

DRAFT PENDING ORDINANCE

AN ORDINANCE AMENDING THE LAND MANAGEMENT CODE RESIDENTIAL MAXIMUM LOT SIZE FOR THE RESIDENTIAL-1, RESIDENTIAL MEDIUM, AND RECREATION COMMERCIAL ZONING DISTRICTS

WHEREAS, Park City has over 400 registered historic sites, two National Historic Districts, and six Historic Zoning Districts;

WHEREAS, Goal 15 in the Park City General Plan is to “[p]reserve the integrity, mass, scale, compatibility and historic fabric of the nationally and locally designated historic resources and districts for future generations;”

WHEREAS, the General Plan states “[w]hile the uses within these districts may evolve over time, the built environment of the local historic districts should stay true to its architectural roots, specifically relative to the integrity, mass, scale and historic fabric of the mining boom era (1872-1929);”

WHEREAS, Historically, lots in Park City’s Old Town were platted 25 feet in width and 75 feet in depth;

WHEREAS, to mitigate infill development on larger lots, the LMC establishes Maximum Building Footprint regulations in the Historic Residential – 1, Historic Residential – 2, and Historic Residential Low – Density Zoning Districts that proportionally reduce the building footprint as lot size increases;

WHEREAS, the Land Management Code establishes minimum lot sizes but does not establish maximum lot sizes for residential Historic Districts;

WHEREAS, the Land Management Code establishes the Recreation Commercial, Residential – 1, and Residential Medium Zoning Districts to transition use and scale between the Historic Districts and resort and town development;

WHEREAS, the Planning Commission requested Lot Combination land use regulations be prioritized for evaluation and updates;

WHEREAS, on August 25, 2023, the Planning Commission directed staff to issue a pending ordinance for maximum lot sizes for Single-Family, Duplex, and Triplex Uses in the Recreation Commercial, Residential – 1, and Residential Medium Zoning Districts,

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, on November 11, 2023, the Planning Commission conducted a duly noticed public hearing;

WHEREAS, on November 11, 2023, the Planning Commission forwarded a _____ recommendation for City Council's consideration;

WHEREAS, on _____ the City Council conducted a duly noticed public hearing;

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. Municipal Code of Park City Title 15 Land Management Code

Sections 15-2.12-3 Residential – 1 Lot and Site Requirements, 15-2.15-3 Residential Medium Lot and Site Requirements, and 15-2.16-5 Recreation Commercial Special Requirements for Single Family and Duplex Dwellings, as outlined in Attachment 1.

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

PASSED AND ADOPTED THIS ___th day of _____ 2023.

PARK CITY MUNICIPAL CORPORATION

Nann Worel, Mayor

Attest:

City Recorder

Approved as to form:

City Attorney's Office

DRAFT

1 **Attachment 1**

2 **15-2.12-3 Lot And Site Requirements**

3 Except as may otherwise be provided in this Code, no Building Permit shall be issued
4 for a Lot unless such Lot has Frontage on a Street shown as a private or Public Street
5 on the Streets Master Plan, or on a private easement connecting the Lot to a Street
6 shown on the Streets Master Plan. All Development must comply with the following:

7 A. **LOT SIZE**. The minimum Lot Area for a Single-Family Dwelling is 2,812 square
8 feet and the maximum Lot Area is 3,570 square feet. The minimum Lot Area for a
9 Duplex Dwelling is 3,750 square feet and the maximum Lot Area is 7,500 square
10 feet.; ~~and~~ The minimum Lot Area for a Triplex Dwelling is 5,625 square feet and
11 the maximum Lot Area is 11,250 square feet. The minimum width of a Lot must
12 be thirty-seven and one-half feet (37.5') measured fifteen feet (15') back from
13 Front Lot Line. In the case of unusual Lot configurations, Lot Width
14 measurements shall be determined by the Planning Director.

15 B. **FRONT SETBACK**.

- 16 1. The minimum Front Setback is fifteen feet (15').
- 17 2. New Front Facing Garages for Single Family and Duplex Dwellings must
18 be at least twenty feet (20') from the Front Property Line.
- 19 3. Parking Spaces are allowed within the required Front Yard, but not within
20 five feet (5') of Side Lot Lines.

21 C. **FRONT SETBACK EXCEPTIONS**. The Front Setback must be open and free of
22 any Structure except:

- 23 1. Fences, walls, and retaining walls not more than four feet (4') in height, or
24 as permitted in Section 15-4-2. On Corner Lots, Fences more than three
25 feet (3') in height are prohibited within twenty-five feet (25') of the
26 intersection at back of curb.
- 27 2. Uncovered steps leading to the Main Building provided the steps are not
28 more than four feet (4') in height from Final Grade, not including any
29 required handrails, and do not cause any danger or hazard to traffic by
30 obstructing the view of a Street or intersection.
- 31 3. Decks, porches, and Bay Windows not more than ten feet (10') wide,
32 projecting not more than five feet (5') into the Front Setback.
- 33 4. Roof overhangs, eaves, and cornices projecting not more than two feet
34 (2') into the Front Setback.
- 35 5. Sidewalks, patios, and pathways.
- 36 6. Driveways leading to a garage or Parking Area. No portion of a Front
37 Yard, except for approved driveways, allowed Parking Areas, patios, and
38 sidewalks may be Hard-Surfaced or graveled.
- 39 7. Circular driveways meeting all requirements stated in Section 15-3-4
40 herein.

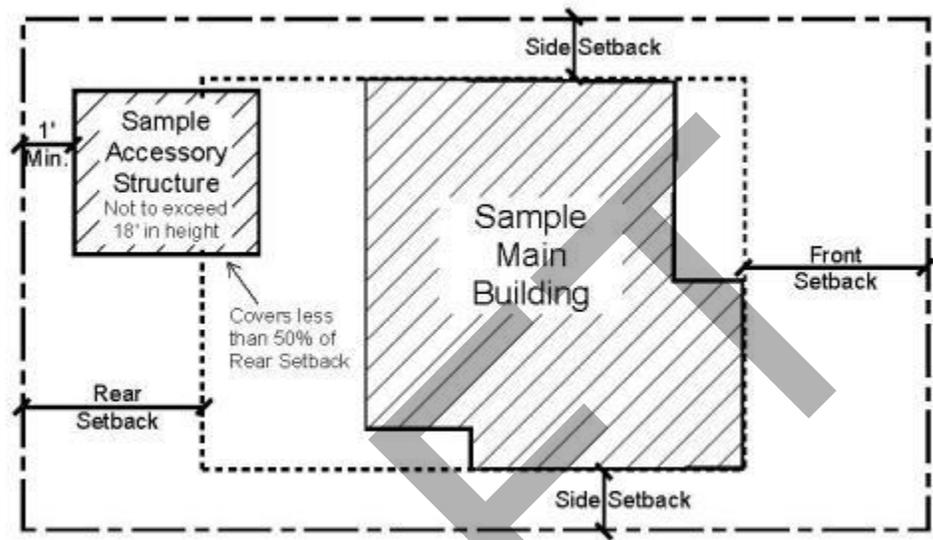
41 D. **REAR SETBACK**. The minimum Rear Setback is ten feet (10').

42 E. **REAR SETBACK EXCEPTIONS**. The Rear Setback must be open and free of
43 any Structure except:

- 44 1. Bay Windows not more than ten feet (10') wide projecting not more than
45 two feet (2') into the Rear Setback.

- 46 2. Chimneys not more than five feet (5') wide projecting not more than two
47 feet (2') into the Setback.
- 48 3. Window wells and light wells projecting not more than four feet (4') into the
49 Rear Setback.
- 50 4. Roof overhangs and eaves projecting not more than two feet (2') into the
51 Rear Setback.
- 52 5. Window sills, belt courses, cornices, trim, and other ornamental features
53 projecting not more than six inches (6") beyond the window or Structure to
54 which it is attached.
- 55 6. Detached Accessory Buildings, not more than eighteen feet (18') in height,
56 located a minimum of five feet (5') behind the front façade of the Main
57 Building and maintaining a minimum Rear Setback of five feet (5'). Such
58 Structure must not cover over fifty percent (50%) of the Rear Setback. See

the following illustration:



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7. Screened mechanical equipment, hot tubs, and similar Structures located at least five feet (5') from the Rear Lot Line.

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8. Fences, walls, and retaining walls not more than six feet (6') in height, or as permitted in Section 15-4-2. Retaining walls may have multiple steps; however, each exposed face cannot exceed six feet (6') in height and the horizontal distance between the walls, front face to rear face, must be at least three feet (3') and planted with approved vegetation. The Planning Director may approve minor deviations to the height and stepping requirements based on Site specific review.¹

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

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73 F. **SIDE SETBACK.**

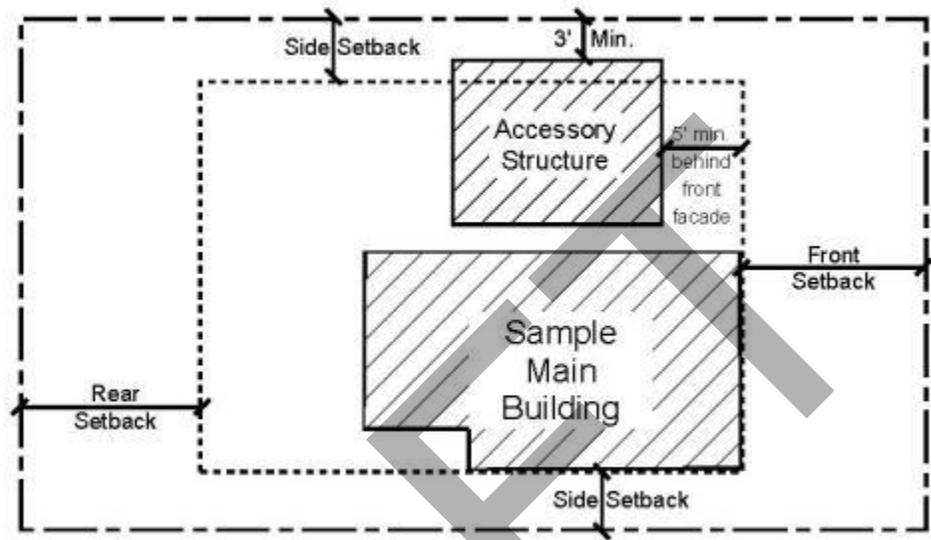
74 1. The minimum Side Setback is five feet (5').

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

81 a. Exterior Side Setbacks shall be based on the required minimum
82 Side Setback for each Lot; however the Planning Commission may
83 consider increasing exterior Side Setbacks during Conditional Use
84 Permit review to mitigate potential impacts on adjacent Property.
85 Side Setback exceptions continue to apply.

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

illustration:



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4. On a Corner Lot, the Side Yard that faces a Street or platted Right-of-Way is considered a Front Yard, and a ten foot (10') Setback is required for both the Main and Accessory Buildings.

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G. **SIDE SETBACK EXCEPTIONS.** The Side Setback must be open and free of any

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Structure except:

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

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

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

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Side Setback.

- 104 4. Roof overhangs and eaves projecting not more than two feet (2') into the
105 Side Setback.
- 106 5. Window sills, belt courses, cornices, trim, and other ornamental features
107 projecting not more than six inches (6") beyond the window or main
108 Structure to which it is attached.
- 109 6. Patios, decks, pathways, steps, and similar Structures not more than thirty
110 inches (30") in height above Final Grade located at least a one foot (1')
111 from the Side Lot Line.
- 112 7. Fences, walls, and retaining walls not more than six feet (6') in height, or
113 as permitted in Section 15-4-2. A retaining wall may have multiple steps,
114 however, each exposed face cannot exceed six feet (6') in height and the
115 horizontal distance between the walls, front face to rear face, must be at
116 least three feet (3') and planted with approved vegetation. The Planning
117 Director may approve minor deviations to the height and stepping
118 requirements based on Site specific review.²
- 119 8. Driveways leading to an approved garage or Parking Area, maintaining a
120 three foot (3') landscaped Setback to the Side Lot Line. A paved turn out
121 Area, to aid in backing a vehicle out of a garage or Parking Area, is
122 allowed, but may not be used for parking and must maintain a one foot (1')
123 landscaped Setback to the Side Lot Line.
- 124 9. Paths and steps connecting to a City stairway or path.
- 125 10. Screened mechanical equipment, hot tubs, and similar Structures located
126 a minimum of five feet (5') from the Side Lot Line.

- 127 H. **SNOW RELEASE**. Site plans and Building design must resolve snow release
128 issues to the satisfaction of the Chief Building Official.
- 129 I. **CLEAR VIEW OF INTERSECTION**. No visual obstruction in excess of two feet
130 (2') in height above Road Grade shall be placed on any Corner Lot within the Site
131 Distance Triangle. A reasonable number of trees may be allowed, if pruned high
132 enough to permit automobile drivers an unobstructed view. This provision must
133 not require changes in the Natural Grade on the Site.

134 ¹Fences and walls greater than six feet (6') in height require an administrative Conditional Use permit.

135 ²Fences and walls greater than six feet (6') in height require an administrative Conditional Use permit.

136 HISTORY

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

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

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

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

141 **15-2.15-3 Lot And Site Requirements**

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

146 All Development must comply with the following:

- 147 A. **LOT SIZE**. Minimum Lot Area for Residential Uses is as follows:

Single Family Dwelling	2,812 sq. ft.
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Duplex Dwelling	3,750 sq. ft.
Triplex Dwelling	4,687 sq. ft.
Four-plex Dwelling	5,625 sq. ft.

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149 Maximum Lot Areas for Residential Uses are as follows:

Single Family Dwelling	3,750 sq. ft.
Duplex Dwelling	7,500 sq. ft.
Triplex Dwelling	11,250 sq. ft.
Four-plex Dwelling	15,000 sq. ft.

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151 B. Minimum Lot Area for all other Uses shall be determined by the Planning
 152 Commission during the Conditional Use review.

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154 Developments consisting of more than four (4) Dwelling Units require a Lot Area
 155 at least equal to 5,625 square feet plus an additional 1,000 square feet per each
 156 additional Dwelling Unit over four (4) units. All Setback, height, parking, Open
 157 Space, and architectural requirements must be met. See Section 15-1-10,
 158 Conditional Use permit review.

159 C. **LOT WIDTH.** The minimum width of a Lot is 37.50 feet, measured fifteen feet
 160 (15') back from the Front Lot Line. In the case of unusual Lot configurations, Lot

161 Width measurements shall be determined by the Planning Director. The Planning
162 Commission may reduce the minimum Lot Width during review of a Master
163 Planned Development.

164 **D. FRONT SETBACK.**

- 165 1. The minimum Front Setback for all Single Family, Duplex Dwellings, and
166 Accessory Buildings is fifteen feet (15'). See 15-2.13-3(C)(3) for exception
167 for Lots with a depth of seventy-five feet (75') or less.
- 168 2. New Front Facing Garages for Single-Family and Duplex Dwellings must
169 be at least twenty feet (20') from the Front Lot Line.
- 170 3. The minimum Front Setback for Lots seventy-five feet (75') deep or less is
171 ten feet (10').
- 172 4. See Section 15-2.15-4 for special requirements for Tri-Plex and Multi-Unit
173 Dwellings.

174 **E. FRONT SETBACK EXCEPTIONS.** The Front Setback must be open and free of
175 any Structure except:

- 176 1. Fences, walls, and retaining walls not more than four feet (4') in height, or
177 as permitted in Section 15-4-2. On Corner Lots, Fences more than three
178 feet (3') in height are prohibited within twenty-five feet (25') of the
179 intersection at back of curb.
- 180 2. Uncovered steps leading to the Main Building, provided, the steps are not
181 more than four feet (4') in height from Final Grade, not including any
182 required handrails, and do not cause any danger or hazard to traffic by
183 obstructing the view of a Street or intersection.

- 184 3. Decks, porches, and Bay Windows not more than ten feet (10') wide,
185 projecting not more than five feet (5') into the Front Setback.
- 186 4. Roof overhangs, eaves, and cornices projecting not more than three feet
187 (3') into the Front Setback.
- 188 5. Sidewalks, patios, and pathways.
- 189 6. Driveways leading to a garage or approved Parking Area. No portion of a
190 Front Yard, except for approved driveways, patios, allowed Parking Areas,
191 and sidewalks, may be Hard-Surfaced or graveled.
- 192 7. Circular driveways meeting all requirements stated in Section 15-3-4
193 herein.

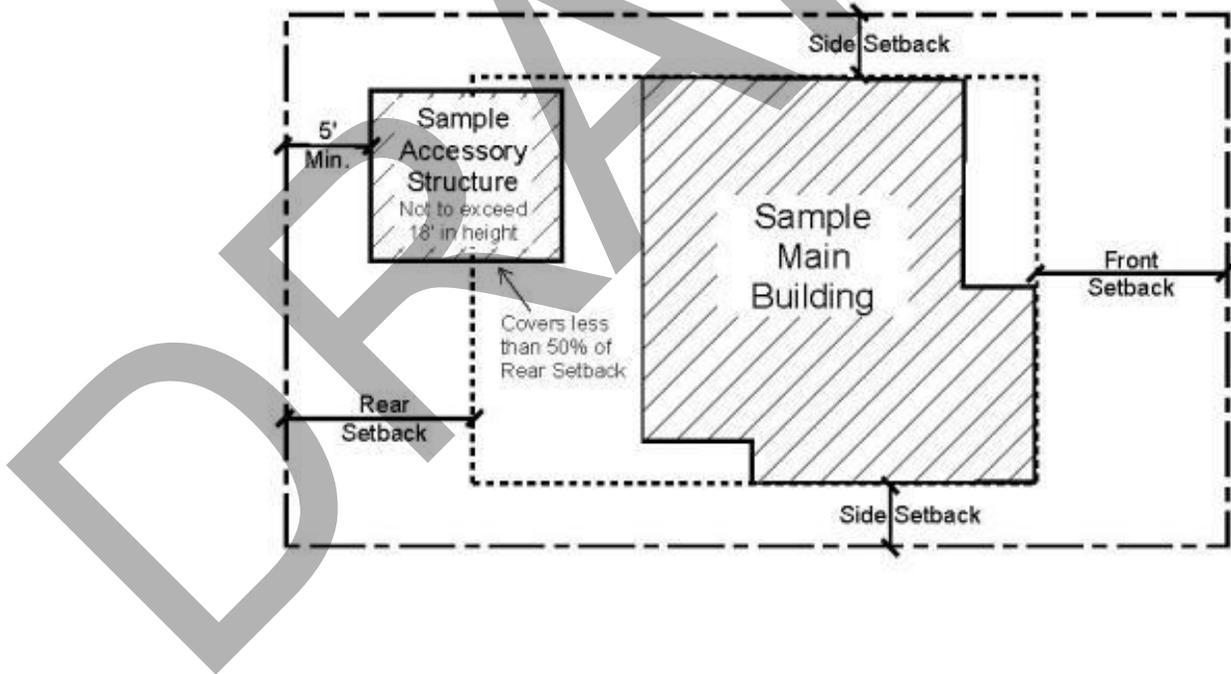
194 **F. REAR SETBACK.**

- 195 1. The minimum Rear Setback for Single Family and Duplex Dwellings is ten
196 feet (10').
- 197 2. See Section 15-2.15-4 special requirements for Multi-Unit Dwellings.

198 **G. REAR SETBACK EXCEPTIONS.** The Rear Setback must be open and free of
199 any Structure except:

- 200 1. Bay Windows not more than ten feet (10') wide projecting not more than
201 two feet (2') into the Rear Setback.
- 202 2. Chimneys not more than five feet (5') wide projecting not more than two
203 feet (2') into the Rear Setback.
- 204 3. Window wells and light wells projecting not more than four feet (4') into the
205 Rear Setback.

- 206 4. Roof overhangs and eaves projecting not more than three feet (3') into the
207 Rear Setback.
- 208 5. Window sills, belt courses, cornices, trim, and other ornamental features
209 projecting not more than six inches (6") beyond the window or main
210 Structure to which it is attached.
- 211 6. Detached Accessory Buildings not more than eighteen feet (18') in height
212 and maintaining a minimum Rear Setback of five feet (5'). Such Structures
213 must not cover over fifty percent (50%) of the Rear Setback. See the
214 following illustration:



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- 216 7. Hard-Surfaced Parking Areas subject to the same location requirements
217 as a detached Accessory Building.
- 218 8. Screened mechanical equipment, hot tubs, and similar Structures located
219 at least five feet (5') from the Rear Lot Line.

220 9. Fences, walls, and retaining walls not more than six feet (6') in height, or
221 as permitted in Section 15-4-2. Retaining walls may have multiple steps,
222 however, each exposed face cannot exceed six feet (6') in height and the
223 horizontal distance between the walls, front face to rear face, must be at
224 least three feet (3') and planted with approved vegetation. The Planning
225 Director may approve minor deviations to the height and stepping
226 requirements based on Site specific review.¹

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

230 H. **SIDE SETBACK.**

231 1. The minimum Side Setback for any Single Family, Duplex Dwelling or
232 Accessory Building is five feet (5').

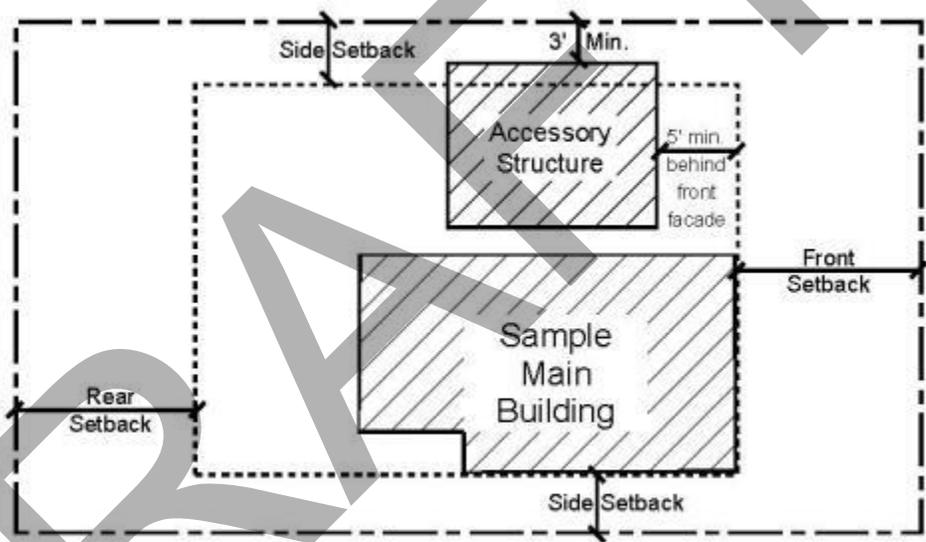
233 2. A Side Setback between connected Structures is not required where
234 Structures are designed with a common wall on a Property Line, each
235 Structure is located on an individual Lot, the Lots are burdened with a
236 party wall agreement in a form approved by the City Attorney and Chief
237 Building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

239 a. Exterior Side Setbacks shall be based on the required minimum
240 Side Setback for each Lot; however the Planning Commission may
241 consider increasing exterior Side Setbacks during Conditional Use

242 Permit review to mitigate potential impacts on adjacent Property.

243 Side Setback exceptions continue to apply.

244 3. The minimum Side Setback for a detached Accessory Building not greater
245 than eighteen feet (18') in height, located at least five feet (5') behind the
246 front facade of the Main Building is three feet (3'). See [teh the](#) following
247 illustration:



248 4. On Corner Lots, the Side Yard that faces a Street or platted Right-of-Way
249 is considered a Front Yard, and the minimum Setback is ten feet (10') for
250 both Main and Accessory Buildings.
251

252 5. See Section 15-2.15-4 Special Requirements for Multi-Unit Dwellings.

253 I. **SIDE SETBACK EXCEPTIONS.** The Side Setback must be open and free of any
254 Structure except:

- 255 1. Bay windows not more than ten feet (10') wide projecting not more than
256 two feet (2') into the Side Setback.
- 257 2. Chimneys not more than five feet (5') wide projecting not more than two
258 feet (2') into the Side Setback.
- 259 3. Window wells and light wells projecting not more than four feet (4') into the
260 Side Setback.
- 261 4. Roof overhangs and eaves projecting not more than three feet (3') into the
262 Side Setback.
- 263 5. Window sills, belt courses, cornices, trim, and other ornamental features
264 projecting not more than six inches (6") beyond the window or main
265 Structure to which it is attached.
- 266 6. Patios, decks, pathways, steps, and similar Structures not more than thirty
267 inches (30") in height above Final Grade, provided there is at least a one
268 foot (1') Setback to the Side Lot Line.
- 269 7. Fences, walls, and retaining walls not more than six feet (6') in height, or
270 as permitted in Section 15-4-2. Retaining walls may have multiple steps,
271 however each exposed face cannot exceed six feet (6') in height and the
272 horizontal distance between the walls, front face to rear face, must be at
273 least three feet (3') and planted with approved vegetation. The Planning
274 Director may approve minor deviations to the height and stepping
275 requirements based on Site specific review.¹
- 276 8. Driveways leading to an approved garage or Parking Area maintaining a
277 three foot (3') landscaped Setback to the Side Lot Line.

278 9. Paths, patios, and steps connecting to a City stairway or path.
279 10. Screened mechanical equipment, hot tubs, and similar Structures located
280 a minimum of five feet (5') from the Side Lot Line.

281 J. **SNOW RELEASE**. Site plans and Building design must resolve snow release
282 issues to the satisfaction of the Chief Building Official.

283 K. **CLEAR VIEW OF INTERSECTION**. No visual obstruction in excess of two feet
284 (2') in height above Road Grade shall be placed on any Corner Lot within the Site
285 Distance Triangle. A reasonable number of trees may be allowed, if pruned high
286 enough to permit automobile drivers an unobstructed view. This provision must
287 not require changes in the Natural Grade on the Site.

288 ¹Fences and walls greater than six feet (6') in height require an administrative
289 Conditional Use permit

290 HISTORY

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

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

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

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

295 **15-2.16-5 Special Requirements For Single Family And Duplex Dwellings**

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

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The following minimum Lot and Site requirements apply to Single Family and Duplex Dwellings in the RC District:

A. **LOT SIZE.** The minimum Lot Area is 1,875 square feet for a Single Family Dwelling and the maximum Lot Area is 3,570 square feet. The minimum Lot Area for a Duplex Dwelling is 3,750 square feet and the maximum Lot Area is 7,500 square feet. The minimum width of a Lot is twenty five feet (25'); measured fifteen feet (15') back from the Front Lot Line. In the case of unusual Lot configurations, Lot Width measurements shall be determined by the Planning Director.

B. **BUILDING ENVELOPE - RC DISTRICT.** The Building Pad, Building Footprint and height restrictions define the maximum Building Envelope within which all Development must occur, with exceptions as allowed by Section 2-16-5(C).

C. **BUILDING PAD - RC DISTRICT.** The Building Pad is the Lot Area minus required Front, Rear and Side Setback Areas.

1. The Building Footprint must be within the Building Pad. The remainder of the Building Pad must be open and free of any other Structure except:
 - a. Porches or decks, with or without roofs;
 - b. At Grade patios;
 - c. Upper level decks, with or without roofs;
 - d. Bay Windows;
 - e. Chimneys;
 - f. Sidewalks, pathways, and steps;

323 g. Screened hot tubs; and

324 h. Landscaping.

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

329 a. provides increased architectural interest consistent with the Design
330 Guidelines for Historic Districts and Sites; and

331 b. maintains the intent of this section to provide horizontal and vertical
332 Building articulation.

333 D. **BUILDING FOOTPRINT – RC DISTRICT**. The maximum Building Footprint of
334 any Single Family or Duplex Structure located on a Lot, or combination of Lots,
335 not exceeding 18,750 square feet in Lot Area, shall be calculated according to
336 the following formula for Building Footprint, illustrated in Table 15-2.16.

337
338 Accessory Buildings listed on the Park City Historic Structures Inventory that are
339 not expanded, enlarged or incorporated into the Main Building, shall not count in
340 the total Building Footprint of the Lot.

341
342 The maximum Building Footprint for any Structure located on a Lot or
343 combination of Lots, exceeding 18,750 square feet in Lot Area, shall be 4,500
344 square feet; with an exemption allowance of 400 square feet, per Dwelling Unit,
345 for garage floor area. A Conditional Use permit is required for all Structures with

346 a proposed footprint of greater than 3,500 square feet.

347

348 $MAXIMUM FP = (A/2) \times 0.9^{A/1875}$

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

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

351

352 See the following Table 15-2.16 below for a schedule equivalent of this formula.

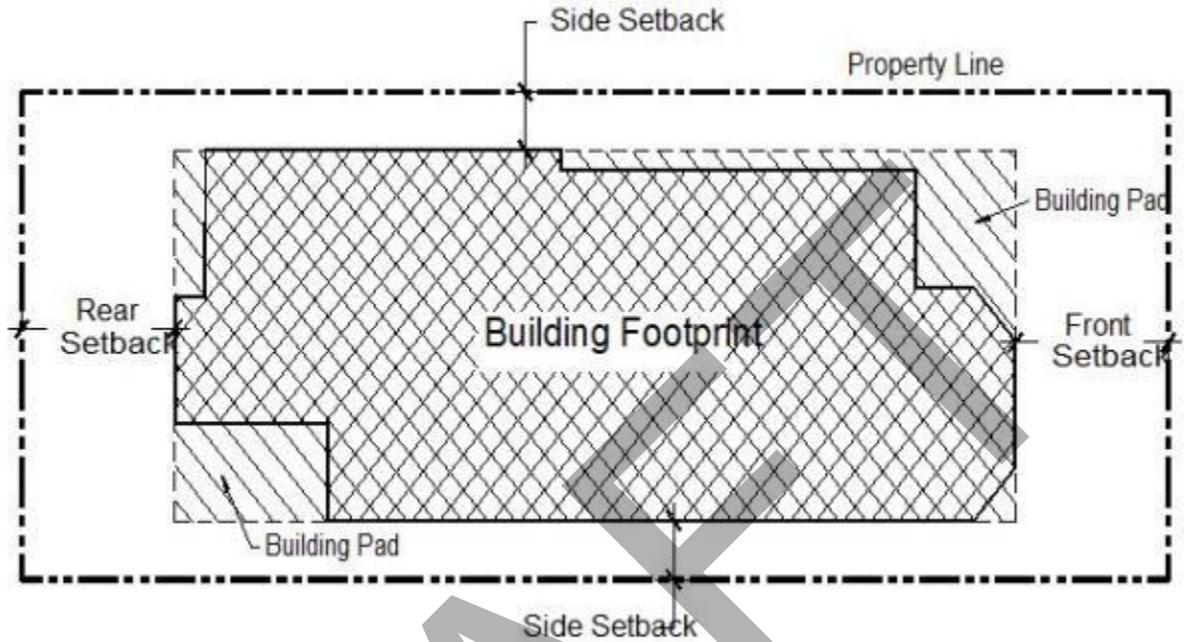
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354 TABLE 15-2.16

Lot Depth </=ft.*	Lot Width, ft. Up to:	Side Setbacks Min. Total, ft.	Lot Area Sq. ft.	Bldg. Pad Sq. ft.	Max. Bldg. Footprint
75 ft.	25.0	3 ft. 6 ft.	1,875	1,045	844
75 ft.	37.5	3 ft. 6 ft.	2,813	1,733	1,201
75 ft.	50.0	5 ft. 10 ft.	3,750	2,200	1,519

75 ft.	62.5	5 ft.	14 ft.	4,688	2,668	1,801
75 ft.	75.0	5 ft.	18 ft.	5,625	3,135	2,050
75 ft.	87.5	10 ft.	24 ft.	6,563	3,493	2,270
75 ft.	100.0	10 ft.	24 ft.	7,500	4,180	2,460
75 ft.	Greater than 100.0	10 ft.	30 ft.	Greater than 75 ft.	Per Setbacks and Lot Area	Per formula

355 E. *For Lots > 75' in depth use Footprint formula and Table 15-2.16a for Front and
 356 Rear Setbacks.



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

359
 360 Table 15-2.16a

Lot Depth	Min. Front/Rear Setback	Total of Setbacks
Up to 75 ft., inclusive	10 ft.	20 ft.

From 75 ft. to 100 ft.	12 ft.	25 ft.
Over 100 ft.	15 ft.	30 ft.

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362 G. **FRONT SETBACK EXCEPTIONS**. The Front Setback must be open and free of
363 any Structure except:

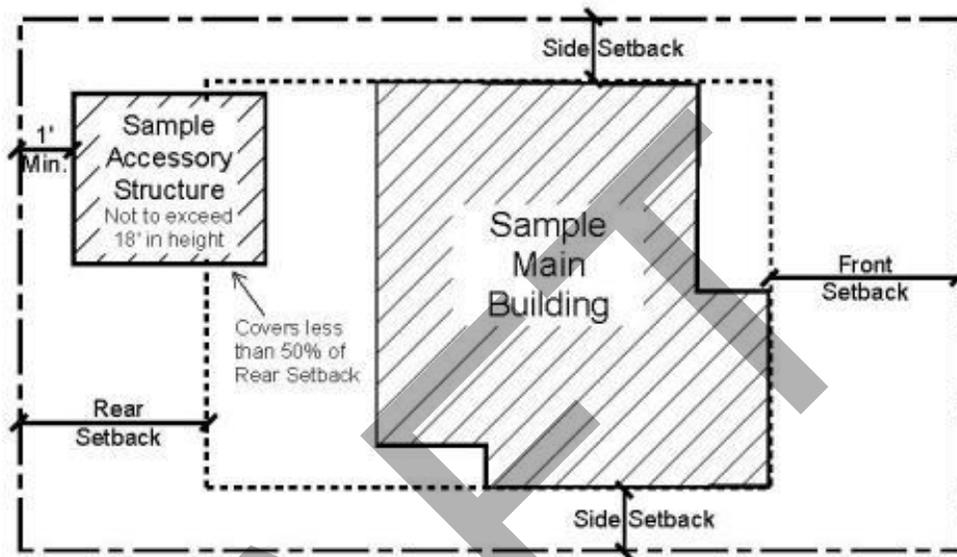
- 364 1. Fences or walls not more than four feet (4') in height, or as permitted in
365 Section 15-4-2. Fences and Walls. On Corner Lots, Fences more than
366 three feet (3') in height are prohibited within twenty-five feet (25') of the
367 intersection at back of curb.
- 368 2. Uncovered steps leading to the Main Building; provided the steps are not
369 more than four feet (4') in height from Final Grade, not including any
370 required handrail, and do not cause any danger or hazard to traffic by
371 obstructing the view of the Street or intersection.
- 372 3. Decks, porches, and Bay Windows not more than ten feet (10') wide,
373 projecting not more than three feet (3') into the Front Setback.
- 374 4. Roof overhangs, eaves, and cornices projecting not more than three feet
375 (3') into the Front Setback.
- 376 5. Sidewalks, patios, and pathways.

377 6. A driveway leading to a garage or Parking Area. No portion of a Front
378 Yard, except for patios, driveways, allowed Parking Areas and sidewalks
379 may be Hard-Surfaced or graveled.

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

- 382 1. Bay Windows not more than ten feet (10') wide, projecting not more than
383 two feet (2') into the Rear Setback.
- 384 2. Chimneys not more than five feet (5') wide projecting not more than two
385 feet (2') into the Rear Setback.
- 386 3. Window wells and light wells projecting not more than four feet (4') into the
387 Rear Setback.
- 388 4. Roof overhangs and eaves projecting not more than two feet (2') into the
389 Rear Setback.
- 390 5. Window sills, belt courses, cornices, trim, exterior siding, and other
391 ornamental features projecting not more than six inches (6") beyond the
392 window or main Structure to which it is attached.
- 393 6. Detached Accessory Buildings not more than eighteen feet (18') in height,
394 located a minimum of five feet (5') behind the front façade of the Main
395 Building, and maintaining a minimum Rear Setback of one foot (1'). Such
396 Structures may not cover more than fifty percent (50%) of the Rear

Setback. See the following illustration:



398

399

7. Hard-Surfaced Parking Areas subject to the same location requirements as a detached Accessory Building.

400

401

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

402

403

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

404

10. Patios, decks, pathways, steps, and similar Structures not more than thirty inches (30") above Final Grade.

405

406

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

407

I. **SIDE SETBACKS.**

408

1. The minimum Side Setback is three feet (3'), but increases for Lots greater than thirty-seven and one-half feet (37.5') in Width, as per Table 15-2.16 above.

409

410

411 2. Site plans and Building designs must resolve snow release issues to the
412 satisfaction of the Chief Building Official.

413 3. On Corner Lots, the minimum Side Setback that faces a side Street or
414 platted Right-of-Way is five feet (5').

415 4. A Side Setback between connected Structures is not required where
416 Structures are designed with a common wall on a Property Line, each
417 Structure is located on an individual Lot, the Lots are burdened with a
418 party wall agreement in a form approved by the City Attorney and Chief
419 Building Official, all applicable Building and Fire Code requirements are
420 met, and the Use is an Allowed or Conditional Use in the Zoning District.

421 a. Exterior Side Setbacks shall be based on the required minimum
422 Side Setback for each Lot; however the Planning Commission may
423 consider increasing exterior Side Setbacks during Conditional Use
424 Permit review to mitigate potential impacts on adjacent Property.
425 Side Setback exceptions continue to apply.

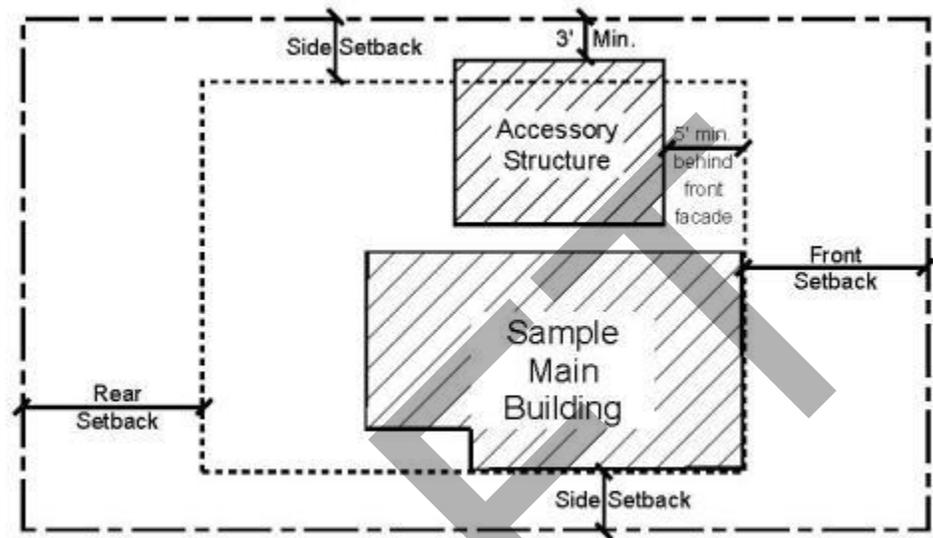
426 b. Building Footprint shall be based on the total lot Area of the
427 underlying Lots. The Planning Commission may consider
428 decreasing Building Footprint during Conditional Use Permit review
429 to mitigate potential impacts on adjacent Property.

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

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

- 434 2. Chimneys not more than five Feet (5') wide projecting not more than two
435 feet (2') into the Side Setback.¹
- 436 3. Window wells and light wells Projecting not more than four feet (4') into
437 the Side Setback.¹
- 438 4. Roof overhangs and eaves projecting not more than two feet (2') into the
439 Side Setback. A one foot (1') roof or eave overhang is permitted on Lots
440 with a Side Setback of less than five feet (5').¹
- 441 5. Window sills, belt courses, trim, cornices, exterior siding, and other
442 ornamental features projecting not more than six inches (6") beyond the
443 window or main Structure to which it is attached.
- 444 6. Patios, decks, pathways, steps, or similar Structures not more than thirty
445 inches (30") in height from Final Grade.
- 446 7. Fences and walls as permitted in Section 15-4-2.
- 447 8. Driveways leading to a garage or approved Parking Area.
- 448 9. Pathways and steps connecting to a City staircase or pathway.
- 449 10. A detached Accessory Building, not more than eighteen feet (18') in
450 height, located a minimum of five feet (5') behind the front facade of the
451 Main Building, and maintaining a minimum Side Setback of three feet (3').

See the following illustration:



453

454

11. Mechanical equipment (which must be screened), hot tubs, or similar

455

Structures located a minimum of three feet (3') from the Side Lot Line.

456

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

457

458

L. **CLEAR VIEW OF INTERSECTION**. No visual obstruction in excess of two feet

459

(2') in height above Road Grade shall be placed on any Corner Lot within the Site

460

Distance Triangle. A reasonable number of trees may be allowed, if pruned high

461

enough to permit automobile drivers an unobstructed view. This provision must

462

not require changes in the Natural Grade on the Site.

463

M. **BUILDING HEIGHT**. No Single Family or Duplex Dwelling Structure shall be

464

erected to a height greater than twenty-seven feet (27'). This is the Zone Height

465

for Single Family and Duplex Dwellings. Final Grade must be within four vertical

466 feet (4') of Existing Grade around the periphery of the Structure, except for the
467 placement of approved window wells, emergency egress, and a garage entrance.

468 The following height requirements must be met:

- 469 1. A Structure shall have a maximum height of thirty five feet (35') measured
470 from the lowest finish floor plane to the point of the highest wall top plate
471 that supports the ceiling joists or roof rafters.
- 472 2. A ten foot (10') minimum horizontal step in the downhill façade is required
473 unless the First Story is located completely under the finished Grade on all
474 sides of the Structure. The horizontal step shall take place at a maximum
475 height of twenty three feet (23') from where Building Footprint meets the
476 lowest point of existing Grade. Architectural features, that provide
477 articulation to the upper story façade Setback, may encroach into the
478 minimum ten foot (10') Setback but shall be limited to no more than twenty
479 five percent (25%) of the width of the building encroaching no more than
480 four feet (4') into the Setback, subject to compliance with the Design
481 Guidelines for Historic Sites and Historic Districts.
- 482 3. Roof Pitch. The primary roof pitch must be between seven:twelve (7:12)
483 and twelve:twelve (12:12). A Green Roof may be below the required 7:12
484 roof pitch as part of the primary roof design. In addition, a roof that is not
485 part of the primary roof design may be below the required 7:12 roof pitch.
 - 486 a. A structure containing a flat roof shall have a maximum height of
487 thirty five feet (35') measured from the lowest floor plane to the
488 highest wall top plate that supports the ceiling joists or roof rafters.

503 a. The proposed height exception is only for the Area of the elevator.

504 No increase in square footage is being achieved.

505 b. The proposed option is the only feasible option for the elevator on
506 the site.

507 c. The proposed elevator and floor plans comply with the American
508 Disability Act (ADA) standards.

509 4. Garage on Downhill Lot. The Planning Commission may allow additional
510 Building Height (see entire Section 15-2.16-5 (L) on a downhill Lot to
511 accommodate a single car wide garage in a Tandem Parking
512 configuration; to accommodate circulation, such as stairs and/or an ADA
513 elevator; and to accommodate a reasonably sized front entry area and
514 front porch that provide a Compatible streetscape design. The depth of the
515 garage may not exceed the minimum depth for internal Parking Space(s)
516 as dimensioned within this Code, Section 15-3. The additional Building
517 Height may not exceed thirty-five feet (35') from Existing Grade.

518 ¹Applies only to Lots with a minimum Side Setback of five feet (5') or greater.

519 HISTORY

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

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

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

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

524 *Amended by Ord. [13-48](#) on 11/21/2013*

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

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

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

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