notice form  
180 approved by the City.

181 3. **CITY NOT PARTY TO DISPUTES.** The City is not the arbiter of disputes  
182 between an Applicant and an Owners association. Nothing herein shall be

183 interpreted to require Owners association consent prior to City Final  
184 Action. This notice is courtesy notice only.

185 G. **NOTICE FOR AN AMENDMENT TO PUBLIC IMPROVEMENTS.** Prior to  
186 implementing an amendment to adopted specifications for public improvements  
187 that apply to Subdivisions or Development, the City shall give thirty (30) days  
188 mailed notice and an opportunity to comment to anyone who has requested the  
189 notice in writing.

190 HISTORY

191 *Adopted by Ord. [00-25](#) on 3/30/2000*

192 *Amended by Ord. [02-57](#) on 12/19/2002*

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

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

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

196 *Amended by Ord. [12-37](#) on 12/20/2012*

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

198 *Amended by Ord. [2020-34](#) on 7/9/2020*

199 . . . .

200 **15-1-18 Appeals And Reconsideration Process**

201 A. **STAFF.** ~~[Any decision]~~ **Final Action** by either the Planning Director or Planning  
202 Staff ~~[regarding Application of this LMC to a Property]~~ may be appealed to the  
203 Planning Commission. ~~[Appeals of decisions]~~ **Final Action** regarding the Design  
204 Guidelines for Historic Districts and Historic Sites shall be reviewed by the Board  
205 of Adjustment. ~~[or City Council at the request of the appellant. If the appellant~~

206 ~~chooses to have the City Council hear the appeal, the appellant must do so in~~  
207 ~~writing at the time the appellant submits the appeal.]~~

208 B. **HISTORIC PRESERVATION BOARD (HPB)**. The City or any Person with  
209 standing adversely affected by any decision of the Historic Preservation Board  
210 may be appealed to the Board of Adjustment. ~~[or City Council at the request of~~  
211 ~~the appellant. If the appellant chooses to have City Council hear the appeal, the~~  
212 ~~appellant must do so in writing at the time the appellant submits the appeal.]~~

213 C. **PLANNING COMMISSION**. The City or any Person with standing adversely  
214 affected by a Final Action by the Planning Commission on appeals of Staff action  
215 may petition the District Court in Summit County for a review of the decision.  
216 Final Action by the Planning Commission on Conditional Use permits and Master  
217 Planned Developments (MPDs) involving City Development may be appealed to  
218 the Board of Adjustment at the City Council's request. All other Final Action by  
219 the Planning Commission concerning Conditional Use permits (excluding those  
220 Conditional Use permits decided by Staff and appealed to the Planning  
221 Commission; final action on such an appeal shall be appealed to the District  
222 Court) and MPDs may be appealed to the City Council. When the City Council  
223 determines it necessary to ensure fair due process for all affected parties or to  
224 otherwise preserve the appearance of fairness in any appeal, the City Council  
225 may appoint an appeal panel as appeal authority to hear any appeal or call up  
226 that the Council would otherwise have jurisdiction to hear. The appeal panel will  
227 have the same scope of authority and standard of review as the City Council.  
228 Only those decisions in which the Planning Commission has applied a land Use

229 ordinance to a particular Application, Person, or Parcel may be appealed to an  
230 appeal authority.

231 1. **APPEAL PANEL MEMBERSHIP AND QUALIFICATIONS.** The appeal  
232 panel shall have three (3) members. The decision to appoint and the  
233 appointment of an appeal panel shall be made by the City Council at a  
234 duly noticed public meeting after publicly noticed request for qualifications.  
235 Qualifications shall include a weighted priority for the following: Park City  
236 or Area residency, five years or more of prior experience in an adjudicative  
237 position, and/or a legal or planning degree. Each member of the appeal  
238 panel shall have the ability to:

- 239 a. Conduct quasi-judicial administrative hearings in an orderly,  
240 impartial and highly professional manner.
- 241 b. Follow complex oral and written arguments and identify key issues  
242 of local concern.
- 243 c. Master non-legal concepts required to analyze specific situations,  
244 render findings and determinations.
- 245 d. Absent any conflict of interest, render findings and determinations  
246 on cases heard, based on neutral consideration of the issues,  
247 sound legal reasoning, and good judgment.

248 2. **PROCESS.** Any hearing before an appeal panel shall be publicly noticed,  
249 include a public hearing, and meet all requirements of the Utah Open and  
250 Public Meetings Act. The appeal panel shall have the same authority and  
251 follow the same procedures as designated for the "City Council" in this

252 ~~[section 15-1-18 (G-I)]~~ Section. The City Council may decide to appoint an  
253 appeal panel for a particular matter at any time an application is pending  
254 but the appointment of the individual members of the panel shall not occur  
255 until an actual appeal or call up is pending.

256 D. **STANDING TO APPEAL**. The following has standing to appeal a Final Action:

- 257 1. Any Person who submitted written comment or testified on a proposal  
258 before the Planning Department, Historic Preservation Board, or Planning  
259 Commission;
- 260 2. The Owner of any Property within three hundred feet (300') of the  
261 boundary of the subject site;
- 262 3. Any City official, Board or Commission having jurisdiction over the matter;  
263 and
- 264 4. The Owner of the subject Property.

265 E. **TIMING**. All appeals must be made within ten (10) calendar days of the Final  
266 Action except for an appeal from a decision by the historic preservation authority  
267 which is a decision by Staff regarding the Design Guidelines for Historic Districts  
268 and Historic Sites or a decision by the Historic Preservation Board regarding a  
269 land use application, the applicant may appeal the decision within thirty (30) days  
270 after the day on which the historic preservation authority issues a written  
271 decision. ~~[If the appellant chooses to have City Council hear the appeal, the  
272 appellant must do so in writing at the time the appellant submits the appeal.]~~ The  
273 reviewing body, with the consultation of the appellant, shall set a date for the  
274 appeal. All appeals shall be heard by the reviewing body within forty-five (45)

275 days of the date that the appellant files an appeal unless all parties, including the  
276 City, stipulate otherwise.

277 F. **FORM OF APPEALS**. Appeals to the Planning Commission, Board of  
278 Adjustment, or Historic Preservation Board must be filed with the Planning  
279 Department. Appeals to the City Council must be filed with the City Recorder.  
280 Appeals must be by letter or petition, and must contain the name, address, and  
281 telephone number of the petitioner; ~~[his or her]~~ the petitioner's relationship to the  
282 project or subject Property; and ~~[must have]~~ a comprehensive statement of all the  
283 reasons for the appeal, including specific provisions of the law, if known, that are  
284 alleged to be violated by the action taken. The Appellant shall pay the applicable  
285 fee established by resolution when filing the appeal. The Appellant shall present  
286 to the appeal authority every theory of relief that it can raise in district court. The  
287 Appellant shall provide courtesy mailing to all parties who received mailed notice  
288 for the action being appealed within fourteen (14) days of filing the appeal.

289 G. **BURDEN OF PROOF AND STANDARD OF REVIEW**. The appeal authority  
290 shall act in a quasi-judicial manner even if the appeal authority is the City  
291 Council. The appellant has the burden of proving that the land use authority  
292 erred. The appeal authority shall review factual matters de novo, without  
293 deference to the land use authority's determination of factual matters. The appeal  
294 authority shall determine the correctness of the land use authority's interpretation  
295 and application of the plain meaning of the land use regulations, and interpret  
296 and apply a land use regulation to favor a land use application unless the land  
297 use regulation plainly restricts the land use application. All appeals must be

298 made in writing. Review of petitions of appeal shall include a public hearing and  
299 shall be limited to consideration of only those matters raised by the petition(s),  
300 unless the appeal authority grants either party approval to enlarge the scope of  
301 the appeal to accept information on other matters. New evidence may be  
302 received so long as it relates to the scope of the appeal. ~~[City Council, when~~  
303 ~~acting as an appeal body for appeals of Historic Preservation decisions, may~~  
304 ~~exercise only administrative authority.]~~

305 H. **NON-ADVERSARIAL PROCESS.** For all appeals before City Council, and any  
306 Board or Commission, the following shall apply:

- 307 1. The procedural hearings and reviews established by the City's regulatory  
308 procedures does not adopt or utilize in any way the adversary criminal or  
309 civil justice system used in the courts.
- 310 2. The role of City staff, including legal staff, is to provide technical and legal  
311 advice and professional judgment to each decision making body, including  
312 City Council, as they are not advocates of any party or position in a  
313 dispute, notwithstanding the fact that their technical and legal advice and  
314 professional judgment may lead them to make recommendations  
315 concerning the matter.
- 316 3. In the absence of clear evidence in the record that a staff member has lost  
317 ~~[his or her]~~ impartiality as a technical adviser, the City's need for  
318 consistent, coherent and experienced advisers outweighs any claims of  
319 bias by the applicant.

320 I. **WRITTEN FINDINGS REQUIRED.** The appeal authority shall direct staff to  
321 prepare detailed written Findings of Fact, Conclusions of Law, and the Order.

322 J. **CITY COUNCIL ACTION ON APPEALS.**

323 1. The City Council, with the consultation of the appellant, shall set a date for  
324 the appeal.

325 2. The City Recorder shall notify the Property Owner and/or the Applicant of  
326 the appeal date. The City Recorder shall obtain the findings, conclusions  
327 and all other pertinent information from the Planning Department and shall  
328 transmit them to the Council.

329 3. The City Council may affirm, reverse, or affirm in part and reverse in part  
330 any properly appealed decision of the Planning Commission. The City  
331 Council may remand the matter to the appropriate body with directions for  
332 specific Areas of review or clarification. City Council review of petitions of  
333 appeal shall include a public hearing and be limited to consideration of  
334 only those matters raised by the petition(s), unless the Council by motion,  
335 enlarges the scope of the appeal to accept information on other matters.

336 4. Staff must prepare written findings within fifteen (15) working days of the  
337 City Council vote on the matter.

338 K. **CITY COUNCIL CALL-UP.** Within fifteen (15) calendar days of Final Action on  
339 any project, the City Council, on its own motion, may call up any Final Action  
340 taken by the Planning Commission or Planning Director for review by the  
341 Council. Call-ups involving City Development may be heard by the Board of  
342 Adjustment at the City Council's request. The call-up shall require the majority

343 vote of the Council. Notice of the call-up shall be given to the Chairman of the  
344 Commission and/or Planning Director by the Recorder, together with the date set  
345 by the Council for consideration of the merits of the matter. The Recorder shall  
346 also provide notice as required by Sections 15-1-12 and 15-1-18(K) herein. In  
347 calling a matter up, the Council may limit the scope of the call-up hearing to  
348 certain issues. The City Council, with the consultation of the Applicant, shall set a  
349 date for the call-up. The City Recorder shall notify the Applicant of the call-up  
350 date. The City Recorder shall obtain the findings, and all other pertinent  
351 information and transmit them to the Council.

352 L. **NOTICE**. There shall be no additional notice for appeals of Staff determination  
353 other than listing the matter on the agenda, unless notice of the Staff review was  
354 provided, in which case the same notice must be given for the appeal. Notice of  
355 appeals of Final Action by the Planning Commission and Historic Preservation  
356 Board; notice of all appeals to City Council, reconsiderations, or call-ups shall be  
357 given by:

- 358 1. Publishing the matter once at least fourteen (14) days prior to the first  
359 hearing in a newspaper having general circulation in Park City;
- 360 2. Mailing courtesy notice at least fourteen (14) days prior to the first hearing  
361 to all parties who received mailed courtesy notice for the original action.
- 362 3. Posting the Property at least fourteen (14) days prior to the first hearing;  
363 and
- 364 4. Publishing notice on the Utah Public Notice Website at least fourteen (14)  
365 days prior to the first hearing.

366 M. **STAY OF APPROVAL PENDING REVIEW OF APPEAL**. Upon the filing of an  
367 appeal, any approval granted under this ~~[Chapter]~~ Title will be suspended until  
368 the appeal body, pursuant to this Section 15-1-18 has acted on the appeal.

369 N. **APPEAL FROM THE CITY COUNCIL**. The Applicant or any Person aggrieved  
370 by City action on the project may appeal the Final Action by the City Council to a  
371 court of competent jurisdiction. The decision of the Council stands, and those  
372 affected by the decision may act in reliance on it unless and until the court enters  
373 an interlocutory or final order modifying the decision.

374 O. **RECONSIDERATION**. The City Council, and any Board or Commission, may  
375 reconsider at any time any legislative decision upon an affirmative vote of a  
376 majority of that body. The City Council, and any Board or Commission, may  
377 reconsider any quasi-judicial decision upon an affirmative vote of a majority of  
378 that body at any time prior to Final Action. Any action taken by the deciding body  
379 shall not be reconsidered or rescinded at a special meeting unless the number of  
380 members of the deciding body present at the special meeting is equal to or  
381 greater than the number of members present at the meeting when the action was  
382 approved.

383 P. No participating member of the appeal panel may entertain an appeal in which  
384 ~~[he or she]~~ the participating member acted as the land Use authority.

385 HISTORY

386 *Adopted by Ord. 00-25 on 3/30/2000*

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

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

389 Amended by Ord. [09-23](#) on 7/9/2009  
390 Amended by Ord. [10-15](#) on 4/15/2010  
391 Amended by Ord. [12-37](#) on 12/20/2012  
392 Amended by Ord. [14-37](#) on 7/17/2014  
393 Amended by Ord. [15-35](#) on 10/12/2015  
394 Amended by Ord. [15-53](#) on 12/17/2015  
395 Amended by Ord. [16-15](#) on 3/24/2016  
396 Amended by Ord. [2016-44](#) on 9/15/2016  
397 Amended by Ord. [2017-04](#) on 2/16/2017  
398 Amended by Ord. [2017-42](#) on 8/3/2017  
399 Amended by Ord. [2018-46](#) on 8/2/2018  
400 Amended by Ord. [2020-34](#) on 7/9/2020

401 . . . .

402 **15-2.1-3 Lot And Site Requirements**

403 Except as may otherwise be provided in this Code, no Building Permit shall be issued  
404 for a Lot unless such Lot has the Area, width, and depth as required, and Frontage on a  
405 Street shown as a private or Public Street on the Streets Master Plan, or on a private  
406 easement connecting the Lot to a Street shown on the Streets Master Plan.

407

408 All Development activity must comply with the following minimum Lot and Site  
409 requirements:

410 A. **LOT SIZE**. The minimum Lot Area is 3,750 square feet.

411 B. **LOT WIDTH (HRL DISTRICT)**. The minimum width of a Lot is thirty-five feet  
412 (35'), measured fifteen feet (15') back from the Front Lot Line. In the case of

413 unusual Lot configurations, Lot width measurements shall be determined by the  
414 Planning Director

415 C. **BUILDING ENVELOPE (HRL DISTRICT)**. The Building Pad, Building Footprint,  
416 and height restrictions define the maximum Building Envelope in which all  
417 Development must occur, with exceptions as allowed by Section 15-2.1-3(D).

418 D. **BUILDING PAD (HRL DISTRICT)**. The Building Pad is the Lot Area minus  
419 required Front, Rear and Side Setback Areas.

420 1. The Building Footprint must be within the Building Pad. The remainder of  
421 the Building Pad must be open and free of any other Structure except:

- 422 a. Porches or decks, with or without roofs;
- 423 b. At Grade patios;
- 424 c. Upper level decks, with or without roofs;
- 425 d. Bay Windows;
- 426 e. Chimneys;
- 427 f. Sidewalks, pathways, and steps;
- 428 g. Screened hot tubs; and
- 429 h. Landscaping.

430 2. Exceptions to the Building Pad Area, excluding Bay Windows, are not  
431 included in the Building Footprint calculations, and are subject to Planning  
432 Department approval based on a determination that the proposed  
433 exceptions result in a design that:

- 434 a. provides increased architectural interest consistent with the  
435 ~~[Historic District Design Guidelines]~~ Design Guidelines for Historic  
436 Districts and Historic Sites;  
437 b. maintains the intent of this section to provide horizontal and vertical  
438 Building articulation.

439 E. **BUILDING FOOTPRINT (HRL DISTRICT)**. The maximum Building Footprint of  
440 any Structure shall be located on a Lot, or combination of Lots, not exceeding  
441 18,750 square feet in Lot Area, shall be calculated according to the following  
442 formula for Building Footprint. The maximum Building Footprint for any Structure  
443 located on a Lot or combination of Lots, exceeding 18,750 square feet in Lot  
444 Area, shall be 4,500 square feet; with an exemption allowance of 400 square feet  
445 per dwelling unit for garage floor area. A Conditional Use Permit is required for  
446 all Structures with a proposed footprint of greater than 3,500 square feet.

447  
448 Accessory Buildings listed on the Park City Historic Sites Inventory that are not  
449 expanded, enlarged or incorporated into the Main Building, shall not count in the  
450 total Building Footprint of the Lot.

451  
452 
$$\text{MAXIMUM FP} = (A/2) \times 0.9^{A/1875}$$

453  
454 Where FP = maximum Building Footprint and A = Lot Area.

455  
456 Example: 3,750 sq. ft. Lot:  $(3,750/2) \times 0.9^{(3750/1875)} = 1,875 \times 0.81 = 1,519 \text{ sq. ft.}$

457

458

See the following Table 15-2.1. for a schedule equivalent of this formula for

459

common Lot Sizes.

460

461

TABLE 15-2.1.

Lot Depth (ft.) **	Lot Width (ft.)	Lot Area Sq. Ft.	Max. Bldg. Footprint Sq. Ft.
75 ft.	37.5*	2,813	1,201
75 ft.	50.0	3,750	1,519
75 ft.	62.5	4,688	1,801
75 ft.	75.0	5,625	2,050
75 ft.	87.5	6,563	2,269
75 ft.	100.0	7,500	2,460
75 ft.	Greater than 100.0	Greater than 7,500	Per Formula

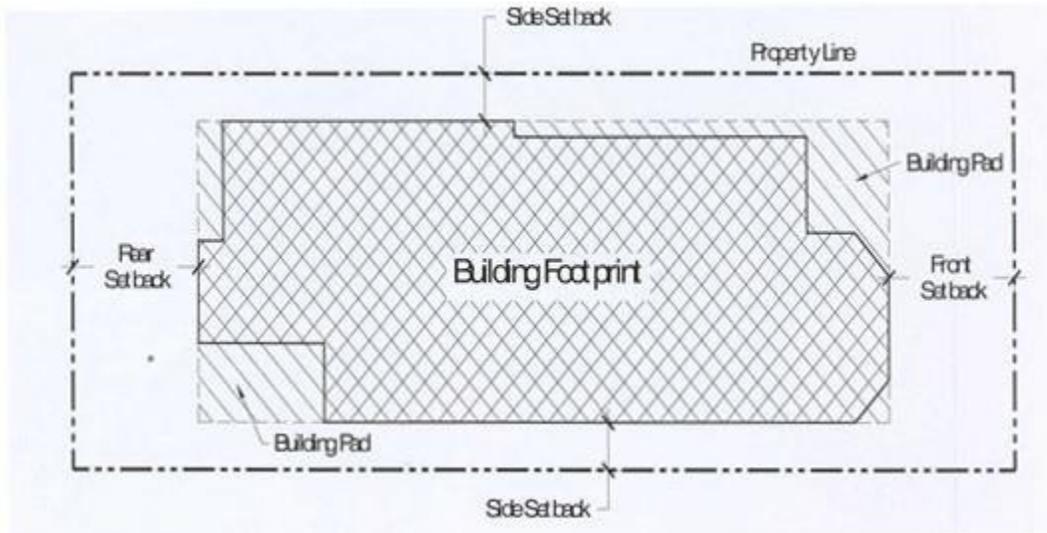
462

\* for existing 25' wide lots, Use HR-1 standards.

463

\*\* for lots > 75' in depth use Footprint formula

464



465

466 F. **FRONT AND REAR SETBACKS.** Front and Rear Setbacks are as follows:

467

468 TABLE 15-2.1a

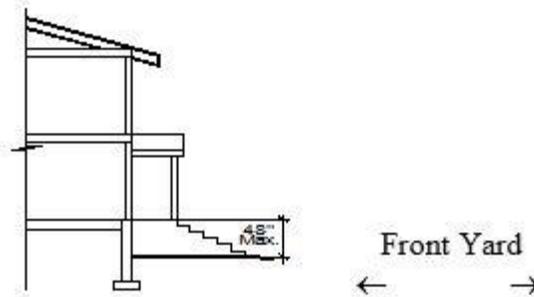
Lot Depth	Minimum Front/Rear Setback	Total of Setback
Up to 75 ft., inclusive	10 ft. each	20 ft.
From 75 ft. to 100 ft.	12 ft./13 ft. (or vice versa)	25 ft.
Over 100 ft.	15 ft. each	30 ft.

469

470 G. **FRONT SETBACK EXCEPTIONS.** The Front [Yard] **Setback** must be open and  
 471 free of any Structure except:

- 472 1. Fences, walls, and retaining walls not more than four feet (4') in height, or  
 473 as permitted in Section 15-4-2 Fences and Retaining Walls. On Corner  
 474 Lots, Fences more than three feet (3') in height are prohibited within  
 475 twenty-five feet (25') of the intersection, at back of curb.

- 476 2. Uncovered steps leading to the Main Building, provided the steps are not  
477 more than four feet (4') in height from Final Grade, not including any  
478 required handrail, and do not cause any danger or hazard to traffic by  
479 obstructing the view of the Street or intersection.



- 480  
481 3. Decks, porches, or Bay Windows not more than ten feet (10') wide and  
482 projecting not more than three feet (3') into the Front Setback.  
483 4. Roof overhangs, eaves, or cornices projecting not more than three feet (3')  
484 into the Front Setback.  
485 5. Sidewalks and pathways.  
486 6. Driveways leading to either a garage or an approved Parking Area. No  
487 portion of a Front Yard, except for driveways, allowed Parking Areas and  
488 sidewalks, may be Hard-Surfaced or graveled.

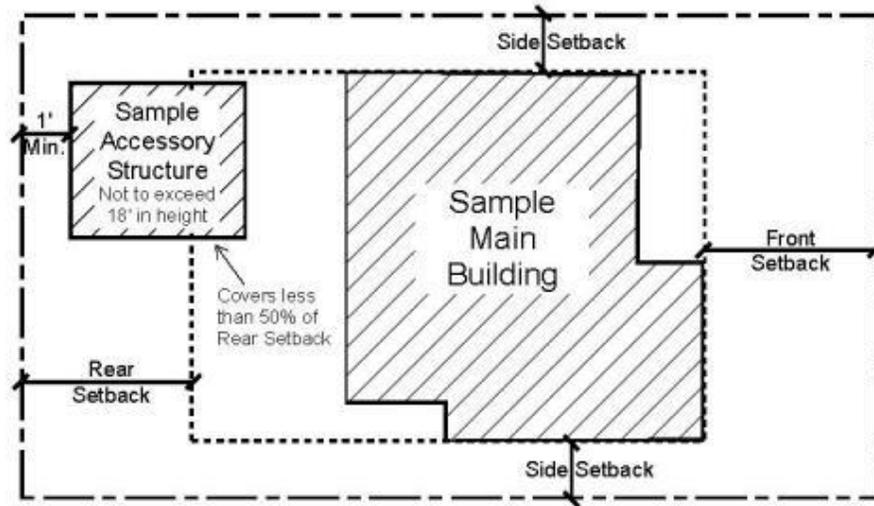
489 H. **REAR SETBACK EXCEPTIONS.** The Rear Setback must be open and free of  
490 any Structure except:

- 491 1. Bay Windows not more than ten feet (10') wide and projecting not more  
492 than two feet (2') into the Rear Setback.  
493 2. Chimneys not more than five feet (5') wide and projecting not more than  
494 two feet (2') into the Rear Setback.

- 495           3. Window wells not exceeding the minimum International Residential Code  
496           (IRC) or International Building Code (IBC) requirements for egress may  
497           extend not more than four feet (4') into the Rear Setback. Should egress  
498           requirements be met within the building pad, no Rear Setback exception is  
499           permitted.
- 500           4. Roof overhangs or eaves projecting not more than two feet (2') into the  
501           Rear Setback.
- 502           5. Window sills, belt courses, cornices, trim, exterior siding, or other  
503           ornamental features projecting not more than six inches (6") beyond the  
504           main Structure to which they are attached.
- 505           6. Detached Accessory Buildings not more than eighteen feet (18') in height,  
506           and including any free-standing Solar Energy Systems, located a  
507           minimum of five feet (5') behind the front facade of the Main Building, and  
508           maintaining a minimum Rear Setback of one foot (1'). Such Structure must  
509           not cover over fifty percent (50%) of the Rear Setback. See the following

510

illustration:



511

512

7. A Hard-Surfaced Parking Area subject to the same location requirements as a Detached Accessory Building.

513

514

8. Mechanical equipment (which must be screened), hot tubs, or similar Structures located at least three feet (3') from the Rear Lot Line.

515

516

9. Fences, walls, and retaining walls as permitted in Section 15-4-2 Fences and Retaining Walls.

517

518

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.

519

520

521

11. Pathways or Steps connecting to a City staircase or pathway.

522

12. One (1) Shared Driveway leading to either a garage or an approved

523

Parking Area. See Section 15-2.1-7 Parking Regulations for additional

524

requirements.

525 I. **SIDE SETBACKS.** Side Setbacks are as follows:

526

527 TABLE 15-2.1b

Lot Width (ft.) up to:	Minimum Side Setback	Total of Setback
37.5*	3 ft. each side	6 ft.
50.0	5 ft. each side	10 ft.
62.5	5 ft. minimum	14 ft.
75.0	5 ft. minimum	18 ft.
87.5	10 ft. minimum	24 ft.
100.0	10 ft. minimum	24 ft.
Greater than 100.0	10 ft. minimum	30 ft.

528 \* for existing 25' wide lots, Use HR-1 standards.

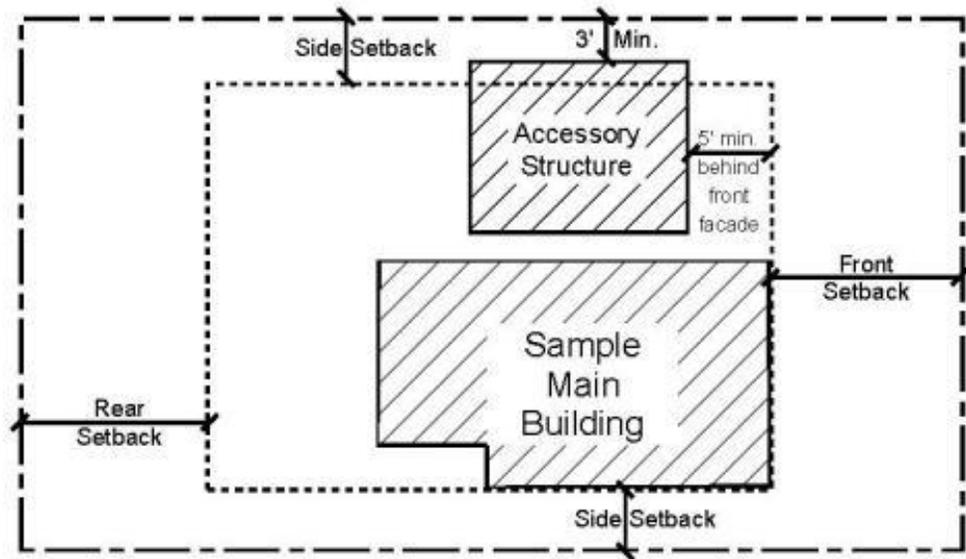
529

530 On Corner Lots, the minimum Side Setback that faces a side Street or a platted  
 531 Right-of-Way is five feet (5'). A three foot (3') Side Setback along the platted  
 532 Right-of-Way may be approved by the City Engineer when the Lot Width is less  
 533 than 37.5 feet; no Side Setback exceptions shall be utilized and the sight triangle  
 534 shall be maintained when the Setback is three feet (3') along the Right-of-Way.

535 J. **SIDE SETBACK EXCEPTIONS.** The Side Setback must be open and free of any  
 536 Structure except:

- 537 1. Bay Windows not more than ten feet (10') wide and projecting not more  
538 than two feet (2') into the Side Setback.
- 539 2. Chimneys not more than five feet (5') wide and projecting not more than  
540 two feet (2') into the Side Setback.
- 541 3. Window wells not exceeding the minimum International Residential Code  
542 (IRC) or International Building Code (IBC) requirements for egress may  
543 extend not more than four feet (4') into the Side Setback. Only permitted  
544 on Lots with a minimum required Side Setback of five feet (5') or greater.  
545 Should egress requirements be met within the building pad, this Side  
546 Setback exception is not permitted.
- 547 4. Roof overhangs or eaves projecting not more than two feet (2') into the  
548 Side Setback on Lots with a minimum required Side Setback of five feet  
549 (5') or greater. A one foot (1') eave overhang is permitted on Lots with a  
550 Side Setback less than five feet (5').
- 551 5. Window sills, belt courses, trim, exterior siding, cornices, or other  
552 ornamental features projecting not more than six inches (6") beyond the  
553 main Structure to which they are attached.
- 554 6. Patios, decks, pathways, steps, or similar Structures not more than thirty  
555 inches (30") in height from Final Grade, not including any required  
556 handrail.
- 557 7. Fences, walls or retaining walls, as permitted in Section 15-4-2 Fences  
558 and Retaining Walls.

- 559 8. One (1) private or Shared Driveway leading to a garage or an approved  
560 Parking Area. See Section 15-2.1-7 Parking Regulations for additional  
561 requirements.
- 562 9. Pathways or steps connecting to a City staircase or pathway.
- 563 10. Detached Accessory Buildings, not more than eighteen feet (18') in height,  
564 and including any free-standing Solar Energy Systems, located a  
565 minimum of five feet (5') behind the front Facade of the Main Building,  
566 maintaining a minimum Side Setback of three feet (3'). See the following  
567 illustration:



- 568 11. Mechanical equipment (which must be screened), hot tubs, or similar  
569 Structures, located at least three feet (3') from the Side Lot Line.

571 K. **SNOW RELEASE.** Site plans and Building designs must resolve snow release  
572 issues to the satisfaction of the Chief Building Official.

573 L. **CLEAR VIEW OF INTERSECTION.** No visual obstruction in excess of two feet  
574 (2') in height above road Grade shall be placed on any Corner Lot within the Site  
575 Distance Triangle. A reasonable number of trees may be allowed, if pruned high  
576 enough to permit automobile drivers an unobstructed view. This provision must  
577 not require changes in the Natural Grade on the Site.

578 HISTORY

579 *Adopted by Ord. [00-15](#) on 3/2/2000*

580 *Amended by Ord. [06-56](#) on 7/27/2006*

581 *Amended by Ord. [15-35](#) on 10/12/2015*

582 *Amended by Ord. [2018-27](#) on 5/31/2018*

583 *Amended by Ord. [2018-43](#) on 7/19/2018*

584 *Amended by Ord. [2020-42](#) on 9/17/2020*

585 . . . .

586 **15-2.1-4 Existing Historic Buildings And/or Structures**

587 Historic Buildings and/or Structures that do not comply with Building Footprint, Building  
588 Height, Building Setbacks, Off-Street parking, and driveway location standards are valid  
589 Non-Complying Structures. Additions must comply with Building Setbacks, Building  
590 Footprint, driveway location standards and Building Height. Additions to Historic  
591 Buildings and/or Structures are exempt from Off-Street parking requirements provided  
592 the addition does not create a Lockout Unit or Accessory Apartment. All Conditional  
593 Uses proposed on the Site, excluding Development on a Steep Slope, shall comply with  
594 parking requirements of Chapter 15-3.

595 A. **EXCEPTION.** In order to achieve new construction consistent with the [~~Historic~~  
596 ~~District Design Guidelines~~] Design Guidelines for Historic Districts and Historic

597 Sites, the Planning Commission may grant an exception to the Building Setback  
598 and driveway location standards for additions to Historic Buildings and/or  
599 Structures, including detached Garages:

- 600 1. Upon approval of a Conditional Use permit, and
- 601 2. When the scale of the addition and/or driveway is Compatible with the  
602 Historic Building and/or Structure, and
- 603 3. When the addition complies with all other provisions of this Chapter, and
- 604 4. When the addition complies with the adopted Building and Fire Codes,  
605 and
- 606 5. When the addition complies with the Design Guidelines for Historic  
607 Districts and Historic Sites.

608 HISTORY

609 *Adopted by Ord. [00-15](#) on 3/2/2000*

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

611 *Amended by Ord. [2020-42](#) on 9/17/2020*

612 . . . .

613 **15-2.1-8 Architectural Review**

614 Prior to issuance of a Building Permit for any Conditional or Allowed Use, the Planning  
615 Department shall review the proposed plans for compliance with Architectural Review  
616 Chapter 15-5, Historic Preservation Chapter 15-11, and the Design Guidelines for  
617 Historic Districts and Historic Sites Chapter 15-13. [~~the Design Guidelines for Historic~~  
618 ~~Districts and Historic Sites, Chapter 15-13, Historic Preservation Chapter 15-11, and~~  
619 ~~Architectural Review Chapter 15-5.]~~

620 ~~[Appeals of departmental actions on compliance with the Design Guidelines for Historic~~  
621 ~~Districts and Historic Sites Chapter 15-13, Historic Preservation Chapter 15-11, and~~  
622 ~~Architectural Review Chapter 15-5 are heard by the Board of Adjustment as outlined in~~  
623 ~~Section 15-1-18 of the Code.]~~

624 HISTORY

625 *Adopted by Ord. [00-15](#) on 3/2/2000*

626 *Amended by Ord. [06-56](#) on 7/27/2006*

627 *Amended by Ord. [09-23](#) on 7/9/2009*

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

629 *Amended by Ord. [2020-42](#) on 9/17/2020*

630 . . . .

631 **15-2.1-9 Vegetation Protection**

632 The Property Owner must protect Significant Vegetation during any Development  
633 activity. Significant Vegetation includes large trees six inches (6") in diameter or greater  
634 measured four and one-half feet (4½') above the ground, groves of smaller trees, or  
635 clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more  
636 measured at the drip line.

637

638 Development plans must show all Significant Vegetation within twenty feet (20') of a  
639 proposed Development. The Property Owner must demonstrate the health and viability  
640 of all large trees through a certified arborist. The Planning Director shall determine the  
641 Limits of Disturbance and may require mitigation for loss of Significant Vegetation  
642 consistent with Landscape Criteria in Sections [15-3-3](#) [and 15-5-5\(N\)](#), and Title 14.

643 HISTORY

644 *Adopted by Ord. [00-15](#) on 3/2/2000*

645 *Amended by Ord. [06-56](#) on 7/27/2006*

646 *Amended by Ord. [2020-42](#) on 9/17/2020*

647 . . . .

648 **15-2.1-11 Related Provisions**

- 649 • Fences and Retaining Walls. Section 15-4-2.
- 650 • Accessory Apartments. Section 15-4-7.
- 651 • Placement of Satellite Receiving Antennas. Section 15-4-13.
- 652 • Telecommunication Facilities. Section 15-4-14.
- 653 • Off-Street Parking. Chapter 15-3.
- 654 • Landscaping. Title 14; [Sections](#) 15-3-3[;]and [~~Chapter~~] 15-5-[5\(N\)](#).
- 655 • Lighting. Sections 15-3-3 [;] [and](#) 15-5-5([J](#)).
- 656 • Historic Preservation. ~~Chapter~~s 15-11 [and 15-13](#).
- 657 • Park City Sign Code. Title 12.
- 658 • Architectural Review. Chapter 15-5.
- 659 • Snow Storage. Section 15-3-3
- 660 • Parking Ratio Requirements. Section 15-3-6.

661 HISTORY

662 *Adopted by Ord. [00-15](#) on 3/2/2000*

663 *Amended by Ord. [2020-42](#) on 9/17/2020*

664 . . . .

665 **15-2.2-3 Lot And Site Requirements**

666 Except as may otherwise be provided in this Code, no Building Permit shall be issued  
667 for a Lot unless such Lot has the Area, width, and depth as required, and Frontage on a  
668 Street shown as a private or Public Street on the Streets Master Plan, or on a private  
669 easement connecting the Lot to a Street shown on the Streets Master Plan.

670

671 All Development activity must comply with the following minimum Lot and Site  
672 requirements:

673 A. **LOT SIZE.** The minimum Lot Area is 1,875 square feet for a Single Family  
674 Dwelling and 3,750 square feet for a Duplex. For properties platted as lots within  
675 the historic Park City Survey and originally platted as 25 foot wide 75 foot deep  
676 with a lot size of 1,875 square feet, the Planning Director may make a  
677 determination that the minimum Lot Size may be reduced up to 20 square feet if  
678 subsequent surveys find that the final lot dimensions are less than 25 feet by 75  
679 feet. The Footprint shall be reduced in accordance with the Lot Size and no  
680 variation to setbacks will be allowed.

681 B. **LOT WIDTH.**

682 The minimum width of a Lot is twenty five feet (25'), measured fifteen feet (15')  
683 back from the Front Lot Line. In the case of unusual Lot configurations, Lot width  
684 measurements shall be determined by the Planning Director.

685 C. **BUILDING ENVELOPE (HR-1 DISTRICT).** The Building Pad, Building Footprint  
686 and height restrictions define the maximum Building envelope within which all  
687 Development must occur, with exceptions as allowed by Section 15-2.2-3.

688 D. **BUILDING PAD (HR-1 DISTRICT)**. The Building Pad is the Lot Area minus  
689 required Front, Rear, and Side Setback Areas.

690 1. The Building Footprint must be within the Building Pad. The Building Pad  
691 must be open and free of any other Structure except:

- 692 a. Porches or decks with or without roofs;
- 693 b. At Grade patios;
- 694 c. Upper level decks, with or without roofs;
- 695 d. Bay Windows;
- 696 e. Chimneys;
- 697 f. Sidewalks, pathways, and steps;
- 698 g. Screened hot tubs; and
- 699 h. Landscaping.

700 2. Exceptions to the Building Pad Area, excluding Bay Windows, are not  
701 included in the Building Footprint calculations, and are subject to Planning  
702 Director approval based on a determination that the proposed exceptions  
703 result in a design that:

- 704 a. provides increased architectural interest consistent with the  
705 ~~[Historic District Design Guidelines]~~ Design Guidelines for Historic  
706 Districts and Historic Sites;
- 707 b. maintains the intent of this section to provide horizontal and vertical  
708 Building articulation.

709 E. **BUILDING FOOTPRINT (HR-1 DISTRICT)**. The maximum Building Footprint of  
710 any Structure located on a Lot or combination of Lots, not exceeding 18,750

711 square feet in Lot Area, shall be calculated according to the following formula for  
 712 Building Footprint. The maximum Building Footprint for any Structure located on  
 713 a Lot or combination of Lots, exceeding 18,750 square feet in Lot Area, shall be  
 714 4,500 square feet; with an exemption allowance of 400 square feet, per Dwelling  
 715 Unit, for garage floor area. A Conditional Use permit is required for all Structures  
 716 with a proposed footprint of greater than 3,500 square feet.

717

718 Accessory Buildings listed on the Park City Historic Sites Inventory that are not  
 719 expanded, enlarged or incorporated into the Main Building, shall not count in the  
 720 total Building Footprint of the Lot.

721

722  $MAXIMUM FP = (A/2) \times 0.9^{A/1875}$

723

724 Where FP = maximum Building Footprint and A= Lot Area.

725

726 Example: 3,750 sq. ft. lot:  $(3,750/2) \times 0.9^{(3750/1875)} = 1,875 \times 0.81 = 1,519$  sq. ft.

727

728 See the following Table 15-2.2 for a schedule equivalent of this formula for  
 729 common Lot Sizes.

730

731 TABLE 15-2.2

Lot Depth (ft.)	Lot Width (ft.)	Lot Area Sq. Ft.	Max. Bldg. Footprint Sq. Ft.
75 ft.	25.0	1,875	844

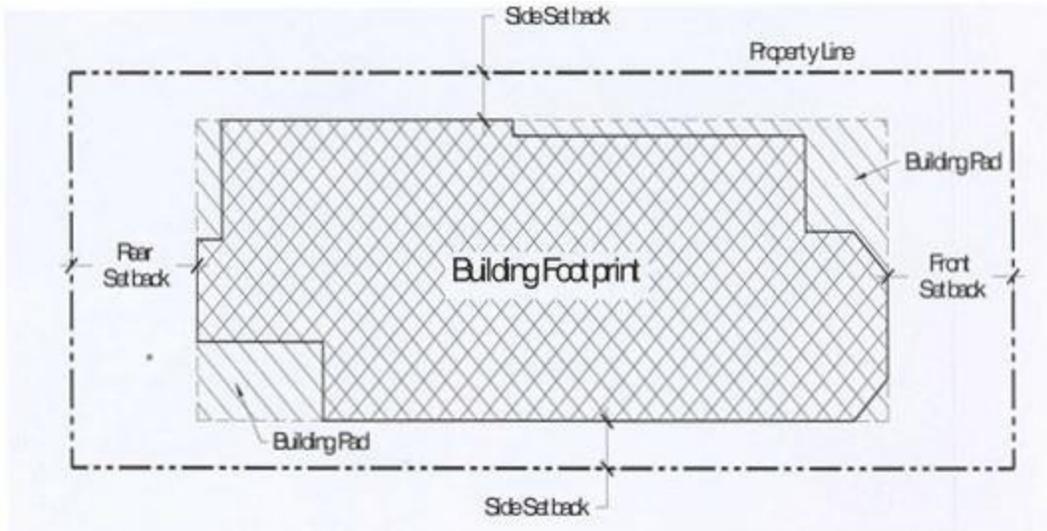
75 ft.	37.5	2,813	1,201
75 ft.	50.0	3,750	1,519
75 ft.	62.5	4,688	1,801
75 ft.	75.0	5,625	2,050
75 ft.	87.5	6,563	2,269
75 ft.	100.0	7,500	2,460
75 ft.	Greater than 100.0	Greater than 75 ft.	Per Formula

732

733

\* For Lots > 75' in depth use footprint formula.

734



735

736

F. **FRONT AND REAR SETBACKS.** Front and Rear Setbacks are as follows:

737

738

TABLE 15-2.2a

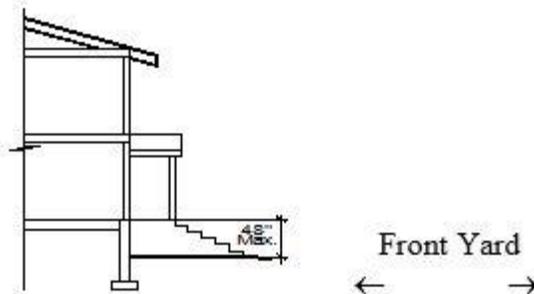
Lot Depth	Minimum Front/Rear Setback	Total of Setbacks
Up to 75 ft., inclusive	10 ft. each	20 ft.
From 75 ft. to 100 ft.	12 ft./13 ft. (or vice versa)	25 ft.
Over 100 ft.	15 ft. each	30 ft.

739

740 G. **FRONT SETBACK EXCEPTIONS**. The Front Setback must be open and free of

741 any Structure except:

- 742 1. Fences, walls, and retaining walls not more than four feet (4') in height, or  
743 as permitted in Section 15-4-2, Fences and Retaining Walls. On Corner  
744 Lots, Fences more than three feet (3') in height are prohibited within  
745 twenty-five feet (25') of the intersection, at back of curb.
- 746 2. Uncovered steps leading to the Main Building; provided the steps are not  
747 more than four feet (4') in height from Final Grade, not including any  
748 required handrail, and do not cause any danger or hazard to traffic by  
749 obstructing the view of the Street or intersection.



750

- 751 3. Decks, porches, or Bay Windows not more than ten feet (10') wide and  
752 projecting not more than three feet (3') into the Front Setback.

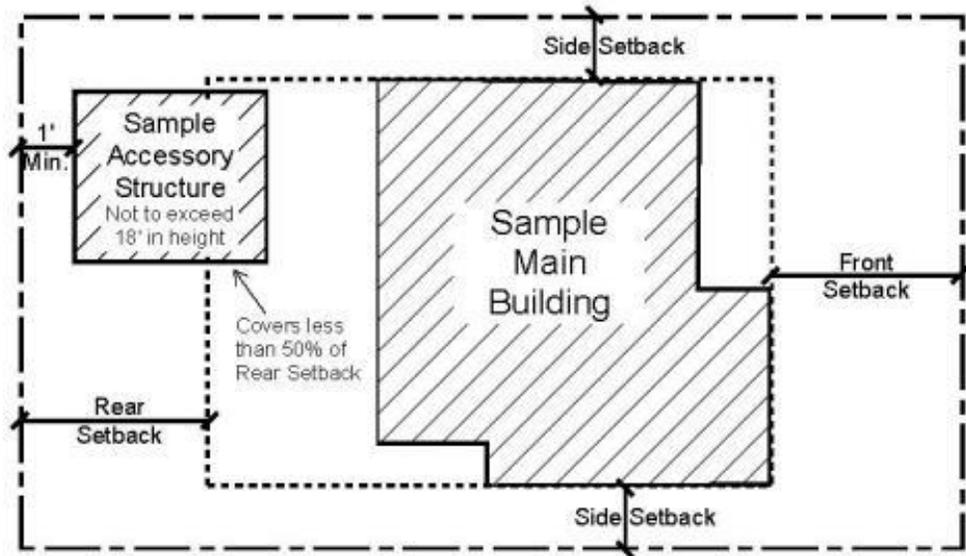
- 753 4. Roof overhangs, eaves or cornices projecting not more than three feet (3')
- 754 into the Front Setback.
- 755 5. Sidewalks and pathways.
- 756 6. Driveways leading to a Garage or approved Parking Area. No portion of a
- 757 Front Yard, except for patios, driveways, allowed Parking Areas and
- 758 sidewalks, may be Hard-Surfaced or graveled.

759 H. **REAR SETBACK EXCEPTIONS.** The Rear Setback must be open and free of

760 any Structure except:

- 761 1. Bay Windows not more than ten feet (10') wide and projecting not more
- 762 than two feet (2') into the Rear Setback.
- 763 2. Chimneys not more than five feet (5') wide and projecting not more than
- 764 two feet (2') into the Rear Setback.
- 765 3. Window wells not exceeding the minimum International Residential Code
- 766 (IRC) or International Building Code (IBC) requirements for egress may
- 767 extend not more than four feet (4') into the Rear Setback. Should egress
- 768 requirements be met within the building pad, no Rear Setback exception is
- 769 permitted.
- 770 4. Roof overhangs or eaves projecting not more than two feet (2') into the
- 771 Rear Setback.
- 772 5. Window sills, belt courses, cornices, trim, exterior siding, or other
- 773 ornamental features projecting not more than six inches (6") beyond the
- 774 main Structure to which they are attached.

775 6. Detached Accessory Buildings, not more than eighteen feet (18') in height,  
776 and including any free-standing Solar Energy Systems, located a  
777 minimum of five feet (5') behind the front facade of the Main Building, and  
778 maintaining a minimum Rear Setback of one foot (1'). Such Structure must  
779 not cover over fifty percent (50%) of the Rear Setback. See the following  
780 illustration:



781  
782 7. A Hard-Surfaced Parking Area subject to the same location requirements  
783 as a Detached Accessory Building.  
784 8. Mechanical equipment (which must be screened), hot tubs, or similar  
785 Structures located at least three feet (3') from the Rear Lot Line.  
786 9. Fences, walls, and retaining walls as permitted in Section 15-4-2, Fences  
787 and Retaining Walls.

788 10. Patios, decks, pathways, steps, or similar Structures not more than thirty  
 789 inches (30") above Final Grade, not including any required handrail, and  
 790 located at least one foot (1') from the Rear Lot Line.

791 11. Pathways or steps connecting to a City staircase or pathway.

792 12. One (1) Shared Driveway leading to a garage or approved Parking Area.

793 See Section 15-2.2-8 Parking Regulations for additional requirements.

794 I. **SIDE SETBACKS**. Side Setbacks are as follows:

795 TABLE 15-2.2b

Lot Width (ft.) up to:	Minimum Side Setback	Total of Setbacks
25.0	3 ft. each	6 ft.
37.5	3 ft. each	6 ft.
50.0	5 ft. each	10 ft.
62.5	5 ft. minimum	14 ft.
75.0	5 ft. minimum	18 ft.
87.5	10 ft. minimum	24 ft.
100.0	10 ft. minimum	24 ft.
Greater than 100.0	10 ft. minimum	30 ft.

796

797 1. On Corner Lots, the minimum Side Setback that faces a side Street or  
 798 platted Right-of-Way is five feet (5'). A three foot (3') Side Setback along  
 799 the platted Right-of-Way may be approved by the City Engineer when the  
 800 Lot Width is less than 37.5 feet; no Side Setback exceptions shall be

801 utilized and the sight triangle shall be maintained when the Setback is  
802 three feet (3') along the Right-of-Way.

803 2. A Side Setback between connected Structures is not required where  
804 Structures are designed with a common wall on a Property Line, each  
805 Structure is located on an individual Lot, the Lots are burdened with a  
806 party wall agreement in a form approved by the City Attorney and Chief  
807 Building Official, all applicable Building and Fire Code requirements are  
808 met, and the Use is an Allowed or Conditional Use in the Zoning District.

809 a. Exterior Side Setbacks shall be based on the required minimum  
810 Side Setback for each Lot; however the Planning Commission may  
811 consider increasing exterior Side Setbacks during Conditional Use  
812 Permit review to mitigate potential impacts on adjacent Property.  
813 Side Setback exceptions continue to apply.

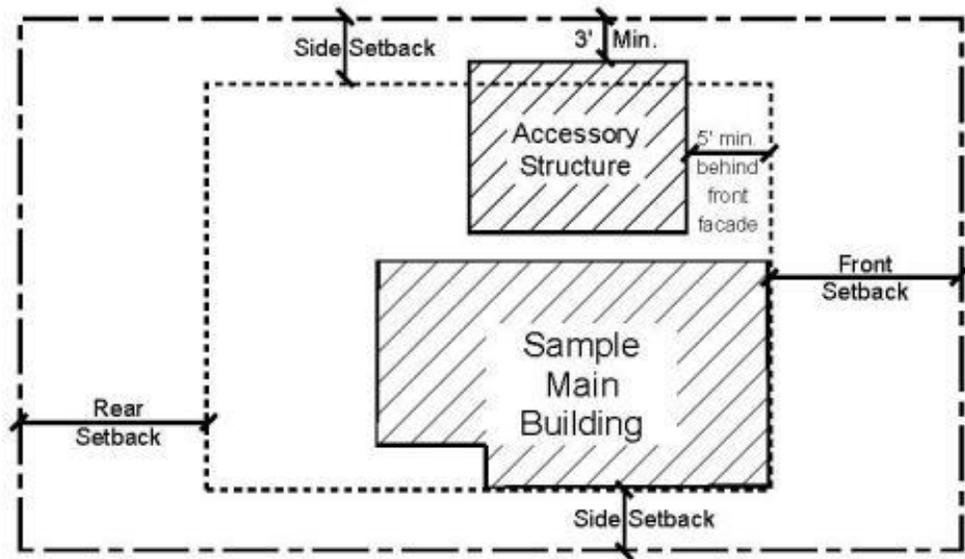
814 b. Building Footprint shall be based on the total lot Area of the  
815 underlying Lots. The Planning Commission may consider  
816 decreasing Building Footprint during Conditional Use Permit review  
817 to mitigate potential impacts on adjacent Property.

818 J. **SIDE SETBACK EXCEPTIONS**. The Side Setback must be open and free of any  
819 Structure except:

820 1. Bay Windows not more than ten feet (10') wide, and projecting not more  
821 than two feet (2') into the Side Setback. Only permitted on Lots with a  
822 minimum required Side Setback of five feet (5') or greater.

- 823                   2. Chimneys not more than five feet (5') wide projecting not more than two  
824                   feet (2') into the Side Setback. Only permitted on Lots with a minimum  
825                   required Side Setback of five feet (5') or greater.
- 826                   3. Window wells not exceeding the minimum International Residential Code  
827                   (IRC) or International Building Code (IBC) requirements for egress may  
828                   extend not more than four feet (4') into the Side Setback. Only permitted  
829                   on Lots with a minimum required Side Setback of five feet (5') or greater.  
830                   Should egress requirements be met within the building pad, no Side  
831                   Setback exception is permitted.
- 832                   4. Roof overhangs or eaves projecting not more than two feet (2') into the  
833                   Side Setback on Lots with a minimum required Side Setback of five feet  
834                   (5') or greater. A one foot (1') roof or eave overhang is permitted on Lots  
835                   with a Side Setback of less than five feet (5').
- 836                   5. Window sills, belt courses, trim, cornices, exterior siding, or other  
837                   ornamental features projecting not more than six inches (6") beyond the  
838                   main Structure to which they are attached.
- 839                   6. Patios, decks, pathways, steps, or similar Structures not more than thirty  
840                   inches (30") in height above Final Grade, not including any required  
841                   handrails.
- 842                   7. Fences, walls, and retaining walls as permitted in Section 15-4-2, Fences  
843                   and Retaining Walls.

- 844 8. One (1) private or Shared Driveway leading to a garage or approved  
845 Parking Area. See Section 15-2.2-8 Parking Regulations for additional  
846 requirements.
- 847 9. Pathways or steps connecting to a City staircase or pathway.
- 848 10. Detached Accessory Buildings, not more than eighteen feet (18') in height,  
849 and including any free-standing Solar Energy Systems, located a  
850 minimum of five feet (5') behind the Front facade of the Main Building,  
851 maintaining a minimum Side Setback of three feet (3'). See the following  
852 illustration:



- 853 11. Mechanical equipment (which must be screened), hot tubs, or similar  
854 Structures located at least three feet (3') from the Side Lot Line.

856 K. **SNOW RELEASE**. Site plans and Building designs must resolve snow release  
857 issues to the satisfaction of the Chief Building Official.

858 L. **CLEAR VIEW OF INTERSECTION.** No visual obstruction in excess of two feet  
859 (2') in height above road Grade shall be placed on any Corner Lot within the Site  
860 Distance Triangle. A reasonable number of trees may be allowed, if pruned high  
861 enough to permit automobile drivers an unobstructed view. This provision must  
862 not require changes in the Natural Grade on the Site.

863 HISTORY

864 *Adopted by Ord. [00-15](#) on 3/2/2000*

865 *Amended by Ord. [06-56](#) on 7/27/2006*

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

867 *Amended by Ord. [15-35](#) on 10/12/2015*

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

869 *Amended by Ord. [2018-27](#) on 5/31/2018*

870 *Amended by Ord. [2018-43](#) on 7/19/2018*

871 *Amended by Ord. [2019-07](#) on 1/29/2019*

872 *Amended by Ord. [2020-42](#) on 9/17/2020*

873 . . . .

874 **15-2.2-4 Existing Historic Buildings And/or Structures**

875 Historic Buildings and/or Structures that do not comply with Building Footprint, Building  
876 Height, Building Setbacks, Off-Street parking, and driveway location standards are valid  
877 Non-Complying Structures. Additions must comply with Building Setbacks, Building  
878 Footprint, driveway location standards and Building Height. Additions to Historic  
879 Buildings and/or Structures are exempt from Off-Street parking requirements provided  
880 the addition does not create a Lockout Unit or Accessory Apartment. All Conditional

881 Uses proposed on the Site, excluding Development on a Steep Slope, shall comply with  
882 parking requirements of Chapter 15-3.

883 A. **EXCEPTION**. In order to achieve new construction consistent with the [~~Historic~~  
884 ~~District Design Guidelines~~] Design Guidelines for Historic Districts and Historic  
885 Sites, the Planning Commission may grant an exception to the Building Setback  
886 and driveway location standards for additions to Historic Buildings and/or  
887 Structures, including detached Garages:

- 888 1. Upon approval of a Conditional Use permit, and
- 889 2. When the scale of the addition and/or driveway is Compatible with the  
890 Historic Building and/or Structure, and
- 891 3. When the addition complies with all other provisions of this Chapter, and
- 892 4. When the addition complies with the adopted Building and Fire Codes,  
893 and
- 894 5. When the addition complies with the Design Guidelines for Historic  
895 Districts and Historic Sites.

896 HISTORY

897 *Adopted by Ord. [00-15](#) on 3/2/2000*

898 *Amended by Ord. [06-56](#) on 7/27/2006*

899 *Amended by Ord. [07-25](#) on 4/19/2007*

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

901 *Amended by Ord. [2020-42](#) on 9/17/2020*

902 . . . .

903 **15-2.2-9 Architectural Review**

904 Prior to issuance of a Building Permit for any Conditional or Allowed Use, the Planning  
905 Department shall review the proposed plans for compliance with Architectural Review  
906 Chapter 15-5, Historic Preservation Chapter 15-11, and the Design Guidelines for  
907 Historic Districts and Historic Sites Chapter 15-13. [~~the Design Guidelines for Historic~~  
908 ~~Districts and Historic Sites, Chapter 15-13, Historic Preservation Chapter 15-11, and~~  
909 ~~Architectural Review Chapter 15-5.~~]  
910 [~~Appeals of departmental actions on compliance with the Design Guidelines for Historic~~  
911 ~~Districts and Historic Sites Chapter 15-13, Historic Preservation Chapter 15-11, and~~  
912 ~~Architectural Review Chapter 15-5 are heard by the Board of Adjustment as outlined in~~  
913 ~~Section 15-1-18 of the Code.~~]

914 HISTORY

915 *Adopted by Ord. [00-15](#) on 3/2/2000*

916 *Amended by Ord. [06-56](#) on 7/27/2006*

917 *Amended by Ord. [09-23](#) on 7/9/2009*

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

919 *Amended by Ord. [2020-42](#) on 9/17/2020*

920 . . . .

921 **15-2.2-10 Vegetation Protection**

922 The Property Owner must protect Significant Vegetation during any Development  
923 activity. Significant Vegetation includes large trees six inches (6") in diameter or greater  
924 measured four and one-half feet (4½') above the ground, groves of smaller trees, or  
925 clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more

926 measured at the drip line.

927

928 Development plans must show all Significant Vegetation within twenty feet (20') of a  
929 proposed Development. The Property Owner must demonstrate the health and viability  
930 of all large trees through a certified arborist. The Planning Director shall determine the  
931 Limits of Disturbance and may require mitigation for loss of Significant Vegetation  
932 consistent with Landscape Criteria in Sections 15-3-3 and 15-5-5(N), and Title 14.

933 HISTORY

934 *Adopted by Ord. 00-15 on 3/2/2000*

935 *Amended by Ord. 06-56 on 7/27/2006*

936 *Amended by Ord. 2020-42 on 9/17/2020*

937 . . . .

938 **15-2.2-12 Related Provisions**

- 939 • Fences and Retaining Walls. Section 15-4-2.
- 940 • Accessory Apartments. Section 15-4-7.
- 941 • Placement of Satellite Receiving Antennas. Section 15-4-13.
- 942 • Telecommunication Facilities. Section 15-4-14.
- 943 • Off-Street Parking. Chapter 15-3.
- 944 • Landscaping. Title 14; Sections 15-3-3[;]and [~~Chapter~~] 15-5-5(N).
- 945 • Lighting. Sections 15-3-3 [;] and 15-5-5(J).
- 946 • Historic Preservation. Chapters 15-11 and 15-13.
- 947 • Park City Sign Code. Title 12.
- 948 • Architectural Review. Chapter 15-5.

- 949 • Snow Storage. Section 15-3-3
- 950 • Parking Ratio Requirements. Section 15-3-6.

951 HISTORY

952 *Adopted by Ord. [00-15](#) on 3/2/2000*

953 *Amended by Ord. [06-56](#) on 7/27/2006*

954 *Amended by Ord. [2020-42](#) on 9/17/2020*

955 . . . .

956 **15-2.3-8 Special Requirements For Master Planned Developments And**

957 **Conditional Use Permits In Sub-Zone A**

958 A. **SUB-ZONE A**. Sub-Zone A consists of Lots in the HR-2 District that are west of  
959 Main Street, excluding those Lots within Block 13. (B) The following special  
960 requirements apply only to Lots in Sub-Zone A that are part of a Master Planned  
961 Development, a Conditional Use Permit, or a Plat Amendment that combines a  
962 Main Street, HCB zoned, Lot with an adjacent Park Avenue, HR-2 zoned, Lot or  
963 portion of a Lot, for the purpose of restoring an Historic Building and/or Structure,  
964 constructing an approved addition to an Historic Building and/or Structure,  
965 constructing a residential dwelling or Garage on Park Avenue, or expanding a  
966 Main Street Business into the HR-2 zoned Lot:

- 967 1. All Commercial Uses extending from Main Street into the HR-2 Zone are  
968 subject to the Conditional Use Permit review requirements of Section 15-  
969 1-10 and the Master Planned Development requirements of Chapter 15-6  
970 if the development is part of a Master Planned Development. These  
971 Commercial Uses must be located below the Grade of Park Avenue  
972 projected across the HR-2 Lot and beneath the Main Floor of a residential

973 Structure or Structures facing Park Avenue. Occupancy of the below  
974 Grade Floor Area is conditioned upon completion of the residential  
975 structure on the HR-2 Lot.

976 2. All Buildings within the HR-2 portion of the development must meet the  
977 minimum Side and Front Setbacks of the HR-2 District as stated in  
978 Section 15-2.3-4, unless the Planning Commission grants an exception to  
979 this requirement during the MPD review and the development is consistent  
980 with the MPD Section 15-6-5. Below Grade Structures, such as parking  
981 structures and Commercial Floor Area extending from Main Street  
982 beneath a residential Structure or Structures on Park Avenue may occupy  
983 Side Setbacks subject to Building and Fire Codes and trespass  
984 agreements.

985 3. All Buildings within the HR-2 portion of the development must meet the  
986 Building Height requirements of the HR-2 District as stated in Section 15-  
987 2.3-6.

988 4. Existing and new Structures fronting on Park Avenue may not contain  
989 Commercial Uses, except as permitted in Section 15-2.3-8.

990 5. A Floor Area Ratio of 4.0 shall be used to calculate the total Commercial  
991 Floor Area. Only the Lot Area within the HCB Lot may be used to  
992 calculate the Commercial Floor Area.

993 6. The number of residential units allowed on the HR-2 portion of the  
994 Development is limited by the Lot and Site Requirements of the HR-2  
995 District as stated in Section 15-2.3-4.

- 996 7. All entrances and Access, including service and delivery, for the  
997 Commercial Use must be off of a Street or easement within the HCB  
998 District. The Commercial Structure must be designed to preclude any  
999 traffic generation on residential Streets, such as Park Avenue. Any  
1000 emergency Access, as required by the [~~Uniform Building Code (UBC)~~  
1001 International Building Code], onto the HR-2 portion of the Property must be  
1002 designed in such a manner as to absolutely prohibit non-emergency Use.  
1003 Alarms shall be installed on all emergency doors that provide access to  
1004 Park Avenue.
- 1005 8. Commercial portions of a Structure extending from the HCB to the HR-2  
1006 District must be designed to minimize the Commercial character of the  
1007 Building and Use and must mitigate all impacts on the adjacent  
1008 Residential Uses. Impacts include such things as noise, odor and glare,  
1009 intensity of activity, parking, signs, lighting, Access and aesthetics.
- 1010 9. No loading docks, service yards, exterior mechanical equipment, exterior  
1011 trash compounds, outdoor storage, ADA Access, or other similar Uses  
1012 associated with the HCB Uses are allowed within the HR-2 portion of the  
1013 Property, and all such Uses shall be screened for visual and noise  
1014 impacts.
- 1015 10. The Property Owner must donate a Preservation Easement to the City for  
1016 any Historic Buildings and/or Structures included in the Development.

1017 11. Any Historic Buildings and/or Structures included in the development shall  
1018 be restored or rehabilitated according to the requirements of Historic  
1019 Preservation Chapter 15-11.

1020 12. Any adjoining Historic Buildings and/or Structures under common  
1021 ownership or control must be considered a part of the Property for review  
1022 purposes of the Conditional Use permit and/or Master Planned  
1023 Development.

1024 13. The allowed Building Width of any Structure above Final Grade is up to  
1025 forty (40) feet. Building Widths shall reflect the typical variation, pattern  
1026 and Historic character of the surrounding residential neighborhood.

1027 14. Residential Density Transfers between the HCB and HR-2 Zoning Districts  
1028 are not permitted. A portion of the Gross Floor Area generated by the  
1029 Floor Area Ratio of the HCB Zoning District and applied only to Lot Area in  
1030 the HCB Zone, may be located in the HR-2 Zone as allowed by this  
1031 Section.

1032 15. Maximum allowed Building Footprint for the HR-2 Lot is subject to Section  
1033 15-6-5.

1034 HISTORY

1035 *Adopted by Ord. [00-51](#) on 9/21/2000*

1036 *Amended by Ord. [10-14](#) on 4/15/2010*

1037 *Amended by Ord. [2018-43](#) on 7/19/2018*

1038 *Amended by Ord. [2020-42](#) on 9/17/2020*

1039 . . . .

1040 **15-2.3-13 Architectural Review**

1041 Prior to issuance of a Building Permit for any Conditional or Allowed Use, the Planning  
1042 Department shall review the proposed plans for compliance with Architectural Review  
1043 Chapter 15-5, Historic Preservation Chapter 15-11, and the Design Guidelines for  
1044 Historic Districts and Historic Sites Chapter 15-13. [~~the Design Guidelines for Historic~~  
1045 ~~Districts and Historic Sites, Chapter 15-13, Historic Preservation Chapter 15-11, and~~  
1046 ~~Architectural Review Chapter 15-5.~~]  
1047 [~~Appeals of departmental actions on compliance with the Design Guidelines for Historic~~  
1048 ~~Districts and Historic Sites Chapter 15-13, Historic Preservation Chapter 15-11, and~~  
1049 ~~Architectural Review Chapter 15-5 are heard by the Board of Adjustment as outlined in~~  
1050 ~~Section 15-1-18 of the Code.~~]

1051 HISTORY

- 1052 *Adopted by Ord. [00-51](#) on 9/21/2000*
- 1053 *Amended by Ord. [06-56](#) on 7/27/2006*
- 1054 *Amended by Ord. [09-10](#) on 3/5/2009*
- 1055 *Amended by Ord. [09-23](#) on 7/9/2009*
- 1056 *Amended by Ord. [10-14](#) on 4/15/2010*
- 1057 *Amended by Ord. [15-35](#) on 10/12/2015*
- 1058 *Amended by Ord. [2020-42](#) on 9/17/2020*

1059 . . . .

1060 **15-2.3-14 Vegetation Protection**

1061 The Property Owner must protect Significant Vegetation during any Development  
1062 activity. Significant Vegetation includes large trees six inches (6") in diameter or greater  
1063 measured four and one-half feet (4½') above the ground, groves of smaller trees, or  
1064 clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more

1065 measured at the drip line.

1066

1067 Development plans must show all Significant Vegetation within twenty feet (20') of a  
1068 proposed Development. The Property Owner must demonstrate the health and viability

1069 of all large trees through a certified arborist. The Planning Director shall determine the

1070 Limits of Disturbance and may require mitigation for loss of Significant Vegetation

1071 consistent with Landscape Criteria in ~~[Chapter]~~ Sections 15-3-3 and 15-5-5(N), and Title

1072 14.

1073 HISTORY

1074 *Adopted by Ord. [00-51](#) on 9/21/2000*

1075 *Amended by Ord. [06-56](#) on 7/27/2006*

1076 *Amended by Ord. [10-14](#) on 4/15/2010*

1077 *Amended by Ord. [2020-42](#) on 9/17/2020*

1078 . . . .

1079 **15-2.3-16 Related Provisions**

- 1080 • Fences and Retaining Walls. Section 15-4-2.
- 1081 • Accessory Apartments. Section 15-4-7.
- 1082 • Placement of Satellite Receiving Antennas. Section 15-4-13.
- 1083 • Telecommunication Facilities. Section 15-4-14.
- 1084 • Off-Street Parking. Chapter 15-3.
- 1085 • Landscaping. Title 14; Sections s 15-3-3 and ~~[Chapter]~~ 15-5-5(N).
- 1086 • Lighting. Sections 15-3-3[,] and 15-5-5(J).
- 1087 • Historic Preservation. Chapters s 15-11 and 15-13.
- 1088 • Park City Sign Code. Title 12.

- 1089 • Architectural Review. Chapter ~~[15-14]~~ 15-5.
- 1090 • Snow Storage. Section 15-3-3.
- 1091 • Parking Ratio Requirements. Section 15-3-6.

1092 HISTORY

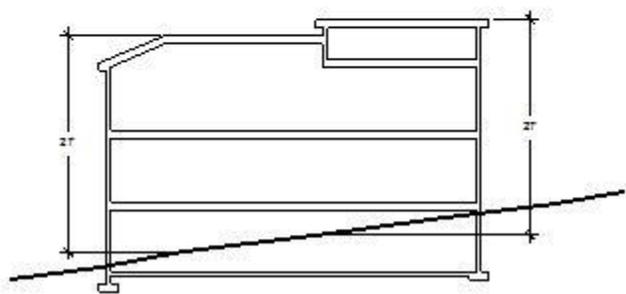
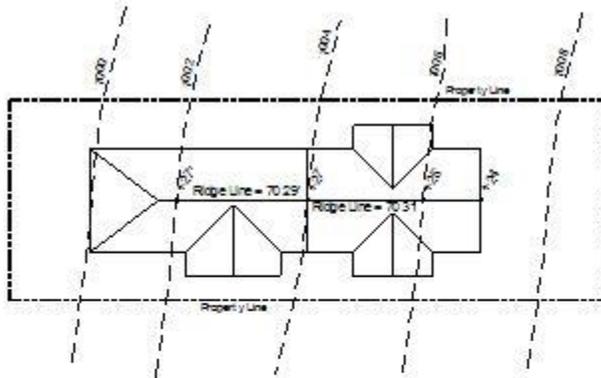
- 1093 *Adopted by Ord. [00-51](#) on 9/21/2000*
- 1094 *Amended by Ord. [06-56](#) on 7/27/2006*
- 1095 *Amended by Ord. [10-14](#) on 4/15/2010*
- 1096 *Amended by Ord. [2020-42](#) on 9/17/2020*

1097 . . . .

1098 **15-2.4-5 Building Height**

1099 No Structure shall be erected to a height greater than twenty-seven feet (27') from  
1100 Existing Grade. This is the Zone Height. Final Grade must be within four vertical feet (4')  
1101 of Existing Grade, except for the placement of approved window wells, emergency

1102 egress, and a garage entrance.



1103

1104 A. **BUILDING HEIGHT EXCEPTIONS.** The following height exceptions apply:

1105 1. Antennas, chimney, flues, vents, and similar Structures may extend up to  
1106 five feet (5') above the highest point of the Building to comply with  
1107 International Building Code (IBC) requirements.

1108 2. Water towers, mechanical equipment, and Solar Energy Systems, when  
1109 enclosed or Screened, may extend up to five feet (5') above the height of  
1110 the Building. See Section 15-5-5.

1111 3. Church spires, bell towers, and like architectural features as allowed under  
1112 the [~~Historic District Design Guidelines~~] Design Guidelines for Historic  
1113 Districts and Historic Sites, may extend up to fifty percent (50%) above the  
1114 Zone Height, but may not contain Habitable Space above the Zone  
1115 Height. Such exception requires approval by the Planning Director.

1116 4. To accommodate a roof form consistent with the Design Guidelines for  
1117 Historic Districts and Historic Sites, the Planning Director may grant  
1118 additional Building Height provided that no more than twenty percent  
1119 (20%) of the roof ridge line exceeds the Zone Height requirements and  
1120 complies with height exception criteria in 15-2.2-6.

1121 5. Elevator Penthouses may extend up to eight feet (8') above the Zone  
1122 Height.

1123 HISTORY

1124 *Adopted by Ord. [00-51](#) on 9/21/2000*

1125 *Amended by Ord. [06-69](#) on 10/19/2006*

1126 *Amended by Ord. [09-10](#) on 3/5/2009*

1127 *Amended by Ord. [15-35](#) on 10/12/2015*

1128 *Amended by Ord. [2018-27](#) on 5/31/2018*

1129 *Amended by Ord. [2020-42](#) on 9/17/2020*

1130 . . . .

1131 **15-2.4-7 Special Requirements For Triplex And Multi-Unit Dwellings**

1132 A. **FRONT SETBACK**. The Front Setback for any Triplex, or Multi-Unit Dwelling is  
1133 twenty (20') feet. All new Front-Facing Garages shall be a minimum of twenty-  
1134 five feet (25') from the Front Property Line. All Yards fronting any Street are  
1135 considered Front Yards for the purposes of determining required Setbacks. See  
1136 ~~[15-2.4-4]~~ [15-2.4-3](#), Front Setback Exceptions.

1137 B. **REAR SETBACK**. The Rear Setback for any Triplex or Multi-Unit Dwelling is ten  
1138 feet (10'). See Section ~~[15-2.4-4]~~ [15-2.4-3](#), Rear Setback Exceptions.

1139 C. **SIDE SETBACK**. The Side Setback for any Triplex[~~7~~] or Multi-Unit Dwelling is ten  
1140 feet (10'). See Section [~~15-2.4-4~~] **15-2.4-3**, Side Setback Exceptions.

1141 D. **OPEN SPACE**. The Applicant must provide Open Space equal to at least sixty  
1142 percent (60%) of the total Site for all Triplex and Multi-Unit Dwellings. If reviewed  
1143 as a Master Planned Development, then the Open Space requirements of  
1144 Section 15-6-5 shall apply. Parking is prohibited within the Open Space. See  
1145 Section 15-15-**1** Open Space. In cases of redevelopment of existing historic sites  
1146 on the Historic Sites Inventory and containing at least fifty percent (50%) deed  
1147 restricted affordable housing, the minimum open space requirement shall be  
1148 thirty percent (30%).

1149 HISTORY

1150 *Adopted by Ord. [00-51](#) on 9/21/2000*

1151 *Amended by Ord. [09-10](#) on 3/5/2009*

1152 *Amended by Ord. [12-37](#) on 12/20/2012*

1153 *Amended by Ord. [13-42](#) on 10/17/2013*

1154 *Amended by Ord. [2018-43](#) on 7/19/2018*

1155 *Amended by Ord. [2020-42](#) on 9/17/2020*

1156 . . . .

1157 **15-2.4-12 Architectural Review**

1158 Prior to issuance of a Building Permit for any Conditional or Allowed Use, the Planning  
1159 Department shall review the proposed plans for compliance with **Architectural Review**  
1160 **Chapter 15-5, Historic Preservation Chapter 15-11, and the Design Guidelines for**  
1161 **Historic Districts and Historic Sites Chapter 15-13.** [~~the Design Guidelines for Historic~~  
1162 ~~Districts and Historic Sites, Chapter 15-13, Historic Preservation Chapter 15-11, and~~

1163 ~~Architectural Review Chapter 15-5.]~~  
1164 ~~[Appeals of departmental actions on compliance with the Design Guidelines for Historic~~  
1165 ~~Districts and Historic Sites Chapter 15-13, Historic Preservation Chapter 15-11, and~~  
1166 ~~Architectural Review Chapter 15-5 are heard by the Board of Adjustment as outlined in~~  
1167 ~~Section 15-1-18 of the Code.]~~

1168 HISTORY

1169 *Adopted by Ord. [00-51](#) on 9/21/2000*  
1170 *Amended by Ord. [06-69](#) on 10/19/2006*  
1171 *Amended by Ord. [09-23](#) on 7/9/2009*  
1172 *Amended by Ord. [15-53](#) on 12/17/2015*  
1173 *Amended by Ord. [2020-42](#) on 9/17/2020*

1174 . . . .

1175 **15-2.4-13 Vegetation Protection**

1176 The Property Owner must protect Significant Vegetation during any Development  
1177 activity. Significant Vegetation includes large trees six inches (6”) in diameter or greater  
1178 measured four and one-half feet (4 ½’) above the ground, groves of small trees, or  
1179 clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more  
1180 measured at the drip line.

1181

1182 Development plans must show all Significant Vegetation within twenty feet (20’) of a  
1183 proposed Development. The Property Owner must demonstrate the health and viability  
1184 of all large trees through a certified arborist. The Planning Director shall determine the  
1185 Limits of Disturbance and may require mitigation for loss of Significant Vegetation  
1186 consistent with Landscape Criteria in Sections [15-3-3](#) [and 15-5-5\(N\)](#), and Title 14.

1187 HISTORY

1188 *Adopted by Ord. [00-51](#) on 9/21/2000*

1189 *Amended by Ord. [06-69](#) on 10/19/2006*

1190 *Amended by Ord. [2020-42](#) on 9/17/2020*

1191 . . . .

1192 **15-2.4-15 Related Provisions**

- 1193 • Fences and Retaining Walls. Section 15-4-2.
- 1194 • Accessory Apartments. Section 15-4-7.
- 1195 • Placement of Satellite Receiving Antennas. Section [~~15-5-13~~] [15-4-13](#).
- 1196 • Telecommunication Facilities. Section [~~15-5-14~~] [15-4-14](#).
- 1197 • Off-Street Parking. Chapter 15-3.
- 1198 • Landscaping. Title 14; Sections [15-3-3](#) and [~~Chapter~~] 15-5-[5\(N\)](#).
- 1199 • Lighting. Section 15-3-3[~~;~~] [and](#) 15-5-5([J](#)).
- 1200 • Historic Preservation. Chapters [15-11](#) [and](#) [15-13](#).
- 1201 • Park City Sign Code. Title 12.
- 1202 • Architectural Review. Chapter 15-5.
- 1203 • Snow Storage. Section 15-3-3.
- 1204 • Parking Ratio Requirements. Section 15-3-6.

1205 HISTORY

1206 *Adopted by Ord. [00-51](#) on 9/21/2000*

1207 *Amended by Ord. [2020-42](#) on 9/17/2020*

1208 . . . .

1209 **15-2.5-2 Uses**

1210 Uses in the HRC are limited to the following:

1211 A. **ALLOWED USES.**<sup>10</sup>

- 1212 1. Single Family Dwelling<sup>5</sup>
- 1213 2. Duplex Dwelling<sup>5</sup>
- 1214 3. Secondary Living Quarters<sup>5</sup>
- 1215 4. Lockout Unit<sup>1,5</sup>
- 1216 5. Accessory Apartment<sup>2,5</sup>
- 1217 6. Nightly Rental<sup>5</sup>
- 1218 7. Home Occupation<sup>5</sup>
- 1219 8. Child Care, In-Home Babysitting
- 1220 9. Child Care, Family<sup>3</sup>
- 1221 10. Child Care, Family Group<sup>3</sup>
- 1222 11. Child Care Center<sup>3</sup>
- 1223 12. Accessory Building and Use
- 1224 13. Conservation Activity
- 1225 14. Agriculture
- 1226 15. Bed and Breakfast Inn<sup>4,5</sup>
- 1227 16. Boarding House, hostel<sup>5</sup>
- 1228 17. Hotel, Minor, fewer than sixteen (16) rooms<sup>5</sup>
- 1229 18. Office, General<sup>5</sup>
- 1230 19. Parking Area or Structure, with four (4) or fewer spaces<sup>5</sup>
- 1231 20. Food Truck Location<sup>11</sup>

1232 B. **CONDITIONAL USES.**<sup>9, 10</sup>

- 1233 1. Triplex Dwelling<sup>5</sup>

- 1234 2. Multi-Unit Dwelling<sup>5</sup>
- 1235 3. Guest House, on Lots one (1) acre<sup>5</sup>
- 1236 4. Group Care Facility<sup>5</sup>
- 1237 5. Public and Quasi-Public institution, church, or school
- 1238 6. Essential Municipal public utility Use, facility, service, and Structure
- 1239 7. Telecommunication Antenna<sup>6</sup>
- 1240 8. Satellite dish, greater than thirty-nine inches (39") in diameter<sup>7</sup>
- 1241 9. Plant and Nursery stock products and sales
- 1242 10. Hotel, Major<sup>5</sup>
- 1243 11. Timeshare Projects and Conversions<sup>5</sup>
- 1244 12. Private Residence Club Project and Conversion<sup>4,5</sup>
- 1245 13. Office, Intensive<sup>5</sup>
- 1246 14. Office and clinic, Medical<sup>5</sup>
- 1247 15. Financial institution, without drive-up window<sup>8</sup>
- 1248 16. Commercial Retail and Service, Minor<sup>8</sup>
- 1249 17. Commercial Retail and Service, Personal Improvement<sup>8</sup>
- 1250 18. Neighborhood Convenience Commercial, without gasoline sales
- 1251 19. Café or Deli<sup>8</sup>
- 1252 20. Restaurant, General<sup>8</sup>
- 1253 21. Restaurant and Café, outdoor dining<sup>4</sup>
- 1254 22. Outdoor Events and Uses<sup>4</sup>
- 1255 23. Bar
- 1256 24. Parking Area or Structure, with five (5) or more spaces<sup>5</sup>

- 1257 25. Temporary Improvement<sup>4</sup>
- 1258 26. Passenger Tramway station and ski base facility
- 1259 27. Ski tow, ski lift, ski run, and ski bridge
- 1260 28. Recreation Facility, Commercial, Public, and Private
- 1261 29. Entertainment Facility, Indoor
- 1262 30. Fences greater than six feet (6') in height from Final Grade<sup>4</sup>
- 1263 31. Private Residence Club, Off-Site<sup>5</sup>
- 1264 32. Private Event Facility<sup>5</sup>

1265 C. **PROHIBITED USES**. Unless otherwise allowed herein, any Use not listed above  
1266 as an Allowed or Conditional Use is a prohibited Use.

1267 <sup>1</sup>Nightly rental of Lockout Units requires a Conditional Use permit.

1268 <sup>2</sup>Requires an Administrative Permit. See Section 15-4-7, Accessory Apartments.

1269 <sup>3</sup>See Section 15-4-9, Child Care And Child Care Facilities.

1270 <sup>4</sup>Requires an Administrative or Administrative Conditional Use permit, see Chapter 15-4.

1271 <sup>5</sup>Prohibited in HRC Zoned Storefront Property adjacent to Main Street, Heber Avenue and Park Avenue,  
1272 excluding those HRC Zoned Properties on the west side of Park Avenue and also excluding those HRC  
1273 Zoned Properties with the following addresses: 702 Main Street, 710 Main Street, 738 Main Street (for the  
1274 plaza side storefronts), 780 Main Street, 804 Main Street (for the plaza side storefronts), 875 Main Street,  
1275 890 Main Street, 900 Main Street, and 820 Park Avenue. Hotel rooms shall not be located within  
1276 Storefront Property; however access, circulation, and lobby areas are permitted within Storefront  
1277 Property.

1278 <sup>6</sup>See Section 15-4-14, Telecommunication Facilities.

1279 <sup>7</sup>See Section 15-4-13, Placement Of Satellite Receiving Antennas.

1280 <sup>8</sup>If Gross Floor Area is less than 2,000 sq. ft., the Use shall be considered an Allowed Use.

1281 <sup>9</sup>No community locations as defined by Utah Code 32B-1-102 (Alcoholic Beverage Control Act) are

1282 permitted within 200 feet of Main Street unless a variance is permitted for an outlet, as defined by Utah  
1283 Code 32B-1-202, to obtain a liquor license.

1284 <sup>10</sup>Within the HRC Zoning District, no more than seven (7) Conventional Chain Businesses are permitted in  
1285 Storefront Properties.

1286 <sup>11</sup>The Planning Director[,] or [~~his or her~~] designee shall[,] upon finding a Food Truck Location in  
1287 compliance with Municipal Code Section 4-5-6, issue the property owner a Food Truck Location  
1288 administrative approval letter.

1289 HISTORY

1290 *Adopted by Ord. [00-51](#) on 9/21/2000*

1291 *Amended by Ord. [04-39](#) on 3/18/2004*

1292 *Amended by Ord. [06-69](#) on 10/19/2006*

1293 *Amended by Ord. [07-55](#) on 8/30/2007*

1294 *Amended by Ord. [09-10](#) on 3/5/2009*

1295 *Amended by Ord. [12-37](#) on 12/20/2012*

1296 *Amended by Ord. [16-02](#) on 1/7/2016*

1297 *Amended by Ord. [2017-45](#) on 8/17/2017*

1298 *Amended by Ord. [2018-55](#) on 10/23/2018*

1299 *Amended by Ord. [2020-36](#) on 7/30/2020*

1300 *Amended by Ord. [2020-42](#) on 9/17/2020*

1301 *Amended by Ord. [2021-51](#) on 12/16/2021*

1302 . . . .

1303 **15-2.5-4 Existing Historic Buildings And/or Structures**

1304 Historic Buildings and/or Structures that do not comply with Building Height, Building  
1305 Setbacks, Off-Street parking, and driveway location standards are valid Non-Complying  
1306 Structures. Additions to Historic Buildings and/or Structures are exempt from Off-Street

1307 parking requirements provided the addition does not create a Lockout Unit or an  
1308 Accessory Apartment. Additions must comply with Building Setbacks, driveway location  
1309 standards, and Building height.

1310 A. **EXCEPTION**. In order to achieve new construction consistent with the [~~Historic~~  
1311 ~~District Design Guidelines~~] Design Guidelines for Historic Districts and Historic  
1312 Sites, the Planning Director may grant an exception to the Building Setbacks and  
1313 driveway location standards for additions to Historic Buildings and/or Structures:

- 1314 1. Upon approval of a Conditional Use Permit, and
- 1315 2. When the scale of the addition and/or driveway is Compatible with the  
1316 Historic Building and/or Structure, and
- 1317 3. When the addition complies with all other provisions of this Chapter, and
- 1318 4. When the addition complies with the adopted Building and Fire Codes,  
1319 and
- 1320 5. When the addition complies with the Design Guidelines for Historic  
1321 Districts and Historic Sites.

1322 HISTORY

1323 *Adopted by Ord. [00-51](#) on 9/21/2000*

1324 *Amended by Ord. [06-69](#) on 10/19/2006*

1325 *Amended by Ord. [2016-44](#) on 9/15/2016*

1326 *Amended by Ord. [2020-42](#) on 9/17/2020*

1327 **15-2.5-5 Building Height**

1328 No Structure shall be erected to a height greater than thirty-two feet (32') from Existing  
1329 Grade. This is the Zone Height.

1330 A. **BUILDING HEIGHT EXCEPTIONS.** The following height exceptions apply:

1331 1. Gable, hip, and similar pitched roofs may extend up to five feet (5') above  
1332 the Zone Height, if the roof pitch is 4:12 or greater.

1333 2. Antennas, chimneys, flues, vents, and similar Structures, may extend up  
1334 to five feet (5') above the highest point of the Building to comply with  
1335 International Building Code (IBC) requirements.

1336 3. Water towers, mechanical equipment, and Solar Energy Systems, when  
1337 enclosed or Screened, may extend up to five feet (5') above the height of  
1338 the Building. See Section 15-5-5.

1339 4. Church spires, bell towers, and like architectural features subject to the  
1340 ~~[Historic District Design Guidelines]~~ Design Guidelines for Historic Districts  
1341 and Historic Sites, may extend up to fifty percent (50%) above the Zone  
1342 Height, but may not contain Habitable Space above the Zone Height.  
1343 Such exception requires approval by the Planning Director.

1344 5. An Elevator Penthouse may extend up to eight feet (8') above the Zone  
1345 Height.

1346 6. To accommodate a roof form consistent with the ~~[Historic District Design~~  
1347 ~~Guidelines]~~ Design Guidelines for Historic Districts and Historic Sites, the  
1348 Planning Director may grant additional Building Height provided that no  
1349 more than twenty percent (20%) of the roof ridge line exceeds the height  
1350 requirement and complies with height exception criteria in Section 15-2.5-

1351 5.

1352 HISTORY

1353 *Adopted by Ord. [00-51](#) on 9/21/2000*

1354 *Amended by Ord. [06-69](#) on 10/19/2006*

1355 *Amended by Ord. [07-55](#) on 8/30/2007*

1356 *Amended by Ord. [09-10](#) on 3/5/2009*

1357 *Amended by Ord. [2018-27](#) on 5/31/2018*

1358 *Amended by Ord. [2020-42](#) on 9/17/2020*

1359 . . . .

1360 **15-2.5-12 Architectural Review**

1361 Prior to issuance of a Building Permit for any Conditional or Allowed Use, the Planning

1362 Department shall review the proposed plans for compliance with [Architectural Review](#)

1363 [Chapter 15-5, Historic Preservation Chapter 15-11, and the Design Guidelines for](#)

1364 [Historic Districts and Historic Sites Chapter 15-13.](#) [~~the Design Guidelines for Historic~~

1365 ~~Districts and Historic Sites, Chapter 15-13, Historic Preservation Chapter 15-11, and~~

1366 ~~Architectural Review Chapter 15-5.]~~

1367 [~~Appeals of departmental actions on compliance with the Design Guidelines for Historic~~

1368 ~~Districts and Historic Sites, Chapter 15-13, Historic Preservation Chapter 15-11, and~~

1369 ~~Architectural Review Chapter 15-5 are heard by the Board of Adjustment as outlined in~~

1370 ~~Section 15-1-18 of the Code.]~~

1371 HISTORY

1372 *Adopted by Ord. [00-51](#) on 9/21/2000*

1373 *Amended by Ord. [06-69](#) on 10/19/2006*

1374 *Amended by Ord. [09-23](#) on 7/9/2009*

1375 Amended by Ord. [15-53](#) on 12/17/2015

1376 Amended by Ord. [2020-42](#) on 9/17/2020

1377 . . . .

1378 **15-2.5-13 Vegetation Protection**

1379 The Property Owner must protect Significant Vegetation during any Development  
1380 activity. Significant Vegetation includes large trees six inches (6”) in diameter or greater  
1381 measured four and one-half feet (4 ½’) above the ground, groves of small trees, or  
1382 clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more  
1383 measured at the drip line.

1384 Development plans must show all Significant Vegetation within twenty feet (20’) of a  
1385 proposed Development. The Property Owner must demonstrate the health and viability  
1386 of all large trees through a certified arborist. The Planning Director shall determine the  
1387 Limits of Disturbance and may require mitigation for loss of Significant Vegetation  
1388 consistent with Landscape Criteria in Sections [15-3-3](#) [and 15-5-5\(N\)](#), and Title 14.

1389 HISTORY

1390 Adopted by Ord. [00-51](#) on 9/21/2000

1391 Amended by Ord. [06-69](#) on 10/19/2006

1392 Amended by Ord. [2020-42](#) on 9/17/2020

1393 . . . .

1394 **15-2.5-15 Related Provisions**

- 1395 • Fences and Retaining Walls. Section 15-4-2.
- 1396 • Accessory Apartments. Section 15-4-7.
- 1397 • Placement of Satellite Receiving Antennas. Section 15-4-13.
- 1398 • Telecommunication Facilities. Section 15-4-14.

- 1399 • Off-Street Parking. Chapter 15-3.
- 1400 • Landscaping. Title 14; Sections s 15-3-3 and [~~Chapter~~] 15-5-5(N).
- 1401 • Lighting. Sections 15-3-3[~~;~~] and 15-5-5(J).
- 1402 • Historic Preservation. Chapters s 15-11 and 15-13.
- 1403 • Park City Sign Code. Title 12.
- 1404 • Architectural Review. Chapter 15-5.
- 1405 • Snow Storage. Section 15-3-3.
- 1406 • Parking Ratio Requirements. Section 15-3-6.

1407 HISTORY

1408 *Adopted by Ord. [00-51](#) on 9/21/2000*

1409 *Amended by Ord. [2020-42](#) on 9/17/2020*

1410 . . . . .

1411 **15-2.6-2 Uses**

1412 Uses in the Historic Commercial Business (HCB) District are limited to the following:

1413 A. **ALLOWED USES**.<sup>11</sup>

- 1414 1. Single Family Dwelling<sup>1</sup>
- 1415 2. Multi-Unit Dwelling<sup>1</sup>
- 1416 3. Secondary Living Quarters<sup>1</sup>
- 1417 4. Lockout Unit<sup>1,2</sup>
- 1418 5. Accessory Apartment<sup>1,3</sup>
- 1419 6. Nightly Rental<sup>4</sup>
- 1420 7. Home Occupation<sup>1</sup>
- 1421 8. Child Care, In-Home Babysitting<sup>1</sup>

- 1422 9. Child Care, Family<sup>1,5</sup>
- 1423 10. Child Care, Family Group<sup>1,5</sup>
- 1424 11. Child Care Center<sup>1,5</sup>
- 1425 12. Accessory Building and Use<sup>1</sup>
- 1426 13. Conservation Activity
- 1427 14. Agriculture
- 1428 15. Bed and Breakfast Inn<sup>1, 6</sup>
- 1429 16. Boarding House, hostel<sup>1</sup>
- 1430 17. Hotel, Minor, fewer than 16 rooms<sup>1</sup>
- 1431 18. Office, General<sup>1</sup>
- 1432 19. Office, Moderate Intensive<sup>1</sup>
- 1433 20. Office and clinic, Medical<sup>1</sup>
- 1434 21. Financial institution, without drive-up window
- 1435 22. Commercial Retail and Service, Minor
- 1436 23. Commercial Retail and Service, Personal Improvement
- 1437 24. Commercial Neighborhood Convenience, without gasoline sales
- 1438 25. Restaurant, Cafe or Deli
- 1439 26. Restaurant, General
- 1440 27. Bar
- 1441 28. Parking Lot, Public or Private with four (4) or fewer spaces
- 1442 29. Entertainment Facility, Indoor
- 1443 30. Salt Lake City 2002 Winter Olympic Games Legacy Displays<sup>7</sup>
- 1444 31. Temporary winter Balcony enclosures

1445 32. Food Truck Location<sup>12</sup>

1446 B. **CONDITIONAL USES.**<sup>10, 11</sup>

1447 1. Group Care Facility<sup>1</sup>

1448 2. Public and Quasi-Public institution, church, or school

1449 3. Essential municipal public utility Use, facility, service, and Structure

1450 4. Telecommunication Antenna<sup>8</sup>

1451 5. Satellite dish, greater than thirty-nine inches (39") in diameter<sup>9</sup>

1452 6. Plant and Nursery stock products and sales

1453 7. Hotel, Major<sup>1</sup>

1454 8. Timeshare Projects and Conversions<sup>1</sup>

1455 9. Timeshare Sales Office, Off-Site within an enclosed Building<sup>1</sup>

1456 10. Private Residence Club Project and Conversion<sup>1,6</sup>

1457 11. Commercial Retail and Service, Major

1458 12. Office, Intensive<sup>1</sup>

1459 13. Restaurant, outdoor dining<sup>6</sup>

1460 14. Outdoor Events and Uses<sup>6</sup>

1461 15. Hospital, Limited Care Facility<sup>1</sup>

1462 16. Parking Area or Structure for five (5) or more cars<sup>1</sup>

1463 17. Temporary Improvement<sup>6</sup>

1464 18. Passenger Tramway station and ski base facility

1465 19. Ski tow, ski lift, ski run, and ski bridge

1466 20. Recreation Facility, Public or Private

1467 21. Recreation Facility, Commercial

1468 22. Fences greater than six feet (6') in height from Final Grade<sup>6</sup>

1469 23. Private Residence Club, Off-Site<sup>1</sup>

1470 24. Private Event Facility<sup>1</sup>

1471 C. **PROHIBITED USES.** Any Use not listed above as an Allowed or Conditional Use  
1472 is a prohibited Use.

1473 <sup>1</sup>Prohibited in HCB Zoned Storefront Property adjacent to Main Street, Heber Avenue, Grant Avenue, and  
1474 Swede Alley. Hotel rooms shall not be located within Storefront Property; however access, circulation and  
1475 lobby areas are permitted within Storefront Property.

1476 <sup>2</sup>Nightly Rental of Lock Units requires a Conditional Use permit.

1477 <sup>3</sup>Requires an Administrative Permit. See Section 15-4-7, Accessory Apartments.

1478 <sup>4</sup>Nightly Rental of residential dwellings does not include the Use of dwellings for Commercial Uses.

1479 <sup>5</sup>See Section 15-4-9, Child Care And Child Care Facilities.

1480 <sup>6</sup>Requires an Administrative or Administrative Conditional Use permit.

1481 <sup>7</sup>Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City  
1482 Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed  
1483 on the original Property set forth in the services Agreement and/or Master Festival License. Requires an  
1484 Administrative Permit.

1485 <sup>8</sup>See Section 15-4-14, Telecommunication Facilities.

1486 <sup>9</sup>See Section 15-4-13, Placement Of Satellite Receiving Antennas.

1487 <sup>10</sup>No community locations as defined by Utah Code 32B-1-102 (Alcoholic Beverage Control Act) are  
1488 permitted within 200 feet of Main Street unless a variance is permitted for an outlet, as defined by Utah  
1489 Code 32B-1-202, to obtain a liquor license.

1490 <sup>11</sup>Within the HCB Zoning District, no more than seventeen (17) Conventional Chain Businesses are  
1491 permitted in Storefront Properties.

1492 <sup>12</sup>The Planning Director or ~~[his or her]~~ designee shall, upon finding a Food Truck Location in compliance  
1493 with Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative  
1494 approval letter.

1495 HISTORY

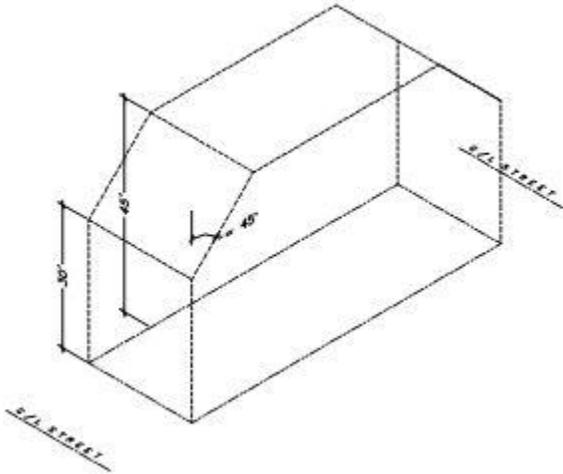
- 1496 *Adopted by Ord. [00-51](#) on 9/21/2000*
- 1497 *Amended by Ord. [02-38](#) on 9/12/2002*
- 1498 *Amended by Ord. [04-39](#) on 3/18/2004*
- 1499 *Amended by Ord. [06-69](#) on 10/19/2006*
- 1500 *Amended by Ord. [07-55](#) on 8/30/2007*
- 1501 *Amended by Ord. [09-10](#) on 3/5/2009*
- 1502 *Amended by Ord. [12-37](#) on 12/20/2012*
- 1503 *Amended by Ord. [16-02](#) on 1/7/2016*
- 1504 *Amended by Ord. [16-01](#) on 1/7/2016*
- 1505 *Amended by Ord. [2017-45](#) on 8/17/2017*
- 1506 *Amended by Ord. [2018-55](#) on 10/23/2018*
- 1507 *Amended by Ord. [2020-36](#) on 7/30/2020*
- 1508 *Amended by Ord. [2020-42](#) on 9/17/2020*
- 1509 *Amended by Ord. [2021-51](#) on 12/16/2021*

1510 . . . .

1511 **15-2.6-5 Maximum Building Volume And Height**

- 1512 A. The maximum Building volume for each Lot is defined by a plane that rises
- 1513 vertically at the Front Lot Line to a height of thirty feet (30') measured above the
- 1514 average Natural Grade and then proceeds at a forty-five degree (45°) angle
- 1515 toward the rear of the Property until it intersects with a point forty-five feet (45')

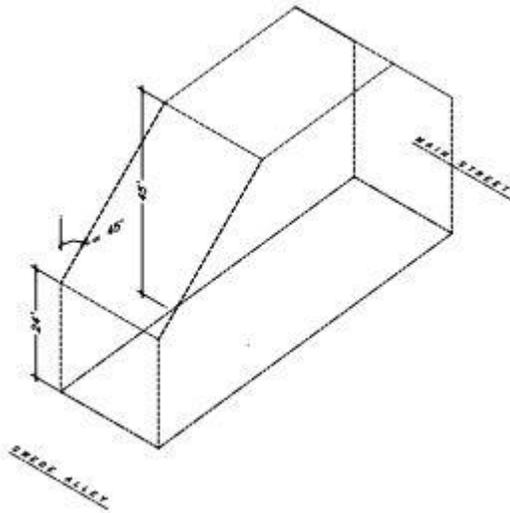
1516 above the Natural Grade and connects with the rear portion of the bulk plane.



1517  
1518 B. The rear portion of the bulk plane for each Lot that does not abut Swede Alley is  
1519 defined by the plane that rises vertically at the Rear Property Line to a height of  
1520 thirty feet (30') measured above the average Natural Grade and then proceeds at  
1521 a forty-five degree (45°) angle toward the Front Lot Line until it intersects with a  
1522 point forty-five feet (45') above the Natural Grade of the Building Site. No part of  
1523 a Building shall be erected to a height greater than forty-five feet (45'), measured  
1524 from Natural Grade at the Building Site. This provision must not be construed to  
1525 encourage solid roofing to following the forty-five degree (45°) back plane.

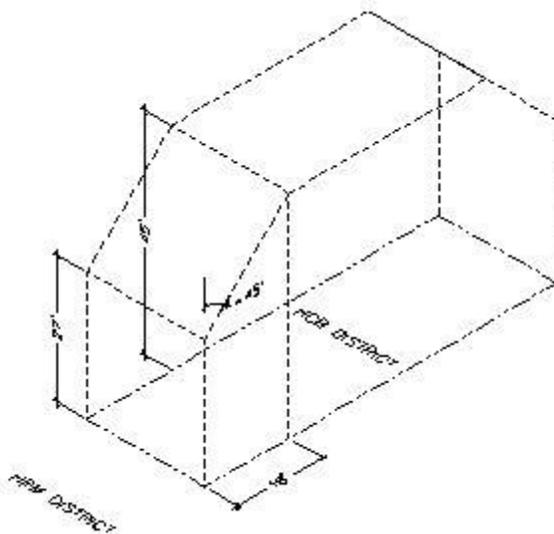
1526 C. For Lots abutting Swede Alley, the rear portion of the bulk plane is defined by a  
1527 plane that rises vertically at the Rear Property Line to a height of twenty-four feet  
1528 (24') measured above the average Natural Grade and then proceeds at a forty-  
1529 five degree (45°) angle toward the Front Lot Line until it intersects with a point  
1530 forty-five feet (45') above the Natural Grade. This provision must not be  
1531 construed to encourage solid roofing to follow the forty-five degree (45°) back

1532 plane.



1533

1534 D. Wherever the HCB District abuts a residential Zoning District, the abutting portion  
1535 of the bulk plane is defined by a plane that rises vertically at the abutting Lot Line  
1536 to a height matching the maximum height of the abutting Zone, measured from  
1537 Existing Grade, and then proceeds at a forty-five degree (45°) angle toward the  
1538 opposite Lot Line until it intersects with a point forty-five feet (45') above Existing  
1539 Grade.



1540

1541 E. The Zone Height for the HCB District shall correspond to the maximum height of  
1542 the Building plane as described in Section 15-2.6-5(A) through (D).

1543 F. **MAXIMUM BUILDING VOLUME AND BUILDING HEIGHT EXCEPTIONS.** The  
1544 following exceptions apply:

1545 1. A gable, hip, gambrel or similarly pitched roof may extend up to five feet  
1546 (5') above the Zone Height.

1547 2. Antennas, chimneys, flues, vents, and similar Structures may extend up to  
1548 five feet (5') above the highest point of the Building to comply with  
1549 International Building Code (IBC) requirements.

1550 3. Water towers, mechanical equipment, and Solar Energy Systems, when  
1551 enclosed or Screened, may extend up to five feet (5') above the height of  
1552 the Building. See [\[LMC\] Section 15-5-5](#).

1553 4. Church spires, bell towers, and like architectural features, subject to the  
1554 ~~[Historic District Design Guidelines]~~ [Design Guidelines for Historic Districts](#)  
1555 [and Historic Sites](#), may extend up to fifty percent (50%) above the Zone  
1556 Height, but may not contain Habitable Space above the Zone Height.  
1557 Such exception requires approval by the Planning Director.

1558 5. Elevator Penthouses may extend up to eight feet (8') above the Zone  
1559 Height.

1560 6. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays,  
1561 including Olympic way-finding towers, are permitted to a height of sixty-  
1562 five feet (65').

1563 HISTORY

1564 *Adopted by Ord. [00-51](#) on 9/21/2000*

1565 *Amended by Ord. [03-38](#) on 7/17/2003*

1566 *Amended by Ord. [06-69](#) on 10/19/2006*

1567 *Amended by Ord. [2018-27](#) on 5/31/2018*

1568 *Amended by Ord. [2018-43](#) on 7/19/2018*

1569 *Amended by Ord. [2020-42](#) on 9/17/2020*

1570 . . . .

1571 **15-2.6-7 Swede Alley Development Criteria**

1572 In addition to the standards set forth in this Chapter, all Development abutting Swede  
1573 Alley must comply with the following criteria:

1574 A. Structures must step down toward Swede Alley at an angle of forty-five degrees  
1575 (45°) to a maximum height of twenty-four feet (24') at the edge of the Swede  
1576 Alley Right-of-Way. A variety of one and two-Story facades are encouraged.  
1577 Designs that create a strong indoor/outdoor connection at the ground level are  
1578 strongly encouraged.

1579 B. Entrances must be pedestrian-scaled and defined with porches, awnings and  
1580 other similar elements as described in the [Park City Historic District Design  
1581 Guidelines] [Design Guidelines for Historic Districts and Historic Sites](#). Entrances  
1582 must make provisions for shared public and service Access whenever possible.  
1583 When Main Street additions extend to Swede Alley, the materials and colors of  
1584 the new construction must be designed to coordinate with the existing Structure.

- 1585 C. Structures must continue the existing stair-step facade rhythm along Swede  
1586 Alley. No more than sixty feet (60') of a Swede Alley facade may have the same  
1587 height or Setback. On facades greater than sixty feet (60') wide, Structures must  
1588 provide a variety of Building Setbacks, height, and Building form. Setbacks in the  
1589 facades and stepping upper stories, decks, and Balconies are strongly  
1590 encouraged. Uniform height and Setbacks are discouraged.
- 1591 D. Provisions for public Open Space, open courtyards, and landscaping are strongly  
1592 encouraged.
- 1593 E. Pedestrian connections from Swede Alley to Main Street are encouraged  
1594 whenever possible. Open and landscaped pedestrian connections are favored.
- 1595 F. Swede Alley facades must be simple, utilitarian, and subordinate in character to  
1596 Main Street facades. While facades should be capped, details should be simple.  
1597 Ornate details typically found on Main Street facades are prohibited. The  
1598 Applicant must incorporate a mix of materials, accent trim and door treatments to  
1599 provide architectural interest. Materials must be similar in character, color,  
1600 texture and scale to those found on Main Street. Exposed concrete, large Areas  
1601 of stucco and unfinished materials are prohibited.
- 1602 G. Window display Areas are allowed. However, the Swede Alley window Area must  
1603 be subordinate in design to the Main Street window Area.
- 1604 H. Service Areas and service equipment must be Screened. Utility boxes must be  
1605 painted to blend with the adjacent Structures. Group trash containers must be  
1606 Screened.

1607 HISTORY

1608 *Adopted by Ord. [00-51](#) on 9/21/2000*

1609 . . . .

1610 **15-2.6-13 Architectural Review**

1611 Prior to issuance of a Building Permit for any Conditional or Allowed Use, the Planning

1612 Department shall review the proposed plans for compliance with [Architectural Review](#)

1613 [Chapter 15-5, Historic Preservation Chapter 15-11, and the Design Guidelines for](#)

1614 [Historic Districts and Historic Sites Chapter 15-13.](#) [~~the Design Guidelines for Historic~~

1615 ~~Districts and Historic Sites, Chapter 15-13, Historic Preservation Chapter 15-11, and~~

1616 ~~Architectural Review Chapter 15-5.]~~

1617 [~~Appeals of departmental actions on compliance with the Design Guidelines for Historic~~

1618 ~~Districts and Historic Sites Chapter 15-13, Historic Preservation Chapter 15-11, and~~

1619 ~~Architectural Review Chapter 15-5 are heard by the Board of Adjustment as outlined in~~

1620 ~~Section 15-1-18 of the Code.]~~

1621 HISTORY

1622 *Adopted by Ord. [00-51](#) on 9/21/2000*

1623 *Amended by Ord. [06-69](#) on 10/19/2006*

1624 *Amended by Ord. [09-23](#) on 7/9/2009*

1625 *Amended by Ord. [15-53](#) on 12/17/2015*

1626 *Amended by Ord. [2020-42](#) on 9/17/2020*

1627 . . . .

1628 **15-2.6-14 Vegetation Protection**

1629 The Property Owner must protect Significant Vegetation during any Development

1630 activity. Significant Vegetation includes large trees six inches (6") in diameter or greater

1631 measured four and one-half feet (4½') above the ground, groves of smaller trees, or  
1632 clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more  
1633 measured at the drip line.

1634

1635 Development plans must show all Significant Vegetation within twenty feet (20') of a  
1636 proposed Development. The Property Owner must demonstrate the health and viability  
1637 of all large trees through a certified arborist. The Planning Director shall determine the  
1638 Limits of Disturbance and may require mitigation for loss of Significant Vegetation  
1639 consistent with ~~[landscape criteria]~~ Landscape Criteria in Sections 15-3-3 and 15-5-  
1640 5(N), and Title 14.

1641 HISTORY

1642 *Adopted by Ord. 00-51 on 9/21/2000*

1643 *Amended by Ord. 06-69 on 10/19/2006*

1644 *Amended by Ord. 2020-42 on 9/17/2020*

1645 . . . .

1646 **15-2.6-16 Related Provisions**

- 1647 • Fences and Retaining Walls. Section 15-4-2.
- 1648 • Accessory Apartments. Section 15-4-7.
- 1649 • Placement of Satellite Receiving Antennas. Section 15-4-13.
- 1650 • Telecommunication Facilities. Section 15-4-14.
- 1651 • Off-Street Parking. Chapter 15-3.
- 1652 • Landscaping. Title 14; Sections 15-3-3 and ~~[Chapter]~~ 15-5-5(N).
- 1653 • Lighting. Sections 15-3-3 and 15-5-5(J).
- 1654 • Historic Preservation. Chapters 15-11 and 15-13.

- 1655 • Park City Sign Code. Title 12.
- 1656 • Architectural Review. Chapter 15-5.
- 1657 • Snow Storage. Section 15-3-3.
- 1658 • Parking Ratio Requirements. Section 15-3-6.
- 1659 • Passenger Tramways and Ski Base Facilities. Section 15-4-18.

1660 HISTORY

1661 *Adopted by Ord. [00-51](#) on 9/21/2000*

1662 *Amended by Ord. [2020-42](#) on 9/17/2020*

1663 . . . .

1664 **15-2.7-2 Uses**

1665 Uses in the ROS District are limited to the following:

1666 A. **ALLOWED USES.**

- 1667 1. Conservation Activity
- 1668 2. Food Truck Locations<sup>4</sup>

1669 B. **ADMINISTRATIVE CONDITIONAL USES<sup>1</sup>.**

- 1670 1. Trail and Trailhead Improvement
- 1671 2. Outdoor Recreation Equipment
- 1672 3. Essential Municipal Public Utility Use, Service, or Structure, less than 600
- 1673 sq. ft.
- 1674 4. Accessory Building, less than 600 sq. ft.
- 1675 5. Ski-related Accessory Building, less than 600 sq. ft.
- 1676 6. Parking Area or Structure with four (4) or fewer spaces
- 1677 7. Outdoor Event, Outdoor Music
- 1678 8. Temporary Construction Improvement

- 1679 9. Raising, grazing of horses
- 1680 10. Raising, grazing of livestock
- 1681 11. Anemometer and Anemometer Towers

1682 C. **CONDITIONAL USES.**

- 1683 1. Agriculture
- 1684 2. Recreational Outdoor and Trail Lighting
- 1685 3. Recreation Facility, Private
- 1686 4. Recreation Facility, Public
- 1687 5. Recreation Facility, Commercial
- 1688 6. Golf Course
- 1689 7. Passenger Tramway Station and Ski Base Facility
- 1690 8. Ski Tow Rope, Ski Lift, Ski Run and Ski Bridge
- 1691 9. Recreational Sports Field
- 1692 10. Skating Rink
- 1693 11. Skateboard Park
- 1694 12. Public and Quasi-Public Institution, Church, and School, Park, Plaza,  
1695 Structure for Public Assembly, greater than 600 sq. ft.
- 1696 13. Essential Municipal Public Utility Use, Facility, Service, and Structure,  
1697 greater than 600 sq. ft.
- 1698 14. Accessory Building, greater than 600 sq. ft.
- 1699 15. Ski-Related Accessory Building, greater than 600 sq. ft.
- 1700 16. Child Care Center
- 1701 17. Commercial Stable, Riding Academy

- 1702 18. Vehicle Control Gates<sup>2</sup>
- 1703 19. Resort Support, Commercial
- 1704 20. Cemetery
- 1705 21. Parking Area or Structure with five (5) or more spaces
- 1706 22. Telecommunications Antenna<sup>3</sup>
- 1707 23. Mines and Mine Exploration
- 1708 24. Plant and Nursery stock products and sales
- 1709 25. Fences greater than six feet (6') in height from Final Grade.
- 1710 26. Small Wind Energy Systems

1711 D. **PROHIBITED USES**. Any use not listed above as an Allowed or Conditional Use  
 1712 is a prohibited Use.

1713 <sup>1</sup>Subject to an Administrative Conditional Use permit and/or Master Festival license review process.

1714 Master Festivals are temporary in nature. All related temporary Structures are restricted to specific time  
 1715 frames and shall be removed at the expiration of the Master Festival permit.

1716 <sup>2</sup>See Section 15-4-19 for specific review criteria for gates

1717 <sup>3</sup>Subject to ~~[LMC Chapter]~~ Section 15-4-14, Telecommunications

1718 <sup>4</sup>The Planning Director ~~[, or his]~~ or designee shall, upon finding a Food Truck Location in compliance with  
 1719 Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative approval  
 1720 letter.

1721 HISTORY

1722 *Adopted by Ord. [00-51](#) on 9/21/2000*

1723 *Amended by Ord. [04-08](#) on 3/4/2004*

1724 *Amended by Ord. [09-10](#) on 3/5/2009*

1725 *Amended by Ord. [2018-55](#) on 10/23/2018*

1726 . . . .

1727 **15-2.7-5 Architectural Review**

1728 Prior to the issuance of a Building Permit for any Conditional or Allowed Use, the  
1729 Planning Department must review the proposed plans for compliance with ~~[the]~~  
1730 Architectural ~~[Design Guidelines, LMG]~~ Review, Chapter 15-5.  
1731 ~~[Appeals of Departmental actions on architectural compliance are heard by the Planning~~  
1732 ~~Commission.]~~

1733 HISTORY

1734 *Adopted by Ord. [00-51](#) on 9/21/2000*

1735 *Amended by Ord. [09-10](#) on 3/5/2009*

1736 . . . .

1737 **15-2.7-6 Vegetation Protection**

1738 The Property Owner must protect Significant Vegetation during any Development  
1739 activity. Significant Vegetation includes large trees six inches (6") in diameter or greater  
1740 measured four and one-half feet (4½') above the ground, groves of smaller trees, or  
1741 clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more  
1742 measured at the drip line.

1743

1744 Development plans must show all Significant Vegetation within twenty feet (20') of a  
1745 proposed Development. The Property Owner must demonstrate the health and viability  
1746 of all large trees through a certified arborist. The Planning Director shall determine the  
1747 Limits of Disturbance and may require mitigation for loss of Significant Vegetation  
1748 consistent with ~~[landscape criteria]~~ Landscape Criteria in Sections 15-3-3 and 15-5-  
1749 5(N), and Title 14.

1750 HISTORY

1751 *Adopted by Ord. [00-51](#) on 9/21/2000*

1752 *Amended by Ord. [04-08](#) on 3/4/2004*

1753 *Amended by Ord. [09-10](#) on 3/5/2009*

1754 . . . .

1755 **15-2.7-11 Related Provisions**

- 1756 • Fences and Walls. [~~LMC Chapter~~] [Section](#) 15-4-2.
- 1757 • Accessory Apartment. [~~LMC Chapter~~] [Section](#) 15-4-7.
- 1758 • Satellite Receiving Antenna. [~~LMC Chapter~~] [Section](#) 15-4-13.
- 1759 • Telecommunication Facility. [~~LMC Chapter~~] [Section](#) 15-4-14.
- 1760 • Parking. [~~LMC~~] Chapter 15-3.
- 1761 • Landscaping. Title 14; [~~LMC Chapter~~] [Sections](#) 15-3-3(~~D~~) [and](#) 15-5-5(N).
- 1762 • Lighting. [~~LMC Chapters 15-3-3(C), 15-5-5(I)~~] [Sections 15-3-3 and 15-5-5\(J\)](#).
- 1763 • Historic Preservation. [~~LMC~~] [Chapter](#)s 15-11 [and](#) 15-13.
- 1764 • Park City Sign Code. Title 12.
- 1765 • Architectural [~~Design~~] [Review](#). [~~LMC~~] Chapter 15-5.
- 1766 • Snow Storage. [~~LMC Chapter~~] [Section](#) 15-3-3(~~E~~).
- 1767 • Parking Ratio Requirements. [~~LMC Chapter~~] [Section](#) 15-3-6.

1768 HISTORY

1769 *Adopted by Ord. [00-51](#) on 9/21/2000*

1770 *Amended by Ord. [09-10](#) on 3/5/2009*

1771 . . . .

1772 **15-2.8-5 Architectural Review**

1773 Prior to the issuance of a Building Permit for any Conditional or Allowed Use, the  
1774 Planning Department shall review the proposed plans for compliance with ~~[the]~~  
1775 Architectural ~~[Design Guidelines, LMG]~~ Review, Chapter 15-5.  
1776 ~~[Appeals of departmental actions on architectural compliance are heard by the Planning~~  
1777 ~~Commission.]~~

1778 HISTORY

1779 *Adopted by Ord. [00-51](#) on 9/21/2000*

1780 *Amended by Ord. [06-69](#) on 10/19/2006*

1781 . . . .

1782 **15-2.8-6 Vegetation Protection**

1783 The Property Owner must protect Significant Vegetation during any Development  
1784 activity. Significant Vegetation includes large trees six inches (6") in diameter or greater  
1785 measured four and one-half feet (4½') above the ground, groves of smaller trees, or  
1786 clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more  
1787 measured at the drip line.

1788

1789 Development plans must show all Significant Vegetation within twenty feet (20') of a  
1790 proposed Development. The Property Owner must demonstrate the health and viability  
1791 of all large trees through a certified arborist. The Planning Director shall determine the  
1792 Limits of Disturbance and may require mitigation for loss of Significant Vegetation  
1793 consistent with Landscape Criteria in ~~[LMC Chapter]~~ Sections 15-3-3 and 15-5-5(N),  
1794 and Title 14.

1795 HISTORY

1796 *Adopted by Ord. [00-51](#) on 9/21/2000*

1797 *Amended by Ord. [06-69](#) on 10/19/2006*

1798 . . . .

1799 **15-2.8-8 Related Provisions**

- 1800 • Fences and Walls. [~~LMC Chapter~~] Section 15-4-2.
- 1801 • Accessory Apartments. [~~LMC Chapter~~] Section 15-4-7.
- 1802 • Satellite Receiving Antenna. [~~LMC Chapter~~] Section 15-4-13.
- 1803 • Telecommunication Facility. [~~LMC Chapter~~] Section 15-4-14.
- 1804 • Parking. [~~LMC~~] Chapter 15-3.
- 1805 • Landscaping. Title 14; [~~LMC Chapter 15-3-3.(D)~~] Sections 15-3-3 and 15-5-5(N).
- 1806 • Lighting. [~~LMC Chapters~~] Sections 15-3-3 and 15-5-5(J).
- 1807 • Historic Preservation Board. [~~LMC~~] Chapters 15-11 and 15-13.
- 1808 • Park City Sign Code. Title 12.
- 1809 • Architectural Review. [~~LMC~~] Chapter 15-5.
- 1810 • Snow Storage. [~~LMC Chapter~~] Section 15-3-3(~~E~~)
- 1811 • Parking Ratio Requirements. [~~LMC Chapter~~] Section 15-3-6.
- 1812 • Passenger Tramways and Ski Base Facilities. [~~LMC Chapter~~] Section 15-4-18.

1813 HISTORY

1814 *Adopted by Ord. [00-51](#) on 9/21/2000*

1815 . . . .

1816 **15-2.9-5 Architectural Review**

1817 Prior to the issuance of a Building Permit for any Conditional or Allowed Use, the

1818 Planning Department must review the proposed plans for compliance with ~~the~~

1819 Architectural ~~[Design Guidelines]~~ Review, [LMG] Chapter 15-5.

1820 ~~[Appeals of departmental actions on architectural compliance are heard by the Planning~~

1821 ~~Commission.]~~

1822 HISTORY

1823 *Adopted by Ord. [00-51](#) on 9/21/2000*

1824 *Amended by Ord. [06-69](#) on 10/19/2006*

1825 . . . .

1826 **15-2.9-10 Vegetation Protection**

1827 The Property Owner must protect Significant Vegetation during any Development  
1828 activity. Significant Vegetation includes large trees six inches (6") in diameter or greater  
1829 measured four and one-half feet (4½') above the ground, groves of smaller trees, or  
1830 clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more  
1831 measured at the drip line.

1832

1833 Development plans must show all Significant Vegetation within twenty feet (20') of a  
1834 proposed Development. The Property Owner must demonstrate the health and viability  
1835 of all large trees through a certified arborist. The Planning Director shall determine the  
1836 Limits of Disturbance and may require mitigation for loss of Significant Vegetation  
1837 consistent with Landscape Criteria in ~~[LMG Chapter]~~ Sections 15-3-3 and 15-5-5(N),  
1838 and Title 14.

1839 HISTORY

1840 *Adopted by Ord. [00-51](#) on 9/21/2000*

1841 *Amended by Ord. [06-69](#) on 10/19/2006*

1842 . . . .

1843 **15-2.9-12 Related Provisions**

- 1844 • Fences and Walls. [~~LMC Chapter 15-5-2~~] Section 15-4-2.
- 1845 • Accessory Apartments. [~~LMC Chapter~~] Section 15-4-7.
- 1846 • Satellite Receiving Antenna. [~~LMC Chapter~~] Section 15-4-13.
- 1847 • Telecommunication Facility. [~~LMC Chapter~~] Section 15-4-14.
- 1848 • Parking. [~~LMC~~] Chapter 15-3.
- 1849 • Landscaping. Title 14; [~~LMC Chapter~~] Sections 15-3-3[(D)] and 15-5-5(N).
- 1850 • Lighting. [~~LMC Chapter~~] Sections 15-3-3[(C)] and 15-5-5[(H)](J) .
- 1851 • Historic Preservation [~~Board~~]. [~~LMC~~] Chapters 15-11 and 15-13.
- 1852 • Park City Sign Code. Title 12.
- 1853 • Architectural Review. [~~LMC~~] Chapter 15-5.
- 1854 • Snow Storage. [~~LMC Chapter~~] Section 15-3-3 [(E)].
- 1855 • Parking Ratio Requirements. [~~LMC Chapter~~] Section 15-3-6.

1856 HISTORY

1857 *Adopted by Ord. [00-51](#) on 9/21/2000*

1858 . . . .

1859 **15-2.10-5 Architectural Review**

1860 Prior to issuance of a Building Permit for any Conditional or Allowed Use, the Planning

1861 Department must review the proposed plans for compliance with [~~the~~] Architectural

1862 [~~Design Guidelines~~] Review, [~~LMC~~] Chapter 15-5.

1863 [~~Appeals of departmental actions on architectural compliance are heard by the Planning~~

1864 ~~Commission.]~~

1865 HISTORY

1866 *Adopted by Ord. [00-51](#) on 9/21/2000*

1867 *Amended by Ord. [06-69](#) on 10/19/2006*

1868 . . . .

1869 **15-2.10-10 Vegetation Protection**

1870 The Property Owner must protect Significant Vegetation during any Development  
1871 activity. Significant Vegetation includes large trees six inches (6") in diameter or greater  
1872 measured four and one-half feet (4½') above the ground, groves of smaller trees, or  
1873 clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more  
1874 measured at the drip line.

1875

1876 Development plans must show all Significant Vegetation within twenty feet (20') of a  
1877 proposed Development. The Property Owner must demonstrate the health and viability  
1878 of all large trees through a certified arborist. The Planning Director shall determine the  
1879 Limits of Disturbance and may require mitigation for loss of Significant Vegetation  
1880 consistent with Landscape Criteria in [~~LMC Chapter~~] [Sections](#) 15-3-3~~(D)~~ and [15-5-](#)  
1881 [5\(N\)](#), and Title 14.

1882 HISTORY

1883 *Adopted by Ord. [00-51](#) on 9/21/2000*

1884 *Amended by Ord. [06-69](#) on 10/19/2006*

1885 . . . .

1886 **15-2.10-12 Related Provisions**

- 1887 • Fences and Walls. [~~LMC Chapter~~] [Section](#) 15-4-2.
- 1888 • Accessory Apartments. [~~LMC Chapter~~] [Section](#) 15-4-7.

- 1889 • Satellite Receiving Antenna. [~~LMC Chapter~~] Section 15-4-13.
- 1890 • Telecommunication Facility. [~~LMC Chapter~~] Section 15-4-14.
- 1891 • Parking. [~~LMC~~] Chapter 15-3.
- 1892 • Landscaping. Title 14; [~~LMC Chapter~~] Sections 15-3-3[~~(D)~~] and 15-5-5(N).
- 1893 • Lighting. [~~LMC Chapter~~] Sections 15-3-3[~~(C)~~], and 15-5-5[~~(H)~~](J).
- 1894 • Historic Preservation [~~Board~~]. [~~LMC~~] Chapters 15-11 and 15-13.
- 1895 • Park City Sign Code. Title 12.
- 1896 • Architectural Review. [~~LMC~~] Chapter 15-5.
- 1897 • Snow Storage. [~~LMC Chapter~~] Section 15-3-3[~~(E)~~].
- 1898 • Parking Ratio Requirements. [~~LMC Chapter~~] Section 15-3-6.

1899 HISTORY

1900 *Adopted by Ord. [00-51](#) on 9/21/2000*

1901 . . . .

1902 **15-2.11-5 Architectural Review**

1903 Prior to issuance of a Building Permit for any Conditional or Allowed Use, the Planning

1904 Department must review the proposed plans for compliance with [~~the~~] Architectural

1905 [~~Design Guidelines~~] Review, [~~LMC~~] Chapter 15-5.

1906 [~~Appeals of departmental actions on architectural compliance are heard by the Planning~~

1907 ~~Commission.~~]

1908 HISTORY

1909 *Adopted by Ord. [00-51](#) on 9/21/2000*

1910 *Amended by Ord. [06-76](#) on 11/9/2006*

1911 . . . .

1912 **15-2.11-10 Vegetation Protection**

1913 The Property Owner must protect Significant Vegetation during any Development  
1914 activity. Significant Vegetation includes large trees six inches (6") in diameter or greater  
1915 measured four and one-half feet (4½') above the ground, groves of smaller trees, or  
1916 clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more  
1917 measured at the drip line.

1918 Development plans must show all Significant Vegetation within twenty feet (20') of a  
1919 proposed Development. The Property Owner must demonstrate the health and viability  
1920 of all large trees through a certified arborist. The Planning Director shall determine the  
1921 Limits of Disturbance and may require mitigation for loss of Significant Vegetation  
1922 consistent with Landscape Criteria in ~~[LMC Chapter]~~ Sections 15-3-3 ~~[(D)]~~, and 15-5-  
1923 5(N), and Title 14.

1924 HISTORY

1925 *Adopted by Ord. [00-51](#) on 9/21/2000*

1926 *Amended by Ord. [06-76](#) on 11/9/2006*

1927 . . . .

1928 **15-2.11-12 Related Provisions**

- 1929 • Fences and Walls. ~~[LMC Chapter]~~ Section 15-4-2.
- 1930 • Accessory Apartments. ~~[LMC Chapter]~~ Section 15-4-7.
- 1931 • Satellite Receiving Antenna. ~~[LMC Chapter]~~ Section 15-4-13.
- 1932 • Telecommunication Facility. ~~[LMC Chapter]~~ Section 15-4-14.
- 1933 • Parking. ~~[LMC]~~ Chapter 15-3.
- 1934 • Landscaping. Title 14; ~~[LMC Chapter]~~ Sections 15-3-3 ~~[(D)]~~ and 15-5-5(N).
- 1935 • Lighting. ~~[LMC Chapter]~~ Sections 15-3-3~~[(C)]~~, and 15-5-5~~[(H)]~~(J).
- 1936 • Historic Preservation ~~[Board]~~. ~~[LMC]~~ Chapters 15-11 and 15-13.

- 1937 • Park City Sign Code. Title 12
- 1938 • Architectural Review. [LMG] Chapter 15-5.
- 1939 • Snow Storage. [~~LMG Chapter~~] Section 15-3-3[~~(E)~~].
- 1940 • Parking Ratio Requirements. [~~LMG Chapter~~] Section 15-3-6.

1941 HISTORY

1942 *Adopted by Ord. [00-51](#) on 9/21/2000*

1943 . . . .

1944 **15-2.12-6 Architectural Review**

1945 Prior to the issuance of a Building Permit, the Planning Department must review the

1946 proposed plans for compliance with [~~the~~] Architectural [~~Design Guidelines~~] Review,

1947 [~~LMG~~] Chapter 15-5.

1948 [~~Appeals of departmental actions on architectural compliance are heard by the Planning~~

1949 ~~Commission.~~]

1950 HISTORY

1951 *Adopted by Ord. [00-51](#) on 9/21/2000*

1952 *Amended by Ord. [06-76](#) on 11/9/2006*

1953 . . . .

1954 **15-2.12-10 Vegetation Protection**

1955 The Property Owner must protect Significant Vegetation during any Development

1956 activity. Significant Vegetation includes large trees six inches (6") in diameter or greater

1957 measured four and one-half feet (4½') above the ground, groves of smaller trees, or

1958 clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more

1959 measured at the drip line.

1960

1961 Development plans must show all Significant Vegetation within twenty feet (20') of a  
1962 proposed Development. The Property Owner must demonstrate the health and viability  
1963 of all large trees through a certified arborist. The Planning Director shall determine the  
1964 Limits of Disturbance and may require mitigation for loss of Significant Vegetation  
1965 consistent with Landscape Criteria in [~~LMC Chapter~~] Sections 15-3-3 [~~(D)~~] and 15-5-  
1966 5(N), and Title 14.

1967 HISTORY

1968 *Adopted by Ord. 00-51 on 9/21/2000*

1969 *Amended by Ord. 06-76 on 11/9/2006*

1970 . . . .

1971 **15-2.12-12 Related Provisions**

- 1972 • Fences and Walls. [~~LMC Chapter~~] Section 15-4-2.
- 1973 • Accessory Apartments. [~~LMC Chapter~~] Section 15-4-7.
- 1974 • Satellite Receiving Antenna. [~~LMC Chapter~~] Section 15-4-13.
- 1975 • Telecommunication Facility. [~~LMC Chapter~~] Section 15-4-14.
- 1976 • Parking. [~~LMC~~] Chapter 15-3.
- 1977 • Landscaping. Title 14; [~~LMC Chapter~~] Sections 15-3-3[~~(D)~~] and 15-5-5(N).
- 1978 • Lighting. [~~LMC Chapter~~] Sections 15-3-3 [~~(C)~~;] and 15-5-5[~~(+)~~](J).
- 1979 • Historic Preservation [~~Board~~]. [~~LMC~~] Chapters 15-11 and 15-13.
- 1980 • Park City Sign Code. Title 12.
- 1981 • Architectural Review. [~~LMC~~] Chapter 15-5.
- 1982 • Snow Storage. [~~LMC Chapter~~] Section 15-3-3 [~~(E)~~].
- 1983 • Parking Ratio Requirements. [~~LMC Chapter~~] Section 15-3-6.

1984 HISTORY

1985 *Adopted by Ord. [00-51](#) on 9/21/2000*

1986 . . . .

1987 **15-2.13-5 Architectural Review**

1988 Prior to the issuance of a Building Permit, for any Conditional or Allowed Use, the

1989 Planning Department must review the proposed plans for compliance with ~~the~~

1990 Architectural ~~[Design Guidelines]~~ Review, ~~[LMC]~~ Chapter 15-5.

1991 ~~[Appeals of departmental actions on architectural compliance are heard by the Planning~~

1992 ~~Commission.]~~

1993 HISTORY

1994 *Adopted by Ord. [00-51](#) on 9/21/2000*

1995 *Amended by Ord. [06-76](#) on 11/9/2006*

1996 . . . .

1997 **15-2.13-10 Vegetation Protection**

1998 The Property Owner must protect Significant Vegetation during any Development

1999 activity. Significant Vegetation includes large trees six inches (6") in diameter or greater

2000 measured four and one-half feet (4½') above the ground, groves of smaller trees, or

2001 clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more

2002 measured at the drip line.

2003

2004 Development plans must show all Significant Vegetation within twenty feet (20') of a

2005 proposed Development. The Property Owner must demonstrate the health and viability

2006 of all large trees through a certified arborist. The Planning Director shall determine the

2007 Limits of Disturbance and may require mitigation for loss of Significant Vegetation

2008 consistent with ~~[landscape criteria]~~ Landscape Criteria in ~~[LMC Chapter]~~ Sections 15-3-  
2009 3 and 15-5-5(N), and Title 14.

2010 HISTORY

2011 *Adopted by Ord. 00-51 on 9/21/2000*

2012 *Amended by Ord. 06-76 on 11/9/2006*

2013 . . . .

2014 **15-2.14-5 Architectural Review**

2015 Prior to the issuance of a Building Permit for any Conditional or Allowed Use, the  
2016 Planning Department must review the proposed plans for compliance with ~~[the]~~  
2017 Architectural ~~[Design Guidelines]~~ Review, ~~[LMC]~~ Chapter 15-5.

2018 ~~[Appeals of departmental actions on architectural compliance are heard by the Planning~~  
2019 ~~Commission.]~~

2020 HISTORY

2021 *Adopted by Ord. 00-51 on 9/21/2000*

2022 *Amended by Ord. 06-76 on 11/9/2006*

2023 . . . .

2024 **15-2.14-10 Vegetation Protection**

2025 The Property Owner must protect Significant Vegetation during any Development  
2026 activity. Significant Vegetation includes large trees six inches (6”) in diameter or greater  
2027 measured four and one-half feet (4.5’) above the ground, groves of smaller trees, or  
2028 clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more  
2029 measured at the drip line.

2030

2031 Development plans must show all Significant Vegetation within twenty feet (20’) of a

2032 proposed Development. The Property Owner must demonstrate the health and viability  
2033 of all large trees through a certified arborist. The Planning Director shall determine the  
2034 Limits of Disturbance and may require mitigation for loss of Significant Vegetation  
2035 consistent with Landscape Criteria in Sections 15-3-3 and 15-5-5(N), and Title 14.

2036 HISTORY

2037 *Adopted by Ord. [00-51](#) on 9/21/2000*

2038 *Amended by Ord. [06-76](#) on 11/9/2006*

2039 . . . .

2040 **15-2.14-12 Related Provisions**

- 2041 • Fences and Walls. [~~LMC Chapter~~] [Section](#) 15-4-2.
- 2042 • Accessory Apartments. [~~LMC Chapter~~] [Section](#) 15-4-7.
- 2043 • Satellite Receiving Antenna. [~~LMC Chapter~~] [Section](#) 15-4-13.
- 2044 • Telecommunication Facility. [~~LMC Chapter~~] [Section](#) 15-4-14.
- 2045 • Parking. [~~LMC~~] Chapter 15-3.
- 2046 • Lighting. [~~LMC Chapter~~] [Section](#) 15-3-3[~~(C)~~] and 15-5-5(J).
- 2047 • Historic Preservation [~~Board~~]. [~~LMC~~] Chapters 15-11 [and 15-13](#).
- 2048 • Park City Sign Code. Municipal Code Title 12.
- 2049 • Architectural Review. [~~LMC~~] Chapter 15-5.
- 2050 • Snow Storage. [~~LMC Chapter~~] [Section](#) 15-3-3[~~(E)~~].
- 2051 • Parking Ratio Requirements. [~~LMC Chapter~~] [Section](#) 15-3-6[~~(A)(B)~~].

2052 HISTORY

2053 *Adopted by Ord. [00-51](#) on 9/21/2000*

2054 . . . .

2055 **15-2.15-6 Architectural Review**

2056 Prior to the issuance of a Building Permit, for any Conditional or Allowed Use, the  
2057 Community Development Department must review the proposed plans for compliance  
2058 with ~~[the]~~ Architectural ~~[Design Guidelines]~~ Review, ~~[LMC]~~ Chapter 15-5.  
2059 ~~[Appeals of departmental actions on architectural compliance are heard by the Planning~~  
2060 ~~Commission.]~~

2061 HISTORY

2062 *Adopted by Ord. [00-51](#) on 9/21/2000*

2063 . . . .

2064 **15-2.15-9 Vegetation Protection**

2065 The Property Owner must protect Significant Vegetation during any Development  
2066 activity. Significant Vegetation includes large trees six inches (6") in diameter or greater  
2067 measured four and one-half feet (4.5') above the ground, groves of smaller trees, or  
2068 clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more  
2069 measured at the drip line.

2070

2071 Development plans must show all Significant Vegetation within twenty feet (20') of a  
2072 proposed Development. The Property Owner must demonstrate the health and viability  
2073 of all large trees through a certified arborist. The Planning Director shall determine the  
2074 Limits of Disturbance and may require mitigation for loss of Significant Vegetation  
2075 consistent with Landscape Criteria in ~~[LMC Chapters]~~ Sections 15-3-3~~(D)~~ and 15-5-  
2076 5(N), and Title 14.

2077 HISTORY

2078 *Adopted by Ord. [00-51](#) on 9/21/2000*

2079 . . . .

2080 **15-2.15-11 Related Provisions**

- 2081 • Fences and Walls. [~~LMC Chapter~~] Section 15-4-2.
- 2082 • Accessory Apartments. [~~LMC Chapter~~] Section 15-4-7.
- 2083 • Satellite Receiving Antenna. [~~LMC~~] Section 15-4-13.
- 2084 • [~~Chapter 15-4-13.~~]
- 2085 • Telecommunication Facility. [~~LMC Chapter~~] Section 15-4-14.
- 2086 • Parking. [~~Section~~] Chapter 15-3.
- 2087 • Landscaping. Title 14; [~~LMC Chapter~~] Sections 15-3-3[~~(D)~~] and 15-5-5(N).
- 2088 • Lighting. [~~LMC Chapter~~] Sections 15-3-3[~~(C)~~,] and 15-5-5[~~(H)~~](J) .
- 2089 • Historic Preservation [~~Board~~]. [~~LMC~~] Chapters 15-11 and 15-13.
- 2090 • Park City Sign Code. Title 12.
- 2091 • Architectural Review. [~~LMC~~] Chapter 15-5.
- 2092 • Snow Storage. Section 15-3-3.[~~(E)~~]
- 2093 • Parking Ratio Requirements. Section 15-3-6.

2094 HISTORY

2095 *Adopted by Ord. [00-51](#) on 9/21/2000*

2096 . . . .

2097 **15-2.16-7 Architectural Review**

2098 A. **ALL DEVELOPMENT**. Prior to the issuance of Building Permits for any

2099 Conditional or Allowed Use, the Planning Department shall review the proposed

2100 plans for compliance with [~~the~~] Architectural [~~Design Guidelines, LMC~~] Review,

2101 Chapter 15-5.

2102 [~~Appeals of departmental actions on architectural compliance are heard by the~~

2103 ~~Planning Commission.~~]

2104 B. ~~**SINGLE FAMILY AND DUPLEX DWELLINGS NEAR SENSITIVE HISTORIC**~~  
2105 ~~**AREAS.**~~

2106 1. ~~Prior to the issuance of Building Permits for any Single Family or Duplex~~  
2107 ~~Dwellings within the Area specified below:~~

2108 1. ~~Any residential Development that is within a two (2) Block radius of~~  
2109 ~~the HR-1 District, and~~

2110 2. ~~Any residential Development that is located along or Accessed off~~  
2111 ~~of Park Avenue.~~

2112 The Planning Department shall review the proposed plans for compliance  
2113 with the Design Guidelines for Historic Districts and Sites.

2114 2. ~~Appeals of departmental determinations of compliance with the Design~~  
2115 ~~Guidelines for Historic Districts and Sites, LMC Section 15-11 and Section~~  
2116 ~~15-5 are heard by the Historic Preservation Board as outlined in Section~~  
2117 ~~15-1-18 of this Code.]~~

2118 HISTORY

2119 *Adopted by Ord. [00-51](#) on 9/21/2000*

2120 *Amended by Ord. [06-76](#) on 11/9/2006*

2121 *Amended by Ord. [09-10](#) on 3/5/2009*

2122 *Amended by Ord. [11-05](#) on 1/27/2011*

2123 . . . .

2124 **15-2.16-13 Vegetation Protection**

2125 The Property Owner must protect Significant Vegetation during any Development  
2126 activity. Significant vegetation includes large trees six inches (6") in diameter or greater  
2127 measured four and one-half feet (4.5') above the ground, groves of smaller trees, or

2128 clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more  
2129 measured at the drip line.

2130  
2131 Development plans must show all Significant Vegetation within twenty feet (20') of a  
2132 proposed Development. The Property Owner must demonstrate the health and viability  
2133 of all large trees through a certified arborist. The Planning Director shall determine the  
2134 Limits of Disturbance and may require mitigation for loss of Significant Vegetation  
2135 consistent with ~~[landscape criteria]~~ Landscape Criteria in ~~[LMC Chapter]~~ Sections 15-3-  
2136 3~~[(D)]~~ and 15-5-5(N), and Title 14.

2137 HISTORY

2138 *Adopted by Ord. [00-51](#) on 9/21/2000*

2139 *Amended by Ord. [06-76](#) on 11/9/2006*

2140 *Renumbered by Ord. [2016-44](#) on 9/15/2016*

2141 . . . .

2142 **15-2.16-15 Related Provisions**

- 2143 • Fences and Walls. ~~[LMC Chapter]~~ Section 15-4-2.
- 2144 • Accessory Apartments. ~~[LMC Chapter]~~ Section 15-4-7.
- 2145 • Satellite Receiving Antenna. [LMC] Section 15-4-13.
- 2146 • ~~[Chapter 15-4-13.]~~
- 2147 • Telecommunication Facility. ~~[LMC Chapter]~~ Section 15-4-14.
- 2148 • Parking. ~~[Section]~~ Chapter 15-3.
- 2149 • Landscaping. Title 14; ~~[LMC Chapter]~~ Sections 15-3-3~~[(D)]~~ and 15-5-5(N).
- 2150 • Lighting. ~~[LMC Chapter]~~ Sections 15-3-3~~[(C)]~~ and 15-5-5~~[(H)]~~(J).
- 2151 • Historic Preservation ~~[Board]~~. [LMC] Chapters 15-11 and 15-13.

- 2152 • Park City Sign Code. Title 12.
- 2153 • Architectural Review. [LMG] Chapter 15-5.
- 2154 • Snow Storage. Section 15-3-3. ~~[(E)]~~
- 2155 • Parking Ratio Requirements. Section 15-3-6.

2156 HISTORY

2157 *Adopted by Ord. [00-51](#) on 9/21/2000*

2158 *Renumbered by Ord. [2016-44](#) on 9/15/2016*

2159 . . . .

2160 **15-2.17-3 Procedure For Commercial Development Option**

2161 An Applicant may apply for the commercial Development option by submitting an  
2162 application to the Planning Department. Application for the commercial Development  
2163 option will be reviewed by the Planning Commission as a Master Planned Development  
2164 (MPD). The Planning Commission shall consider all factors set forth in [LMG] Chapter  
2165 15-6, and shall also consider the criteria listed below in Section 15-2.17-4 to determine  
2166 whether implementation of the commercial Development option is warranted.

2167 ~~[Appeals of Planning Commission decisions are heard by the City Council.]~~

2168 HISTORY

2169 *Adopted by Ord. [00-51](#) on 9/21/2000*

2170 . . . .

2171 **15-2.17-9 Vegetation Protection**

2172 The Property Owner must protect Significant Vegetation during any Development  
2173 activity. Significant Vegetation includes large trees six inches (6") in diameter or greater  
2174 measured four and one-half feet (4.5') above the ground, groves of smaller trees, or  
2175 clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more

2176 measured at the drip line.

2177

2178 Development plans must show all Significant Vegetation within twenty feet (20') of a  
2179 proposed Development. The Property Owner must demonstrate the health and viability  
2180 of all large trees through a certified arborist. The Planning Director shall determine the  
2181 Limits of Disturbance and may require mitigation for loss of Significant Vegetation  
2182 consistent with ~~[landscape criteria in Title 14 and LMC Chapter]~~ Landscape Criteria in  
2183 Sections 15-3-3~~(D)~~ and 15-5-5(N), and Title 14.

2184 HISTORY

2185 *Adopted by Ord. [00-51](#) on 9/21/2000*

2186 *Amended by Ord. [06-76](#) on 11/9/2006*

2187 . . . .

2188 **15-2.17-11 Related Provisions**

- 2189 • Fences and Walls. ~~[LMC Chapter]~~ Section 15-4-2.
- 2190 • Accessory Apartments. ~~[LMC Chapter]~~ Section 15-4-7.
- 2191 • Satellite Receiving Antenna. ~~[LMC Chapter]~~ Section 15-4-13.
- 2192 • ~~[Chapter 15-4-13.]~~
- 2193 • Telecommunication Facility. ~~[LMC Chapter]~~ Section 15-4-14.
- 2194 • Parking. ~~[Section]~~ Chapter 15-3.
- 2195 • Landscaping. Title 14; ~~[LMC Chapter]~~ Sections 15-3-3~~(D)~~ and 15-5-5(N).
- 2196 • Lighting. ~~[LMC Chapter]~~ Sections 15-3-3~~(C)~~; and 15-5-5~~(H)~~(J).
- 2197 • Historic Preservation ~~[Board]~~. ~~[LMC]~~ Chapters 15-11 and 15-13.
- 2198 • Park City Sign Code. Title 12.
- 2199 • Architectural Review. ~~[LMC]~~ Chapter 15-5.

- 2200 • Snow Storage. Section 15-3-3.~~[(E)]~~
- 2201 • Parking Ratio Requirements. Section 15-3-6.

2202 HISTORY

2203 *Adopted by Ord. [00-51](#) on 9/21/2000*

2204 . . . .

2205 **15-2.18-5 Architectural Review**

2206 Prior to the issuance of a Building permit for any Conditional or Allowed Use, the  
2207 Planning Department must review the proposed plans for compliance with ~~the~~  
2208 Architectural ~~[Design Guidelines, LMC]~~ Review, Chapter 15-5.

2209 ~~[Appeals of departmental actions on architectural compliance are heard by the Planning  
2210 Commission.]~~

2211 HISTORY

2212 *Adopted by Ord. [00-51](#) on 9/21/2000*

2213 *Amended by Ord. [06-76](#) on 11/9/2006*

2214 . . . .

2215 **15-2.18-11 Vegetation Protection**

2216 The Property Owner must protect Significant Vegetation during any Development  
2217 activity. Significant Vegetation includes large trees six inches (6") in diameter or greater  
2218 measured four and one-half feet (4.5') above the ground, groves of smaller trees, or  
2219 clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more  
2220 measured at the drip line.

2221

2222 Development plans must show all Significant Vegetation within twenty feet (20') of a

2223 proposed Development. The Property Owner must demonstrate the health and viability  
2224 of all large trees through a certified arborist. The Planning Director shall determine the  
2225 Limits of Disturbance and may require mitigation for loss of Significant Vegetation  
2226 consistent with Landscape Criteria in ~~[LMC Chapter]~~ Sections 15-3-3[(C)] and 15-5-  
2227 5(N), and Title 14.

2228 HISTORY

2229 *Adopted by Ord. 00-51 on 9/21/2000*

2230 *Renumbered by Ord. 2016-44 on 9/15/2016*

2231 . . . .

2232 **15-2.18-13 Related Provisions**

- 2233 • Fences and Walls. ~~[LMC Chapter]~~ Section 15-4-2.
- 2234 • Accessory Apartments. ~~[LMC Chapter]~~ Section 15-4-7.
- 2235 • Satellite Receiving Antenna. ~~[LMC Chapter]~~ Section 15-4-13.
- 2236 • ~~[Chapter 15-4-13.]~~
- 2237 • Telecommunication Facility. ~~[LMC Chapter]~~ Section 15-4-14.
- 2238 • Parking. ~~[Section]~~ Chapter 15-3.
- 2239 • Landscaping. Title 14; ~~[LMC Chapter]~~ Sections 15-3-3[(D)] and 15-5-5(N).
- 2240 • Lighting. ~~[LMC Chapter]~~ Sections 15-3-3[(C),] and 15-5-5[(H)](J).
- 2241 • Historic Preservation ~~[Board]~~. ~~[LMC]~~ Chapters 15-11 and 15-13.
- 2242 • Park City Sign Code. Title 12.
- 2243 • Architectural Review. ~~[LMC]~~ Chapter 15-5.
- 2244 • Snow Storage. Section 15-3-3. ~~[(E)]~~
- 2245 • Parking Ratio Requirements. Section 15-3-6.

2246 HISTORY

2247 *Adopted by Ord. [00-51](#) on 9/21/2000*

2248 *Renumbered by Ord. [2016-44](#) on 9/15/2016*

2249 . . . .

2250 **15-2.19-7 Architectural Review**

2251 Prior to the issuance of a Building permit for any Conditional or Allowed Use, the

2252 Planning Department must review the proposed plans for compliance with ~~the~~

2253 Architectural ~~[Design Guidelines, LMC]~~ **Review**, Chapter 15-5.

2254 ~~[Appeals of departmental actions on architectural compliance are heard by the Planning~~

2255 ~~Commission.]~~

2256 HISTORY

2257 *Adopted by Ord. [00-51](#) on 9/21/2000*

2258 *Amended by Ord. [06-76](#) on 11/9/2006*

2259 . . . .

2260 **15-2.19-13 Vegetation Protection**

2261 The Property Owner must protect Significant Vegetation during any Development

2262 activity. Significant Vegetation includes large trees six inches (6") in diameter or greater

2263 measured four and one-half feet (4.5') above the ground, groves of smaller trees, or

2264 clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more

2265 measured at the drip line.

2266

2267 Development plans must show all Significant Vegetation within twenty feet (20') of a

2268 proposed Development. The Property Owner must demonstrate the health and viability

2269 of all large trees through a certified arborist. The Planning Director shall determine the  
2270 Limits of Disturbance and may require mitigation for loss of Significant Vegetation  
2271 consistent with Landscape Criteria [~~LMC Chapter~~] in Sections 15-3-3~~(D)~~ and 15-5-  
2272 5(N), and Title 14.

2273 HISTORY

2274 *Adopted by Ord. 00-51 on 9/21/2000*

2275 *Amended by Ord. 06-76 on 11/9/2006*

2276 . . . .

2277 **15-2.19-15 Related Provisions**

- 2278 • Fences and Walls. [~~LMC Chapter~~] Section 15-4-2.
- 2279 • Accessory Apartments. [~~LMC Chapter~~] Section 15-4-7.
- 2280 • Satellite Receiving Antenna. [~~LMC Chapter~~] Section 15-4-13.
- 2281 • [~~Chapter 15-4-13.~~]
- 2282 • Telecommunication Facility. [~~LMC Chapter~~] Section 15-4-14.
- 2283 • Parking. [~~Section~~] Chapter 15-3.
- 2284 • Landscaping. Title 14; [~~LMC Chapter~~] Sections 15-3-3~~(D)~~ and 15-5-5(N).
- 2285 • Lighting. [~~LMC Chapter~~] Sections 15-3-3~~(C)~~, and 15-5-5~~(H)~~(J).
- 2286 • Historic Preservation [~~Board~~]. [~~LMC~~] Chapter 15-11 and 15-13.
- 2287 • Park City Sign Code. Title 12.
- 2288 • Architectural Review. [~~LMC~~] Chapter 15-5.
- 2289 • Snow Storage. Section 15-3-3.~~(E)~~
- 2290 • Parking Ratio Requirements. Section 15-3-6.

2291 HISTORY

2292 *Adopted by Ord. [00-51](#) on 9/21/2000*

2293 . . . .

2294 **15-2.22-5 Architectural Review**

2295 A. **REVIEW**. Prior to issuance of a Building Permit for any Conditional or Allowed  
2296 Use, the Planning Department must review the proposed plans for compliance  
2297 with the Architectural Review standards, Chapter ~~[15-9]~~ [15-5](#). Restorations,  
2298 rehabilitations, adaptive reuses, and additions to Historic Structures within the  
2299 PUT shall be reviewed by the Planning Department for compliance with the  
2300 ~~[Historic District Design Guidelines]~~ [Design Guidelines for Historic Districts and](#)  
2301 [Historic Sites](#).

2302 B. **NOTICE TO ADJACENT PROPERTY OWNERS**. When the Planning  
2303 Department determines that proposed Development plans comply with all LMC  
2304 and/or ~~[Historic District Design Guidelines]~~ [Design Guidelines for Historic](#)  
2305 [Districts and Historic Sites](#), the staff shall post the Property and provide written  
2306 notice to Owners immediately adjacent to the Property, directly abutting the  
2307 Property and across Public Streets and/or Rights-of-Way.  
2308 The notice shall state that the Planning Department staff has made a preliminary  
2309 determination finding that the proposed plans comply with the LMC and/or  
2310 ~~[Historic District Design Guidelines]~~ [Design Guidelines for Historic Districts and](#)  
2311 [Historic Sites](#).

2312 C. **APPEALS**. ~~The posting and notice shall include the location and description of~~  
2313 ~~the proposed Development project and shall establish a ten (10) day period to~~

2314 ~~appeal staff's determination of compliance to the Planning Commission. Appeals~~  
2315 ~~must be written and shall contain the name, address, and telephone number of~~  
2316 ~~the petitioner, his or her relationship to the project and the Code provisions~~  
2317 ~~violated by the staff determination. ]~~

2318 HISTORY

2319 *Adopted by Ord. [05-12](#) on 3/3/2005*

2320 . . . .

2321 **15-2.22-10 Vegetation Protection**

2322 The Property Owner must protect Significant Vegetation during any Development  
2323 activity. Significant Vegetation includes large trees six inches (6") in diameter or greater  
2324 measured four and one-half feet (4½') above the ground, groves of small trees, or  
2325 clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more  
2326 measured at the drip line.

2327  
2328 Development plans must show all Significant Vegetation within twenty feet (20') of a  
2329 proposed Development. The Property Owner must demonstrate the health and viability  
2330 of all large trees through a certified arborist. The Planning, Building, and Engineering  
2331 Departments shall determine the Limits of Disturbance and may require mitigation for  
2332 loss of Significant Vegetation consistent with ~~[landscape criteria in LMC Chapter]~~  
2333 Landscape Criteria in 15-3-3~~(D)~~ and 15-5-5(N), and Title 14.

2334 HISTORY

2335 *Adopted by Ord. [05-12](#) on 3/3/2005*

2336 . . . .

2337 **15-2.22-12 Related Provisions**

- 2338 • Fences and Walls. [~~LMC Chapter~~] Section 15-4-2.
- 2339 • Accessory Apartments. [~~LMC Chapter~~] Section 15-4-7.
- 2340 • Satellite Receiving Antenna. [~~LMC Chapter~~] Section 15-4-13.
- 2341 • Telecommunication Facility. [~~LMC Chapter~~] Section 15-4-14.
- 2342 • Parking. [~~LMC~~] Chapter 15-3.
- 2343 • Landscaping. Title 14; [~~LMC Chapter~~] Sections 15-3-3[~~(D)~~] and 15-5-5(N).
- 2344 • Lighting. [~~LMC Chapter~~] Sections 15-3-3[~~(C)~~], and 15-5-5[~~(H)~~](J).
- 2345 • Park City Sign Code. Title 12.
- 2346 • Architectural Review. [~~LMC~~] Chapter 15-5.
- 2347 • Snow Storage. [~~LMC Chapter~~] Section 15-3-3[~~(E)~~].
- 2348 • Parking Ratio Requirements. [~~LMC Chapter~~] Section 15-3-6.

2349 HISTORY

2350 *Adopted by Ord. [05-12](#) on 3/3/2005*

2351 . . . .

2352 **15-2.23-13 Vegetation Protection**

2353 The Property Owner must protect Significant Vegetation during any Development  
2354 activity. Significant Vegetation includes large trees six inches (6”) in diameter or greater  
2355 measured four and one-half feet (4½’) above the ground, groves of small trees, or  
2356 clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more  
2357 measured at the drip line.

2358

2359 Development plans must show all Significant Vegetation within twenty feet (20’) of a

2360 proposed Development. The Property Owner must demonstrate the health and viability  
2361 of all large trees through a certified arborist. The Planning, Building, and Engineering  
2362 Departments shall determine the Limits of Disturbance and may require mitigation for  
2363 loss of Significant Vegetation consistent with ~~[landscape criteria in LMC Chapter]~~  
2364 Landscape Criteria in Sections 15-3-3~~(D)~~ and 15-5-5(N), and Title 14.

2365 HISTORY

2366 *Adopted by Ord. 06-48 on 6/29/2006*

2367 . . . .

2368 **15-2.23-16 Related Provisions**

- 2369 • Fences and Walls. ~~[LMC Chapter]~~ Section 15-4-2.
- 2370 • Accessory Apartments. ~~[LMC Chapter]~~ Section 15-4-7.
- 2371 • Satellite Receiving Antenna. ~~[LMC Chapter]~~ Section 15-4-13.
- 2372 • Parking. ~~[LMC]~~ Chapter 15-3.
- 2373 • Landscaping. Title 14; ~~[LMC Chapter]~~ Sections 15-3-3~~(D)~~ and 15-5-5(N).
- 2374 • Lighting. ~~[LMC Chapter]~~ Sections 15-3-3~~(C)~~ and 15-5-5~~(I)~~(J).
- 2375 • Park City Sign Code. Title 12.
- 2376 • Architectural ~~[Design]~~ Review. ~~[LMC]~~ Chapter 15-5.
- 2377 • Snow Storage. ~~[LMC Chapter]~~ Section 15-3-3~~(E)~~.
- 2378 • Parking Ratio Requirements. ~~[LMC Chapter]~~ Section 15-3-6.

2379 HISTORY

2380 *Renumbered by Ord. 09-10 on 3/5/2009*

2381 . . . .

2382 **15-2.24-4 Development Credit Determination Letter**

2383 A. The total number of Development Credits available to a Sending Site shall be  
2384 determined as follows:

2385 1. TDR – Sending Old Town1 (TDR-SOT1), Sending Old Town 2 (TDR-  
2386 SOT2), and Sending Old Town 3 (TDR-SOT3). For Properties within TDR-  
2387 SOT1, TDR-SOT2, and TDR-SOT3, one (1) Development Credit may be  
2388 calculated per existing minimum lot area within the underlying Zoning  
2389 District.

2390 2. TDR – Sending Historic District (TDR-SHD).

2391 a. For vacant Lots of record in the Historic Districts, one (1)  
2392 Development Credit per existing Lot of record may be  
2393 calculated. For Sites listed on the Historic Sites Inventory, one (1)  
2394 Development Credit per 2,000 square feet of unused development  
2395 potential.

2396 B. If requested, this calculation will be made by the Park City Planning Director or  
2397 ~~his or her~~ designee in the form of a determination letter. If the calculation results  
2398 in a fraction it shall be rounded to the nearest hundredth. Such letter will indicate  
2399 the Development Credits at the time the request is made. The letter is an  
2400 indication of possible Development Credits that may Transfer. The Development  
2401 Credits are not Base Zone Density. The number of Development Credits may  
2402 change if an MPD is amended or expires, or if the LMC is amended. A  
2403 determination letter is not a binding document and does not grant a vested right.

2404 HISTORY

2405 *Adopted by Ord. [11-12](#) on 3/31/2011*

2406 *Amended by Ord. [2018-15](#) on 4/19/2018*

2407 . . . .

2408 **15-2.25-2 Related Provisions**

- 2409 • Administrative Permit. [~~LMC §~~] **Section** 15-1-11(E).
- 2410 • Licensing. [~~Park City Code,~~] Title 4.
- 2411 • Frontage Protection Zone. [~~LMC~~] Chapter 15-2.20.
- 2412 • Fences and Retaining Walls. [~~LMC §~~] **Section** 15-4-2.
- 2413 • Placement of Satellite Receiving Antennas. [~~LMC §~~] **Section** 15-4-13.
- 2414 • Parking. [~~LMC~~] Chapter 15-3.
- 2415 • Landscaping. Title 14; [~~LMC §~~] **Sections** 15-3-3 [~~(D)~~] and 15-5-5(N).
- 2416 • Lighting. [~~LMC §~~] **Sections** 15-3-3(C) and [~~§~~] 15-5-5(J).
- 2417 • Sign Code. [~~Park City Code,~~] Title 12.
- 2418 • Architectural [~~Design~~] **Review**. [~~LMC~~] Chapter 15-5.
- 2419 • Snow Storage. [~~LMC §~~] **Section** 15-3-3[~~(E)~~].

2420 HISTORY

2421 *Adopted by Ord. [2019-64](#) on 12/19/2019*

2422 . . . .

2423 **15-2.26-2 Uses**

2424 Uses in the UPZ District are limited to the following:

2425 A. ALLOWED USES.

2426 1. Conservation Activity

2427 2. Food Truck Locations<sup>1</sup>

2428 B. ADMINISTRATIVE CONDITIONAL USES.<sup>2</sup>

2429 1. Trail and Trailhead Improvement

2430 2. Outdoor Recreation Equipment

2431 3. Essential municipal public utility Use, service, or Structure less than 600 sq.  
2432 ft.

2433 4. Accessory Building, less than 200 sq. ft.

2434 5. Outdoor Event, outdoor music

2435 6. Temporary Improvement

2436 C. CONDITIONAL USES.

2437 1. Essential municipal public utility Use, service, or Structure 600 sq. ft. or  
2438 greater<sup>3</sup>

2439 2. Accessory Building, 200 sq. ft. or greater, not to exceed 600 sq. ft.

2440 3. Recreational outdoor lighting

2441 4. Community gardens

2442 5. Recreation Facility, Public

2443 6. Recreational Facility, Commercial

2444 7. Golf course

2445 8. Recreational sports field and courts

2446 9. Skateboard park

2447 10. Public and Quasi-Public institution, education, park, plaza, Structure for  
2448 public assembly greater than 600 sq. ft.

2449 11. Vehicle Control Gates<sup>4</sup>

2450 12. Surface Parking Area with five (5) or more spaces

2451 13. Telecommunications Antenna<sup>5</sup>

2452 14. Fences greater than six feet (6') in height from Final Grade

2453 15. Anemometer and Anemometer Towers

2454 16. Olympic Games Displays<sup>6</sup>

2455 D. PROHIBITED USES. Any Use not listed above as an Allowed or Conditional Use  
2456 is a prohibited Use.

2457 <sup>1</sup>The Planning Director or [~~his or her~~] designee shall, upon finding a Food Truck Location in compliance  
2458 with Municipal Code of Park City Section 4-5-6, issue the property owner a Food Truck Location  
2459 administrative approval letter.

2460 <sup>2</sup> Subject to an Administrative Conditional Use permit.

2461 <sup>3</sup> Essential municipal utilities or infrastructure related to the provision of essential municipal utilities requires  
2462 a Conditional Use permit with approval by the Planning, Commission.

2463 <sup>4</sup> Subject to Section 15-4-19, Review Criteria For Vehicle Control Gates.

2464 <sup>5</sup> Subject to Section 15-4-14, Telecommunication Facilities.

2465 <sup>6</sup>Olympic Displays limited to those specific Structures approved under the SLOC/Park City Municipal  
2466 Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed on the  
2467 original Property set forth in the services agreement and/or Master Festival License.

2468 HISTORY

2469 *Adopted by Ord. [2020-39](#) on 11/19/2020*

2470 . . . .

2471 **15-2.26-5 Related Provisions**

- 2472 • Fences and Walls. [~~LMC §~~] [Section](#) 15-4-2.
- 2473 • Satellite Receiving Antenna. [~~LMC §~~] [Section](#) 15-4-13.
- 2474 • Parking. [~~LMC~~] Chapter 15-3.

- 2475 • Landscaping. Title 14; [~~LMC §~~] Sections 15-3-3(~~D~~) and 15-5-5(N).
- 2476 • Lighting. [~~LMC §~~] Sections 15-3-3(~~C~~) and § 15-5-5(J).
- 2477 • Historic Preservation. [~~LMC~~] Chapters 15-11 and 15-13.
- 2478 • Park City Sign Code. Title 12.
- 2479 • Architectural [~~Design~~] Review. [~~LMC~~] Chapter 15-5.
- 2480 • Snow Storage. [~~LMC §~~] Section 15-3-3(~~E~~).

2481 HISTORY

2482 *Adopted by Ord. [2020-39](#) on 11/19/2020*

2483 . . . .

2484 **15-3-7 Parking In Master Planned Developments And Conditional Use Permits**

2485 A. In Master Planned Developments and in review of Conditional Use permits, the  
2486 initial parking requirement is determined by referring to the requirements for the  
2487 Use and the underlying zone. The Planning Commission may reduce this initial  
2488 parking requirement to prevent excessive parking and paving. The Applicant  
2489 must prove by a parking study that the proposed parking is adequate. The  
2490 parking study must analyze whether:

- 2491 1. parking Uses will overlap,
- 2492 2. commercial spaces within the project will serve those residing within the  
2493 project rather than the general public,
- 2494 3. or other factors that support the conclusion that the project will generate  
2495 less parking than this Code would otherwise require.

2496 B. Master Planned Developments with a parking demand of eight (8) or fewer  
2497 Parking Spaces may not reduce required parking under any circumstance.

2498 C. See [~~LMC Chapter 10, Master Planned Developments,~~] [Section 15-3-3 and](#)  
2499 [Chapter 15-6](#) for Parking Area Landscaping Requirements for MPDs.

2500 HISTORY

2501 *Adopted by Ord. [00-25](#) on 3/30/2000*

2502 . . . .

2503 **15-4-2 Fences And Retaining Walls**

2504 A. **LOCATION.** Fences and retaining walls may be erected or allowed within the  
2505 buildable Area, and as allowed in the Setback exceptions in Chapters [15-2.1](#)  
2506 [through 15-2.26.](#)

2507

2508 Fences and retaining walls shall not exceed six feet (6') in height measured from  
2509 Final Grade within any required Rear Setback or Side Setback. Within any  
2510 required Front Setback or Street Side Setback, Fences and retaining walls shall  
2511 not exceed four feet (4') in height, measured from Final Grade.

2512

2513 Where a Fence or retaining wall occurs along a Property Line separating two (2)  
2514 Lots and there is a difference in the Grade of the Properties, the Fence or  
2515 retaining wall may be erected or allowed to the maximum height permitted on  
2516 either side of the Property Line.

2517 1. **EXCEPTION.** The height of retaining walls in the Front Setback may  
2518 exceed four feet (4'), measured from Final Grade, subject to approval by  
2519 the Planning Director and City Engineer, and may exceed six feet (6') in  
2520 height subject to approval of an Administrative Conditional Use permit or

2521 as approved as part of a Master Planned Development (MPD) or  
2522 Conditional Use permit. Prior to issuance of an Administrative Conditional  
2523 Use permit the Property shall be posted and affected adjacent Property  
2524 Owners shall be noticed ten (10) days prior to Final Action.

2525  
2526 The height of retaining walls in the Side or Rear Setback may exceed six  
2527 feet (6'), measured from Final Grade, subject to approval of an  
2528 Administrative Conditional Use permit or as approved as part of a Master  
2529 Planned Development or Conditional Use permit. Prior to issuance of an  
2530 Administrative Conditional Use permit the Property shall be posted and  
2531 affected adjacent Property Owners shall be noticed ten (10) days prior to  
2532 Final Action.

2533 B. **RESTRICTIONS ON MATERIALS**. Chain link Fences are prohibited in all zones  
2534 with the following exceptions, which must be approved by the Planning Director.

- 2535 1. For recreational facilities such as tennis courts,
- 2536 2. As temporary limits of disturbance, fencing during construction as  
2537 approved by the Planning Department.
- 2538 3. Chain link Fences within the required Setback Areas may be permitted in  
2539 other circumstances by the Planning Director when it is found that the  
2540 Fence is necessary in the interest of security or public safety, and when  
2541 the Fencing needs cannot be reasonably met with any other type of  
2542 Fencing.

2543 C. **BERMS**. Berms within the required Setback Area may be constructed subject to  
2544 the following:

- 2545 1. Landscaping shall be incorporated into the design of the berm and shall  
2546 extend its entire length.
- 2547 2. Berms shall be designed with sufficient undulation to provide visual relief  
2548 and shall meander for the entire length.
- 2549 3. Within Front Setback Areas berms may not be constructed to interfere  
2550 with required sight distance and may not obstruct driver's line of sight from  
2551 Streets and roads.

2552 D. **PERMIT**. A Building Permit is required for construction of any Fence or retaining  
2553 wall greater than six feet (6') in height. Within any of the Historic zoning districts  
2554 construction of any Fence or retaining wall greater than four feet (4') in height  
2555 requires a Building Permit.

2556 HISTORY

2557 *Adopted by Ord. [02-07](#) on 5/23/2002*

2558 *Amended by Ord. [06-22](#) on 4/27/2006*

2559 *Amended by Ord. [07-25](#) on 4/19/2007*

2560 *Amended by Ord. [09-10](#) on 3/5/2009*

2561 *Amended by Ord. [12-37](#) on 12/20/2012*

2562 *Amended by Ord. [2018-43](#) on 7/19/2018*

2563 . . . .

2564 **15-4-11 Timeshare Conversion**

2565 A. **TIMESHARE CONVERSION**. Developers of Timeshare Conversions shall file  
2566 with the Planning Department the following information as part of a Conditional  
2567 Use permit Application:

- 2568 1. The proposed duration of Timeshare Intervals, which shall not be less  
2569 than seven (7) days.
- 2570 2. Identification of the Timeshare Interval as a Timeshare Estate or  
2571 Timeshare Use.
- 2572 3. Any restrictions on the Use, occupancy, alteration or alienation of  
2573 Timeshare Intervals.
- 2574 4. A copy of the proposed Timeshare Instruments whereby the Timeshare  
2575 Project is established, which may include, without limitation, the following:  
2576 Timeshare Declaration; Condominium Declaration; Covenants, Conditions  
2577 and Restrictions; Declaration of Trust; Cooperative Articles of  
2578 Incorporation; Bylaws and Proprietary Lease; Vacation Club Master  
2579 Agreement and Membership Agreement; Vacation License Contract;  
2580 Articles of Incorporation of Owners' Association; Bylaws of Owners'  
2581 Association; Rules and Regulations; and Management or Agency  
2582 Agreement for the maintenance and operation of the Timeshare Project  
2583 and/or Timeshare Units.
- 2584 5. The name, address and phone number of the managing Agent of the  
2585 project having authority to act on behalf of the Developer and/or the  
2586 Owners' Association in emergency situations. Any change in name,

2587 address or phone number of the managing Agent shall be filed with the  
2588 Planning Department and the Park City Business Licensing Division.

2589 6. The name, address and phone number of the central contact Persons for  
2590 the Developer and/or the Timeshare Project for Business license, tax and  
2591 utility service payments, who will be responsible for making such  
2592 payments on behalf of the Developer as provided by the Timeshare  
2593 Instrument. Any change in name, address or phone number of the central  
2594 contact Persons shall be filed with the Planning Department and the Park  
2595 City Business Licensing Division.

2596 7. A list of all Owners of the Property being converted, or if the Property has  
2597 previously been divided into separately owned units, Dwelling Units or  
2598 Lots, a list of all Owners of such units, Dwelling Units or Lots. This list  
2599 shall be prepared by a title company or licensed abstractor.

2600 8. A plan showing in reasonable detail the means by which the Timeshare  
2601 Conversion will comply with the Park City parking requirements for  
2602 Timeshare Projects, including the purchase of any necessary additional  
2603 Property.

2604 9. Evidence of a review and approval by the appropriate sewer district and  
2605 the Park City Water Department regarding anticipated increases in sewer  
2606 flows and water Use resulting from the change in Use.

2607 10. For the conversion of any units in any Condominium project or Dwelling  
2608 Units in any Planned Unit Development project, the written statements  
2609 from not less than sixty five percent (65%) of the Owners of all existing

2610 units or Dwelling Units in the project indicating their unconditional approval  
2611 of the Timeshare Conversion signed by such Owners not more than ninety  
2612 (90) days prior to the date of the Application for a Conditional Use permit.

2613 11. Any other information that the Developer or Planning Department deems  
2614 reasonably necessary to the consideration of the project.

2615 B. **CONDITIONS FOR CONVERSION APPROVAL**. In determining whether, and  
2616 under what conditions, to issue a Conditional Use permit for Timeshare  
2617 Conversions, the City shall review the following conditions and considerations  
2618 and approve the project if:

2619 1. Timeshare Conversion will have no serious adverse effect on present and  
2620 future City services, including loss of sales tax revenue due to Timeshare  
2621 Uses being exempt from sales tax. The cumulative effect of the subject  
2622 project and other Timeshare Projects may be considered.

2623 2. Timeshare Conversion will have no serious adverse effect on traffic  
2624 circulation and parking.

2625 3. The Applicant's ability to guarantee the future adequacy, stability and  
2626 continuity of a satisfactory level of management and maintenance of the  
2627 Timeshare Conversion.

2628 4. Whether an office of the managing Agent or agency is located locally or  
2629 within the Timeshare Conversion and the impact that may cause.

2630 5. Timeshare Conversion will have no serious adverse effect on meeting  
2631 space, convention Business and Nightly Rentals within the City. The

2632 cumulative effect on the proposed conversion and other existing projects  
2633 may be considered.

2634 6. Compliance with this Code, parking requirements, Park City Planning  
2635 Commission policies, the City's Comprehensive Plan, and other applicable  
2636 City ordinances and guidelines in force at the time of Application.

2637 7. Compliance with the [~~Park City Uniform Building Code~~] International  
2638 Building Code and other Park City Building Department regulations in  
2639 force at the time of Application.

2640 8. Any other factors that the Applicant or Planning Commission deems  
2641 reasonably necessary to the consideration of the Timeshare Conversion.

2642 9. For the conversion of any units in any Condominium project or Dwelling  
2643 Units in any Planned Unit Development project, the written statements of  
2644 not less than Owners of sixty five percent (65%) of all existing units or  
2645 Dwelling Units in the project indicating their unconditional approval of the  
2646 Timeshare Conversion signed by such Owners not more than ninety (90)  
2647 days prior to the date of the Application for a Conditional Use permit.

2648 10. The Structure proposed for conversion is in substantial compliance with  
2649 the Building Codes and fire Codes adopted by Park City.

2650 C. **DENIAL OR APPROVAL**. The City may approve or deny the request for  
2651 Timeshare Conversion of a project on the basis of its findings on the above-listed  
2652 matters. Any action to approve or deny by either the Planning Department,  
2653 subject to ratification by the Planning Commission, or the City Council shall give  
2654 written findings on the matter, and state specifically the reasons for the denial.

2655 D. **OFF-PREMISES TIMESHARE CONTACTING LOCATIONS PERMITTED**

2656 **SUBJECT TO A CONDITIONAL USE PERMIT**. In determining whether, and  
2657 under what conditions to issue a Conditional Use permit for an off-premises  
2658 timeshare contacting location, the Planning Department may consider:

- 2659 1. The impact the off-premises contacting location may have on pedestrian  
2660 and vehicular traffic circulation in the area.
- 2661 2. The proximity of the off-premise contacting location to other off-premises  
2662 contacting locations servicing the same Timeshare Project.
- 2663 3. Whether the off-premise contacting can be confined to a completely  
2664 enclosed Building.
- 2665 4. Compliance with this Code and Park City Planning Commission policies,  
2666 the City's Comprehensive Plan and other applicable City ordinances and  
2667 guidelines in force at the time of Application, and compliance with the  
2668 Business licensing provisions of Park City.
- 2669 5. Any other factors that the Applicant or Planning Commission deems  
2670 reasonably necessary to the consideration of the off-premises contacting  
2671 location. This provision shall not apply to licensed solicitors, soliciting on  
2672 behalf of timeshare companies in the fully enclosed premises of another  
2673 Person with the consent of that Person. No Conditional Use permit is  
2674 required under these circumstances.

2675 E. **TIMESHARE CONVERSIONS**. Existing projects, Properties or units, including,  
2676 without limitation, those presently owned and operated as Condominiums,  
2677 Planned Unit Developments, Hotels and Motels, shall not be converted to

2678 Timeshare Projects as defined in ~~[LMC Chapter]~~ Section 15-15-1 without first  
2679 obtaining a Conditional Use permit as required by this Chapter. A Conditional  
2680 Use permit must be obtained for the conversion of each separate project or  
2681 Property being converted.

2682 HISTORY

2683 *Adopted by Ord. 02-07 on 5/23/2002*

2684 *Amended by Ord. 06-22 on 4/27/2006*

2685 . . . .

2686 **15-5-2 Historic Districts And Historic Sites**

2687 All Uses within the Historic Districts and on Historic Sites outside the Historic Districts,  
2688 both Allowed and Conditional, are subject to design review by the Planning Department  
2689 for compliance with Chapter 15-11 Historic Preservation and Chapter 15-13 the Design  
2690 Guidelines for Historic Districts and Historic Sites ~~[adopted by the City Council in a  
2691 resolution of July 9, 2009 and requirements stated in Section 15-11-12. Historic District  
2692 or Historic Site Design Review of this Code. Those guidelines are incorporated into this  
2693 Code by reference, but may be revised from time to time by resolution of the City  
2694 Council.]~~

2695  
2696 Design review for all Uses, Allowed and Conditional, within the HRL, HR1, HR2, HRM,  
2697 HRC, HCB Districts, and Historic Sites located outside these districts is initially  
2698 performed by the Planning Department as set forth in ~~[LMC Chapter]~~ Sections 15-11-12  
2699 Historic District and Historic Site Design Review and Chapter 15-13 Design Guidelines  
2700 For Historic Districts And Historic Sites~~], with a right of appeal to the Historic~~

2701 ~~Preservation Board].~~

2702

2703 Design review by the Historic Preservation Board is limited to matters ~~[of design~~  
2704 ~~compliance,]~~ outlined in Chapter 15-11 with all functional review of Conditional Uses  
2705 performed by the City staff and/or Planning Commission per Section ~~[15-1-11]~~ 15-1-10.

2706 HISTORY

2707 *Adopted by Ord. [02-07](#) on 5/23/2002*

2708 *Amended by Ord. [06-56](#) on 7/27/2006*

2709 *Amended by Ord. [09-23](#) on 7/9/2009*

2710 *Amended by Ord. [12-37](#) on 12/20/2012*

2711 . . . .

2712 **15-5-3 Conditional Use Review**

2713 Conditional Uses outside the Historic Districts ~~s~~ [zones] are subject to design review by  
2714 the Planning Department ~~[, with a right of appeal to the Planning Commission].~~ The  
2715 standards of review are set forth in this ~~[Code]~~ Title, but additional design review  
2716 standards may be adopted by resolution of the City Council, provided that resolution is  
2717 consistent with the provisions of this ~~[Code]~~ Title. ~~[and the Park City Design Guidelines.]~~

2718 HISTORY

2719 *Adopted by Ord. [02-07](#) on 5/23/2002*

2720 *Amended by Ord. [06-56](#) on 7/27/2006*

2721 . . . .

2722 **15-5-4 Permitted Use Review**

2723 Permitted Uses in all ~~[zones]~~ Zoning Districts outside the Historic Districts are subject to  
2724 design review by the Planning Department~~[, with a right of appeal to the Planning~~  
2725 ~~Commission.]~~ The standards of review are set forth in this ~~[Code and the Park City~~  
2726 ~~Design Guidelines]~~ Title.

2727 HISTORY

2728 *Adopted by Ord. 02-07 on 5/23/2002*

2729 *Amended by Ord. 06-56 on 7/27/2006*

2730 . . . .

2731 **15-5-5 Architectural Design Guidelines<sup>1</sup>**

2732 A. **PROHIBITED ARCHITECTURAL STYLES AND MOTIFS**. The following  
2733 architectural styles and motifs are prohibited in Park City because these styles  
2734 and motifs have a strong connection or association with other regions:

- 2735 1. A-frame Structures;
- 2736 2. Geodesic dome Structures;
- 2737 3. Mediterranean motifs;
- 2738 4. Tudor or mock Tudor, half timbering;
- 2739 5. Swiss chalets;

---

<sup>1</sup> Pursuant to Utah Code Section 10-9a-534, no affirmative requirements may be imposed on “building design elements” for Single-Family or Duplex Dwellings, unless that Dwelling is:

- (a) located within an area designated as a historic district in:
  - (i) the National Register of Historic Places;
  - (ii) the state register as defined in Utah Code Section 9-8-402; or
  - (iii) a local Historic District or area, or a site designated as a Significant or Landmark Historic Site on the Park City Historic Sites Inventory, created by ordinance before January 1, 2021;
- (b) located within an area that:
  - (i) is zoned primarily for residential use; and
  - (ii) was substantially developed before calendar year 1950; or
- (c) such requirement is imposed by a Development Agreement or other exception listed in Utah Code Section 10-9a-534.

Unless otherwise stated, prohibitions which do not impose a requirement shall apply.

- 2740 6. Highly ornate Victorian;
- 2741 7. Rustic frontier;
- 2742 8. Colonial;
- 2743 9. Nouveau-Chateau, French Provincial, Fairy Tale or Castle. Tower features
- 2744 and turrets may be allowed if roofs are not conical and if the roof line is
- 2745 integrated into the main Structure. Round exterior walls are permitted but
- 2746 not as semi-detached round rooms, i.e., a round room may not exceed
- 2747 270 degrees;
- 2748 10. New Structures designed to imitate Historic Buildings and/or Structures
- 2749 built in Park City or elsewhere, unless the project complies with the
- 2750 ~~[Historic District Architectural Guidelines]~~ Design Guidelines For Historic
- 2751 Districts And Historic Sites.
- 2752 11. ~~[Exemption]~~ EXEMPTION.
- 2753 a. The above provisions addressing Tudor, Victorian, and colonial
- 2754 styles and tower elements shall not apply in the Prospector Park
- 2755 Subdivision.
- 2756 B. **PROHIBITED SIDING MATERIALS.** The following siding, fascia, and soffit
- 2757 materials are prohibited because they have proved to be unsuitable for Use in
- 2758 Park City due to the extreme climate, or because their appearance is such that
- 2759 the values of adjoining or abutting Properties are adversely affected:
- 2760 1. Thick shake shingles;
- 2761 2. Ceramic tiles;
- 2762 3. Slump bloc, weeping mortar;

- 2763 4. Plastic or vinyl siding;
- 2764 5. Used brick;
- 2765 6. Synthetic stone products such as simulated stone or brick, cultured stone
- 2766 or brick, pre-cast stone or concrete imbedded with stone fragments;
- 2767 7. Lava rock, clinkers;
- 2768 8. Asphalt siding;
- 2769 9. Plywood siding;
- 2770 10. Aluminum siding;
- 2771 11. Vinyl, or other similar material derived from petroleum;
- 2772 12. Exemption.

2773 a. The Applicant may request to use a prohibited siding material, but  
2774 shall be required to bring a sample of the material and description  
2775 of the application method of the requested siding and/or synthetic  
2776 stone to be approved by the Planning Director.

2777 1. Vinyl siding, including soffits and fascia, and synthetic stone  
2778 products may be permitted upon approval by the Planning  
2779 Director, on Structures when such Structures are located in  
2780 Areas predominately developed with Structures utilizing the  
2781 same type of materials, such as in Prospector Village, Park  
2782 Meadows and Prospector Park Subdivisions. The Applicant  
2783 shall submit an exhibit documenting siding materials found in  
2784 the surrounding neighborhood.



2808 c. Match-sticked wood or other inlays.

2809 **D. NUMBER OF EXTERIOR WALL MATERIALS.**

2810 **1.** Different exterior siding materials add interest to a Building, and to the  
2811 community as a whole, however, the Use of too many exterior materials,  
2812 like excessive ornamentation, detracts from the values of adjoining  
2813 Properties. Exterior walls of any Building may be sided with up to three (3)  
2814 different materials per Building, but no more than three (3) materials may  
2815 appear on any one (1) wall, including ornamental siding. Trim shall not be  
2816 counted as a siding material, but ornamentation is counted as a siding  
2817 material. If trim covers more than ten percent (10%) of a side of the  
2818 Building, it shall be counted as a siding material on that side.

2819 **E. ROOFING MATERIALS.**

2820 1. Because of the steep Grade changes within Park City, and the fact that  
2821 residents and visitors are frequently in a position to look down on the City  
2822 from the adjoining mountains, the appearance of roofs in Park City is of  
2823 more significance than in other communities. Some roof types do not  
2824 perform well in Park City's harsh climate. In addition, the Area's dry  
2825 climate creates a high potential for wild land fires which makes the Use of  
2826 wood roofs unsafe in some Areas. For these reasons, the following roof  
2827 types are prohibited in Park City:

- 2828 a. Untreated aluminum or metal, except that copper may be used;
- 2829 b. Reflective materials;

2830 c. Roof colors shall be neutral and earth-tone, brightly colored roofing  
2831 such as bright red, blue, yellow, green, white or similar colors are  
2832 highly visible. Exception: Green is allowed if it is determined that its  
2833 hue, color, chroma and other attributes of color are similar to other  
2834 earth tone colors currently approved in Park City. In no case shall  
2835 the color be determined to be bright or highly reflective or towards  
2836 the yellow tones of the color spectrum;

2837 d. Wood shingles, including fire retardant, prohibited only in wild land  
2838 interface zones. Wood roofs may be allowed on additions to  
2839 existing Structures with wood roofs, only upon specific approval of  
2840 the Chief Building Official. In addition, wood roofing may be allowed  
2841 on later phases, which continue the specific design of existing  
2842 projects and where the original phase has wood roofing[-];  
2843 Existing non-conforming Structures must comply with this section  
2844 when the Structure's roof is replaced;

2845 e. Except on Historic renovations or reconstructions with adequate  
2846 documentation, roof ornamentation such as scroll work, finials, and  
2847 bead-and-dowel work are prohibited.

2848 **F. ROOF SHAPES.**

2849 1. The following roof shapes are prohibited in Park City as the dominant roof  
2850 form because they either do not perform well in the harsh climate, or tend  
2851 to detract from the value of adjoining Property. As minor roof elements,  
2852 the following shapes may be allowed if approved by the Planning Director:

- 2853 a. Mansard or fake mansard roofs;
- 2854 b. Gambrel roofs;
- 2855 c. Curvilinear roofs;
- 2856 d. Domed roofs;
- 2857 e. Geodesic domes;
- 2858 f. Conical roofs, greater than 270 degrees around;
- 2859 g. A-frame or modified A-frame roofs.

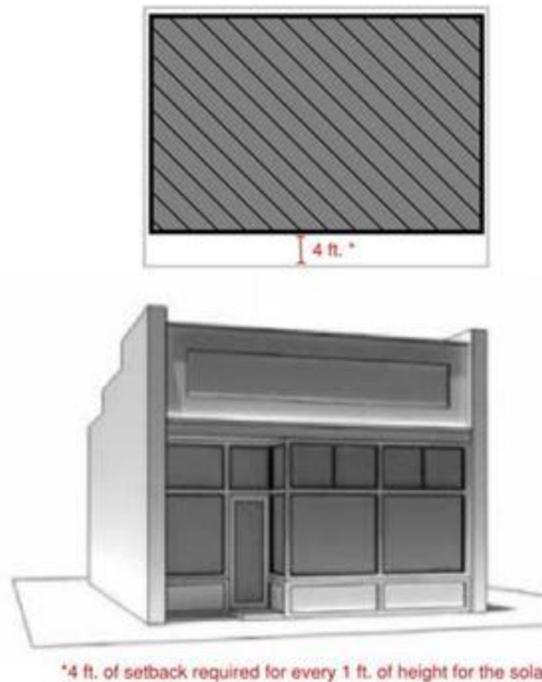
2860 2. Mechanical equipment on roofs must be hidden with a visual barrier so it  
2861 is not readily visible from nearby Properties.

2862 G. **SOLAR ENERGY SYSTEMS**. Any solar energy system shall be designed as  
2863 follows:

- 2864 1. Solar Energy Systems shall be designed so as to be incorporated in the  
2865 roof plan or architectural features of the structure to the best extent  
2866 possible. Solar Energy Systems shall generally be mounted flush to the  
2867 roof plane. In instances where due to the existing roof angle the panel  
2868 needs to be angled from the roof plane for optimum solar gain, alternative  
2869 designs may be considered upon review of a visual analysis and  
2870 mitigation of visual impacts from surrounding properties.
- 2871 2. Solar panels, solar devices, and Solar Energy Systems and mounting  
2872 equipment shall use non-reflective finishes such as an anodized finish.
- 2873 3. Solar energy systems in the Historic Districts are subject to the Design  
2874 Guidelines for Historic Districts and Historic Sites and shall also meet the  
2875 following:

2876 a. On a Flat Roof, the Solar Energy System shall be mounted flush to  
2877 the roof or on racks. When this is not possible, the Solar Energy  
2878 System shall extend no more than five Feet (5') above the highest  
2879 point of the roof. Solar Energy Systems shall be screened from  
2880 view of the primary right-of-way by:

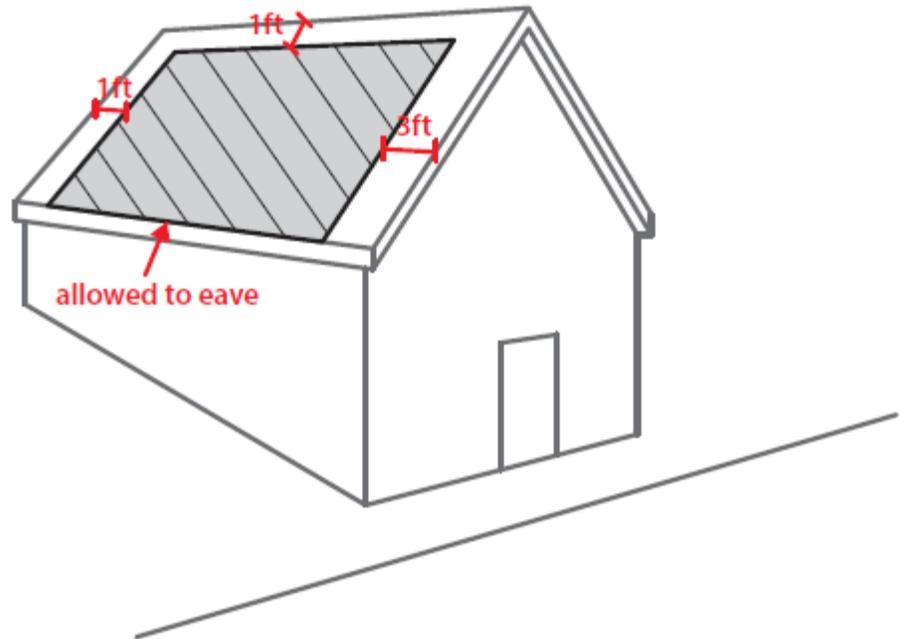
- 2881 1. An existing parapet along the street-facing facade that is as  
2882 tall as the tallest part of the Solar Energy System; or
- 2883 2. Setting the Solar Energy System back from the edge of the  
2884 roof facing the primary right-of-way at least four feet (4') for  
2885 each one foot (1') of Solar Energy System height (including  
2886 any necessary racks).



2887  
2888 b. Solar Energy Systems are permitted on pitched roofs facing a rear  
2889 or side lot line that is not visible from the right-of-way. The Solar

2890 Energy System shall be mounted flush on the pitched roof, with the  
2891 system no more than one foot (1') from the surface of the roof at  
2892 any point. Solar Energy Systems shall be screened from view of  
2893 the primary right-of-way in the following ways:

- 2894 1. The Solar Energy System shall be located at least one foot  
2895 (1') from the ridgeline of the pitched roof.
- 2896 2. The Solar Energy System shall be located at least three feet  
2897 (3') from the edge of the roof facing a right-of-way and one  
2898 foot (1') from the edge of the roof facing the rear property  
2899 line.
- 2900 3. The Solar Energy System shall not alter the slope of the  
2901 roof.



2902

2903 c. Solar shingles and Propanel-type/standing seam integrated  
2904 products may be appropriate on roof surfaces visible from the  
2905 primary right-of-way in the Historic Districts when it can be shown  
2906 that they are sized similar to conventional asphalt shingles or metal  
2907 roofing. They shall be similar in color to roofing materials in the  
2908 Historic Districts and shall possess an anti-reflective top coating,  
2909 such as Tempered Glass Tefzel Glazing or titanium dioxide. All  
2910 metal surfaces shall have a matte finish.

2911 d. Freestanding Solar Energy Systems shall meet all the setback  
2912 requirements of an Accessory Building as outlined in the Historic  
2913 zoning districts. They shall be installed in locations that minimize  
2914 visibility from the public right-of-way. These systems shall be  
2915 screened from the public right-of-way with materials such as  
2916 fencing or vegetation of suitable scale for the Historic District.

2917 e. Exceptions to the location and height of the Solar Energy System  
2918 above the roof are subject to Planning Director approval based on a  
2919 determination that:

- 2920 1. A professional experienced in energy-efficient construction  
2921 has conducted an energy audit and the building has  
2922 optimized its energy efficiency through other means; and
- 2923 2. The location of the Solar Energy System does not detract  
2924 from the Historic character of the site and/or the Historic

2925 District (by making the Solar Energy System a character-  
2926 defining element of the building); and

2927 3. The application has demonstrated that the proposed plan will  
2928 result in a net positive generation of 105% or greater.

2929 H. **SKYLIGHTS.** Any skylight, or other translucent roof material which allows the  
2930 transmission of light from the interior of the Building to the exterior, shall be  
2931 designed as follows:

2932 1. Skylights shall be limited to no more than twenty-five percent (25%) of the  
2933 total roof Area;

2934 2. The skylight design shall facilitate the Use of natural light into the Building  
2935 and any light emitted or reflected from the skylight shall be shielded from  
2936 adjacent Properties;

2937 3. The skylight feature shall not be the highest point of the Structure; and

2938 4. The skylight feature shall be designed to fit as flush as possible with the  
2939 roof. Skylights shall generally extend no more than two feet (2') above the  
2940 roof plane.

2941 5. Skylights in the Historic Districts are subject to the Design Guidelines for  
2942 Historic Districts and Historic Sites.

2943 I. **WINDOW TREATMENTS.**

2944 1. Windows other than rectangular windows may be used as accents and  
2945 trim, but arched, rounded, or Bay Windows as the primary window  
2946 treatment are prohibited. Untreated aluminum and untreated metal window  
2947 frames are prohibited. Small pane colonial style windows are not allowed.

2948 Untreated aluminum, untreated metal, vinyl, and other similar window  
2949 frames are generally not considered appropriate in the Historic Districts  
2950 (HRL, HR-1, HR-2, HRM, HRC, HCB), and on any site designated as  
2951 Historic outside of the Historic Districts. The Planning Director may,  
2952 however, consider requests for the Use of these materials. The design of  
2953 the Structure shall be consistent with ~~[the Park City Design Guidelines]~~  
2954 this Chapter. The Applicant will be required to bring a sample of the type  
2955 and color of the material to be approved by the Planning Director.

2956 **J. OUTDOOR LIGHTING.**

2957 1. **PURPOSE.** It is the intent of this Subsection to establish lighting practices  
2958 and systems to minimize light pollution, glare, and light trespass; conserve  
2959 energy and resources while maintaining nighttime safety, utility, and  
2960 security; and curtail the degradation of the nighttime visual environment.

2961  
2962 It is recognized that the topography, atmospheric conditions, and resort  
2963 nature of Park City are unique and valuable to the community. The  
2964 enjoyment of a starry night is an experience the community desires to  
2965 preserve. The City of Park City, through the provisions herein contained,  
2966 promotes the reduction of light pollution that interferes with enjoyment of  
2967 the night sky.

2968  
2969 The functional objectives in providing outdoor lighting are to illuminate  
2970 Areas necessary for safe, comfortable, and energy-efficient Use. Outdoor

2971 lighting shall be limited to provide for safe entry and egress and for sign  
2972 and Business identification.

2973  
2974 With the exception of Americans with Disabilities Act lighting  
2975 requirements, the minimum lighting standards generally applied and  
2976 recommended by the Illuminating Engineering Society of North America  
2977 (IES) are observed by this Code.

2978 2. **CONFORMANCE WITH APPLICABLE CODES.** All outdoor electrically  
2979 powered illuminating devices shall be permitted, inspected, and installed  
2980 in conformance with the provisions of this Code, the International Building  
2981 Code, the Electrical Code, the Illuminating Engineering Society of North  
2982 America standards, and the Sign Code. When discrepancies in these  
2983 Codes exist, the most restrictive shall apply.

2984 3. **APPROVED MATERIALS AND METHODS OF CONSTRUCTION OR**  
2985 **INSTALLATION/OPERATION.** The provisions of this Code are not  
2986 intended to prevent the Use of any design, material or method of  
2987 installation or operation not specifically prescribed by this Code, provided  
2988 any such alternate has been approved. The Chief Building Official may  
2989 approve any such proposed alternate providing they find that:

2990 a. The alternative provides approximate equivalence to the applicable  
2991 specific requirement of this Code;

2992 b. The alternative is otherwise satisfactory and complies with the  
2993 intent of this Code; or

2994 c. The alternate has been designed or approved by a registered  
2995 professional engineer and the content and function promotes the  
2996 intent of this Code.

2997 **4. SUBMISSION OF PLANS AND EVIDENCE OF COMPLIANCE WITH**  
2998 **CODE.**

2999 a. The Applicant for any permit required by any provisions of the laws  
3000 of this jurisdiction in connection with proposed work involving  
3001 outdoor lighting fixtures shall submit, as part of the Application for  
3002 permit, evidence that the proposed lighting will comply with this  
3003 Code. The submission shall contain the following:

- 3004 1. Plans indicating the location on the premises, and the type of  
3005 illumination devices, fixtures, lamps, supports, reflectors, and  
3006 installation and electrical details;
- 3007 2. Description of illuminating devices, fixtures, lamps, supports,  
3008 reflectors, and other devices. The description may include,  
3009 but is not limited to, catalog cuts by manufacturers, and  
3010 drawings. For commercial, resort, recreation, and industrial  
3011 Uses, photometric data is required. A point by point light plan  
3012 may also be required to determine the adequacy of lighting  
3013 over the entire Site.
- 3014 3. A table showing the total number of proposed exterior lights  
3015 by fixture type, degrees Kelvin, Lumens per fixture, and lamp  
3016 type.

3017 4. Additional information may be required elsewhere in the laws  
3018 of this jurisdiction upon Application for the required permit.

3019 b. Lamp or Fixture Substitution. On commercial Structures if any  
3020 outdoor light fixture or the type of Light Source therein is proposed  
3021 to be changed after the permit has been issued, a change request  
3022 must be submitted to the Planning Department for approval.

3023 Adequate information to assure compliance with this Code must be  
3024 provided and the request must be received prior to substitution.

3025 5. **COLOR TEMPERATURE.** The maximum color temperature for outdoor  
3026 lighting is 3,000 degrees Kelvin. The Planning Director may approve  
3027 outdoor lighting with a color temperature up to 5,000 degrees Kelvin when  
3028 required for public safety or law enforcement activities.

3029 6. **LUMENS.**

3030 a. Multi-Unit Dwellings and commercial Uses shall not exceed 2,500  
3031 Lumens per light and the total lighting shall not exceed 100,000  
3032 Lumens per acre. Lumens shall correspond with the size of the Lot.

3033 b. Parking Area lighting is exempt from the Lumen calculation.

3034 7. **SHIELDING.** All non-exempt outdoor lighting shall be Fully Shielded.

3035 8. **GAS STATION CANOPIES.** Lighting for Gas station canopies shall be  
3036 Fully Shielded with flat lenses so that the lighting is recessed or flush with  
3037 the bottom surface of the canopy and shielded by the fixture or edge of the  
3038 canopy. The canopy undersurface shall be non-reflective.

3039           **9. BUILDING CANOPY, SOFFIT, AND WALL MOUNTED LIGHTING.**

3040           Lighting fixtures mounted on a Canopy or soffit shall be recessed so that  
3041           the lighting is flush with the bottom surface and Fully Shielded by the  
3042           fixture or the edge of the Canopy or soffit. Wall-mounted fixtures shall not  
3043           be mounted above eighteen feet (18') as measured from the top of the  
3044           fixture to the adjacent Grade or horizontal plane being lit by the fixture.

3045           **10. CONSTRUCTION SITES.** All commercial construction Sites shall submit a  
3046           lighting plan as part of the Construction Mitigation Plan for the project prior  
3047           to Building Permit issuance. Criteria for review shall include duration,  
3048           number, location, height, Light Source, and hours of operation.

3049           **11. PATHWAY LIGHTING.** The intent of pathway lighting is to provide pools  
3050           of light to help direct pedestrians along the path, not to fully illuminate the  
3051           path. Pathway intersections should be illuminated for safety. Pathway  
3052           lighting shall not be mounted more than ten feet (10') above finished  
3053           grade.

3054           **12. RECREATIONAL LIGHTING.** Because of their unique requirements for  
3055           nighttime visibility and their limited hours of operation, baseball diamonds,  
3056           playing fields, tennis courts, and ski area runs may operate with the  
3057           following conditions and exceptions:

3058                 a. The height of outdoor recreational posts shall not exceed seventy  
3059                 feet (70') above Natural Grade. The average Horizontal Foot  
3060                 Candle shall not exceed 3.6 across the Area boundary with a  
3061                 uniformity ratio of 4:1. Ski area lighting may require higher

3062 illumination levels in some instances. Those levels shall be  
3063 reviewed and approved by the Planning Commission under the  
3064 Conditional Use process outlined in Section 15-1-10.

3065 b. All fixtures shall be Fully Shielded or be designed or provided with  
3066 sharp, cutoff capability to minimize up-light, spill light, and glare.

3067 c. Recreational lighting shall be turned off within thirty (30) minutes of  
3068 the completion of the last game, practice, or event. In general,  
3069 recreational lighting shall be turned off by 11:00 p.m., unless an  
3070 exception is granted by the Planning Director for a Special Event,  
3071 permitted under Municipal Code Title 4A.

3072 d. Private sport court facilities shall use Fully Shielded fixtures.  
3073 Lighting shall be turned off by 11:00 p.m.

3074 13. **SEASONAL DISPLAY OF LIGHTS.** Low-Lumen winter seasonal lights  
3075 that do not cause light trespass or interfere with the reasonable use and  
3076 enjoyment of property are permitted from the first of November to the first  
3077 of March. Seasonal lights are exempt from the Fully Shielded requirement  
3078 and any color of lights may be used; however, seasonal lights shall not be  
3079 used to create advertising messages or signs. Spelling out the name of a  
3080 Business with seasonal lights is prohibited.

3081 a. Residential seasonal lights shall comply with zone-required  
3082 Setbacks and be turned off by 11:00 p.m.

3083 b. Commercial seasonal lights shall be turned off by midnight.

3084 c. EXCEPTIONS.

3085 (1) Low-Lumen seasonal lights outlining buildings on Main  
3086 Street, Swede Alley, and the General Commercial Zoning  
3087 District are allowed year-round. Seasonal lights outlining  
3088 buildings on Main Street and Swede Alley shall be turned off by  
3089 2:30 a.m.

3090 (2) String Lights are exempt from the Fully Shielded requirement  
3091 and may be used year-round to illuminate decks, porches, and  
3092 patios, but are prohibited from illuminating landscaping or  
3093 outlining Structures.

3094 **14. OUTDOOR DISPLAY LOTS.** Any Light Source permitted by this Code  
3095 may be used for lighting of outdoor display Lots such as, but not limited to,  
3096 automobile sales or rental, recreational vehicle sales, Building material  
3097 sales, and seasonal goods, provided all the following conditions are met:

- 3098 a. All fixtures shall be Fully Shielded.
- 3099 b. The lighting shall be setback so that the lighting does not trespass  
3100 on adjacent properties.
- 3101 c. Display lighting shall be turned off within thirty (30) minutes of  
3102 closing of the Business. Lighting used after 11:00 p.m. shall be  
3103 security lighting. Security lighting shall be required to be motion  
3104 sensor. Infrared sensor security lights are the only type of security  
3105 light permitted.

3106 **15. PROHIBITED LIGHTING.** Unless otherwise exempted, the following are  
3107 prohibited:

- 3108 a. Up-lighting;
- 3109 b. Unshielded Floodlights;
- 3110 c. Unshielded Spotlights;
- 3111 d. Architectural lighting;
- 3112 e. Landscape lighting;
- 3113 f. Search lighting, laser source lights, or high intensity lighting except
- 3114 by police and fire personnel or at their discretion;
- 3115 g. Flashing, blinking, intermittent, or other lights that move or give the
- 3116 impression of movement;
- 3117 h. Neon or luminous tube lighting;
- 3118 i. Lighting fixtures affixed to Buildings for the purposes of lighting
- 3119 Parking Areas.

3120 **16. OUTDOOR LIGHTING IN THE HISTORIC DISTRICTS.** Fixtures on Sites  
3121 listed on the Historic Sites Inventory that replicate a Historic fixture shall  
3122 be permitted to be installed without Full Shielding with the approval of the  
3123 Planning Director. The Owner bears the burden of proving the fixture  
3124 replicates a Historic fixture, which shall be reviewed in accordance with  
3125 Section 15-11-10, Park City Historic Sites Inventory. Each Historic fixture  
3126 replica shall be limited to extremely low output lamps, no more than 400  
3127 Lumens each.

3128 **17. OUTDOOR LIGHTING IN RIDGE LINE AREAS AND STEEP SLOPES.**

3129 Outdoor lighting in Ridge Line Areas and on Steep Slopes shall be the

3130 minimum necessary to provide adequate illumination of pathways,  
3131 entryways, and private outdoor areas.

3132 a. Floodlights are prohibited.

3133 b. Outdoor lights generally may not exceed twelve feet (12') above  
3134 Existing Grade, but the Planning Commission or Planning staff may  
3135 approve outdoor lights twelve feet (12') above Existing Grade with  
3136 additional shielding.

3137 c. Ground-level fixtures are encouraged.

3138 d. Additional shielding may be required to mitigate glare or light  
3139 trespass.

3140 e. The Planning Commission shall consider outdoor lighting  
3141 restrictions for Properties located in Ridge Line Areas at the time of  
3142 Subdivision or Plat approval.

3143 f. The Planning Commission or Planning staff shall consider  
3144 additional shielding requirements to mitigate outdoor lighting as part  
3145 of a Steep Slope Conditional Use Permit review.

3146 g. The Planning Director shall verify compliance with shielding  
3147 requirements for Properties located in Ridge Line Areas and on  
3148 Steep Slopes at the time of Building Permit approval.

3149 **18. LIGHT TRESPASS.** Light trespass is artificial light that falls beyond the  
3150 legal boundaries of the property it is intended to illuminate. Outdoor  
3151 lighting shall be aimed and Fully Shielded so that the direct illumination  
3152 shall be confined to the property boundaries of the source.

3153  
3154  
3155  
3156  
3157  
3158  
3159  
3160  
3161  
3162  
3163  
3164  
3165  
3166  
3167  
3168  
3169  
3170  
3171  
3172  
3173  
3174  
3175

19. **EXEMPTIONS.** The following are exempt from this Subsection:

- a. Gas Lights. All outdoor light fixtures producing light directly by the combustion of natural gas or other fossil fuels are exempt from the requirements of this Code.
- b. Up-lighting. Up-lighting is permitted in limited circumstances: for City-funded or owned statues, public monuments, the McPolin Barn, ground-mounted Public Art, or flags of the United States of America.
  - (1) All up-lighting shall be shielded and/or have beam-angle control and shall be aimed to limit the directed light to the illuminated object only.
  - (2) Up-lighting is permitted thirty (30) minutes before sunset and until 11:00 p.m.; or, one hour after the close of location based on normal hours of operations, whichever is later.
- c. Temporary lighting for outdoor filming and outdoor performance venues.
- d. Underwater lighting in swimming polls, hot tubs, and other water features.
- e. Traffic control signals and devices.
- f. Streetlights.
- g. Public Trails lighting.

The following are exempt from the Fully Shielded requirement:

3176 (1) Pathway lighting less than eighteen inches (18”) in height  
3177 with a total light output that is less than 300 Lumens.

3178 (2) Fixtures having a total light output less than 1,000  
3179 Lumens (a 60-watt incandescent, a 15-watt compact  
3180 fluorescent bulb, or LED equivalent), provided:

3181 (A) The fixture has a top that is completely opaque such  
3182 that no light is directed upwards;

3183 (B) The fixture has sides that completely cover the  
3184 light source and are made of opaque or semi opaque  
3185 material. Fixtures with opaque sides may have  
3186 incidental decorative perforations that emit small  
3187 amounts of light;

3188 (C) Semi opaque material such as dark tinted glass or  
3189 translucent plastic may be used if the light source is  
3190 not discernable behind the material;

3191 (D) Completely transparent materials such as clear  
3192 glass are prohibited;

3193 (E) The bulb or lamp is not visible from any point  
3194 outside the property on which the fixture is located.

3195 (3) Seasonal Lights

3196 (4) String Lights

3197 **20. COMPLIANCE TIMELINE.**

- 3198 a. All outdoor lighting installed after the effective date of this Outdoor  
3199 Lighting Subsection shall conform.
- 3200 b. All outdoor lighting legally existing and installed prior to the effective  
3201 date of this Outdoor Lighting Subsection and which is not exempted  
3202 shall be updated with lights that comply with the 3,000 degrees  
3203 Kelvin requirement by December 31, 2024.
- 3204 c. Immediate compliance is required as a condition of approval for site  
3205 improvements, construction, reconstruction, expansion, alteration,  
3206 or modification of existing Structures.
- 3207 d. Damaged or inoperative nonconforming outdoor lighting shall be  
3208 replaced or repaired with lighting that complies with this Outdoor  
3209 Lighting Subsection.
- 3210 e. Property owners shall not replace outdoor lighting with non-  
3211 compliant fixtures.

3212 **21. TEMPORARY EXEMPTION.**

- 3213 a. Requests. Any Person may submit a written request to the Planning  
3214 Director for a temporary exemption. A temporary exemption request  
3215 shall contain the following information:
- 3216 (1) Specific exemption or exemption request;
- 3217 (2) Type and Use of outdoor light fixtures involved;
- 3218 (3) Duration of time for requested exemption;
- 3219 (4) Total Lumens;
- 3220 (5) Proposed location on Site;

3221 (6) Description of event or reason for need of exemption;  
3222 and

3223 (7) Other data as deemed necessary to adequately review  
3224 and made a determination on the request.

3225 b. Approval; Duration. The Planning Department shall have ten (10)  
3226 Business days from the date of a complete submission of the  
3227 temporary request to act, in writing, on the request. The Planning  
3228 Department shall approve the request if it finds that the exemption  
3229 is necessary for public safety, security or other public necessity and  
3230 the exemption does not materially subvert the purpose of this  
3231 Subsection. If approved, the exemption shall be valid for not more  
3232 than thirty (30) days from the date of approval. The approval shall  
3233 be renewable by the Planning Director upon consideration of all the  
3234 circumstances and provided a finding of public safety or necessity  
3235 is made, and no intent to circumvent the intent of this Subsection is  
3236 present. Each such renewed exemption shall be valid for not more  
3237 than thirty (30) days.

3238 c. ~~[Denial/Appeal. If the request for a temporary exemption is denied,~~  
3239 ~~the Person making the request, in writing, may appeal the decision~~  
3240 ~~to the Planning Commission within ten (10) days of the denial as~~  
3241 ~~provided for in Section 15-1-18.]~~

3242 K. **TRASH AND RECYCLING ENCLOSURES**. In addition to County health  
3243 standards, the following trash enclosure design standards shall apply:

- 3244 1. Trash and storage Areas shall be Screened by landscaping, Fencing,  
3245 berms or other devices integral to overall Site and Building design;
- 3246 2. Trash and storage enclosures shall be designed and constructed of  
3247 materials that are Compatible with the proposed or existing Building and  
3248 with surrounding Structures. The enclosure's design, construction, and  
3249 materials shall be substantial and consisting of masonry, steel, or other  
3250 materials approved by the Planning and Building Department and capable  
3251 of sustaining active use by residents and trash/recycling haulers. The  
3252 design shall, if physically possible, include both a pedestrian door and a  
3253 truck door or gate;
- 3254 3. Trash and storage Areas shall be well maintained including prompt repair  
3255 and replacement of damaged gates, Fences and plants;
- 3256 4. Openings of trash enclosures shall be oriented away from public view or  
3257 Screened with sturdy gates wide enough to allow easy Access for trash  
3258 collection, where practical;
- 3259 5. The consolidation of trash Areas between Businesses and the Use of  
3260 modern disposal techniques is encouraged.
- 3261 6. Exception. These standards shall not apply to existing Structures that  
3262 have been built with zero Setbacks or when such enclosures would  
3263 negatively impact Access, circulation, or snow removal efforts.

3264 L. **MECHANICAL EQUIPMENT**. All electrical service equipment and sub-panels  
3265 and all mechanical equipment, including but not limited to, air conditioning, pool  
3266 equipment, fans and vents, utility transformers, except those owned and

3267 maintained by public utility companies, and solar panels, shall be painted to  
3268 match the surrounding wall color or painted or Screened to blend with the  
3269 surrounding natural terrain. Roof mounted equipment and vents shall be painted  
3270 to match the roof and/or adjacent wall color and shall be Screened or integrated  
3271 into the design of the Structure. Minor exceptions to Setback requirements for  
3272 Screened mechanical equipment may be approved by the Planning Director  
3273 where the proposed location is the most logical location for the equipment and  
3274 impacts from the equipment on neighboring properties, historic facades, and  
3275 streetscapes can be mitigated and roof top mechanical placement and visual  
3276 clutter is minimized.

3277 M. **PATIOS AND DRIVEWAYS**. A Building Permit is required for all non-bearing  
3278 concrete flatwork, asphalt, and/or any Impervious Surface, regardless of size or  
3279 area. This includes any repairs, alterations, modifications, and expansion of  
3280 existing flatwork.

3281 N. **LANDSCAPING**. A complete landscape plan must be prepared for the limits of  
3282 disturbance area for all Development activity. The landscape plan shall utilize the  
3283 concept of Water Wise Landscaping for plant selection and location, irrigation,  
3284 and mulching of all landscaped areas. The plan shall include foundation plantings  
3285 and ground cover, in addition to landscaping for the remainder of the lot. The  
3286 plan shall indicate the percentage of the lot that is landscaped, the percentage of  
3287 the landscaping that is irrigated, the type of irrigation to be used, and  
3288 Hydrozones. The plan shall identify all existing Significant Vegetation. The plan  
3289 shall also identify the 50 percent (50%) of any Water Wise Landscaped area

3290 comprised of appropriate plants, trees, and shrubs. Any proposed boulders or  
3291 rocks greater than two inches (2") in diameter and Gravel must be identified.  
3292 Materials proposed for driveways, parking areas, patios, decks, and other hard-  
3293 scaped areas shall be identified on the plan. A list of plant materials indicating  
3294 the botanical name, the common name, quantity, and container or caliper size  
3295 and/or height shall be provided on the plan. Refer to the Municipal Code of Park  
3296 City [Title] Section 14-1-5 for a City approved Plant List. A diverse selection of  
3297 plantings is suggested to provide plantings appropriate to the Park City climate  
3298 and growing season, to provide aesthetic variety and to prevent the spread of  
3299 disease between the same species. Artificial turf is allowed to be used in limited  
3300 quantities on decks, pathways, recreation and play areas, or as a limited  
3301 landscaping material on areas in which vegetation may be unsuccessful. Artificial  
3302 turf's installation shall not pool water and be installed to allow for drainage. Areas  
3303 of mulch shall be identified on the plan. Approved mulches include natural  
3304 organic plant based or recycled materials. Gravel is only allowed in the following  
3305 applications: as an approved walkway, patio, drainage plan, and/or defensible  
3306 space. The Planning Director or [his/her] designee may determine if proposed  
3307 defensible space areas are not required to include plantings. Any Gravel or stone  
3308 within the HRL, HR-1, HR-2, HRM, HRC, or HCB Zoning Districts must meet the  
3309 requirements of [~~Park City's~~] the Design Guidelines for Historic District and  
3310 Historic Sites. Gravel is not an allowed surface for parking, ground cover on  
3311 berms or finished grade with a ratio greater than 3:1, within platted or zoned  
3312 open space, or as a material in parking strips or City rights-of-way. To the extent

3313 possible, existing Significant Vegetation shall be maintained on Site and  
3314 protected during construction. When approved to be removed, based on a Site  
3315 Specific plan, Conditional Use, Master Planned Development, or Historic District  
3316 Design Review approval, the Significant Vegetation shall be replaced with  
3317 equivalent landscaping in type and size. The Forestry Manager or Planning  
3318 Director may grant exceptions to this if upon their review it is found that  
3319 equivalent replacement is impossible or would be detrimental to the site's existing  
3320 and/or proposed vegetation. Multiple trees equivalent in caliper to the size of the  
3321 removed Significant Vegetation may be considered instead of replacement in  
3322 kind and size. Where landscaping does occur, it should consist primarily of native  
3323 and drought tolerant species, drip irrigation, and all plantings shall be adequately  
3324 mulched. Significant Vegetation preservation and/or replacement shall be  
3325 prioritized, but where applicable, Firewise Landscaping and/or Defensible Space  
3326 landscaping plans for Property within the Wildland-Urban Interface area that  
3327 include Significant Vegetation removal shall be in accordance with Municipal  
3328 Code Chapter 11-21. A detailed irrigation plan shall be drawn at the same scale  
3329 as the landscape plan including, but not limited to: a layout of the heads, lines,  
3330 valves, controller, backflow preventer, and a corresponding legend and key.  
3331 Landscaped areas shall be provided with a WaterSense labeled smart irrigation  
3332 controller which automatically adjusts the frequency and/or duration of irrigation  
3333 events in response to changing weather conditions. All controllers shall be  
3334 equipped with automatic rain delay or rain shut-off capabilities. Irrigated lawn and  
3335 turf areas are limited to a maximum percentage of the allowed Limits of

3336 Disturbance Area of a Lot or Property that is not covered by Buildings,  
 3337 Structures, or other Impervious paving, based on the size of the Lot or Property  
 3338 according to the following table:

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

3339  
 3340 O. Where rock and boulders are allowed and identified on the Landscape Plan,  
 3341 these shall be from local sources. All noxious weeds, as identified by Summit  
 3342 County, shall be removed from the Property in a manner acceptable to the City  
 3343 and Summit County, prior to issuance of Certificates of Occupancy.

3344 HISTORY

3345 *Adopted by Ord. [02-07](#) on 5/23/2002*  
 3346 *Amended by Ord. [06-56](#) on 7/27/2006*  
 3347 *Amended by Ord. [11-05](#) on 1/27/2011*  
 3348 *Amended by Ord. [12-37](#) on 12/20/2012*  
 3349 *Amended by Ord. [2018-27](#) on 5/31/2018*  
 3350 *Amended by Ord. [2019-30](#) on 5/30/2019*  
 3351 *Amended by Ord. [2020-19](#) on 4/16/2020*

3352 Amended by Ord. [2020-35](#) on 7/9/2020

3353 Amended by Ord. [2020-42](#) on 9/17/2020

3354 Amended by Ord. [2021-05](#) on 1/21/2021

3355 . . . .

3356 **15-5-6 Permitted Design Features**

3357 Any design~~[;]~~ or any material that is not expressly prohibited by this Chapter, or a  
3358 resolution adopted to supplement it, or by the ~~[Historic District Architectural Design~~  
3359 ~~Guidelines]~~ [Design Guidelines For Historic Districts And Historic Sites](#), are permitted.

3360 HISTORY

3361 Adopted by Ord. [02-07](#) on 5/23/2002

3362 . . . .

3363 **15-5-8 Facade Length And Variations**

- 3364 A. Structures greater than sixty feet (60'), but less than 120 feet in length must  
3365 exhibit a prominent shift in the facade of the Structure so that no greater than  
3366 seventy five percent (75%) of the length of the Building Facade appears  
3367 unbroken. Each shift shall be in the form of either a ten foot (10') change in  
3368 Building Facade alignment or a ten foot (10') change in the Building Height, or a  
3369 combined change in Building Facade and Building Height totaling ten feet (10').
- 3370 B. Structures that exceed 120 feet in length on any facade shall provide a prominent  
3371 shift in the mass of the Structure at each 120 foot interval, or less if the  
3372 Developer desires, reflecting a change in function or scale. The shift shall be in  
3373 the form of either a fifteen foot (15') change in Building Facade alignment or a  
3374 fifteen foot (15') change in the Building Height. A combination of both the Building

3375 Height and Building Facade change is encouraged and to that end, if the  
3376 combined change occurs at the same location in the Building plan, a fifteen foot  
3377 (15') total change will be considered as full compliance.

3378 C. The special facade and volume requirement of the Historic District are found in  
3379 ~~[LMC] Chapters 15-2.1 through 15-2.6~~ and in the ~~[Historic District Architectural~~  
3380 ~~Design Guidelines]~~ Design Guidelines For Historic Districts And Historic Sites,  
3381 Chapter 15-13.

3382 D. The facade length and variation requirements apply to all sides of a Building.

3383 . . . .

3384 **15-5-9 Sensitive Lands Review**

3385 Any project falling within the ~~[Sensitive Lands Area Overlay Zone]~~ Sensitive Land  
3386 Overlay Zone may be subject to additional architectural review requirements and  
3387 regulations as outlined in ~~[the Sensitive Area Overlay Zone regulations, LMC]~~ Chapter  
3388 15-2.21.

3389 HISTORY

3390 *Adopted by Ord. 02-07 on 5/23/2002*

3391 *Amended by Ord. 06-56 on 7/27/2006*

3392 . . . .

3393 **15-6-5 Master Planned Development Requirements**

3394 All Master Planned Developments shall contain the following minimum requirements.

3395 Many of the requirements and standards will have to be increased in order for the

3396 Planning Commission to make the necessary findings to approve the Master Planned

3397 Development.

3398 A. **DENSITY.** The Planning Commission shall approve the type of Development,  
3399 number of units, and Density permitted on a given Master Planned Development  
3400 Site based on a Site Suitability Analysis. The Master Planned Development shall  
3401 not exceed the maximum Density in the Zoning District, except as otherwise  
3402 provided in this Section. The Site shall be looked at in its entirety, including all  
3403 adjacent Property under the same ownership, and the Density shall be located in  
3404 the locations that support the goals set forth in Section 15-6-1.

3405 1. Additional Density may be granted within a Transfer of Development  
3406 Rights Receiving Overlay Zone (TDR-R) within an approved Master  
3407 Planned Development.

3408 2. When Properties are in more than one (1) Zoning District, there may be a  
3409 shift of Density between Zoning Districts if that shift results in a project that  
3410 better meets the goals set forth in Section 15-6-1.

3411 a. **Exception.** Residential Density shifts between the HCB and HR-2  
3412 Zoning Districts are not permitted. A portion of the gross Floor Area  
3413 generated by the Floor Area Ratio of the HCB Zoning District and  
3414 applied only to Lot Area in the HCB Zoning District, may be located  
3415 in the HR-2 Zoning District as allowed by Section 15-2.3-8.

3416 3. Density for Master Planned Developments is based on the Unit Equivalent  
3417 formula, defined in Section 15-6-8.

3418 a. **Exceptions.** The Planning Department may recommend that the  
3419 Planning Commission grant up to a maximum of ten percent (10%)  
3420 increase in total Density if the Applicant:

3421 (1) Donates Open Space in excess of the sixty percent  
3422 (60%) requirement, either in fee or a less-than-fee interest to  
3423 either the City or another unit of government or nonprofit  
3424 land conservation organization approved by the City. Such  
3425 Density bonus shall only be granted upon a finding by the  
3426 Planning Director that such donation will ensure the long-  
3427 term protection of a significant environmentally or visually  
3428 sensitive Area; or  
3429 (2) Proposes a Master Planned Development in which more  
3430 than thirty percent (30%) of the Unit Equivalent are  
3431 employee/ Affordable Housing consistent with the City's  
3432 adopted employee/ Affordable Housing guidelines and  
3433 requirements; or  
3434 (3) Proposes a Master Planned Development in which more  
3435 than eighty percent (80%) of the project is Open Space as  
3436 defined in this Code and prioritized by the Planning  
3437 Commission.

3438 **B. MAXIMUM ALLOWED BUILDING FOOTPRINT FOR MASTER PLANNED**  
3439 **DEVELOPMENTS WITHIN THE HR-1 AND HR-2 ZONING DISTRICTS.**

3440 1. The Land Management Code sets forth a maximum Building Footprint for  
3441 all Structures in the HR-1 and HR-2 Zoning Districts based on Lot Area.  
3442 For purposes of establishing the maximum Building Footprint for Master  
3443 Planned Developments that include Development in the HR-1 and HR-2

3444 Zoning Districts, the maximum Building Footprint for the HR-1 and HR-2  
3445 portions shall be calculated based on the conditions of the Subdivision  
3446 Plat or the Lots of record prior to a plat amendment combining the Lots as  
3447 stated in Section 15-2.3-4.

3448 a. The Area of below Grade Parking in the HR-1 and HR-2 Zoning  
3449 Districts shall not count against the maximum Building Footprint of  
3450 the HR-1 or HR-2 Lots.

3451 b. The Area of below Grade Commercial Use extending from a Main  
3452 Street business into the HR-2 Subzone A shall not count against  
3453 the maximum Building Footprint of the HR-2 Lots.

3454 c. The Floor Area Ratio (FAR) of the HCB Zoning District applies only  
3455 to the HCB Lot Area and may be reduced as part of a Master  
3456 Planned Development. The FAR may not be applied to the HR-1 or  
3457 HR-2 Lot Area.

3458 d. The Floor Area for a detached, single car Garage, not to exceed  
3459 two-hundred and twenty square feet (220 square feet) of Floor  
3460 Area, shall not count against the maximum Building Footprint of the  
3461 HR-2 Lot.

3462 **C. SETBACKS.**

3463 1. The minimum Setback around the exterior boundary of a Master Planned  
3464 Development shall be twenty-five feet (25') for Parcels greater than two (2)  
3465 acres. The Planning Commission may decrease the required perimeter  
3466 Setback from twenty-five feet (25') for Master Planned Development

3467 Applications greater than two (2) acres to the zone-required Setback if it is  
3468 necessary to provide desired architectural interest and variation.

3469 2. For parcels greater than two (2) acres and located inside the HRM, HR-1,  
3470 HR-2, HRC, and HCB Zoning Districts, the minimum Setback around the  
3471 exterior boundary of a Master Planned Development shall be determined  
3472 by the Planning Commission in order to remain consistent with the  
3473 contextual streetscape of adjacent Structures.

3474 3. For parcels two (2) acres or less, the minimum exterior boundary  
3475 Setbacks shall be the zone-required Setbacks.

3476 4. In all Master Planned Developments, for either the perimeter Setbacks or  
3477 the Setbacks within the project, the Planning Commission may increase  
3478 Setbacks to retain existing Significant Vegetation or natural features, to  
3479 create an adequate buffer to adjacent Uses, or to meet Historic  
3480 Compatibility requirements.

3481 5. The Planning Commission may reduce Setbacks within the project  
3482 boundary, but not perimeter Setbacks, from those otherwise required in  
3483 the Zoning District to match an abutting zone-required Setback, provided  
3484 the project meets minimum International Building Code and Fire Code  
3485 requirements, does not increase project Density, maintains the general  
3486 character of the surrounding neighborhood in terms of mass, scale, and  
3487 spacing between Structures, and meets Open Space criteria set forth in  
3488 Section 15-6-5(D).

3489 6. Final Setback approvals shall be specified as a Finding of Fact in the  
3490 Master Planned Development Approval, in the Development Agreement,  
3491 and on each plat within the Master Planned Development.

3492 **D. OPEN SPACE.**

3493 1. **MINIMUM REQUIRED.** All Master Planned Developments shall contain a  
3494 minimum of sixty percent (60%) Open Space as defined in Chapter 15-15,  
3495 with the exception of the General Commercial (GC), Historic Residential  
3496 Commercial (HRC), Historic Commercial Business (HCB), and the Historic  
3497 Residential (HR-1 and HR-2) Zoning Districts.

3498 2. The minimum Open Space requirement for redevelopment of existing  
3499 Developments shall be thirty percent (30%).

3500 a. For Applications proposing the redevelopment of existing  
3501 Developments, the Planning Commission may reduce the required  
3502 Open Space to thirty percent (30%) in exchange for project  
3503 enhancements in excess of those otherwise required by the Land  
3504 Management Code that may directly advance policies reflected in  
3505 the applicable General Plan sections or more specific Area plans.  
3506 Such project enhancements may include, but are not limited to,  
3507 Affordable Housing, greater Landscaping buffers along public ways  
3508 and public/private pedestrian Areas that provide a public benefit,  
3509 increased landscape material sizes, public transit improvement,  
3510 public pedestrian plazas, pedestrian way/trail linkages, Public Art,  
3511 and rehabilitation of Historic Structures.

3512            3. **TYPE OF OPEN SPACE.** The Planning Commission shall designate the  
3513            preferable type and mix of Open Space for each Master Planned  
3514            Development. The Commission's determination shall be based on the  
3515            guidance given in the General Plan. Landscaped Open Space may be  
3516            utilized for project amenities such as gardens, greenways, pathways,  
3517            plazas, and other similar Uses. Open Space may not be utilized for  
3518            Streets, roads, driveways, Parking Areas, Commercial Uses, or Buildings  
3519            requiring a Building Permit.

3520        E. **OFF-STREET PARKING.**

3521            1. The number of Off-Street Parking Spaces in each Master Planned  
3522            Development shall not be less than the requirements of the Land  
3523            Management Code, except that the Planning Commission may increase or  
3524            decrease the required number of Off-Street Parking Spaces based upon a  
3525            Parking analysis submitted by the Applicant at the time of Master Planned  
3526            Development submittal. The Parking analysis shall contain, at a minimum,  
3527            the following information:

- 3528
- 3529            a. The proposed number of vehicles required by the occupants of the  
3530            project based upon the proposed Use and occupancy.
  - 3531            b. A Parking comparison of projects of similar size with similar  
3532            occupancy type to verify the demand for occupancy Parking.
  - 3533            c. Parking needs for non-dwelling Uses, including traffic attracted to  
3534            Commercial Uses from Off-Site.

- 3535 d. An analysis of time periods of Use for each of the Uses in the
- 3536 project and opportunities for shared parking by different Uses. This
- 3537 shall be considered only when there is Guarantee by Use covenant
- 3538 and deed restriction.
- 3539 e. A plan to discourage the Use of motorized vehicles and encourage
- 3540 other forms of transportation.
- 3541 f. Provisions for overflow Parking during peak periods.
- 3542 g. An evaluation of potential adverse impacts of the proposed Parking
- 3543 reduction and Density increase, if any, upon the surrounding
- 3544 neighborhood and conditions of approval to mitigate such impacts.

3545 The Planning Department shall review the Parking analysis and provide a  
3546 recommendation to the Commission. The Commission shall make a  
3547 finding during review of the Master Planned Development as to whether or  
3548 not the Parking analysis supports a determination to increase or decrease  
3549 the required number of Parking Spaces.

- 3550 2. The Planning Commission may permit an Applicant to pay an in-lieu
- 3551 Parking fee in consideration for required on-Site Parking provided that the
- 3552 Planning Commission determines that:
  - 3553 a. Payment in-lieu of the on-Site Parking requirement will prevent a
  - 3554 loss of significant Open Space, Yard Area, and/or public amenities
  - 3555 and gathering Areas;

- 3556                    b. Payment in-lieu of the on-Site Parking requirement will result in  
3557                    Preservation and Rehabilitation of significant Historic Structures or  
3558                    redevelopment of Structures and Sites;  
3559                    c. Payment in-lieu of the on-Site Parking requirement will not result in  
3560                    an increase project Density or intensity of Use; and  
3561                    d. The project is located on a public transit route or is within three (3)  
3562                    blocks of a municipal bus stop.

3563  
3564                    The payment in-lieu fee for the required Parking shall be subject to  
3565                    the provisions in the Municipal Code of Park City Section 11-12-16  
3566                    and the fee set forth in the current Fee Resolution, as amended.

3567        F. **BUILDING HEIGHT**. The Building Height requirements of the Zoning District in  
3568                    which a Master Planned Development is located shall apply, except that the  
3569                    Planning Commission may consider an increase in Building Height based upon a  
3570                    Site specific analysis. Height exceptions will not be granted for Master Planned  
3571                    Developments within the HR-1, HR-2, HRC, and HCB Zoning Districts. The  
3572                    Applicant must request a Site-specific determination and shall bear the burden of  
3573                    proof to the Planning Commission that the necessary findings for an increase in  
3574                    Building Height can be made, according to Subsections (1) through (5) below. In  
3575                    order to grant Building Height in addition to that which is allowed in the  
3576                    underlying Zoning District, the Planning Commission must find that:

- 3577                    1. The increase in Building Height does not result in increased square  
3578                    footage or Building volume over what would be allowed under the zone-

3579 required Building Height and Density, including requirements for Facade  
3580 variation and design, but rather provides desired architectural variation,  
3581 unless the increased square footage or Building volume is from the  
3582 Transfer of Development Credits;

3583 2. Buildings have been positioned to minimize visual impacts on adjacent  
3584 Structures. Potential problems on neighboring Properties caused by  
3585 shadows, loss of solar Access, and loss of air circulation have been  
3586 mitigated as determined by the Site specific analysis;

3587 3. There is adequate Landscaping and buffering from adjacent Properties  
3588 and Uses;

3589 4. Increased Setbacks and separations from adjacent projects are  
3590 proposed;

3591 5. The additional Building Height results in more than the minimum Open  
3592 Space required and results in Open Space that is publicly accessible;

3593 6. The additional Building Height is designed in a manner that provides a  
3594 transition in roof elements in compliance with Chapter 15-5, Architectural  
3595 Review, or the Design Guidelines for [Park City's] Historic Districts and  
3596 Historic Sites if the Building is located within the Historic District.

3597 If and when the Planning Commission grants additional Building Height  
3598 based on a Site specific analysis, the approved additional Building Height  
3599 shall only apply to the specific plans reviewed and approved by the  
3600 Planning Commission. Additional Building Height shall be specified as a  
3601 Finding of Fact in the Master Planned Development Approval, in the

3602 Development Agreement, and on each plat within the Master Planned  
3603 Development that includes a Building with an additional Height allowance.

3604 G. **SITE PLANNING**. A Master Planned Development shall be designed to take into  
3605 consideration the characteristics of the Site upon which it is proposed to be  
3606 placed. The project should be designed to fit the Site, not the Site modified to fit  
3607 the project. The Applicant shall address the following in the Site planning for a  
3608 Master Planned Development:

- 3609 1. Units shall be clustered on the most developable and least visually  
3610 sensitive portions of the Site. Open Space shall separate the clusters. The  
3611 Open Space should be designed so that existing Significant Vegetation is  
3612 maintained on the Site.
- 3613 2. Projects shall be designed to minimize Grading and the need for large  
3614 retaining Structures.
- 3615 3. Roads, utility lines, and Structures should be designed to work with the  
3616 Existing Grade. Cuts and fills shall be minimized.
- 3617 4. Existing trails shall be incorporated into the Open Space elements of the  
3618 project and shall be maintained in their existing location whenever  
3619 possible. Applicants may be required to grant the City a trail easement to  
3620 connect proposed trails with existing trails. Construction of new trails shall  
3621 be consistent with the Park City Trails Master Plan.
- 3622 5. Adequate internal vehicular, pedestrian, and bicycle circulation shall be  
3623 provided. Pedestrian and bicycle circulations shall be separated from  
3624 vehicular circulation and shall provide safe travel within the boundaries of

3625 the Master Planned Development and safe travel to adjoining public  
3626 sidewalks, trails, and Rights-of-Way. Private internal Streets may be  
3627 considered for Condominium projects if they meet the minimum  
3628 emergency and safety requirements.

3629 6. The Site plan shall include adequate Areas for snow removal and snow  
3630 storage. The Landscaping plan shall allow for snow storage Areas.  
3631 Structures shall be set back from any hard surfaces so as to provide  
3632 adequate Areas to remove and store snow. Snow shall be stored on-Site,  
3633 unless otherwise approved by the Planning Commission.

3634 7. The Site plan shall include adequate Areas for trash and recycling  
3635 containers and shall include an adequate circulation area for pick-up  
3636 vehicles. Convenient pedestrian Access shall be provided within the  
3637 Master Planned Development to the trash and recycling containers.

3638  
3639 No Site plan with a Commercial Development or Multi-Unit Dwelling shall  
3640 be approved unless there is a mandatory recycling program, which may  
3641 include Recycling Facilities for the Site. Single Family Dwellings shall  
3642 include a mandatory recycling program with curb side recycling, and may  
3643 also include Recycling Facilities. The Recycling Facilities shall be  
3644 identified on the Site plan to accommodate for materials generated by the  
3645 tenants, residents, users, operators, or owners of such Master Planned  
3646 Development. Such Recycling Facilities shall include, but are not limited  
3647 to, glass, paper, plastic, cans, cardboard or other household or

3648 commercially generated recyclable and scrap materials. Centralized trash  
3649 and recycling containers shall be located in a completely enclosed  
3650 Structure with a pedestrian door and a truck door or gate. The enclosed  
3651 Structure shall be designed with materials that are compatible with the  
3652 principal Structures in the Master Planned Development and shall be  
3653 constructed of masonry, steel, or other substantial materials. The  
3654 Structure shall be large enough to accommodate a trash container and at  
3655 least two recycling containers to provide for the option of dual-stream  
3656 recycling.

3657 8. The Site plan for a Master Planned Development shall include  
3658 transportation amenities including drop-off Areas for van and shuttle  
3659 service, and a bus stop, if applicable.

3660 9. Service and delivery Access and loading/unloading Areas must be  
3661 included in the Site plan. The service and delivery should be kept separate  
3662 from pedestrian Areas.

3663 H. **LANDSCAPE AND LIGHTING**. A preliminary Landscaping plan must be  
3664 submitted with the Master Planned Development Application. The Landscaping  
3665 plan shall comply with all criteria and requirements of Section 15-5-5(N)  
3666 LANDSCAPING. All noxious weeds, as identified by Summit County, shall be  
3667 removed from the Property in accordance with the Summit County Weed  
3668 Ordinance prior to issuance of Certificates of Occupancy. Lighting must meet the  
3669 requirements of Section 15-5-5(J).

3670 I. **SENSITIVE LANDS COMPLIANCE**. Applicants for a Master Planned  
3671 Development that contains any Area within the Sensitive Land Overlay Zone  
3672 shall conduct a Sensitive Lands Analysis and shall conform to the Sensitive  
3673 Lands Chapter 15-2.21.

3674 J. **EMPLOYEE/AFFORDABLE HOUSING**. Master Planned Developments  
3675 Applicants shall submit a housing mitigation plan that addresses employee  
3676 Affordable Housing required by the adopted housing resolution in effect at the  
3677 time of a complete Application.

3678 K. **CHILD CARE**. A Site designated and planned for a Child Care Center may be  
3679 required for all new Single Family Dwellings and Multi-Family Dwellings within a  
3680 Master Planned Development if the Planning Commission determines that the  
3681 project will create additional demands for Child Care.

3682 L. **MINE HAZARDS**. All Master Planned Development Applications shall include a  
3683 map and list of all known Physical Mine Hazards on the Property and a Physical  
3684 Mine Hazard mitigation plan.

3685 M. **HISTORIC MINE WASTE MITIGATION**. An Applicant for a Master Planned  
3686 Development with Property that is located within the Park City Soils Ordinance  
3687 Boundary shall submit a soil remediation mitigation plan and shall indicate areas  
3688 of hazardous soils and proposed methods of remediation and/or removal subject  
3689 to the requirements and regulations of the Municipal Code of Park City Chapter  
3690 11-15.

3691 N. **GENERAL PLAN REVIEW.** The Planning Commission shall review Master  
3692 Planned Developments for consistency with the goals and objectives of the  
3693 General Plan; however such review for consistency shall not alone be binding.

3694 O. **HISTORIC SITES.** All Master Planned Development Applicants shall submit a  
3695 map and inventory of Historic Structures and Sites on the Property and a Historic  
3696 Structures Report prepared by a Qualified Historic Preservation Professional.

3697 P. **LAND MANAGEMENT CODE REVIEW.** All Master Planned Development  
3698 Applications shall be reviewed in accordance with the Land Management Code,  
3699 including:

- 3700 1. the underlying Zoning District requirements in Chapter 15-2;
- 3701 2. relevant Overlay Zoning requirements in Chapter 15-2;
- 3702 3. Chapter 15-3, Off-Street Parking;
- 3703 4. Chapter 15-4, Supplementary Regulations;
- 3704 5. Chapter 15-5, Architectural Review;
- 3705 6. Chapters 15-7.1, 15-7.2, 15-7.3, and 15-7.4, Subdivision Provisions;
- 3706 7. Chapters 15-11 and 15-13 for Master Planned Developments located in a  
3707 Historic Zoning District;
- 3708 8. any other relevant provisions of the Land Management Code.

3709 Q. **DESIGN GUIDELINES.** The Planning Commission may require Design  
3710 Guidelines for Master Planned Developments, including regulation of building  
3711 design elements for Single-Family Dwellings and/or Duplex Dwellings, that  
3712 specify:

- 3713 1. Exterior cladding material;

- 3714 2. Style, dimensions, and materials of a roof structure, roof pitch, and porch;
- 3715 3. Exterior nonstructural architectural ornamentation;
- 3716 4. Location, design, placement, and architectural styling of windows and
- 3717 doors; and
- 3718 5. Location, design, placement, and architectural styling of a garage door.

3719 HISTORY

- 3720 *Adopted by Ord. [02-07](#) on 5/23/2002*
- 3721 *Amended by Ord. [04-08](#) on 3/4/2004*
- 3722 *Amended by Ord. [06-22](#) on 4/27/2006*
- 3723 *Amended by Ord. [09-10](#) on 3/5/2009*
- 3724 *Amended by Ord. [10-14](#) on 4/15/2010*
- 3725 *Amended by Ord. [11-05](#) on 1/27/2011*
- 3726 *Amended by Ord. [11-12](#) on 3/31/2011*
- 3727 *Amended by Ord. [13-23](#) on 7/11/2013*
- 3728 *Amended by Ord. [15-36](#) on 6/25/2015*
- 3729 *Amended by Ord. [2016-44](#) on 9/15/2016*
- 3730 *Amended by Ord. [2017-46](#) on 8/17/2017*
- 3731 *Amended by Ord. [2020-09](#) on 1/30/2020*
- 3732 *Amended by Ord. [2020-45](#) on 10/1/2020*

3733 . . . .

3734 **15-6.1-11 Site Planning**

3735 An Affordable Master Planned Development shall be designed to take into consideration  
3736 the characteristics of the Site upon which it is proposed to be placed. The Development

3737 should be designed to fit the Site, not the Site modified to fit the project. The Applicant  
3738 shall address the following in the Site planning:

3739 A. **CLUSTERED DEVELOPMENT**. Units shall be clustered on the most  
3740 developable and least visually sensitive portions of the Site. Open Space shall  
3741 separate the clusters. The Open Space should be designed so that existing  
3742 Significant Vegetation is maintained on the Site.

3743 B. **GRADING**. Projects shall be designed to minimize Grading and the need for  
3744 large retaining Structures. Roads, utility lines, and Structures should be designed  
3745 to work with Existing Grade. Cuts and fills shall be minimized.

3746 C. **TRAILS**. Existing trails shall be incorporated into the Open Space elements of  
3747 the project and shall be maintained in their existing location whenever possible.  
3748 Applicants may be required to grant the City a trail easement to connect  
3749 proposed trails with existing trails. Construction of new trails shall be consistent  
3750 with the Park City Trails Master Plan.

3751 D. **INTERNAL CIRCULATION**. Adequate internal vehicular, pedestrian, and bicycle  
3752 circulation shall be provided. Pedestrian and bicycle circulations shall be  
3753 separated from vehicular circulation and shall provide safe travel within the  
3754 boundaries of the Affordable Master Planned Development and safe travel to  
3755 adjoining public sidewalks, trails, and Rights-of-Way. Private internal Streets may  
3756 be considered for Condominium projects if they meet the minimum emergency  
3757 and safety requirements.

3758 E. **SNOW REMOVAL**. The Site plan shall include adequate Areas for snow removal  
3759 and snow storage. The Landscaping plan shall allow for snow storage Areas.

3760 Structures shall be set back from any hard surfaces so as to provide adequate  
3761 Areas to remove and store snow. Snow shall be stored on-Site, unless otherwise  
3762 approved by the Planning Commission.

3763 F. **TRASH AND RECYCLING**. The Site plan shall include adequate Areas for trash  
3764 and recycling containers and shall include an adequate circulation area for pick-  
3765 up vehicles. Convenient pedestrian Access shall be provided within the  
3766 Affordable Master Planned Development to the trash and recycling containers.  
3767 No Site plan with a Commercial Development or Multi-Unit Dwelling shall be  
3768 approved unless there is a mandatory recycling program, which may include  
3769 Recycling Facilities for the Site. Single Family Dwellings shall include a  
3770 mandatory recycling program with curb side recycling, and may also include  
3771 Recycling Facilities. The Recycling Facilities shall be identified on the Site plan to  
3772 accommodate for materials generated by the tenants, residents, users,  
3773 operators, or owners of such Master Planned Development. Such Recycling  
3774 Facilities shall include, but are not limited to, glass, paper, plastic, cans,  
3775 cardboard or other household or commercially generated recyclable and scrap  
3776 materials. Centralized trash and recycling containers shall be located in a  
3777 completely enclosed Structure with a pedestrian door and a truck door or gate.  
3778 The enclosed Structure shall be designed with materials that are compatible with  
3779 the principal Structures in the Affordable Master Planned Development and shall  
3780 be constructed of masonry, steel, or other substantial materials. The Structure  
3781 shall be large enough to accommodate a trash container and at least two  
3782 recycling containers to provide for the option of dual-stream recycling.

3783 G. **TRANSPORTATION AMENITIES**. The Site plan shall include transportation  
3784 amenities including drop-off Areas for van and shuttle service, and a bus stop, if  
3785 applicable.

3786 H. **SERVICE AND DELIVERY**. Access and loading/unloading Areas must be  
3787 included in the Site plan. The service and delivery should be kept separate from  
3788 pedestrian Areas.

3789 I. **LANDSCAPE AND LIGHTING**. A preliminary Landscaping plan must be  
3790 submitted with the Affordable Master Planned Development Application. The  
3791 Landscaping plan shall comply with all criteria and requirements of Section 15-5-  
3792 5(N). All noxious weeds, as identified by Summit County, shall be removed from  
3793 the Property in accordance with the Summit County Weed Ordinance prior to  
3794 issuance of Certificates of Occupancy. Lighting must meet the requirements of  
3795 Section 15-5-5(J).

3796 J. **SENSITIVE LANDS COMPLIANCE**. Applicants for an Affordable Master  
3797 Planned Development that contains any Area within the Sensitive Land Overlay  
3798 Zone shall conduct a Sensitive Lands Analysis and shall conform to Chapter 15-  
3799 2.21.

3800 K. **CHILD CARE**. A Site designated and planned for a Child Care Center may be  
3801 required for an Affordable Master Planned Development if the Planning  
3802 Commission determines that the project will create additional demands for Child  
3803 Care.

3804 L. **MINE HAZARDS**. Applications shall include a map and list of all known Physical  
3805 Mine Hazards on the Property and a Physical Mine Hazard mitigation plan.

3806 M. **HISTORIC MINE WASTE MITIGATION**. An Applicant for an Affordable Master  
3807 Planned Development with Property that is located within the Park City Soils  
3808 Ordinance Boundary shall submit a soil remediation mitigation plan and shall  
3809 indicate areas of hazardous soils and proposed methods of remediation and/or  
3810 removal subject to the requirements and regulations of the Municipal Code of  
3811 Park City Chapter 11-15.

3812 N. **GENERAL PLAN REVIEW**. The Planning Commission shall review Affordable  
3813 Master Planned Developments for consistency with the goals and objectives of  
3814 the General Plan; however such review for consistency shall not alone be  
3815 binding.

3816 O. **HISTORIC SITES**. Applicants shall submit a map and inventory of Historic  
3817 Structures and Sites on the Property and a Historic Structures Report prepared  
3818 by a Qualified Historic Preservation Professional.

3819 P. **DESIGN GUIDELINES**. The Planning Commission may require Design  
3820 Guidelines for Affordable Master Planned Developments, including regulation of  
3821 building design elements for Single-Family Dwellings and/or Duplex Dwellings,  
3822 that specify:

- 3823 1. Exterior cladding material;
- 3824 2. Style, dimensions, and materials of a roof structure, roof pitch, and porch;
- 3825 3. Exterior nonstructural architectural ornamentation;
- 3826 4. Location, design, placement, and architectural styling of windows and  
3827 doors; and
- 3828 5. Location, design, placement, and architectural styling of a garage door.

3829 HISTORY

3830 *Adopted by Ord. [2021-10](#) on 2/25/2021*

3831 . . . .

3832 **15-7-3 Policy**

3833 A. It is hereby declared to be the policy of Park City to consider the Subdivision of  
3834 land and the subsequent Development or amendment of the Subdivision plat, or  
3835 the adjustment of Lot lines therein, as subject to the control of Park City pursuant  
3836 to the official General Plan of Park City for the orderly, planned, efficient, and  
3837 economical Development of Park City.

3838 B. Land to be subdivided or re-subdivided, or Lot lines that shall be adjusted  
3839 therein, shall be of such character that it can be used safely for Building  
3840 purposes without danger to health or peril from fire, flood, landslide, mine  
3841 subsidence, geologic hazards, or other menace, and land shall not be  
3842 subdivided, re-subdivided, or adjusted until available public facilities and  
3843 improvements exist and proper provision has been made for drainage, water,  
3844 sewerage, and capital improvements such as schools, parks, recreation facilities,  
3845 transportation facilities, and improvements.

3846 C. The existing and proposed public improvements shall conform and be properly  
3847 related to the proposals shown in the General Plan, Streets Master Plan, Official  
3848 Zoning Map, and the capital budget and program of Park City, and it is intended  
3849 that these regulations shall supplement and facilitate the enforcement of the  
3850 provisions and standards contained in the adopted [~~Uniform Building and~~  
3851 ~~Housing Codes~~] International Building Code, the Land Management Code,  
3852 General Plan, Official Zoning Map, and capital budget and program of Park City.

3853 HISTORY

3854 *Adopted by Ord. [01-17](#) on 5/17/2001*

3855 **15-7-4 Authority**

3856 A. By authority of ordinance of the City Council of Park City, hereinafter referred to  
3857 as "City Council", adopted pursuant to the powers and jurisdictions vested  
3858 through Title 10, Chapters 3 and 9a, and Title 17, Chapter 27a of the Utah Code,  
3859 ~~[Annotated (1953, as amended)]~~ as amended and other applicable laws,  
3860 statutes, ordinances, and regulations of the State of Utah, the City Council  
3861 hereby exercise the power and authority to review, approve, and disapprove  
3862 plats for subdividing land within the corporate limits of Park City which show Lots,  
3863 blocks, or Sites with or without new Streets or highways.

3864 B. By the same authority, the City Council does hereby exercise the power and  
3865 authority to pass and approve Development in Subdivisions, Re-subdivisions, or  
3866 Lot Line Adjustments of land already recorded in the office of the County  
3867 Recorder if such are entirely or partially undeveloped.

3868 C. The plat, Subdivision, Re-subdivision or Lot Line Adjustment shall be considered  
3869 to be void if:

3870 1. the plat, Subdivision, Re-subdivision, or Lot Line Adjustment has been  
3871 recorded with the County Recorder's office without a prior approval by the  
3872 City Council, or in the case of a Lot Line Adjustment, its designated  
3873 responsible official, or

3874 2. the plat, Subdivision, Re-subdivision, or Lot Line Adjustment has been  
3875 approved by the City Council where the approval has been granted more

3876 than three (3) years prior to granting a Building permit, on the partially or  
3877 entirely undeveloped land and the zoning regulations, either bulk or Use,  
3878 for the district in which the Subdivision is located, have been changed  
3879 subsequent to the original final plat, Subdivision, Re-subdivision, or Lot  
3880 Line Adjustment approval.

3881 D. A Transfer of land pursuant to a void plat is voidable.

3882 HISTORY

3883 *Adopted by Ord. [01-17](#) on 5/17/2001*

3884 *Amended by Ord. [06-22](#) on 4/27/2006*

3885 . . . .

3886 **15-7-7 Vacation, Alteration Or Amendment Of Plats**

3887 The City Council may, on its own motion, or pursuant to a petition, consider and resolve  
3888 at a public hearing any proposed vacation, alteration or amendment of a Subdivision  
3889 plat, or any Street, Lot, alley or public Use Area contained in a Subdivision plat, as  
3890 provided in Section 10-9a-608 through 10-9a-611 of the Utah Code [~~Annotated (1953)~~].  
3891 as amended. If the amended plat is approved and recorded, the recorded plat shall  
3892 vacate, supersede, and replace any contrary provision in a previously recorded plat on  
3893 the same land. The recorded vacating ordinance shall replace a previously recorded  
3894 plat described in the vacating ordinance.

3895 HISTORY

3896 *Adopted by Ord. [01-17](#) on 5/17/2001*

3897 *Amended by Ord. [06-22](#) on 4/27/2006*

3898 *Amended by Ord. [2016-44](#) on 9/15/2016*

3899 . . . .

3900 **15-7.2-1 Improvements**

3901 A. **COSTS OF IMPROVEMENTS.** All required Site or Public Improvements shall be  
3902 made by the Applicant, at his expense, without reimbursement by the City or any  
3903 improvement district therein, and in accordance with related codes, fee  
3904 schedules, and ordinances.

3905 B. **ESCROW DEPOSITS, CASH DEPOSITS, OR LETTERS OF CREDIT FOR LOT**  
3906 **IMPROVEMENTS.**

3907 1. **ACCEPTANCE OF ESCROW FUNDS.** Whenever, by reason of the  
3908 season of the year any improvements required by the Subdivision  
3909 regulations cannot be performed, the Building Official may, nevertheless,  
3910 issue a temporary Certificate of Occupancy, provided there is no danger to  
3911 health, safety, or general welfare, upon accepting as a Guarantee an  
3912 Escrow deposit, a cash deposit, or a letter of credit in an amount to be  
3913 determined by the Chief Building Official, or his designee, for the cost of  
3914 said improvements. The Guarantee covering such Lot improvements shall  
3915 remain in full force and effect.

3916 2. **PROCEDURES ON ESCROW FUND.** All required improvements for  
3917 which a Guarantee has been accepted by the Chief Building Official, or his  
3918 designee, at the time of issuance of a Certificate of Occupancy shall be  
3919 installed by the Developer within a period of nine (9) months from the date  
3920 of deposit and issuance of the temporary Certificate of Occupancy. In the  
3921 event that the improvements have not been properly installed, at the end  
3922 of the time period the Chief Building Official, or his designee, shall give

3923 two (2) weeks written notice to the Developer requiring him to install the  
3924 same, and in the event that the same are not installed to the City's  
3925 satisfaction, the Chief Building Official, or his designee, may request the  
3926 City Council to authorize the City to proceed to contract out the work for  
3927 the installation of the necessary improvements in a sum not to exceed the  
3928 amount of the Guarantee. At the time of the issuance of the Certificate of  
3929 Occupancy for which a Guarantee is deposited with the Chief Building  
3930 Official, or his designee, the Applicant shall obtain and file with the  
3931 Building Official prior to obtaining the Certificate of Occupancy a notarized  
3932 statement from the purchaser or purchasers of the premises authorizing  
3933 the Building Official to install the improvements at the end of the nine (9)  
3934 month period in the event that the same have not been duly installed by  
3935 the Developer.

3936 C. **TEMPORARY IMPROVEMENTS**. The Applicant shall build and pay for all costs  
3937 of Temporary Improvements required by the Planning Commission or City  
3938 Engineer and shall maintain same for the period specified. Prior to construction  
3939 of any temporary facility or improvement, the Developer shall file with the City a  
3940 separate suitable Guarantee, in accordance with the Land Management Code,  
3941 for temporary facilities, which Guarantee shall insure that the temporary facilities  
3942 will be properly constructed, maintained, and removed.

3943 D. **DEFERRAL OR WAIVER OF REQUIRED IMPROVEMENTS**.

3944 1. The Planning Commission may recommend that the City Council defer or  
3945 waive at the time of final approval, subject to appropriate conditions, the

3946 provision of any or all such improvements as, in its judgment, are not  
3947 requisite in the interests of the public health, safety, and general welfare,  
3948 or which are inappropriate because of inadequacy or lack of connecting  
3949 facilities.

3950 2. Whenever it is deemed necessary by the Planning Commission to defer  
3951 the construction of any improvement required herein because of  
3952 incompatible Grades, future planning, inadequate or lack of connecting  
3953 facilities, or for other reasons, the Applicant shall pay his share of the  
3954 costs of the future improvements to the City government prior to the  
3955 signing of the final Subdivision Plat, or the Applicant may post a  
3956 Guarantee insuring completion of said improvements upon demand of the  
3957 municipality.

3958 E. **INSPECTION OF IMPROVEMENTS.**

3959 1. **GENERAL PROCEDURE AND FEES.** The Planning Commission in  
3960 consultation with or upon the advice of the City Engineer or Planning  
3961 Director, shall provide for inspection of required improvements during  
3962 construction and insure their satisfactory completion. The Applicant shall,  
3963 in accordance with the City's fee resolution, pay to the City an inspection  
3964 fee and the Subdivision Plat shall not be signed by the Chairman of the  
3965 Planning Commission or Mayor unless such fee has been paid. These  
3966 fees shall be due and payable upon demand of the City and no Building  
3967 Permits or certificates of occupancy shall be issued until all fees are paid.  
3968 If the City Engineer finds upon inspection that any of the required

3969 improvements have not been constructed in accordance with the City's  
3970 construction standards and specifications, the Applicant shall be  
3971 responsible for completing the improvements. Wherever the cost of  
3972 improvements is covered by a performance Guarantee, the Applicant and  
3973 the issuing company shall be severally and jointly liable for completing the  
3974 improvements according to specifications. Prior to commencement of  
3975 construction on any public improvement or private improvement required  
3976 to be built to public standards, the Developer shall first obtain a Notice to  
3977 Proceed from the Planning Director or [his] designee.

3978 F. **MAINTENANCE OF IMPROVEMENTS.**

3979 1. The Applicant shall be required to maintain all improvements on the  
3980 individual subdivided Lots and provide for snow removal on Streets and  
3981 sidewalks until acceptance of said improvements by the City Council. If  
3982 there are any certificates of occupancy on a Street not dedicated to the  
3983 City, the City may on twelve (12) hours notice plow the Street or effect  
3984 emergency repairs and charge same to Applicant. The City will not  
3985 normally accept water improvements or Street improvements or assume  
3986 responsibility for either general maintenance or snow removal until over  
3987 fifty percent (50%) of the Lots within the Subdivision are built upon.

3988 G. **COMPLETION OF IMPROVEMENTS.** Before the plat is signed by the Chairman  
3989 of the Planning Commission and the Mayor, all Applicants shall be required to  
3990 complete, in accordance with the Planning Commission's decision and to the  
3991 satisfaction of the City Engineer, all the Street, sanitary sewer, and other

3992 improvements, i.e: storm drainage, trails, sidewalk, curb, gutter, Street signs,  
3993 water lines, etc., including Lot improvements on the individual Lots of the  
3994 Subdivision as required, and as approved by the Planning Commission and the  
3995 City Council, and to dedicate same to the local government, free and clear of all  
3996 liens and encumbrances on the Property and public improvements thus  
3997 dedicated.

3998 H. **CERTIFICATE OF SATISFACTORY COMPLETION**. Subject to maintenance  
3999 provisions contained in Section 15-7.2-1(F), the City will not accept dedication of  
4000 required improvements, or release or reduce a performance Guarantee, until the  
4001 City Engineer has submitted a certificate stating that all required improvements  
4002 have been satisfactorily completed and until the Applicant's engineer or surveyor  
4003 has certified to the City Engineer, through submission of detailed "as-built"  
4004 survey plats of the Subdivision, indicating location, dimensions, materials, and  
4005 other information required by the Planning Commission and City Engineer, that  
4006 the layout of the line and Grade of all public improvements is in accordance with  
4007 the City approved construction plans for the Subdivision and that a commitment  
4008 for a title policy or other acceptable evidence has been furnished to the City  
4009 Attorney and City Engineer indicating that the improvements have been  
4010 completed, are ready for dedication to the local government and are free and  
4011 clear of any and all liens and encumbrances. Upon such approval and  
4012 recommendation, the City Council shall thereafter accept the improvements for  
4013 dedication in accordance with the established policy and procedure.

4014 I. **FAILURE TO COMPLETE IMPROVEMENT.** For Subdivisions for which no  
4015 performance Guarantee has been posted, if the improvements are not completed  
4016 within the period specified by the Planning Commission and City Council in the  
4017 Ordinance approving the plat, the approval shall be deemed to have expired. In  
4018 those cases where a performance Guarantee has been posted and required  
4019 improvements have not been installed within the terms of such performance  
4020 Guarantee, the Planning Department may thereupon declare the Guarantee to  
4021 be in default and require that all the improvements be installed.

4022 HISTORY

4023 *Adopted by Ord. [01-17](#) on 5/17/2001*

4024 *Amended by Ord. [06-22](#) on 4/27/2006*

4025 *Amended by Ord. [09-09](#) on 2/12/2009*

4026 *Amended by Ord. [14-37](#) on 7/17/2014*

4027 . . . .

4028 **15-7.4-3 Final Subdivision Plat**

4029 A. **GENERAL.** The final Subdivision Plat shall be presented in India ink on tracing  
4030 cloth or reproducible mylar at the same scale and contain the same information,  
4031 except for any changes or additions required by the Planning Commission, as  
4032 required by Section 15-7.4-1 Preliminary Plat. The Preliminary Plat may be used  
4033 as the final Subdivision Plat if it meets these requirements and is revised in  
4034 accordance with the Planning Commission's requirements. All revision dates  
4035 must be shown as well as the following:

- 4036 1. Notation of any self-imposed restrictions, and locations of any Building  
4037 lines proposed to be established in this manner, if required by the  
4038 Planning Commission in accordance with these regulations.
- 4039 2. All monuments erected, corners, and other points established in the field  
4040 in their proper places. The material of which the monuments, corners, or  
4041 other points are made shall be noted at the representation thereof or by  
4042 legend. The legend for metal monuments shall indicate the kind of metal,  
4043 the diameter, length, and weight per lineal foot of the monuments.
- 4044 3. Form for endorsements by the Planning Commission chair, Mayor, City  
4045 Recorder, City Engineer, City Attorney, Snyderville Basin Water  
4046 Reclamation District and other entities as required by the City Engineer.

4047 B. **PREPARATION**. The final Subdivision Plat shall be prepared by a land surveyor  
4048 licensed by the State of Utah. The surveyor shall certify that the survey of the  
4049 Property described on the Plat is in accordance with Title 17, Chapter 23, Section  
4050 17 of the Utah Code, [~~Annotated (1953, as amended)~~] as amended, and has  
4051 verified all measurements and has placed monuments as represented on the  
4052 Plat.

4053 HISTORY

4054 *Adopted by Ord. [01-17](#) on 5/17/2001*

4055 *Amended by Ord. [06-22](#) on 4/27/2006*

4056 *Amended by Ord. [11-05](#) on 1/27/2011*

4057 . . . .

4058 **15-9-1 Purpose**

4059 This Chapter regulates the continued existence of Non-Conforming Uses and Non-  
4060 Complying Structures as defined in ~~[Chapter]~~ Section 15-15-1. While Non-Conforming  
4061 Uses, Non-Complying Structures and improvements may continue, this Chapter is  
4062 intended to limit enlargement, alteration, restoration, or replacement which would  
4063 increase the discrepancy between existing conditions and the Development standards  
4064 prescribed by this Code. In addition, Applications are reviewed to ensure that they are  
4065 reducing the degree of non-conformity and improving the physical appearance of the  
4066 Structure and site through such measures as landscaping, Building design, or the  
4067 improved function of the Use in relation to other Uses.

4068 HISTORY

4069 *Adopted by Ord. 00-25 on 3/30/2000*

4070 . . . .

4071 **15-9-4 Abandonment Or Loss Of Non-Conforming Use**

4072 A. **ABANDONMENT OF NON-CONFORMING USE**. A Non-Conforming Use that is  
4073 discontinued for a continuous period of one (1) year is presumed abandoned and  
4074 shall not thereafter be reestablished or resumed. Abandonment may also be  
4075 presumed to have occurred if a majority of the primary Structure associated with  
4076 the Non-Conforming Use has been voluntarily demolished without prior written  
4077 agreement with the municipality regarding an extension of the Non-Conforming  
4078 Use; or the primary Structure associated with the Non-Conforming Use remains  
4079 vacant for a period of one (1) year.

4080

4081 Any party claiming that a Non-Conforming Use has been abandoned shall have  
4082 the burden of establishing the abandonment.

4083

4084 Any subsequent Use of the Building, Structure, or land must conform to the  
4085 regulations for the Zoning District in which it is located.

4086 B. **REBUTTABLE PRESUMPTION OF ABANDONMENT**. The presumption of  
4087 abandonment may be rebutted upon a showing that during such period:

4088 1. any period of discontinued Use caused by governmental actions or an Act  
4089 of God without any contributing fault by the Owner and the Owner did not  
4090 intend to discontinue the Use; or

4091 2. the Owner has been actively and continuously marketing the Building,  
4092 Structure, or land for sale or lease with the Use and the Owner has been  
4093 maintaining the Building, Structure, or land in accordance with the  
4094 ~~[Uniform Building Code]~~ International Building Code; or

4095 3. the Owner can demonstrate no abandonment of the Use.

4096 The Property Owner shall have the burden of establishing that any claimed  
4097 abandonment has not in fact occurred.

4098 HISTORY

4099 *Adopted by Ord. 00-25 on 3/30/2000*

4100 *Amended by Ord. 06-35 on 6/8/2006*

4101 *Amended by Ord. 15-35 on 10/12/2015*

4102 . . . .

4103 **15-10-1 Establishment Of Board**

4104 In order to avail the City of the powers provided in Chapter 9a of Title 10 of the Utah  
4105 Code, as amended ~~[(1953, as amended)]~~, there is hereby created a Board of

4106 Adjustment, which shall consist of five (5) members. There shall also be one non-voting

4107 alternate to vote when a regular member is absent. Members shall be appointed by the  
4108 Mayor with the advice and consent of the City Council. The Council may fix per diem  
4109 compensation for the members of the Board of Adjustment by resolution, based on  
4110 necessary and reasonable expenses for meetings actually attended. All members of the  
4111 Board of Adjustment shall reside within the City limits, and are deemed to have resigned  
4112 if they move their residence from the City limits.

4113 HISTORY

4114 *Adopted by Ord. [01-17](#) on 5/17/2001*

4115 . . . .

4116 **15-10-3 Powers And Duties**

4117 A. The Board of Adjustment shall hear and decide:

- 4118 1. Appeals ~~[from zoning decisions applying Title 15, Land Management~~  
4119 ~~Code]~~ pursuant to Section 15-1-18;
- 4120 2. Variances from the terms of the Land Management Code.
- 4121 3. ~~[Appeals and call-ups of Final Action by the Planning Commission at the~~  
4122 ~~request of the City Council for City Development applications.~~
- 4123 4. ~~Appeals of Final Action by the Planning Staff on Historic District Design~~  
4124 ~~Review applications when the Historic Preservation Board takes part in~~  
4125 ~~the review and Final Action.~~
- 4126 5. Appeals of Final Action by the Historic Preservation Board on  
4127 ~~Determination of Significance applications.]~~

4128 B. The Board of Adjustment shall make determinations regarding the modification of  
4129 Non-Conforming Uses and shall hear appeals on the determination of Non-

4130 Conforming or Non-Complying status by the Director of the Planning Department,  
4131 as provided in ~~[Title 15, Chapter 9]~~ Chapter 15-9.

4132 HISTORY

4133 *Adopted by Ord. 01-17 on 5/17/2001*

4134 *Amended by Ord. 06-35 on 6/8/2006*

4135 *Amended by Ord. 10-11 on 4/1/2010*

4136 *Amended by Ord. 12-37 on 12/20/2012*

4137 *Amended by Ord. 15-35 on 10/12/2015*

4138 . . . .

4139 **15-10-7 Appeals**

4140 ~~[Also see] See~~ Section 15-1-18. ~~[The Board shall hear and decide appeals from an~~  
4141 ~~Applicant or any other Person or entity, including any officer or board of the City,~~  
4142 ~~adversely affected by a final decision administering or interpreting the Land~~  
4143 ~~Management Code which alleges that there is an error in any order, requirement,~~  
4144 ~~decision or determination of the Land Management Code.~~

4145  
4146 ~~The appeal must be made in writing and submitted to the Planning Department within~~  
4147 ~~ten (10) days of the decision. The Board may, in conformity with the provisions of the~~  
4148 ~~Code, reverse or affirm, wholly or partly, or may modify the order, requirement, decision~~  
4149 ~~or determination appealed from and may make such order, requirement, decision, or~~  
4150 ~~determination as ought to be made, and to that end shall have all the powers of the~~  
4151 ~~administrative official, board, or commission from whom the appeal is taken. The~~  
4152 ~~Person or entity making the appeal has the burden of proving that an error has been~~  
4153 ~~made.~~

4154

4155 ~~A Person may not appeal, and the Board of Adjustment may not consider, any~~  
4156 ~~amendments to the Land Management Code, or appeals of Conditional Use permits or~~  
4157 ~~Master Planned Developments, which shall be appealed to the City Council, unless~~  
4158 ~~specifically requested by the City Council for City Development. Appeals may not be~~  
4159 ~~used to waive or modify the terms or requirements of the Land Management Code.~~

4160

4161 ~~The Board of Adjustment shall review factual matters de novo and it shall determine the~~  
4162 ~~correctness of the decision of the land use authority. The scope of review of the Board~~  
4163 ~~of Adjustment is limited to issues brought to the land use authority. Appeals shall be~~  
4164 ~~heard by the Board of Adjustment within forty five (45) days of the date that the~~  
4165 ~~appellant files an appeal unless all parties, including the City, stipulate otherwise.]~~

4166 HISTORY

4167 *Adopted by Ord. [01-17](#) on 5/17/2001*

4168 *Amended by Ord. [06-35](#) on 6/8/2006*

4169 *Amended by Ord. [09-10](#) on 3/5/2009*

4170 *Amended by Ord. [10-11](#) on 4/1/2010*

4171 *Amended by Ord. [15-35](#) on 10/12/2015*

4172 . . . .

4173 **15-10-8 Variance**

4174 A. Any Person or entity desiring a waiver or modification of the requirements of the  
4175 Land Management Code as applied to a Parcel or Property that ~~[he/she]~~ a  
4176 person or entity owns, leases, or in which he/she holds some other beneficial

4177 interest may apply to the Board of Adjustment for a variance from the terms of  
4178 the Land Management Code.

4179 B. An Application for variance review must be filed with the Planning Department,  
4180 and the required fee paid in advance. The Application shall state the nature of  
4181 the hardship and the nature of the variance requested. If the request for a  
4182 variance is a result of a denial of any Building Permit or Conditional Use  
4183 approval, the Application shall so state, and all documents on file concerning the  
4184 matter shall be forwarded to the Board for review as a part of the request. The  
4185 Applicant or the City may present any information as might be reasonably  
4186 required by the Board in evaluating the request.

4187 C. Variances shall be granted only if all of the following conditions are found to exist:

- 4188 1. Literal enforcement of the Land Management Code would cause an  
4189 unreasonable hardship for the Applicant that is not necessary to carry out  
4190 the general purpose of the Land Management Code;
- 4191 2. There are special circumstances attached to the Property that do not  
4192 generally apply to other Properties in the same zone;
- 4193 3. Granting the variance is essential to the enjoyment of a substantial  
4194 Property right possessed by other Property in the same zone;
- 4195 4. The variance will not substantially affect the General Plan and will not be  
4196 contrary to the public interest; and
- 4197 5. The spirit of the Land Management Code is observed and substantial  
4198 justice done.

4199 D.

4200 1. In determining whether or not enforcement of the zoning ordinance would  
4201 cause unreasonable hardship under Subsection ~~[15-10-9(C)(1)]~~ 15-10-  
4202 8(C)(1), the Board of Adjustment may not find an unreasonable hardship  
4203 unless the alleged hardship is located on or associated with the Property  
4204 for which the variance is sought and comes from circumstances peculiar  
4205 to the Property, not from conditions that are general to the neighborhood.

4206 2. In determining whether or not enforcement of the Land Management Code  
4207 would cause unreasonable hardship under Subsection ~~[15-10-9(C)(1)]~~ 15-  
4208 10-8(C)(1), the Board of Adjustment may not find an unreasonable  
4209 hardship if the hardship is self-imposed or economic.

4210 E. In determining whether or not there are special circumstances attached to the  
4211 Property under Subsection ~~[15-10-9(C)(2)]~~ 15-10-8(C)(2), the Board of  
4212 Adjustment may find that special circumstances exist only if the special  
4213 circumstances relate to the hardship complained of and deprive the Property of  
4214 privileges granted other Properties in the same zone.

4215  
4216 The Applicant shall bear the burden of proving that all of the conditions justifying  
4217 a variance have been met.

4218 F. Variances run with the land.

4219 G. The Board of Adjustment and any other body may not grant a Use variance.

4220 H. In granting a variance, the Board of Adjustment may impose additional  
4221 requirements on the Applicant that will:

4222 1. mitigate any harmful affects of the variance; or

4223 2. serve the purpose of the standard or requirement that is waived or  
4224 modified.

4225 HISTORY

4226 *Adopted by Ord. [01-17](#) on 5/17/2001*

4227 *Amended by Ord. [06-35](#) on 6/8/2006*

4228 *Amended by Ord. [12-37](#) on 12/20/2012*

4229 *Amended by Ord. [15-35](#) on 10/12/2015*

4230 . . . .

4231 **15-10-9 Persons Entitled To Appear**

4232 At the hearing on any matter before the Board of Adjustment, any Person aggrieved or  
4233 interested in the matter may appear in person or through ~~[his]~~ **their** attorney to testify on  
4234 the matter. The Applicant shall have the right to respond to testimony offered in  
4235 opposition to the Application.

4236 HISTORY

4237 *Adopted by Ord. [01-17](#) on 5/17/2001*

4238 . . . .

4239 **15-11-1 Establishment Of Board**

4240 ~~[Pursuant to the Historic District Act, Section 11-18-1, et seq. of the Utah Code, 1953,~~  
4241 ~~and other applicable power, there]~~ **There** is hereby created a Park City Historic  
4242 Preservation Board (HPB). The HPB shall be composed of seven (7) members.

4243 HISTORY

4244 *Adopted by Ord. [02-07](#) on 5/23/2002*

4245 Amended by Ord. [03-34](#) on 7/10/2003

4246 Amended by Ord. [06-69](#) on 10/19/2006

4247 . . . .

4248 **15-11-5 Purposes**

4249 The purposes of the HPB are:

4250 A. To preserve the City's unique Historic character and to encourage compatible  
4251 design and construction through the creation, and periodic update of

4252 comprehensive [~~Design Guidelines for Park City's Historic Districts and Historic  
4253 Sites~~] Design Guidelines For Historic Districts And Historic Sites, Chapter 15-13;

4254 B. To identify as early as possible and resolve conflicts between the preservation of  
4255 cultural resources and alternative land Uses;

4256 C. To provide input to staff, the Planning Commission and City Council towards  
4257 safeguarding the heritage of the City in protecting Historic Sites, Buildings, and/or  
4258 Structures;

4259 D. To recommend to the Planning Commission and City Council ordinances that  
4260 may encourage Historic preservation;

4261 E. To communicate the benefits of Historic preservation for the education,  
4262 prosperity, and general welfare of residents, visitors and tourists;

4263 F. To recommend to the City Council Development of incentive programs, either  
4264 public or private, to encourage the preservation of the City's Historic resources;

4265 G. To administer all City-sponsored preservation incentive programs;

4266 H. To review and take action on all designation of Sites to the Historic Sites  
4267 Inventory Applications submitted to the City; and

4268 I. To review and take action on material deconstruction applications for those Sites  
4269 listed on the Historic Sites Inventory.

4270 HISTORY

4271 *Adopted by Ord. [02-07](#) on 5/23/2002*

4272 *Amended by Ord. [03-34](#) on 7/10/2003*

4273 *Amended by Ord. [09-23](#) on 7/9/2009*

4274 *Amended by Ord. [15-53](#) on 12/17/2015*

4275 *Amended by Ord. [16-15](#) on 3/24/2016*

4276 *Amended by Ord. [2016-44](#) on 9/15/2016*

4277 . . . .

4278 **15-11-6 Additional Duties**

4279 In addition to the powers set forth in Section 15-11-5, the HPB may, at the direction of  
4280 the City Council:

4281 A. Participate in the design review of any City-owned projects located within the  
4282 designated Historic District or are structures on the Historic Sites Inventory.

4283 B. Recommend to the City Council the purchase of interests in Property for  
4284 purposes of preserving the City's cultural resources.

4285 C. Recommend to the Planning Commission and the City Council zoning boundary  
4286 changes for the district to preserve the historical integrity of the Area.

4287 Subdivision, Conditional Uses, and ~~[planned unit]~~ **Master Planned** Development  
4288 Applications must continue to be acted upon by the Planning Commission.

4289 D. Provide advice and guidance on request of the Property Owner or occupant on  
4290 the construction, restoration, alteration, decoration, landscaping, or maintenance

4291 of any cultural resource, Historic Site, and Property within the Historic District, or  
4292 neighboring Property which are structures on the Historic Sites Inventory or  
4293 are within a two (2) block radius of the Historic District.

4294 HISTORY

4295 *Adopted by Ord. [02-07](#) on 5/23/2002*

4296 *Amended by Ord. [03-34](#) on 7/10/2003*

4297 *Amended by Ord. [09-23](#) on 7/9/2009*

4298 *Amended by Ord. [16-15](#) on 3/24/2016*

4299 . . . .

4300 **15-11-11 Design Guidelines For [Park City's] Historic Districts And Historic Sites**

4301 The HPB shall promulgate and update as necessary the Design Guidelines for Historic  
4302 Districts and Historic Sites, Chapter 15-13. [~~for Use in the Historic District zones and for~~  
4303 ~~Historic Sites. These guidelines shall, upon adoption by resolution of the City Council,~~  
4304 Planning Department staff shall review Historic District Design Review Applications for  
4305 properties within the Historic Districts and Landmark and Significant Historic Sites  
4306 designated on the Park City Historic Sites Inventory pursuant to the Design Guidelines  
4307 for Historic Districts and Historic Sites, Chapter 15-13. [~~be used by the Planning~~  
4308 ~~Department staff in reviewing Historic District/Site design review Applications.~~] The  
4309 Design Guidelines for [Park City's] Historic Districts and Historic Sites [~~shall~~] address  
4310 rehabilitation of existing Structures, additions to existing Structures, and the  
4311 construction of new Structures. [~~The Design Guidelines are incorporated into this Code~~  
4312 ~~as Chapter 15-13.~~] From time to time, the HPB may recommend changes [~~in~~] to the  
4313 Design Guidelines for [Park City's] Historic Districts and Historic Sites to the Planning

4314 Commission and Council, provided that no changes in the guidelines shall take effect  
4315 until adopted by an ordinance of the City Council.

4316 HISTORY

4317 *Adopted by Ord. [02-07](#) on 5/23/2002*

4318 *Amended by Ord. [03-34](#) on 7/10/2003*

4319 *Amended by Ord. [09-23](#) on 7/9/2009*

4320 *Amended by Ord. [2017-42](#) on 8/3/2017*

4321 . . . .

4322 **15-11-12 Historic District Or Historic Site Design Review**

4323 The Planning Department shall review and approve, approve with conditions, or deny,  
4324 all Historic District/Site design review Applications involving an Allowed Use, a  
4325 Conditional Use, or any Use associated with a Building Permit, to build, locate,  
4326 construct, remodel, alter, or modify any Building, accessory Building, or Structure, or  
4327 Site located within the Park City Historic Districts or Historic Sites, including fences and  
4328 driveways.

4329

4330 Prior to issuance of a Building Permit for any Conditional or Allowed Use, the Planning  
4331 Department shall review the proposed plans for compliance with Architectural Review  
4332 Chapter 15-5, Historic Preservation Chapter 15-11, and the Design Guidelines for  
4333 Historic Districts and Historic Sites Chapter 15-13, ~~LMC Chapter 15-11, and LMC~~  
4334 ~~Chapter 15-5~~. Whenever a conflict exists between the LMC and the Design Guidelines  
4335 for Historic Districts and Historic Sites, the more restrictive provision shall apply to the  
4336 extent allowed by law.

4337 A. PRE-APPLICATION CONFERENCE.

4338 1. It is strongly recommended that the Owner and/or Owner's representative  
4339 attend a pre-Application conference with representatives of the Planning  
4340 and Building Departments for the purpose of determining the general  
4341 scope of the proposed Development, identifying potential impacts of the  
4342 Development that may require mitigation, providing information on City-  
4343 sponsored incentives that may be available to the Applicant, and outlining  
4344 the Application requirements.

4345 2. Each Application shall comply with all of the Design Guidelines for Historic  
4346 Districts and Historic Sites unless the Planning Department determines  
4347 that, because of the scope of the proposed Development, certain  
4348 guidelines are not applicable. If the Planning Department determines  
4349 certain guidelines do not apply to an Application, the Planning Department  
4350 staff shall communicate, via electronic or written means, the information to  
4351 the Applicant. It is the responsibility of the Applicant to understand the  
4352 requirements of the Application.

4353 3. The Planning Director[,] or [his] designee[,] may upon review of a Pre-  
4354 Application submittal, determine that due to the limited scope of a project  
4355 the Historic District or Historic Site Design Review process as outlined in  
4356 [~~LMC Sections~~] Section 15-11-12[~~(B-E)~~] and Historic Preservation Board  
4357 Review For Material Deconstruction as outlined in [~~LMC Sections~~] Section  
4358 15-11-12.5 are not required and is exempt.

4359

4360 If such a determination is made, the Planning Director~~[r]~~ or ~~[his]~~ designee  
4361 may, upon reviewing the Pre-Application for compliance with applicable  
4362 Design Guidelines for Historic Districts and Historic Sites, approve, deny,  
4363 or approve with conditions, the project. If approved, the Applicant may  
4364 submit the project for a Building Permit.

4365  
4366 Applications that may be exempt from the Historic Design Review  
4367 process, include, but are not limited to the following:

- 4368 a. For Non-Historic Structures and Sites - minor routine maintenance,  
4369 minor routine construction work and minor alterations having little or  
4370 no negative impact on the historic character of the surrounding  
4371 neighborhood or the Historic District, such as work on roofing,  
4372 decks, railings, stairs, hot tubs and patios, foundations, windows,  
4373 doors, trim , lighting, mechanical equipment, paths, driveways,  
4374 retaining walls, fences, landscaping, interior remodels, temporary  
4375 improvements, and similar work.
- 4376 b. For Significant Historic Structures and Sites - minor routine  
4377 maintenance, minor routine construction work and minor alterations  
4378 having little or no negative impact on the historic character of the  
4379 surrounding neighborhood, the Historic Structure or the Historic  
4380 District, such as work on roofing, decks, railings, stairs, hot tubs  
4381 and patios, replacement of windows and doors in existing or to  
4382 historic locations, trim, lighting, mechanical equipment located in a

4383 rear yard area or rear façade, paths, driveways, repair of existing  
4384 retaining walls, fences, landscaping, interior remodels, temporary  
4385 improvements, and similar work.

4386 c. For Landmark Historic Structures and Sites - minor routine  
4387 maintenance and minor routine construction having no negative  
4388 impact on the historic character of the surrounding neighborhood,  
4389 the Historic Structure, or the Historic District, such as re-roofing;  
4390 repair of existing decks, railing, and stairs; hot tubs and patios  
4391 located in a rear yard; replacement of existing windows and doors  
4392 in existing or historic locations; repair of existing trim and other  
4393 historic detailing; lighting, mechanical equipment located in a rear  
4394 yard area or rear façade, repair of paths, driveways, and existing  
4395 retaining walls; fences, landscaping, interior remodels, temporary  
4396 improvements, and similar work.

4397 d. For Significant and Landmark Historic Structures and Sites, the  
4398 Planning Director may determine that the proposed work is  
4399 Emergency Repair Work having little or no negative impact on the  
4400 historic character of the surrounding neighborhood or the Historic  
4401 District.

4402 B. **COMPLETE APPLICATION**. The Owner and/or Applicant for any Property shall  
4403 be required to submit a Historic District/Site design review Application for  
4404 proposed work requiring a Building Permit in order to complete the work.

4405 C. **NOTICE**. Upon receipt of a Complete Application, but prior to taking action on  
4406 any Historic District/Site design review Application, the Planning staff shall  
4407 provide notice pursuant to Section s 15-1-12 and 15-1-21 [~~of this Code~~].

4408 D. **PUBLIC HEARING AND DECISION**. Following the fourteen (14) day public  
4409 notice period noted in Section 15-1-21 [~~of this Code~~] the Planning Department  
4410 staff shall hold a public hearing and make, within forty-five (45) days, written  
4411 findings, conclusions of law, and conditions of approval or reasons for denial,  
4412 supporting the decision and shall provide the Owner and/or Applicant with a  
4413 copy. Staff shall also provide notice pursuant to Section 15-1-21.

4414 1. Historic District/Site design review Applications shall be approved by the  
4415 Planning Department staff upon determination of compliance with the  
4416 Design Guidelines for [~~Park City's~~] Historic Districts and Historic Sites. If  
4417 the Planning Department staff determines an Application does not comply  
4418 with the Design Guidelines for Historic Districts and Historic Sites, the  
4419 Application shall be denied.

4420 2. With the exception of any Application involving the Reconstruction of a  
4421 Building, Accessory Building, and/or Structure on a Landmark Site, an  
4422 Application associated with a Landmark Site shall be denied if the  
4423 Planning Department finds that the proposed project will result in the  
4424 Landmark Site no longer meeting the criteria set forth in Section 15-11-  
4425 10(A)(1).

4426 3. An Application associated with a Significant Site shall be denied if the  
4427 Planning Department finds that the proposed project will result in the

4428 Significant Site no longer meeting the criteria set forth in [Section](#) 15-11-  
4429 10(A)(2).

4430 E. **EXTENSIONS OF APPROVALS**. Unless otherwise indicated, Historic District  
4431 Design Review (HDDR) approvals expire one (1) year from the date of the Final  
4432 Action. The Planning Director<sup>[7]</sup> or designee<sup>[7]</sup> may grant an extension of an  
4433 HDDR approval for one (1) additional year when the Applicant is able to  
4434 demonstrate no change in circumstance that would result in an unmitigated  
4435 impact or that would result in a finding of non-compliance with the Park City  
4436 General Plan or the Land Management Code in effect at the time of the  
4437 extension request. Change of circumstance includes physical changes to the  
4438 Property or surroundings. Notice shall be provided consistent with the original  
4439 HDDR approval per Sections [15-1-12](#) [and 15-1-21](#). Extension requests must be  
4440 submitted to the Planning Department in writing prior to the date of the expiration  
4441 of the HDDR approval.

4442 HISTORY

4443 *Adopted by Ord. [02-07](#) on 5/23/2002*

4444 *Amended by Ord. [03-34](#) on 7/10/2003*

4445 *Amended by Ord. [09-23](#) on 7/9/2009*

4446 *Amended by Ord. [10-11](#) on 4/1/2010*

4447 *Amended by Ord. [11-05](#) on 1/27/2011*

4448 *Amended by Ord. [12-37](#) on 12/20/2012*

4449 *Amended by Ord. [15-53](#) on 12/17/2015*

4450 *Amended by Ord. [16-15](#) on 3/24/2016*

4451 . . . .

4452 **15-11-12.5 Historic Preservation Board Review For Material Deconstruction**

4453 A. All Applications for Material Deconstruction involving any Building(s) (main,  
4454 attached, detached, or public, Accessory Buildings and/or Structures designated  
4455 to the Historic Sites Inventory as Landmark or Significant shall be subject to  
4456 review and approval, approval with conditions, or denied by the following Review  
4457 Authorities:

4458 1. The Planning Director or [his/her] designee shall review the following:

4459 a. Routine Maintenance, including, but not limited to:

4460 (1) Re-Roof;

4461 (2) Chimney repair;

4462 (3) Foundation repair; or

4463 (4) Replacement or repair of the following:

4464 (A) Historic wood features;

4465 (B) Door or Window replacement; and

4466 (C) Historic Site Features.

4467 b. Removing or Replacing Non-Historic Features.

4468 2. The Historic Preservation Board shall review the following:

4469 a. Removal of Historic Material to Accommodate New additions, New  
4470 Construction, or Structural Upgrades.

4471 Prior to issuance of a Building Permit for any Material

4472 Deconstruction work, the Review Authority shall review the

4473 proposed plans for compliance with [~~the Land Management Code~~]

4474 Chapter 15-13 Design Guidelines For Historic Districts and Historic  
4475 Sites.

4476 B. Material Deconstruction Reviews are subject to the following review process:

4477 1. **COMPLETE APPLICATION**. The Owner and/or Applicant for any  
4478 Property shall be required to submit a Historic Preservation Board Review  
4479 For Material Deconstruction for proposed work requiring a Building Permit  
4480 in order to complete the work.

4481 2. **NOTICE**. Upon receipt of a Complete Application, but prior to taking action  
4482 on any Historic Preservation Board Review for Material Deconstruction  
4483 application, the Planning staff shall provide notice pursuant to Section 15-  
4484 1-12 and 15-1-21 [~~of this Code~~].

4485 3. **PUBLIC HEARING AND DECISION**. Following the fourteen (14) day  
4486 public notice period noted in Section 15-1-21 [~~of this Code~~], the Historic  
4487 Preservation Board and/or the Planning Director or [~~his/her~~] designee shall  
4488 hold a public hearing and make written findings, conclusions of law, and  
4489 conditions of approval or reasons for denial, supporting the decision and  
4490 shall provide the Owner and/or Applicant with a copy.

4491 HISTORY

4492 *Adopted by Ord. [02-07](#) on 5/23/2002*

4493 *Amended by Ord. [03-34](#) on 7/10/2003*

4494 *Amended by Ord. [15-53](#) on 12/17/2015*

4495 *Amended by Ord. [16-15](#) on 3/24/2016*

4496 *Amended by Ord. [2020-14](#) on 2/27/2020*

4497 . . . .

4498 **15-12-5 Authority**

4499 The Planning Commission shall have all necessary authority conferred on Planning  
4500 Commissions pursuant to Chapter 9a of Title 10, Utah Code [~~Annotated, 1953~~], as  
4501 amended, and such other powers as are conferred on it by the City Council.

4502 HISTORY

4503 *Adopted by Ord. [01-17](#) on 5/17/2001*

4504 . . . .

4505 **15-12-15 Review By Planning Commission**

4506 A. General planning and review of specific Development projects by the Planning  
4507 Commission shall be divided into the following functions:

- 4508 1. City General Plan and General Plan amendments review and  
4509 recommendation to City Council;
- 4510 2. Annexation and zoning review with recommendation to City Council;
- 4511 3. Land Management Code and re-zoning review with recommendation to  
4512 City Council;
- 4513 4. Subdivision approval with recommendation to City Council;
- 4514 5. [~~Large scale~~] Master Planned Development and Affordable Master  
4515 Planned Development approval;
- 4516 6. Conditional Use permit ratification of findings of fact, conclusions of law  
4517 and conditions of approval, if applicable;
- 4518 7. Consent agenda items;
- 4519 8. Review of appeals of Planning Director [ ] Final Action [ ] on land use  
4520 applications;

- 4521 9. Subdivision and Condominium plat and plat amendment review with  
4522 recommendation to City Council;  
4523 10. Sensitive Lands review; and  
4524 11. Extension of Conditional Use permit and Master Planned Development  
4525 approvals.

4526 B. The scope of review for each of these functions is as follows:

4527 1. **CITY GENERAL PLAN REVIEW.** The Planning Commission shall have  
4528 the primary responsibility to initiate and update the City General Plan,  
4529 including planning for adequate Streets and utilities, parks, trails,  
4530 recreation facilities, housing, and open space. The Commission shall  
4531 consider long-range zoning and land use objectives, protection of  
4532 Sensitive Lands, and shall conduct periodic review of existing plans to  
4533 keep them current.

4534 2. **ANNEXATION REVIEW.** The Commission shall review all annexation  
4535 requests according to the Utah State Code regarding annexations,  
4536 including Section 10-2-401.5, regarding adoption of an annexation policy  
4537 plan, and shall make a recommendation to City Council for action. The  
4538 Commission shall recommend zoning on land to be annexed.

4539 3. **LAND MANAGEMENT CODE AND REZONING REVIEW.** The  
4540 Commission shall initiate or recommend zone changes and review the  
4541 Land Management Code Development standards within zones. The  
4542 Commission shall hear all requests for zone changes and forward a  
4543 recommendation to City Council for action. The Commission shall have

4544 the primary responsibility to review amendments to the Land Management  
4545 Code and shall forward a recommendation to the City Council.

4546 4. **SUBDIVISION APPROVAL.** The Planning Commission shall review all  
4547 applications for Subdivisions under the provisions of the Park City  
4548 Subdivision Control Ordinance in Section 15, Chapter 7.

4549 5. **[LARGE SCALE] MASTER PLANNED DEVELOPMENT AND**  
4550 **AFFORDABLE MASTER PLANNED DEVELOPMENT APPROVAL.** ~~[All]~~  
4551 The Planning Commission shall review proposals for ~~[large scale]~~ Master  
4552 Planned Development pursuant to Chapter 15-6 and Affordable Master  
4553 Planned Development pursuant to Chapter 15-6.1 ~~[approval shall be~~  
4554 ~~reviewed by the Planning Commission. In reviewing requests for large~~  
4555 ~~scale Master Planned Development approval, the Commission shall~~  
4556 ~~consider the purpose statements and MPD requirements as stated in~~  
4557 ~~Section 15-6-1 and Section 15-6-5. All Master Planned Developments~~  
4558 ~~shall be processed by the Planning Department and the Planning~~  
4559 ~~Commission as outlined in Section 15-6-4.]~~

4560 6. **RATIFICATION OF CONDITIONAL USE PERMITS.** The Planning  
4561 Commission has the authority to review and ratify or overturn all actions of  
4562 the Planning Department regarding Conditional Use permits. In reviewing  
4563 requests for Conditional Use permits, the Commission shall consider the  
4564 Conditional Use process and review criteria as stated in Section 15-1-10.  
4565 In approving or denying a Conditional Use permit the Commission shall  
4566 ratify and include in the minutes of record the findings of fact, conclusions

4567 of law, and conditions of approval, if applicable, upon which the decision  
4568 to approve or deny was based.

4569 7. **CONSENT AGENDA ITEMS.** The following items may be placed on the  
4570 consent agenda, if the Application is uncontested, or if a public hearing  
4571 has already been conducted and has been closed by formal action of the  
4572 Planning Commission:

- 4573 1. Conditional Use permits, including Steep Slope Conditional Use  
4574 permits;
- 4575 2. Plat and plat amendment approvals;
- 4576 3. Requests for time extensions of Conditional Use permit, Master  
4577 Planned Development, and plat approvals[-];
- 4578 4. Other items of a perfunctory nature, which the Chair directs the  
4579 Department to place on the consent agenda for action.

4580 All items on the consent agenda shall be passed or denied by a single  
4581 motion at the Commission meeting, unless a motion to remove a specific  
4582 item is made. If a member of the public or a member of the Planning  
4583 Commission requests a public hearing on a consent agenda item, then the  
4584 item shall be removed from the consent agenda. When an item is  
4585 removed from the consent agenda, it shall be acted on at the same  
4586 meeting at which the removal occurs, unless the Applicant requests the  
4587 item be continued in order to prepare additional information to respond to  
4588 the Commissions concerns.

4589  
4590  
4591  
4592  
4593  
4594  
4595  
4596  
4597  
4598  
4599  
4600  
4601  
4602  
4603  
4604  
4605  
4606  
4607  
4608  
4609  
4610

8. **REVIEW OF APPEALS OF THE PLANNING STAFF’S**  
**[INTERPRETATION] FINAL ACTION ON A LAND USE**  
**[APPLICATIONS] APPLICATION.** ~~[The Owner, Applicant, or any non-~~  
~~Owner with standing as defined in Section 15-1-18(D) of this Code may~~  
~~request that Planning Staff Final Action on a project be reviewed by the~~  
~~Planning Commission. The standard of review by the Planning~~  
~~Commission shall be the same as the scope of review at the Staff level.~~  
~~Appeal process shall be in accordance with Section 15-1-18. Appeals~~  
~~shall be heard by the Planning Commission within forty five (45) days of~~  
~~the date that the appellant files an appeal unless all parties, including the~~  
~~City, stipulate otherwise.] **See Section 15-1-18.**~~

9. **SUBDIVISION AND CONDOMINIUM PLAT AND PLAT AMENDMENT**  
**REVIEW.** The Commission shall review all plats affecting land within the  
City limits or annexations to the City, according to Section 15-7. The  
scope of review on plat approval 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, whether imposed  
by the Staff or the Commission have been satisfied.  
  
Upon finding that the plat is in compliance with the state statute, and that  
conditions of approval have been satisfied, the plat must be approved.  
The City Engineer, City Attorney, City Recorder, City Council, and Mayor

4611 shall all review the plat as required by statute before recording. Plats may  
4612 be approved on the consent agenda.

4613 10. **SENSITIVE LANDS REVIEW.** Any project falling within the Sensitive  
4614 Lands Area Overlay Zone is subject to additional requirements and  
4615 regulations as outlined in ~~[the Sensitive Area Overlay Zone Regulations,~~  
4616 ~~Section]~~ Chapter 15-2.21.

4617 11. **EXTENSION OF CUP AND MPD APPROVAL.** See extension of  
4618 Conditional Use Permit, Section 15-1-10(G) and MPD Section 15-6-4(H),  
4619 Length of Approval.

4620 HISTORY

- 4621 *Adopted by Ord. [01-17](#) on 5/17/2001*
- 4622 *Amended by Ord. [06-35](#) on 6/8/2006*
- 4623 *Amended by Ord. [09-10](#) on 3/5/2009*
- 4624 *Amended by Ord. [10-11](#) on 4/1/2010*
- 4625 *Amended by Ord. [11-05](#) on 1/27/2011*
- 4626 *Amended by Ord. [2018-24](#) on 5/31/2018*

4627 . . . .

4628 **15-15-1 Definitions**

4629 . . . .

4630 **CONSERVATION EASEMENT.** An easement, covenant, restriction, or condition in a  
4631 deed, will, or other instrument signed by or on behalf of the record owner of the  
4632 underlying real property for the purpose of preserving and maintaining land or water  
4633 areas predominantly in a natural state, scenic, or open condition, or for recreational,  
4634 agricultural, cultural, wildlife habitat, or other use or condition consistent with the  
4635 protection of open land. Conservation easement(s) granted from the Transfer of

4636 Development Rights Ordinance shall be subject to The Land Conservation Easement  
4637 Act, Section 57-18-1 (et seq.), Utah Code ~~[Annotated]~~, ~~[1953]~~ as amended.

4638 . . . .

4639 **FOOD TRUCK.**

4640 "Food Truck" means:

4641 a. a fully encased food service establishment:

4642 i. on a motor vehicle or on a trailer that a motor vehicle pulls to transport;  
4643 and

4644 ii. from which a food truck vendor, standing within the frame of the vehicle,  
4645 prepares, cooks, sells, or serves food or beverages for immediate human  
4646 consumption; and

4647 iii. does not include the sale of any products other than food and beverages  
4648 for human consumption.

4649 b. ~~a food cart; or~~

4650 c. ~~an ice cream truck. ["Food truck" does not include a food cart or an ice cream~~  
4651 ~~truck.]~~

4652 d. "Food cart" means a cart:

4653 i. that is not motorized; and

4654 ii. that a vendor, standing outside the frame of the cart, uses to prepare, sell,  
4655 or serve food or beverages for immediate human consumption.

4656 e. "Ice cream truck" means a fully encased food service establishment:

4657 i. on a motor vehicle or on a trailer that a motor vehicle pulls to transport;

