

**Ordinance No. 2022-21**

**AN ORDINANCE AMENDING LAND MANAGEMENT CODE SECTIONS 15-2.5-2 HISTORIC RECREATION COMMERCIAL, 15-2.6-2 HISTORIC COMMERCIAL BUSINESS, 15-2.13-2 RESIDENTIAL DEVELOPMENT, 15-2.14-2 RESIDENTIAL DEVELOPMENT – MEDIUM DENSITY, 15-2.16-2 RECREATION COMMERCIAL, 15-2.17-2 REGIONAL COMMERCIAL OVERLAY, AND 15-2.18-2 GENERAL COMMERCIAL TO ALLOW “DWELLING UNIT, FRACTIONAL USE” WITH AN ADMINISTRATIVE LETTER, ENACTING SECTION 15-4-23, DWELLING UNIT, FRACTIONAL USE TO ESTABLISH STANDARDS, AND AMENDING SECTION 15-15-1 DEFINITIONS TO DEFINE “DWELLING UNIT, FRACTIONAL USE”**

WHEREAS, companies offering fractional ownership—a mechanism establishing ownership of vacation properties in the form of a 1/2 to 1/8 or lesser share—have started selling “fractions” of Dwellings Units as vacation properties in Park City, including within primary residential neighborhoods;

WHEREAS, *Sense of Community* is one of the core values in the Park City General Plan, Goal 7 of the General Plan is to create a diversity of primary housing opportunities to address the changing needs of residents, and Objective 7B of the General Plan is to focus efforts for diversity of primary housing stock within primary residential neighborhoods to maintain majority occupants by full-time residents within these neighborhoods;

WHEREAS, Goal 8 of the General Plan is to increase affordable housing opportunities and associated services for the workforce of Park City, and Objective 8C of the General Plan is to increase housing ownership opportunities for workforce within primary residential neighborhoods;

WHEREAS, the General Plan acknowledges neighborhoods where secondary homeownership is appropriate and support the City’s resort economy like those neighborhoods near the resorts;

WHEREAS, the General Plan identifies the need to protect and incentivize primary homeownership in Old Town and states “it is essential that Parkites be located in the heart of the City;”

WHEREAS, the Land Management Code implements the goals and policies of the General Plan in part to promote the health, safety, and welfare of the present and future inhabitants, to protect and enhance the vitality of the City’s resort-based economy, and to protect or promote moderate income housing;

WHEREAS, to protect primary residential neighborhoods while allowing for Fractional Use near the resort bases and in those Zoning Districts that allow Timeshares and Private Residence Clubs, the Land Management Code amendments define Dwelling Unit, Fractional Use and establish them as a Conditional Use requiring an Administrative Letter in the Historic Recreation Commercial, Historic Commercial Business, Residential Development, Residential Development – Medium Density, Recreation Commercial, Regional Commercial Overlay, and General Commercial Zoning Districts with specific standards, and require a Business License for companies that sell and manage Fractional Use of Dwelling Units;

WHEREAS, many Zoning Districts and subdivision Covenants, Conditions and Restrictions (CCRs) restrict or prohibit further subdivision, or timeshare of existing residences/lots, as well as restricting transient occupancy and nightly rental. The new business models of fractional ownership using LLCs as a single owner, but selling separate fractional shares or interests circumvent these existing definitions and prohibitions;

WHEREAS, the Planning Commission conducted a duly noticed work session on May 11, 2022, and a duly noticed public hearing on May 25, 2022, and forwarded a positive recommendation, with amendments, to the City Council;

WHEREAS, the City Council conducted a duly noticed public hearing on June 23, 2022, and continued the discussion to October 6, 2022;

WHEREAS, the City Council conducted a duly noticed public hearing on October 6, 2022, and continued the discussion to October 27, 2022;

WHEREAS, the City Council conducted a duly noticed public hearing on October 27, 2022; and

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

**SECTION 1. FINDINGS.** The analysis section of the staff reports of May 11, 2022, June 23, 2022, October 6, 2022, and October 27, 2022 are incorporated herein. The recitals above are incorporated herein as findings of fact.

**SECTION 2. AMEND MUNICIPAL CODE OF PARK CITY LAND MANAGEMENT CODE TITLE 15.** Municipal Code of Park City Title 15 Land Management Code § 15-2.5-2 *Historic Recreation Commercial*, § 15-2.6-2 *Historic Commercial Business*, § 15-2.13-2 *Residential Development*, § 15-2.14-2 *Residential Development – Medium Density*, § 15-2.16-2 *Recreation Commercial*, § 15-2.17-2 *Regional Commercial*

*Overlay, § 15-2.18-2 General Commercial, and § 15-15-1 Definitions, are hereby amended as outlined in Attachment 1.*

**SECTION 2. ENACT MUNICIPAL CODE OF PARK CITY LAND MANAGEMENT CODE SECTION 15-4-23.** Municipal Code of Park City Section 15-4-23 is enacted as outlined in Attachment 1.

**SECTION 3. EFFECTIVE DATE.** This Ordinance shall be effective upon publication.

PASSED AND ADOPTED THIS 27<sup>th</sup> day of October, 2022.

PARK CITY MUNICIPAL CORPORATION

DocuSigned by:

*Nann Worel*

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Nann Worel, Mayor

Attest:



DocuSigned by:

*Michelle Kellogg*

E5E905BB533E431

City Recorder

Approved as to form:

DocuSigned by:

*Mark Harrington*

B7478B7734C7490...

City Attorney's Office

1 **Attachment 1**

2 **15-2.5-2 Uses**

3 Uses in the HRC are limited to the following:

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

- 5 1. Single Family Dwelling<sup>5</sup>
- 6 2. Duplex Dwelling<sup>5</sup>
- 7 3. Secondary Living Quarters<sup>5</sup>
- 8 4. Lockout Unit<sup>1,5</sup>
- 9 5. Accessory Apartment<sup>2,5</sup>
- 10 6. Nightly Rental<sup>5</sup>
- 11 7. Home Occupation<sup>5</sup>
- 12 8. Child Care, In-Home Babysitting
- 13 9. Child Care, Family<sup>3</sup>
- 14 10. Child Care, Family Group<sup>3</sup>
- 15 11. Child Care Center<sup>3</sup>
- 16 12. Accessory Building and Use
- 17 13. Conservation Activity
- 18 14. Agriculture
- 19 15. Bed and Breakfast Inn<sup>4,5</sup>
- 20 16. Boarding House, hostel<sup>5</sup>
- 21 17. Hotel, Minor, fewer than sixteen (16) rooms<sup>5</sup>
- 22 18. Office, General<sup>5</sup>
- 23 19. Parking Area or Structure, with four (4) or fewer spaces<sup>5</sup>

24 20. Food Truck Location<sup>11</sup>

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

26 1. Triplex Dwelling<sup>5</sup>

27 2. Multi-Unit Dwelling<sup>5</sup>

28 3. Guest House, on Lots one (1) acre<sup>5</sup>

29 4. Group Care Facility<sup>5</sup>

30 5. Public and Quasi-Public institution, church, or school

31 6. Essential Municipal public utility Use, facility, service, and Structure

32 7. Telecommunication Antenna<sup>6</sup>

33 8. Satellite dish, greater than thirty-nine inches (39") in diameter<sup>7</sup>

34 9. Plant and Nursery stock products and sales

35 10. Hotel, Major<sup>5</sup>

36 11. Timeshare Projects and Conversions<sup>5</sup>

37 12. Private Residence Club Project and Conversion<sup>4,5</sup>

38 13. Office, Intensive<sup>5</sup>

39 14. Office and clinic, Medical<sup>5</sup>

40 15. Financial institution, without drive-up window<sup>8</sup>

41 16. Commercial Retail and Service, Minor<sup>8</sup>

42 17. Commercial Retail and Service, Personal Improvement<sup>8</sup>

43 18. Neighborhood Convenience Commercial, without gasoline sales

44 19. Café or Deli<sup>8</sup>

45 20. Restaurant, General<sup>8</sup>

46 21. Restaurant and Café, outdoor dining<sup>4</sup>

- 47 22. Outdoor Events and Uses<sup>4</sup>
- 48 23. Bar
- 49 24. Parking Area or Structure, with five (5) or more spaces<sup>5</sup>
- 50 25. Temporary Improvement<sup>4</sup>
- 51 26. Passenger Tramway station and ski base facility
- 52 27. Ski tow, ski lift, ski run, and ski bridge
- 53 28. Recreation Facility, Commercial, Public, and Private<sup>12</sup>
- 54 29. Entertainment Facility, Indoor
- 55 30. Fences greater than six feet (6') in height from Final Grade<sup>4</sup>
- 56 31. Private Residence Club, Off-Site<sup>5</sup>
- 57 32. Private Event Facility<sup>5</sup>
- 58 33. Dwelling Unit, Fractional Use<sup>13</sup>

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

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

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

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

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

65 <sup>5</sup>Prohibited in HRC Zoned Storefront Property adjacent to Main Street, Heber Avenue and Park Avenue,  
66 excluding those HRC Zoned Properties on the west side of Park Avenue and also excluding those HRC  
67 Zoned Properties with the following addresses: 702 Main Street, 710 Main Street, 738 Main Street (for the  
68 plaza side storefronts), 780 Main Street, 804 Main Street (for the plaza side storefronts), 875 Main Street,  
69 890 Main Street, 900 Main Street, and 820 Park Avenue. Hotel rooms shall not be located within  
70 Storefront Property; however access, circulation, and lobby areas are permitted within Storefront  
71 Property.

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

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

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

75 <sup>9</sup>No community locations as defined by Utah Code 32B-1-102 (Alcoholic Beverage Control Act) are  
76 permitted within 200 feet of Main Street unless a variance is permitted for an outlet, as defined by Utah  
77 Code 32B-1-202, to obtain a liquor license.

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

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

82 <sup>12</sup>See Section 15-4-22, Outdoor Pickleball Courts in Residential Areas.

83 <sup>13</sup>Requires an Administrative Letter. See Section 15-4-23, Dwelling Unit, Fractional Use.

## 84 HISTORY

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

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

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

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

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

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

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

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

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

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

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

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

97 **15-2.6-2 Uses**

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

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

- 100 1. Single Family Dwelling<sup>1</sup>
- 101 2. Multi-Unit Dwelling<sup>1</sup>
- 102 3. Secondary Living Quarters<sup>1</sup>
- 103 4. Lockout Unit<sup>1,2</sup>
- 104 5. Accessory Apartment<sup>1,3</sup>
- 105 6. Nightly Rental<sup>4</sup>
- 106 7. Home Occupation<sup>1</sup>
- 107 8. Child Care, In-Home Babysitting<sup>1</sup>
- 108 9. Child Care, Family<sup>1,5</sup>
- 109 10. Child Care, Family Group<sup>1,5</sup>
- 110 11. Child Care Center<sup>1,5</sup>
- 111 12. Accessory Building and Use<sup>1</sup>
- 112 13. Conservation Activity
- 113 14. Agriculture
- 114 15. Bed and Breakfast Inn<sup>1, 6</sup>
- 115 16. Boarding House, hostel<sup>1</sup>
- 116 17. Hotel, Minor, fewer than 16 rooms<sup>1</sup>
- 117 18. Office, General<sup>1</sup>
- 118 19. Office, Moderate Intensive<sup>1</sup>
- 119 20. Office and clinic, Medical<sup>1</sup>

- 120 21. Financial institution, without drive-up window
- 121 22. Commercial Retail and Service, Minor
- 122 23. Commercial Retail and Service, Personal Improvement
- 123 24. Commercial Neighborhood Convenience, without gasoline sales
- 124 25. Restaurant, Cafe or Deli
- 125 26. Restaurant, General
- 126 27. Bar
- 127 28. Parking Lot, Public or Private with four (4) or fewer spaces
- 128 29. Entertainment Facility, Indoor
- 129 30. Salt Lake City 2002 Winter Olympic Games Legacy Displays<sup>7</sup>
- 130 31. Temporary winter Balcony enclosures
- 131 32. Food Truck Location<sup>12</sup>

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

- 133 1. Group Care Facility<sup>1</sup>
- 134 2. Public and Quasi-Public institution, church, or school
- 135 3. Essential municipal public utility Use, facility, service, and Structure
- 136 4. Telecommunication Antenna<sup>8</sup>
- 137 5. Satellite dish, greater than thirty-nine inches (39") in diameter<sup>9</sup>
- 138 6. Plant and Nursery stock products and sales
- 139 7. Hotel, Major<sup>1</sup>
- 140 8. Timeshare Projects and Conversions<sup>1</sup>
- 141 9. Timeshare Sales Office, Off-Site within an enclosed Building<sup>1</sup>
- 142 10. Private Residence Club Project and Conversion<sup>1,6</sup>

- 143 11. Commercial Retail and Service, Major
- 144 12. Office, Intensive<sup>1</sup>
- 145 13. Restaurant, outdoor dining<sup>6</sup>
- 146 14. Outdoor Events and Uses<sup>6</sup>
- 147 15. Hospital, Limited Care Facility<sup>1</sup>
- 148 16. Parking Area or Structure for five (5) or more cars<sup>1</sup>
- 149 17. Temporary Improvement<sup>6</sup>
- 150 18. Passenger Tramway station and ski base facility
- 151 19. Ski tow, ski lift, ski run, and ski bridge
- 152 20. Recreation Facility, Public
- 153 21. Recreation Facility, Private<sup>13</sup>
- 154 22. Recreation Facility, Commercial
- 155 23. Fences greater than six feet (6') in height from Final Grade<sup>6</sup>
- 156 24. Private Residence Club, Off-Site<sup>1</sup>
- 157 25. Private Event Facility<sup>1</sup>
- 158 26. Dwelling Unit, Fractional Use<sup>14</sup>

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

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

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

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

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

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

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

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

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

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

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

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

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

182 <sup>13</sup>See Section 15-4-22, Outdoor Pickleball Courts in Residential Areas.

183 <sup>14</sup>Requires an Administrative Letter. See Section 15-4-23, Dwelling Unit, Fractional Use.

## 184 HISTORY

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

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

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

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

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

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

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

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

193 *Amended by Ord. [16-01](#) on 1/7/2016*

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

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

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

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

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

199 **15-2.13-2 Uses**

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

201 A. **ALLOWED USES.**

202 1. Single-Family Dwelling

203 2. Duplex Dwelling

204 3. Secondary Living Quarters

205 4. Lockout Unit<sup>1</sup>

206 5. Accessory Apartment<sup>2</sup>

207 6. Nightly Rental<sup>3</sup>

208 7. Home Occupation

209 8. Child Care, In-Home Babysitting<sup>4</sup>

210 9. Child Care, Family<sup>4</sup>

211 10. Child Care, Family Group<sup>4</sup>

212 11. Accessory Building and Use

213 12. Conservation Activity Agriculture

214 13. Parking Area or Structure with four (4) or fewer spaces

215 14. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays<sup>5</sup>

216 15. Food Truck Location<sup>16</sup>

217 16. Internal Accessory Dwelling Unit<sup>17</sup>

218 **B. CONDITIONAL USES.**

219 1. Triplex Dwelling<sup>6</sup>

220 2. Multi-Unit Dwelling<sup>6</sup>

221 3. Guest House

222 4. Group Care Facility

223 5. Child Care Center<sup>4</sup>

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

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

226 8. Telecommunication Antenna<sup>7</sup>

227 9. Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter<sup>8</sup>

228 10. Raising, grazing of horses

229 11. Cemetery

230 12. Bed and Breakfast Inn

231 13. Hotel, Minor<sup>6</sup>

232 14. Hotel, Major<sup>6</sup>

233 15. Private Residence Club Project and Conversion<sup>10</sup>

234 16. Office, General<sup>6,9</sup>

235 17. Office, Moderate Intensive<sup>6,9</sup>

236 18. Office, Medical<sup>6,9</sup>

237 19. Financial Institution without drive-up window<sup>6,9</sup>

238 20. Commercial Retail and Service, Minor<sup>6,9</sup>

239 21. Commercial Retail and Service, personal improvement<sup>6,9</sup>

- 240 22. Commercial, Resort Support<sup>6,9</sup>
- 241 23. Café or Deli<sup>6,9</sup>
- 242 24. Restaurant, Standard<sup>6,9</sup>
- 243 25. Restaurant, Outdoor Dining<sup>10</sup>
- 244 26. Outdoor Event<sup>10</sup>
- 245 27. Bar<sup>6,9</sup>
- 246 28. Hospital, Limited Care Facility<sup>6,9</sup>
- 247 29. Parking Area or Structure with five (5) or more spaces
- 248 30. Temporary Improvement<sup>10</sup>
- 249 31. Passenger Tramway Station and Ski Base Facility<sup>11</sup>
- 250 32. Ski Tow, Ski Lift, Ski Run, and Ski Bridge<sup>11</sup>
- 251 33. Recreation Facility, Public
- 252 34. Recreation Facility, Commercial<sup>6</sup>
- 253 35. Recreation Facility, Private<sup>18</sup>
- 254 36. Entertainment Facility, Indoor<sup>6,9</sup>
- 255 37. Commercial Stables, Riding Academy<sup>12</sup>
- 256 38. Heliport<sup>12</sup>
- 257 39. Vehicle Control Gate<sup>13</sup>
- 258 40. Fences and walls greater than six feet (6') in height from Final Grade<sup>10</sup>
- 259 41. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays<sup>14</sup>
- 260 42. Amenities Club
- 261 43. Club, Private Residence Off-Site<sup>15</sup>
- 262 44. Dwelling Unit, Fractional Use<sup>3,19</sup>

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

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

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

267 <sup>3</sup>Nightly Rentals do not include the Use of dwellings for Commercial Uses. Nightly Rentals and Dwelling

268 Unit, Fractional Use are not permitted in the April Mountain, Mellow Mountain Estates Subdivisions,

269 Meadows Estates Subdivision Phases #1A and #1B, Fairway Meadows Subdivision, and Hidden Oaks at

270 Deer Valley Phases 2 and 3.

271 <sup>4</sup>See Section 15-4-9 Child Care and Child Care Facilities

272 <sup>5</sup>Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City

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

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

275 <sup>6</sup>Subject to provisions of LMC Chapter 15-6, Master Planned Development

276 <sup>7</sup>See Section 15-4-14, Telecommunications Facilities

277 <sup>8</sup>See Section 15-4-13, Placement of Satellite Receiving Antennas

278 <sup>9</sup>Allowed only as a secondary or support Use to the primary Development or Use and intended as a

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

280 <sup>10</sup>Requires an Administrative Conditional Use permit.

281 <sup>11</sup>As part of an approved Ski Area Master Plan. See Section 15-4-18 Passenger Tramways and Ski Base

282 Facilities.

283 <sup>12</sup>Omitted.

284 <sup>13</sup>See Section 15-4-19, Review Criteria For Control Vehicle Gates.

285 <sup>14</sup>Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City

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

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

288 License.

289 <sup>15</sup>Only allowed within a Master Planned Development. Requires an Administrative Conditional Use permit.

290 Is permitted only in approved existing Commercial spaces or developments that have ten (10) or more

291 units with approved Support Commercial space. A Parking Plan shall be submitted to determine site  
292 specific parking requirements.

293 <sup>16</sup>The Planning Director or their designee shall, upon finding a Food Truck Location in compliance with  
294 Municipal Code 4-5-6, issue the property owner a Food Truck Location administrative approval letter.

295 <sup>17</sup>See Section 15-4-7.1, Internal Accessory Dwelling Units.

296 <sup>18</sup>See Section 15-4-22, Outdoor Pickleball Courts in Residential Areas.

297 <sup>19</sup>[Requires an Administrative Letter. See Section 15-4-23, Dwelling Unit, Fractional Use.](#)

## 298 HISTORY

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

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

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

302 *Amended by Ord. [05-39](#) on 6/30/2005*

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

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

305 *Amended by Ord. [14-35](#) on 6/26/2014*

306 *Amended by Ord. [2018-23](#) on 5/17/2018*

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

308 *Amended by Ord. [2020-38](#) on 7/30/2020*

309 *Amended by Ord. [2020-45](#) on 10/1/2020*

310 *Amended by Ord. [2021-16](#) on 4/15/2021*

311 *Amended by Ord. [2021-38](#) on 9/23/2021*

312 *Amended by Ord. [2021-52](#) on 12/16/2021*

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

## 314 **15-2.14-2 Uses**

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

316 A. **ALLOWED USES.**

- 317 1. Single Family Dwelling
- 318 2. Duplex Dwelling
- 319 3. Triplex Dwelling
- 320 4. Secondary Living Quarters
- 321 5. Lockout Unit<sup>1</sup>
- 322 6. Accessory Apartment<sup>2</sup>
- 323 7. Nightly Rental<sup>3</sup>
- 324 8. Home Occupation
- 325 9. Child Care, In Home Babysitting<sup>4</sup>
- 326 10. Child Care, Family<sup>4</sup>
- 327 11. Child Care, Family Group<sup>4</sup>
- 328 12. Accessory Building and Use
- 329 13. Conservation Activity
- 330 14. Agriculture
- 331 15. Parking Area or Structure with four (4) or fewer spaces
- 332 16. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays<sup>5</sup>
- 333 17. Food Truck Location<sup>14</sup>
- 334 18. Internal Accessory Dwelling Unit<sup>15</sup>

335 B. **CONDITIONAL USES.**

- 336 1. Multi Unit Dwelling<sup>6</sup>
- 337 2. Guest House
- 338 3. Group Care Facility

- 339 4. Child Care Center
- 340 5. Public and Quasi Public Institution, Church, and School
- 341 6. Essential Municipal Public Utility Use, Facility, Service, and Structure
- 342 7. Telecommunication Antenna<sup>7</sup>
- 343 8. Satellite Dish, greater than thirty nine inches (39") in diameter<sup>8</sup>
- 344 9. Raising grazing of horses
- 345 10. Cemetery
- 346 11. Bed and Breakfast Inn
- 347 12. Boarding House, Hotel
- 348 13. Hotel, Minor<sup>6</sup>
- 349 14. Hotel, Major<sup>6</sup>
- 350 15. Private Residence Club Project and Conversion<sup>11</sup>
- 351 16. Office, General<sup>6</sup>
- 352 17. Office, Moderate Intensive<sup>6,9</sup>
- 353 18. Office and Clinic, Medical<sup>6,10</sup>
- 354 19. Financial Institution, without drive up window<sup>6,10</sup>
- 355 20. Commercial Retail and Service, Minor<sup>6,10</sup>
- 356 21. Commercial Retail and Service, personal improvement<sup>6,10</sup>
- 357 22. Commercial, Resort Support<sup>6,10</sup>
- 358 23. Cafe or Deli<sup>6,10</sup>
- 359 24. Restaurant, Standard<sup>6,10</sup>
- 360 25. Restaurant, Outdoor Dining<sup>11</sup>
- 361 26. Outdoor Event<sup>11</sup>

- 362 27. Bar<sup>6,10</sup>
- 363 28. Hospital, Limited Care Facility<sup>6,9</sup>
- 364 29. Parking Area or Structure with five (5) or fewer spaces
- 365 30. Temporary Improvement<sup>11</sup>
- 366 31. Passenger Tramway Station and Ski Base Facility<sup>12</sup>
- 367 32. Ski Tow, Ski Lift, Ski Run, and Ski Bridge<sup>12</sup>
- 368 33. Recreation Facility, Public
- 369 34. Recreation Facility, Commercial<sup>6</sup>
- 370 35. Recreation Facility, Private<sup>16</sup>
- 371 36. Entertainment Facility, Indoor<sup>6,9</sup>
- 372 37. Commercial Stables, Riding Academy<sup>6,10</sup>
- 373 38. Fences greater than six feet (6') in height from Final Grade
- 374 39. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays<sup>13</sup>
- 375 40. Dwelling Unit, Fractional Use<sup>17</sup>

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

378 <sup>1</sup>Nightly Rental of Lockout Units requires a Conditional Use permit.

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

380 <sup>3</sup>Nightly Rentals do not include the Use of Dwellings for Commercial Use.

381 <sup>4</sup>See Section 15-4-9, Child Care and Child Care Facilities

382 <sup>5</sup>Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City  
383 Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed  
384 on the original Property set forth in the services agreement and/or Master Festival License

385 <sup>6</sup>Subject to Master Planned Development approval. See Chapter 15-6.

386 <sup>7</sup>See Section 15-4-14, Telecommunication Facilities.

387 <sup>8</sup>See Section 15-4-13, Placement of Satellite Receiving Antennas.

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

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

399 <sup>11</sup>Requires an administrative Conditional Use permit.

400 <sup>12</sup>As part of an approved Ski Area Master Plan. See Section 15-4-18, Passenger Tramways and Ski Base  
401 Facilities

402 <sup>13</sup>Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City  
403 Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed  
404 in an Area other than the original location set forth in the services agreement and/or Master Festival  
405 License.

406 <sup>14</sup>The Planning Director or their designee shall, upon finding a Food Truck Location in compliance with  
407 Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative approval  
408 letter.

409 <sup>15</sup>See Section 15-4-7.1, Internal Accessory Dwelling Units.

410 <sup>16</sup>See Section 15-4-22, Outdoor Pickleball Courts in Residential Areas.

411 <sup>17</sup> Requires an Administrative Letter. See Section 15-4-23, Dwelling Unit, Fractional Use.

## 412 HISTORY

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

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

- 415 Amended by Ord. [02-38](#) on 9/12/2002
- 416 Amended by Ord. [04-39](#) on 3/18/2004
- 417 Amended by Ord. [06-76](#) on 11/9/2006
- 418 Amended by Ord. [2018-55](#) on 10/23/2018
- 419 Amended by Ord. [2018-55](#) on 10/23/2018
- 420 Amended by Ord. [2020-45](#) on 10/1/2020
- 421 Amended by Ord. [2021-38](#) on 9/23/2021
- 422 Amended by Ord. [2021-51](#) on 12/16/2021

423 **15-2.16-2 Uses**

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

425 A. **ALLOWED USES.**

- 426 1. Single Family Dwelling
- 427 2. Duplex Dwelling
- 428 3. Triplex Dwelling
- 429 4. Secondary Living Quarters
- 430 5. Lockout Unit<sup>1</sup>
- 431 6. Accessory Apartment<sup>2</sup>
- 432 7. Nightly Rental<sup>3</sup>
- 433 8. Home Occupation
- 434 9. Child Care, In-Home Babysitting<sup>4</sup>
- 435 10. Child Care, Family<sup>4</sup>
- 436 11. Child Care, Family Group<sup>4</sup>
- 437 12. Child Care Center<sup>4</sup>

- 438 13. Accessory Building and Use
- 439 14. Conservation Activity
- 440 15. Agriculture
- 441 16. Bed and Breakfast Inn
- 442 17. Boarding House, Hostel
- 443 18. Hotel, Minor
- 444 19. Parking Area or Structure with four (4) or fewer spaces
- 445 20. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays<sup>5</sup>
- 446 21. Food Truck Location<sup>12</sup>

447 B. **CONDITIONAL USES.**

- 448 1. Multi-Unit Dwelling
- 449 2. Group Care Facility
- 450 3. Public and Quasi-Public institution, church, and school
- 451 4. Essential municipal and public utility Use, facility, service, and Structure
- 452 5. Telecommunications Antenna<sup>6</sup>
- 453 6. Satellite dish Antenna, greater than thirty-nine inches (39") in diameter<sup>7</sup>
- 454 7. Raising, grazing of horses
- 455 8. Cemetery
- 456 9. Hotel, Major
- 457 10. Timeshare Project and Conversion
- 458 11. Timeshare Sales Office
- 459 12. Private Residence Club Project and Conversion<sup>9</sup>
- 460 13. Office, General<sup>8</sup>

- 461 14. Office, Moderate<sup>8</sup>
- 462 15. Office and clinic, Medical<sup>8</sup>
- 463 16. Financial institution without drive-up window<sup>8</sup>
- 464 17. Minor Retail and Service Commercial<sup>8</sup>
- 465 18. Retail and Service Commercial, Personal Improvement<sup>8</sup>
- 466 19. Transportation Service<sup>8</sup>
- 467 20. Neighborhood Market, without gasoline sales<sup>8</sup>
- 468 21. Café or Deli<sup>8</sup>
- 469 22. Restaurant, General<sup>8</sup>
- 470 23. Restaurant, outdoor dining<sup>8,9</sup>
- 471 24. Bar<sup>8</sup>
- 472 25. Hospital, Limited Care Facility<sup>8</sup>
- 473 26. Parking Area or Structure with five (5) or more spaces
- 474 27. Temporary Improvement<sup>9</sup>
- 475 28. Passenger Tramway station and ski base facility<sup>10</sup>
- 476 29. Ski tow rope, ski lift, ski run, and ski bridge<sup>10</sup>
- 477 30. Outdoor Events and Uses<sup>9</sup>
- 478 31. Recreation Facility, Public and Private<sup>8, 13</sup>
- 479 32. Recreation Facility, Commercial<sup>8</sup>
- 480 33. Entertainment Facility, Indoor<sup>8</sup>
- 481 34. Commercial Riding Stable(s), riding academy<sup>8</sup>
- 482 35. Heliport<sup>8</sup>
- 483 36. Amenities Club

484 37. Club, Private Residence Off-Site<sup>11</sup>

485 38. Dwelling Unit, Fractional Use<sup>14</sup>

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

488 <sup>1</sup>Nightly Rental of Lockout Units requires a Conditional Use permit

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

490 <sup>3</sup>Nightly Rentals do not include the Use of dwellings for Commercial Uses

491 <sup>4</sup>See Section 15-4-9, Child Care And Child Care Facilities

492 <sup>5</sup>Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City  
493 Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed  
494 on the original Property set forth in the services agreement and/or Master Festival License. Requires an  
495 Administrative Permit.

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

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

498 <sup>8</sup>As support Use to primary Development or Use, subject to provisions of LMC Chapter 15-6, Master  
499 Planned Developments

500 <sup>9</sup>Requires an Administrative or Administrative Conditional Use permit, see Chapter 15-4

501 <sup>10</sup>As part of an approved Ski Area Master Plan

502 <sup>11</sup>Requires an Administrative Conditional Use permit. Is permitted only in approved existing Commercial  
503 spaces or Developments that have ten (10) or more units with approved Support Commercial space. A  
504 Parking Plan shall be submitted to determine site specific parking requirements.

505 <sup>12</sup>The Planning Director or their designee shall, upon finding a Food Truck Location in compliance with  
506 Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative approval  
507 letter.

508 <sup>13</sup>See Section 15-4-22, Outdoor Pickleball Courts in Residential Areas.

509 <sup>14</sup> Requires an Administrative Letter. See Section 15-4-23, Dwelling Unit, Fractional Use.

510 HISTORY

- 511 *Adopted by Ord. [00-51](#) on 9/21/2000*
- 512 *Amended by Ord. [02-38](#) on 9/12/2002*
- 513 *Amended by Ord. [04-39](#) on 3/18/2004*
- 514 *Amended by Ord. [06-76](#) on 11/9/2006*
- 515 *Amended by Ord. [09-10](#) on 3/5/2009*
- 516 *Amended by Ord. [11-05](#) on 1/27/2011*
- 517 *Amended by Ord. [15-35](#) on 10/12/2015*
- 518 *Amended by Ord. [2018-23](#) on 5/17/2018*
- 519 *Amended by Ord. [2018-55](#) on 10/23/2018*
- 520 *Amended by Ord. [2020-36](#) on 7/30/2020*
- 521 *Amended by Ord. [2020-45](#) on 10/1/2020*
- 522 *Amended by Ord. [2021-51](#) on 12/16/2021*

523 **15-2.17-2 Uses**

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

525 A. **ALLOWED USES.**

- 526 1. Secondary Living Quarters
- 527 2. Lockout Unit<sup>1</sup>
- 528 3. Accessory Apartment<sup>2</sup>
- 529 4. Nightly Rental
- 530 5. Home Occupation
- 531 6. Child Care, In-Home Babysitting<sup>3</sup>
- 532 7. Child Care, Family<sup>3</sup>

- 533 8. Child Care, Family Group<sup>3</sup>
- 534 9. Accessory Building and Use
- 535 10. Conservation Activity
- 536 11. Agriculture
- 537 12. Parking Area or Structure with four (4) or fewer spaces
- 538 13. Recreation Facility, Private<sup>12</sup>
- 539 14. Allowed Uses in the Underlying Zoning District
- 540 15. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays<sup>4</sup>
- 541 16. Food Truck Location<sup>11</sup>

542 **B. CONDITIONAL USES.**

- 543 1. Multi-Unit Dwelling<sup>5</sup>
- 544 2. Group Care Facility<sup>5</sup>
- 545 3. Child Care Center<sup>3,5</sup>
- 546 4. Public and Quasi-Public Institution, Church and School<sup>5</sup>
- 547 5. Essential Municipal Public Utility Use, Facility, Service, and Structure<sup>5</sup>
- 548 6. Telecommunication Antenna<sup>6</sup>
- 549 7. Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter<sup>7</sup>
- 550 8. Plant and Nursery stock products and sales<sup>5</sup>
- 551 9. Bed and Breakfast Inn<sup>5</sup>
- 552 10. Boarding House, Hostel<sup>5</sup>
- 553 11. Hotel, Minor<sup>5</sup>
- 554 12. Hotel, Major<sup>5</sup>
- 555 13. Private Residence Club Project and Conversion<sup>9</sup>

- 556 14. Timeshare Sales Office, off-site<sup>5</sup>
- 557 15. Office, General<sup>5</sup>
- 558 16. Office, Moderate Intensive<sup>5</sup>
- 559 17. Office, Intensive<sup>5</sup>
- 560 18. Office and Clinic, Medical<sup>5</sup>
- 561 19. Financial Institution, with and without drive-up window<sup>5,8</sup>
- 562 20. Retail and Service Commercial, Minor<sup>5</sup>
- 563 21. Retail and Service Commercial, personal improvement<sup>5</sup>
- 564 22. Retail and Service Commercial, Major<sup>5</sup>
- 565 23. Transportation Service<sup>5</sup>
- 566 24. Retail Drive-Up Window<sup>8</sup>
- 567 25. Neighborhood Convenience Commercial<sup>5</sup>
- 568 26. Commercial, Resort Support<sup>5</sup>
- 569 27. Gasoline Service Station<sup>5</sup>
- 570 28. Cafe, Deli<sup>5</sup>
- 571 29. Restaurant, General<sup>5</sup>
- 572 30. Restaurant, Outdoor Dining<sup>9</sup>
- 573 31. Outdoor Event<sup>9</sup>
- 574 32. Restaurant, Drive-up window<sup>8</sup>
- 575 33. Bar<sup>5</sup>
- 576 34. Hospital, Limited Care Facility<sup>5</sup>
- 577 35. Hospital, General<sup>5</sup>
- 578 36. Parking Area or Garage with five (5) or more spaces<sup>8</sup>

- 579 37. Temporary Improvement<sup>9</sup>
- 580 38. Passenger Tramway Station and Ski Base Facility<sup>5</sup>
- 581 39. Ski tow rope, ski lift, ski run, and ski bridge<sup>5</sup>
- 582 40. Recreation Facility, Public<sup>5</sup>
- 583 41. Recreation Facility, Commercial<sup>5</sup>
- 584 42. Entertainment, Indoor<sup>5</sup>
- 585 43. Heliport<sup>5</sup>
- 586 44. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays<sup>10</sup>
- 587 45. Dwelling Unit, Fractional Use<sup>13</sup>

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

590 <sup>1</sup>Nightly Rental of Lockout Units requires a Conditional Use permit.

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

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

593 <sup>4</sup>Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City  
594 Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed  
595 on the original Property set forth in the services agreement and/or Master Festival License.

596 <sup>5</sup>Subject to Master Planned Development approval. See Chapter 15-6.

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

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

599 <sup>8</sup>See Section 15-2.18-5 criteria for drive-up windows.

600 <sup>9</sup>Requires an administrative Conditional Use permit.

601 <sup>10</sup>Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City  
602 Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed  
603 in an Area other than the original location set forth in the services agreement and/or Master Festival  
604 License.

605 <sup>11</sup>The Planning Director or their designee shall, upon finding a Food Truck Location in compliance with  
606 Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative approval  
607 letter.

608 <sup>12</sup>See Section 15-4-22, Outdoor Pickleball Courts in Residential Areas.

609 <sup>13</sup>Requires an Administrative Letter. See Section 15-4-23, Dwelling Unit, Fractional Use.

## 610 HISTORY

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

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

613 *Amended by Ord. [04-39](#) on 9/23/2004*

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

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

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

617 *Amended by Ord. [2020-45](#) on 10/1/2020*

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

## 619 **15-2.18-2 Uses**

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

### 621 A. **ALLOWED USES.**

- 622 1. Secondary Living Quarters
- 623 2. Lockout Unit<sup>1</sup>
- 624 3. Accessory Apartment<sup>2</sup>
- 625 4. Nightly Rental
- 626 5. Home Occupation
- 627 6. Child Care, In-Home Babysitting<sup>3</sup>
- 628 7. Child Care, Family<sup>3</sup>

- 629 8. Child Care, Family Group<sup>3</sup>
- 630 9. Child Care Center<sup>3</sup>
- 631 10. Accessory Building and Use
- 632 11. Conservation Activity
- 633 12. Agriculture
- 634 13. Plant and Nursery Stock production and sales
- 635 14. Bed and Breakfast Inn
- 636 15. Boarding House, Hostel
- 637 16. Hotel, Minor
- 638 17. Hotel, Major
- 639 18. Office, General
- 640 19. Office, Moderate Intensive
- 641 20. Office, Intensive
- 642 21. Office and Clinic, Medical and Veterinary Clinic
- 643 22. Financial Institution without a drive-up window
- 644 23. Commercial, Resort Support
- 645 24. Retail and Service Commercial, Minor
- 646 25. Retail and Service Commercial, Personal Improvement
- 647 26. Retail and Service Commercial, Major
- 648 27. Cafe or Deli
- 649 28. Restaurant, General
- 650 29. Hospital, Limited Care Facility
- 651 30. Parking Area or Structure with four (4) or fewer spaces

652 31. Parking Area or Structure with five (5) or more spaces

653 32. Food Truck Location<sup>10</sup>

654 B. **CONDITIONAL USES.**

655 1. Single Family Dwelling

656 2. Duplex Dwelling

657 3. Triplex Dwelling

658 4. Multi-Unit Dwelling

659 5. Group Care Facility

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

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

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

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

664 10. Timeshare Project and Conversion

665 11. Timeshare Sales Office, off-site within an enclosed Building

666 12. Private Residence Club Project and Conversion<sup>8</sup>

667 13. Financial Institution with a Drive-up Window<sup>6</sup>

668 14. Retail and Service Commercial with Outdoor Storage

669 15. Retail and Service Commercial, Auto Related

670 16. Transportation Service

671 17. Retail Drive-Up Window<sup>6</sup>

672 18. Gasoline Service Station

673 19. Restaurant and Cafe, Outdoor Dining<sup>7</sup>

674 20. Restaurant, Drive-up Window<sup>6</sup>

- 675 21. Outdoor Event<sup>7</sup>
- 676 22. Bar
- 677 23. Sexually Oriented Businesses<sup>8</sup>
- 678 24. Hospital, General
- 679 25. Light Industrial Manufacturing and Assembly
- 680 26. Temporary Improvement<sup>7</sup>
- 681 27. Passenger Tramway and Ski Base Facility
- 682 28. Ski tow rope, ski lift, ski run, and ski bridge
- 683 29. Commercial Parking Lot or Structure
- 684 30. Recreation Facility, Public
- 685 31. Recreation Facility, Commercial
- 686 32. Recreation Facility, Private<sup>9</sup>
- 687 33. Indoor Entertainment Facility
- 688 34. Heliport
- 689 35. Temporary Sales Trailer in conjunction with an active Building permit for
- 690 the Site.<sup>8</sup>
- 691 36. Fences greater than six feet (6') in height from Final Grade<sup>7</sup>
- 692 37. Household Pet, Boarding<sup>7</sup>
- 693 38. Household Pet, Daycare<sup>7</sup>
- 694 39. Household Pet, Grooming<sup>7</sup>
- 695 40. Dwelling Unit, Fractional Use<sup>11</sup>

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

- 698 <sup>1</sup>Nightly rental of Lockout Units requires Conditional Use permit.
- 699 <sup>2</sup>Requires an Administrative Permit. See Section 15-4-7, Accessory Apartments.
- 700 <sup>3</sup>See Section 15-4-9, Child Care and Child Care Facilities.
- 701 <sup>4</sup>See Section 15-4-14, Telecommunication Facilities.
- 702 <sup>5</sup>See Section 15-4-13, Placement of Satellite Receiving Antennas.
- 703 <sup>6</sup>See Section 15-2.18-6 for Drive-Up Window review.
- 704 <sup>7</sup>Requires an Administrative Conditional Use permit.
- 705 <sup>8</sup>See Section 15-4-16 for additional criteria.
- 706 <sup>9</sup>See Section 15-4-22, Outdoor Pickleball Courts in Residential Areas.
- 707 <sup>10</sup>The Planning Director or their designee shall, upon finding a Food Truck Location in compliance with
- 708 Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative approval
- 709 letter.
- 710 <sup>11</sup>Requires an Administrative Letter. See Section 15-4-23, Dwelling Unit, Fractional Use.

711 HISTORY

- 712 *Adopted by Ord. [00-51](#) on 9/21/2000*
- 713 *Amended by Ord. [04-39](#) on 9/23/2004*
- 714 *Amended by Ord. [06-76](#) on 11/9/2006*
- 715 *Amended by Ord. [14-57](#) on 11/20/2014*
- 716 *Amended by Ord. [2018-55](#) on 10/23/2018*
- 717 *Amended by Ord. [2018-55](#) on 10/23/2018*
- 718 *Amended by Ord. [2020-45](#) on 10/1/2020*
- 719 *Amended by Ord. [2021-51](#) on 12/16/2021*

720 **Section 15-4-23 Dwelling Unit, Fractional Use**

721 **Planning staff shall evaluate the Fractional Use Applications, and shall find compliance**

722 **with the following:**

723 **A. The following are prohibited:**

724 1. Nightly Rentals;

725 2. On-Street Parking;

726 3. Outdoor display of goods and merchandise;

727 4. Signs;

728 5. Commercial uses.

729 B. The Applicant submits a Management Plan describing the satisfactory level of  
730 management and maintenance of the Dwelling Unit, Fractional Use that addresses the  
731 following:

732 1. A designated responsible party that is a property management company,  
733 realtor, lawyer, owner, or another individual, who resides within a one-hour  
734 drive of the property, or, in the case of a company, has offices in Summit  
735 County, Utah. The responsible party must be available by telephone, or  
736 otherwise, twenty-four (24) hours per day, and must be able to respond to  
737 telephone inquiries within twenty (20) minutes of the receipt of such inquiries.

738 The responsible party is also designated as the agent for receiving all official  
739 communications.

740 2. Snow removal during winter months to a level that allows safe access to the  
741 Dwelling Unit over the normal pedestrian access.

742 3. Snow removal service to off-street parking associated with the property to  
743 ensure parking is available for owner use at all times.

744 4. Summer yard maintenance, including landscaping, weed control, and  
745 irrigation to a level that is consistent with the level of landscaping and  
746 maintenance on adjoining and nearby properties.

- 747 5. Structural maintenance to preserve substantial code compliance.
- 748 6. Routine upkeep, including painting and repair to a level that is consistent with
- 749 the level of maintenance on adjoining or nearby properties.
- 750 7. Trash collection which ensures that trash cans are not left at the curb for any
- 751 period in excess of 24 hours; the property must be kept free from
- 752 accumulated garbage and refuse.
- 753 8. Noise and Occupancy Control – Property management and owners are
- 754 responsible for regulating the occupancy of the property and noise created by
- 755 occupants. Violation of the Noise Ordinance in Municipal Code of Park City
- 756 Chapter 6-3, violation of occupancy loads, failure to use designated off-street
- 757 parking, illegal conduct, or any other abuse, which violates any law regarding
- 758 use or occupancy of the property is grounds for revocation.
- 759 9. Information on the proposed Fractional Use, including:
- 760 a. A description of the method of management of the Fractional Use.
- 761 b. Any restrictions on the use or occupancy of the Dwelling Unit and
- 762 property.
- 763 c. Any additional documentation the Applicant or City staff deem
- 764 reasonably necessary to evaluate the Fractional Use.
- 765 10. An active Business License for the fractional ownership company.

766

767 **Section 15-15-1 Definitions**

768 . . . . .

769 DWELLING UNIT, FRACTIONAL USE. Any Dwelling Unit which is owned by a limited  
770 liability company, corporation, partnership, or other joint ownership structure in which  
771 unrelated persons or entities own, sell, purchase or otherwise for consideration create  
772 or acquire any divided property interest including co-ownership or fractional or divided  
773 estates, shares, leaseholds, or memberships which are subject to, or subsequently  
774 bound by any agreement limiting interest holders' or their designees' right or functional  
775 ability to occupy or use the property to their respective interests or any other agreement  
776 which limits interest holders' or their designees' use of the property to fractional  
777 reservations through stay limitations of any duration. Fractional Use is established by  
778 any of the following elements : co-ownership or fractional or divided estates, shares,  
779 leaseholds, or memberships which are openly advertised, marketed, or offered for sale  
780 and sold individually at separate times; centralized or professional management;  
781 reservation systems; maximum or minimum day limits on each interest holder's  
782 occupancy or use of the property; or management fees reflective of interval use or  
783 ownership, irrespective of whether the agreement may be canceled individually or by  
784 any party. This definition shall not include non-commercial groups such as families,  
785 partnerships, associations, or trusts with divided interests or agreements in which the  
786 real estate is held and transferred within the family, partnership, association, or trust as  
787 opposed to sold on the free market for commercial purposes.