

**Ordinance 11-12**

**AN ORDINANCE AMENDING  
THE LAND MANAGEMENT CODE  
OF PARK CITY, UTAH, TO CREATE A PROCEDURE TO TRANSFER  
DEVELOPMENT RIGHTS (TDR) FROM AN AREA LOCATED WITHIN A  
DESIGNATED SENDING ZONE TO AN AREA WITHIN A DESIGNATED RECEIVING  
ZONE BY ADDING CHAPTER 15-2.24 AND TO ADD ADDITIONAL  
SPECIFICATIONS TO MASTER PLANNED DEVELOPMENTS WITHIN OVERLAY  
RECEIVING ZONES BY AMENDING CHAPTER 15-6 AND TO ADD DEFINITIONS  
REGARDING TRANSFER OF DEVELOPMENT RIGHTS BY AMENDING CHAPTER  
15-15.**

WHEREAS, the Land Management Code was adopted by the City Council of Park City, Utah to promote and protect the health, safety and welfare of the present and future residents, businesses, visitors, and property owner's of Park City;

WHEREAS, the Land Management Code implements the goals, objectives and policies of the Park City General Plan and promote Council goals to protect and enhance the vitality of the City's resort-based economy, overall quality of life, historic character, and unique mountain town community; and

WHEREAS, the City reviews the Land Management Code and identifies amendments that address planning and zoning issues, and to align the Code with the Council's goals:

WHEREAS, Chapter 2.24 Transfer of Development Rights (DR) Overlay Zone Regulations, provides procedures, requirements, and specifications regarding the transfer of development rights from designated sending areas to designated receiving areas; and

WHEREAS, Chapter 6 Master Planned Developments, provides procedures, requirements and specifications regarding master planned developments and the City desires master planned development review for all projects utilizing development credits within receiving areas; and

WHEREAS, Chapter 15 - Definitions, provides definitions of terms used in the LMC and the City desires to add additional terms utilized in the process of transferring development rights; and

WHEREAS, the Planning Commission duly noticed and conducted a public hearing on December 15, 2010 and February 9, 2011 and forwarded a positive recommendation to City Council during the February 9, 2011 meeting; and

WHEREAS, the City Council duly noticed and conducted a public hearing at its regularly scheduled meeting on March 10, 2011 and March 31, 2011; and

WHEREAS, it is in the best interest of the residents of Park City, Utah to amend the Land Management Code to be consistent with the Park City General Plan and to be consistent with the values and identified goals of the Park City community and City Council to protect health, safety, and welfare; to maintain and enhance quality of life for its residents and visitors; preserve and protect the environment, ensure preservation of the community's unique character, and enhance the vitality of Park City's resort economy.

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

SECTION 1. AMENDMENTS TO TITLE 15 - Land Management Code Chapter 2.24- 1- Transfer of Development Rights Overlay Zone. The recitals above are incorporated herein as findings of fact. Chapter 2.24 of the Land Management Code of Park City is hereby adopted and TDR zoning districts are hereby established on the amended official zoning map (see Exhibit A). The Planning Director shall resolve conflicts or cross-references from other provisions of the LMC to Chapter 2.24 .

SECTION 2. AMENDMENTS TO TITLE 15 – Land Management Code Chapter 6 – Master Planned Developments. The recitals above are incorporated herein as findings of fact Chapter 6 of the Land Management Code of Park City is hereby amended as redlined (see Exhibit B). The Planning Director shall resolve conflicts or cross-references from other provisions of the LMC to Chapter 15.

SECTION 3. AMENDMENTS TO TITLE 15 - Land Management Code Chapter 15- Definitions. The recitals above are incorporated herein as findings of fact. Chapter 15 of the Land Management Code of Park City is hereby amended as redlined (see Exhibit C). The Planning Director shall resolve conflicts or cross-references from other provisions of the LMC to Chapter 15.

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

PASSED AND ADOPTED this 31<sup>st</sup> day of March, 2011

PARK CITY MUNICIPAL CORPORATION

  
\_\_\_\_\_  
Dana Williams, Mayor

Attest:

  
\_\_\_\_\_  
Janet M. Scott, City Recorder

Approved as to form:



A handwritten signature in blue ink, appearing to read 'Mark D. Harrington', written over a horizontal line.

Mark Harrington, City Attorney

## Exhibit A

### TITLE 15 – LAND MANAGEMENT CODE (LMC) CHAPTER 2.24 - TRANSFER OF DEVELOPMENT RIGHTS (TDR) OVERLAY ZONE REGULATIONS

#### Section 15-2.24-1 PURPOSE.

The purposes of the Transfer of Development Rights Overlay Zone are:

- (A) promote the general health, safety, and welfare of the present and future inhabitants, businesses, and visitors of Park City;
- (B) preserve open space, scenic views, environmental areas, steep slopes and sensitive lands;
- (C) conserve agriculture, and forest areas;
- (D) protect lands and structures of aesthetic, architectural, and historic significance;
- (E) retain open space in which healthful outdoor recreation can occur;
- (F) improve upon Park City's well established park and trail system;
- (G) ensure the owners of preserved, conserved, or protected land may make reasonable use of their property rights by transferring their right to develop to eligible zones;
- (H) provide a mechanism whereby development rights may be reliably transferred;
- (I) ensure development rights are transferred to properties in areas or districts that have adequate community facilities and infrastructure, including transportation, to accommodate additional development; and
- (J) locate receiving zones to improve future traffic circulation;

#### Section 15-2.24-2 ESTABLISHMENT OF SENDING AND RECEIVING DISTRICTS

(A) The City Council may establish Sending Sites and Receiving Sites as TDR Zoning Districts within the Official Zoning Map by ordinance in the manner of amending the Official Zoning Map pursuant to Section 15-1-7 of this code. The designations "TDR-S" shall be the prefix title for the overlay Zoning District for Sending Sites, the designation "TDR-R" shall be the prefix title of the overlay Zoning District for Receiving Sites.

(B) All vacant lots within the Park City Historic Districts (except for those lots included in SOT1, SOT2, SOT3, and STH) and all sites listed on the Park City Historic Sites Inventory shall be eligible as Sending Sites and shall be an overlay Zoning District referred to as TDR-Sending Historic District (TDR-SHD).

(C) Sending Sites and Receiving Sites shall be consistent with the General Plan and the purpose statements of Chapter 2.24.

Section 15-2.24-3 SENDING SITE ELIGIBILITY.

All properties located within the TDR-S overlay zone are eligible to transfer Development Credits.

Section 15-2.24-4 DEVELOPMENT CREDIT DETERMINATION LETTER.

(A) The total number of Development Credits available to a Sending Site shall be determined as follows:

(1) TDR - Sending Treasure Hill (TDR-STH). For properties within TDR-STH, one (1) Development Credits per existing MPD Unit Equivalent may be calculated. A maximum of twenty-two (22) MPD Unit Equivalents may be sent from the TDR-STH Sending Site.

Deleted: two (2)

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

Deleted: unit

(3) TDR – Sending Historic District (TDR-SHD).

- (a) For vacant lots of record in the Historic Districts, one (1) Development Credits per existing lot of record may be calculated.
- (b) For sites listed on the historic sites inventory, one (1) Development Credit per 2000 square feet of unused development potential.

Deleted: The total number of units is then multiplied by the following multiplier: ¶  
(a) a multiplier of 1 for areas with platted lots; or¶  
(b) a multiplier of ½ for areas in metes and bounds parcels; and/or¶  
<#>a multiplier of ¼ for areas in the Sensitive Lands Overlay¶  
For properties in which two multipliers exist, the multipliers are added together and the total multiplier is applied. For example, a metes and bounds parcel (multiplier ½) within the Sensitive Lands Overlay (multiplier ¼) would apply a multiplier of ¾.

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

Section 15-2.24-5 SENDING SITE PROCEDURE.

(A) The following is the Sending Site procedure that must be followed to send Development Credits.

- (1) TDR-S property owners may choose to develop their property under Base Zoning, or they may choose to sell, transfer, or joint venture their development rights.
- (2) TDR-S fee property owners may request a Development Credit determination letter from the Park City Planning Director.
- (3) A TDR-S property owner is eligible to negotiate the sale, transfer, or joint venture of their properties Development Credits.
- (4) A Development Credit may only be sold, conveyed, or otherwise transferred by the owner(s) or their legal representative.
- (5) The sale, conveyance, or transfer shall occur upon surrender of the Development Credits which authorizes the Park City Planning Director, or designee to Transfer the Development Credits to the stated transferee by reissuing the Development Credits in the transferee's name, and recording a development credit certificate in the real property records of Summit County.
- (6) With each transfer or sale, a Conservation Easement and/or deed restriction shall be recorded covering the entire site, or if only a portion of the available Development Credits are sold then the Conservation Easement and/or deed restriction shall cover a proportional amount of the site to be determined by the Park City Planning Director or a designee.
- (7) Within TDR-STH, portions of Development Rights may be sent to a Receiving Site. Within the TDR-STH portions of Development Rights up to the maximum of twenty-two (22) MPD unit equivalents may be sent to a Receiving Site overlay Zoning District. Twenty-two (22) MPD Unit Equivalents in the TDR-STH zone equates to forty-four (44) Development Credits in a Receiving Site overlay Zoning District.
- (8) Within the TDR-SOT1, TDR-SOT2, and TDR-SOT3 overlay Zoning District, property owners must sell, transfer, or joint venture all of the Development Rights within the overlay zone. Portions of the TDR-SOT1, TDR-SOT2, and TDR-SOT3 overlay Zoning District shall not be developed if any portion of the TDR-SOT1, TDR-SOT2, and TDR-SOT3 overlay Zoning District has been sent to a Receiving Site. An owner of land within the TDR-SOT overlay Zoning District will not be eligible to Transfer Development Credit if they chose to sell or develop any portion of the TDR-SOT1, TDR-SOT2, and TDR-SOT3 overlay Zoning District. The TDR-SOT1, TDR-SOT2, and TDR-SOT2 overlay zoning districts must be transferred in whole.
- (9) When all available Development Credits on a Sending Site have been purchased, no Uses other than those enumerated in the Conservation Easement are allowed. Responsibility for any required maintenance or abatement remains with the fee title owner.
- (10) The final Transfer of Development Credits will be completed upon development approval on a Receiving Site and the recording of a deed restriction and/or conservation easement against the Sending Site or if the owner of the Development Credits chooses to forfeit Development Rights and records a deed restriction and/or Conservation Easement to do so.

- (11) TDR-S property owners shall notify any lien or mortgage holders of the sale of the Development Credits, and such notification shall be demonstrated by written approval submitted to the City prior to Transfer.
- (12) TDR-S property owners shall be responsible for notification of the county tax assessor regarding possible changes in property value.

#### Section 15-2.24-6 RECEIVING SITE ELIGIBILITY.

All properties located within the TDR-R overlay zone are eligible to receive Transfer Development Credits within the procedures outlined in 15-2.24.7.

#### Section 15-2.24-7 RECEIVING SITE PROCEDURES.

(A) The following is the Receiving Site procedure that must be followed to receive Transfer Development Credits.

- (1) All regulations governing zoning, subdividing, and approval processes remain as currently adopted and amended. If any development within the TDR-R overlay requests a density greater than permitted by the Base Zoning, the increased density shall be realized through Development Credits.
- (2) Any development requesting higher density than the Base Zoning must be reviewed by the Planning Commission as a Master Planned Development. The Planning Commission shall consider all factors set forth in LMC Chapter 15-6.
- (3) Any development requesting the higher densities shall bring evidence of Development Credits in the form of options to purchase, ownership, or joint ventures at the time of Master Plan Development approval and evidence of ownership at time of Development Agreement approval.
- (4) Areas may develop at the underlying Base Zoning without purchasing Development Credits. If these properties desire to increase their densities beyond the existing zone, then Development Credits shall be required and the height limitation for the site may be increased from the Base Zoning limits through an approved MPD.
- (5) Any development approval process, using Development Credits, shall adhere to the Base Zoning requirements including the Master Planned Development requirements.

**Deleted:** Within the TDR-R overlay, a height exception may only be considered for projects utilizing TDR Development Credits within a Master Planned Development.

**Deleted:** height exception

#### Section 15-2.24-8 UNIT EQUIVALENTS OF DEVELOPMENT CREDITS

(A) The following is the value of a Development Credit that may be applied to a receiving overlay zone:

(1) One (1) Development Credit is equivalent to one thousand (1,000) square feet of Gross Commercial Floor Area or two thousand (2,000) square feet of Gross Residential Floor Area in the Receiving Site overlay Zoning District.

**PARK CITY MUNICIPAL CODE**  
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**TITLE 15 - LAND MANAGEMENT CODE (LMC)**  
**CHAPTER 6 - MASTER PLANNED DEVELOPMENTS**

*Chapter adopted by Ordinance No. 02-07*

**CHAPTER 6 - MASTER PLANNED DEVELOPMENTS (MPD)**

**15-6 -1. PURPOSE.**

The purpose of this Chapter is to describe the process and set forth criteria for review of Master Planned Developments (MPDs) in Park City. The Master Planned Development provisions set forth Use, Density, height, parking, design theme and general Site planning criteria for larger and/or more complex projects having a variety of constraints and challenges, such as environmental issues, multiple zoning districts, location within or adjacent to transitional areas between different land Uses, and infill redevelopment where the MPD process can provide design flexibility necessary for well-planned, mixed use developments that are Compatible with the surrounding neighborhood. The goal of this section is to result in projects which:

- (A) complement the natural features of the Site;
- (B) ensure neighborhood Compatibility;

- (C) strengthen the resort character of Park City;
- (D) result in a net positive contribution of amenities to the community;
- (E) provide a variety of housing types and configurations;
- (F) provide the highest value of open space for any given Site;
- (G) efficiently and cost effectively extend and provide infrastructure;
- (H) provide opportunities for the appropriate redevelopment and reuse of existing structures/sites and maintain Compatibility with the surrounding neighborhood;
- (I) protect residential uses and residential neighborhoods from the impacts of non-residential Uses using best practice methods and diligent code enforcement; and
- (J) encourage mixed Use, walkable and sustainable development and redevelopment that provide innovative and energy efficient design, including innovative alternatives to reduce impacts of the automobile on the

community.

*(Amended by Ord. No. 10-14)*

**15-6 -2. APPLICABILITY.**

(A) The Master Planned Development process shall be required in all zones except the Historic Residential (HR-1, HR-2), Historic Residential - Low Density (HRL), and Historic Residential - Medium Density (HRM) for the following:

- (1) Any Residential project larger than ten (10) Lots or units.
- (2) All Hotel and lodging projects with more than fifteen (15) Residential Unit Equivalents.
- (3) All new Commercial or industrial projects greater than 10,000 square feet Gross Floor Area.
- (4) All projects utilizing Transfer of Development Rights Development Credits.

(B) The Master Planned Development process is allowed but is not required in the Historic Commercial Business (HCB), Historic Recreation Commercial (HRC), Historic Residential (HR-1) and Historic Residential (HR-2) zones, provided the subject property and proposed MPD include two (2) or more zoning designations.

(C) The Master Planned Development process is allowed in Historic Residential (HR-1) and (HR-2) zones only when:

(1) HR-1 or HR-2 zoned parcels are combined with adjacent HRC or HCB zone Properties; or

(2) The Property is not a part of the original Park City Survey or Snyder's Addition to the Park City Survey and which may be considered for affordable housing MPDs consistent with Section 15-6-7 herein.

*(Amended by Ord. Nos. 04-08; 06-22; 10-14)*

**15-6 -3. USES.**

A Master Planned Development (MPD) can only contain Uses, which are Permitted or Conditional in the zone(s) in which it is located. The maximum Density and type of Development permitted on a given Site will be determined as a result of a Site Suitability Analysis and shall not exceed the maximum Density in the zone, except as otherwise provided in this section. The Site shall be looked at in its entirety, including all adjacent property under the same ownership, and the Density located in the most appropriate locations. When Properties are in more than one (1) Zoning District, there may be a shift of Density between Zoning Districts if that transfer results in a project which better meets the goals set forth in Section 15-6-1 herein. Density for MPDs will be based on the Unit Equivalent Formula, as defined in LMC Chapter 15-15, and as stated in Section 15-6-8 herein.

**Exception.** Residential Density transfer between the HCB and HR-2 Zoning Districts are not permitted. A portion of the

Gross Floor Area generated by the Floor Area Ratio of the HCB Zoning District and applied only to Lot Area in the HCB Zone, may be located in the HR-2 Zone as allowed by Section 15-2.3-8.

*(Amended by Ord. Nos. 06-22; 10-14)*

**15-6 -4. PROCESS.**

(A) **PRE-APPLICATION CONFERENCE.** A pre-Application conference shall be held with the Planning Department staff in order for the Applicant to become acquainted with the Master Planned Development procedures and related City requirements and schedules. The Planning Department staff will give preliminary feedback to the potential Applicant based on information available at the pre-Application conference and will inform the Applicant of issues or special requirements which may result from the proposal.

(B) **PRE-APPLICATION PUBLIC MEETING AND DETERMINATION OF COMPLIANCE.** In order to provide an opportunity for the public and the Planning Commission to give preliminary input on a concept for a Master Planned Development, all MPDs will be required to go through a pre-Application public meeting before the Planning Commission except for MPDs subject to an Annexation Agreement. A pre-Application will be filed with the Park City Planning Department and shall include conceptual plans as stated on the Application form and the applicable fee. The public will be notified and invited to attend and comment in accordance with

LMC Chapters 15-1-12 and 15-1-21, Notice Matrix, of this Code.

At the pre-Application public meeting, the Applicant will have an opportunity to present the preliminary concepts for the proposed Master Planned Development. This preliminary review will focus on identifying issues of compliance with the General Plan and zoning compliance for the proposed MPD. The public will be given an opportunity to comment on the preliminary concepts so that the Applicant can address neighborhood concerns in preparation of an Application for an MPD.

The Planning Commission shall review the preliminary information to identify issues on compliance with the General Plan and will make a finding that the project initially complies with the General Plan. Such finding is to be made prior to the Applicant filing a formal MPD Application. If no such finding can be made, the applicant must submit a modified Application or the General Plan would have to be modified prior to formal acceptance and processing of the Application. For larger MPDs, it is recommended that the Applicant host additional neighborhood meetings in preparation of filing of a formal Application for an MPD.

For MPDs that are vested as part of Large Scale MPDs the Planning Director may waive the requirement for a pre-Application meeting. Prior to final approval of an MPD that is subject to an Annexation Agreement or a Large Scale MPD, the Commission shall make findings that the project is consistent with the Annexation Agreement or Large Scale MPD and the General Plan.

(C) **APPLICATION**. The Master Planned Development Application must be submitted with a completed Application form supplied by the City. A list of minimum requirements will accompany the Application form. The Application must include written consent by all Owners of the Property to be included in the Master Planned Development. Once an Application is received, it shall be assigned to a staff Planner who will review the Application for completeness. The Applicant will be informed if additional information is necessary to constitute a Complete Application.

(D) **PLANNING COMMISSION REVIEW**. The Planning Commission is the primary review body for Master Planned Developments and is required to hold a public hearing and take action. All MPDs will have at least one (1) work session before the Planning Commission prior to a public hearing.

(E) **PUBLIC HEARING**. In addition to the preliminary public input session, a formal public hearing on a Master Planned Development is required to be held by the Planning Commission. The Public Hearing will be noticed in accordance with LMC Chapters 15-1-12 and 15-1-21, Notice Matrix. Multiple Public Hearings, including additional notice, may be necessary for larger, or more complex, projects.

(F) **PLANNING COMMISSION ACTION**. The Planning Commission shall approve, approve with modifications, or deny a requested Master Planned Development. The Planning Commission

action shall be in the form of written findings of fact, conclusions of law, and in the case of approval, conditions of approval. Action shall occur only after the required public hearing is held. To approve an MPD, the Planning Commission will be required to make the findings outlined in Section 15-6-6 herein.

Appeals of Planning Commission action shall be conducted in accordance with LMC Chapter 15-1-18.

(G) **DEVELOPMENT AGREEMENT**. Once the Planning Commission has approved Master Planned Development, the approval shall be put in the form of a Development Agreement. The Development Agreement shall be in a form approved by the City Attorney, and shall contain, at a minimum, the following:

- (1) A legal description of the land;
- (2) All relevant zoning parameters including all findings, conclusions and conditions of approval;
- (3) An express reservation of the future legislative power and zoning authority of the City;
- (4) A copy of the approved Site plan, architectural plans, landscape plans, Grading plan, trails and open space plans, and other plans, which are a part of the Planning Commission approval;

- (5) A description of all Developer exactions or agreed upon public dedications;
- (6) The Developers agreement to pay all specified impact fees; and
- (7) The form of ownership anticipated for the project and a specific project phasing plan.
- (8) A list and map of all known Physical Mine Hazards on the property, as determined through the exercise of reasonable due diligence by the Owner, as well as a description and GPS coordinates of those Physical Mine Hazards.

The Development Agreement shall be ratified by the Planning Commission, signed by the City Council and the Applicant, and recorded with the Summit County Recorder. The Development Agreement shall contain language, which allows for minor, administrative modifications to occur to the approval without revision of the agreement. The Development Agreement must be submitted to the City within six (6) months of the date the project was approved by the Planning Commission, or the Planning Commission approval shall expire.

(H) **LENGTH OF APPROVAL.** Construction, as defined by the Uniform Building Code, will be required to commence within two (2) years of the date of the execution of the Development Agreement. After construction commences, the MPD shall remain valid as long as it is consistent with the approved specific project phasing plan as set forth in the Development

Agreement. It is anticipated that the specific project phasing plan may require Planning Commission review and reevaluation of the project at specified points in the Development of the project.

The Planning Commission may grant an extension of a Master Planned Development for up to two (2) additional years, when the Applicant is able to demonstrate no change in circumstance that would result in unmitigated impacts or that would result in a finding of non-compliance with the Park City General Plan or the Land Management Code in effect at the time of the extension request. Change in circumstance includes physical changes to the Property or surroundings. Extension requests must be submitted prior to the expiration of the Master Planned Development and shall be noticed and processed with a public hearing according to Section 15-1-12.

(I) **MPD MODIFICATIONS.** Changes in a Master Planned Development, which constitute a change in concept, Density, unit type or configuration of any portion or phase of the MPD will justify review of the entire master plan and Development Agreement by the Planning Commission, unless otherwise specified in the Development Agreement. If the modifications are determined to be substantive, the project will be required to go through the pre-Application public hearing and determination of compliance as outlined in Section 15-6-4(B) herein.

(J) **SITE SPECIFIC APPROVALS.** Any portion of an approved Master Planned Development may require additional review by the Planning Department and/or Planning

Commission as a Conditional Use permit, if so required by the Planning Commission at the time of the MPD approval.

The Planning Commission and/or Planning Department, specified at the time of MPD approval, will review Site specific plans including Site layout, architecture and landscaping, prior to issuance of a Building Permit.

The Application requirements and review criteria of the Conditional Use process must be followed. A pre-Application public meeting may be required by the Planning Director, at which time the Planning Commission will review the Application for compliance with the large scale MPD approval.

*(Amended by Ord. Nos. 06-22; 09-10; 11-05)*

**15-6 -5. MPD REQUIREMENTS.**

All Master Planned Developments shall contain the following minimum requirements. Many of the requirements and standards will have to be increased in order for the Planning Commission to make the necessary findings to approve the Master Planned Development.

(A) **DENSITY.** The type of Development, number of units and Density permitted on a given Site will be determined as a result of a Site Suitability Analysis and shall not exceed the maximum Density in the zone, except as otherwise provided in this section. The Site shall be looked at in its entirety and the Density located in the most appropriate locations.

Additional Density may be granted within a Transfer of Development Rights Receiving Overlay Zone (TDR-R) within an approved MPD.

When Properties are in more than one (1) Zoning District, there may be a shift of Density between Zoning Districts if that transfer results in a project that better meets the goals set forth in Section 15-6-1.

**Exception.** Residential Density transfers between the HCB and HR-2 Zoning Districts are not permitted. A portion of the gross Floor Area generated by the Floor Area Ratio of the HCB Zoning District and applied only to Lot Area in the HCB Zone, may be located in the HR-2 Zone as allowed by Section 15-2.3-8

Density for MPDs will be based on the Unit Equivalent Formula, as defined in Section 15-6-8 herein.

(1) **EXCEPTIONS.** The Planning Department may recommend that the Planning Commission grant up to a maximum of ten percent (10%) increase in total Density if the Applicant:

(a) Donates open space in excess of the sixty percent (60%) requirement, either in fee or a less-than-fee interest to either the City or another unit of government or nonprofit land conservation organization approved by the City. Such Density bonus shall only be granted upon a finding by the Planning

Director that such donation will ensure the long-term protection of a significant environmentally or visually sensitive Area; or

(b) Proposes a Master Planned Development (MPD) in which more than thirty percent (30%) of the Unit Equivalents are employee/Affordable Housing consistent with the City’s adopted employee/Affordable Housing guidelines and requirements; or

(c) Proposes an MPD in which more than eighty percent (80%) of the project is open space as defined in this code and prioritized by the Planning Commission.

**(B) MAXIMUM ALLOWED BUILDING FOOTPRINT FOR MASTER PLANNED DEVELOPMENTS WITHIN THE HR-1 AND HR-2 DISTRICTS.**

(1) The HR-1 and HR-2 Districts sets forth a Maximum Building Footprint for all Structures based on Lot Area. For purposes of establishing the maximum Building Footprint for Master Planned Developments, which include Development in the HR-1 and HR-2 Districts, the maximum Building Footprint for the HR-1 and HR-2 portions shall be calculated based on

the conditions of the Subdivision Plat or the Lots of record prior to a Plat Amendment combining the lots as stated in Section 15-2.3-4.

(a) The Area of below Grade parking in the HR-1 and HR-2 zones shall not count against the maximum Building Footprint of the HR-1 or HR-2 Lots.

(b) The Area of below Grade Commercial Uses extending from a Main Street business into the HR-2 Subzone A shall not count against the maximum Building Footprint of the HR-2 Lots.

(c) The Floor Area Ratio (FAR) of the HCB Zoning District applies only to the HCB Lot Area and may be reduced as part of a Master Planned Development. The FAR may not be applied to the HR-1 or HR-2 Lot Area.

(d) The Floor Area for a detached, single car Garage, not to exceed two-hundred and twenty square feet (220 sf) of Floor Area, shall not count against the maximum Building Footprint of the HR-2 Lot.

(C) **SETBACKS.** The minimum Setback around the exterior boundary of an MPD shall be twenty five feet (25') for

Parcels greater than one (1) acre in size. In some cases, that Setback may be increased to retain existing Significant Vegetation or natural features or to create an adequate buffer to adjacent Uses, or to meet historic Compatibility requirements. The Planning Commission may decrease the required perimeter Setback from twenty five feet (25') to the zone required Setback if it is necessary to provide desired architectural interest and variation. The Planning Commission may reduce Setbacks within the project from those otherwise required in the zone to match an abutting zone Setback, provided the project meets minimum Uniform Building Code and Fire Code requirements, does not increase project Density, maintains the general character of the surrounding neighborhood in terms of mass, scale and spacing between houses, and meets open space criteria set forth in Section 15-6-5(D).

(D) **OPEN SPACE.**

(1) **MINIMUM REQUIRED.**

All Master Planned Developments shall contain a minimum of sixty percent (60%) open space as defined in LMC Chapter 15-15 with the exception of the General Commercial (GC) District, Historic Residential Commercial (HRC), Historic Commercial Business (HCB), Historic Residential (HR-1 and HR-2) zones, and wherein cases of redevelopment of existing Developments the minimum open space requirement shall be thirty percent (30%).

For Applications proposing the redevelopment of existing Developments, the Planning Commission may reduce the required open space to thirty percent (30%) in exchange for project enhancements in excess of those otherwise required by the Land Management Code that may directly advance policies reflected in the applicable General Plan sections or more specific Area plans. Such project enhancements may include, but are not limited to, Affordable Housing, greater landscaping buffers along public ways and public/private pedestrian Areas that provide a public benefit, increased landscape material sizes, public transit improvement, public pedestrian plazas, pedestrian way/trail linkages, public art, and rehabilitation of Historic Structures.

(2) **TYPE OF OPEN SPACE.**

The Planning Commission shall designate the preferable type and mix of open space for each Master Planned Development. This determination will be based on the guidance given in the Park City General Plan. Landscaped open space may be utilized for project amenities such as gardens, greenways, pathways, plazas, and other similar Uses. Open space may not be utilized for Streets, roads, driveways, Parking Areas, commercial Uses, or Buildings requiring a Building Permit.

(E) **OFF-STREET PARKING.**

(1) The number of Off-Street Parking Spaces in each Master Planned Development shall not be less than the requirements of this code, except that the Planning Commission may increase or decrease the required number of Off-Street Parking Spaces based upon a parking analysis submitted by the Applicant at the time of MPD submittal. The parking analysis shall contain, at a minimum, the following information:

- (a) The proposed number of vehicles required by the occupants of the project based upon the proposed Use and occupancy.
- (b) A parking comparison of projects of similar size with similar occupancy type to verify the demand for occupancy parking.
- (c) Parking needs for non-dwelling Uses, including traffic attracted to Commercial Uses from Off-Site.
- (d) An analysis of time periods of Use for each of the Uses in the project and opportunities for Shared Parking by different Uses. This shall be considered only when there is Guarantee by Use covenant and deed restriction.

(e) A plan to discourage the Use of motorized vehicles and encourage other forms of transportation.

(f) Provisions for overflow parking during peak periods.

The Planning Department shall review the parking analysis and provide a recommendation to the Commission. The Commission shall make a finding during review of the MPD as to whether or not the parking analysis supports a determination to increase or decrease the required number of Parking Spaces.

(2) The Planning Commission may permit an Applicant to pay an in-lieu parking fee in consideration for required on-site parking provided that the Planning Commission determines that:

- (a) Payment in-lieu of the on-Site parking requirement will prevent a loss of significant open space, yard Area, and/or public amenities and gathering Areas;
- (b) Payment in-lieu of the on-Site parking requirement will result in preservation and rehabilitation of significant Historic Structures or redevelopment of Structures and Sites;

(c) Payment in-lieu of the on-Site parking requirement will not result in an increase project Density or intensity of Use; and

(d) The project is located on a public transit route or is within three (3) blocks of a municipal bus stop.

The payment in-lieu fee for the required parking shall be subject to the provisions in the Park City Municipal Code Section 11-12-16 and the fee set forth in the current Fee Resolution, as amended.

(F) **BUILDING HEIGHT**. The height requirements of the Zoning Districts in which an MPD is located shall apply except that the Planning Commission may consider an increase in height based upon a Site specific analysis and determination. Height exceptions will not be granted for Master Planned Developments within the HR-1 and HR-2 Zoning Districts.

The Applicant will be required to request a Site specific determination and shall bear the burden of proof to the Planning Commission that the necessary findings can be made. In order to grant Building height in addition to that which is allowed in the underlying zone, the Planning Commission is required to make the following findings:

(1) The increase in Building Height does not result in increased square footage or Building volume over what would be allowed under the zone required Building Height

and Density, including requirements for facade variation and design, but rather provides desired architectural variation, unless the increased square footage or Building volume is from the Transfer of Development Credits;

(2) Buildings have been positioned to minimize visual impacts on adjacent Structures. Potential problems on neighboring Properties caused by shadows, loss of solar Access, and loss or air circulation have been mitigated to the extent possible as defined by the Planning Commission;

(3) There is adequate landscaping and buffering from adjacent Properties and Uses. Increased Setbacks and separations from adjacent projects are being proposed;

(4) The additional Building Height has resulted in more than the minimum open space required and has resulted in the open space being more usable;

(5) The additional Building height shall be designed in a manner so as to provide a transition in roof elements in compliance with Chapter 5, Architectural Guidelines or the Design Guidelines for Park City's Historic Districts and Historic Sites if within the Historic District;

If and when the Planning Commission grants additional height due to a Site

specific analysis and determination, that additional height shall only apply to the specific plans being reviewed and approved at the time. Additional Building Height for a specific project will not necessarily be considered for a different, or modified, project on the same Site.

(G) **SITE PLANNING**. An MPD shall be designed to take into consideration the characteristics of the Site upon which it is proposed to be placed. The project should be designed to fit the Site, not the Site modified to fit the project. The following shall be addressed in the Site planning for an MPD:

- (1) Units should be clustered on the most developable and least visually sensitive portions of the Site with common open space separating the clusters. The open space corridors should be designed so that existing Significant Vegetation can be maintained on the Site.
- (2) Projects shall be designed to minimize Grading and the need for large retaining Structures.
- (3) Roads, utility lines, and Buildings should be designed to work with the Existing Grade. Cuts and fills should be minimized.
- (4) Existing trails should be incorporated into the open space elements of the project and should be maintained in their existing location whenever possible. Trail easements for existing trails may be required. Construction of new trails will be

required consistent with the Park City Trails Master Plan.

(5) Adequate internal vehicular and pedestrian/bicycle circulation should be provided. Pedestrian/bicycle circulations shall be separated from vehicular circulation and may serve to provide residents the opportunity to travel safely from an individual unit to another unit and to the boundaries of the Property or public trail system. Private internal Streets may be considered for Condominium projects if they meet the minimum emergency and safety requirements.

(6) The Site plan shall include adequate Areas for snow removal and snow storage. The landscape plan shall allow for snow storage Areas. Structures shall be set back from any hard surfaces so as to provide adequate Areas to remove and store snow. The assumption is that snow should be able to be stored on Site and not removed to an Off-Site location.

(7) It is important to plan for trash storage and collection and recycling facilities. The Site plan shall include adequate Areas for trash dumpsters and recycling containers, including an adequate circulation area for pick-up vehicles. These facilities shall be enclosed and shall be included on the site and landscape plans for the Project. Pedestrian Access shall be provided to the refuse/recycling facilities from

within the MPD for the convenience of residents and guests.

No final site plan for a commercial development or multi-family residential development shall be approved unless there is a mandatory recycling program put into effect which may include Recycling Facilities for the project.

Single family residential development shall include a mandatory recycling program put into effect including curb side recycling but may also provide Recycling Facilities.

The recycling facilities shall be identified on the final site plan to accommodate for materials generated by the tenants, residents, users, operators, or owners of such project. Such recycling facilities shall include, but are not necessarily limited to glass, paper, plastic, cans, cardboard or other household or commercially generated recyclable and scrap materials.

Locations for proposed centralized trash and recycling collection facilities shall be shown on the site plan drawings. Written approval of the proposed locations shall be obtained by the City Building and Planning Department.

Centralized garbage and recycling collection containers shall be located in a completely enclosed structure, designed with materials that are

compatible with the principal building(s) in the development, including a pedestrian door on the structure and a truck door/gate. The structure's design, construction, and materials shall be substantial e.g. of masonry, steel, or other materials approved by the Planning Department capable of sustaining active use by residents and trash/recycle haulers.

The structures shall be large enough to accommodate a garbage container and at least two recycling containers to provide for the option of dual-stream recycling. A conceptual design of the structure shall be submitted with the site plan drawings.

(8) The Site planning for an MPD should include transportation amenities including drop-off Areas for van and shuttle service, and a bus stop, if applicable.

(9) Service and delivery Access and loading/unloading Areas must be included in the Site plan. The service and delivery should be kept separate from pedestrian Areas.

(H) **LANDSCAPE AND STREET SCAPE**. To the extent possible, existing Significant Vegetation shall be maintained on Site and protected during construction. Where landscaping does occur, it should consist primarily of appropriate drought tolerant species. Lawn or turf will be limited to a maximum of fifty percent (50%) of the Area not covered by Buildings and other hard surfaces and no more than

seventy-five percent (75%) of the above Area may be irrigated. Landscape and Streetscape will use native rock and boulders. Lighting must meet the requirements of LMC Chapter 15-5, Architectural Review.

(I) **SENSITIVE LANDS COMPLIANCE**. All MPD Applications containing any Area within the Sensitive Areas Overlay Zone will be required to conduct a Sensitive Lands Analysis and conform to the Sensitive Lands Provisions, as described in LMC Section 15-2.21.

(J) **EMPLOYEE/AFFORDABLE HOUSING**. MPD Applications shall include a housing mitigation plan which must address employee Affordable Housing as required by the adopted housing resolution in effect at the time of Application.

(K) **CHILD CARE**. A Site designated and planned for a Child Care Center may be required for all new single and multi-family housing projects if the Planning Commission determines that the project will create additional demands for Child Care.

(L) **MINE HAZARDS**. All MPD applications shall include a map and list of all known Physical Mine Hazards on the property and a mine hazard mitigation plan.

*(Amended by Ord. Nos. 04-08; 06-22; 09-10; 10-14; 11-05)*

**15- 6- 6. REQUIRED FINDINGS AND CONCLUSIONS OF LAW.**

The Planning Commission must make the following findings in order to approve a Master Planned Development. In some cases, conditions of approval will be attached to the approval to ensure compliance with these findings.

(A) The MPD, as conditioned, complies with all the requirements of the Land Management Code;

(B) The MPD, as conditioned, meets the minimum requirements of Section 15-6-5 herein;

(C) The MPD, as conditioned, is consistent with the Park City General Plan;

(D) The MPD, as conditioned, provides the highest value of open space, as determined by the Planning Commission;

(E) The MPD, as conditioned, strengthens and enhances the resort character of Park City;

(F) The MPD, as conditioned, compliments the natural features on the Site and preserves significant features or vegetation to the extent possible;

(G) The MPD, as conditioned, is Compatible in Use, scale, and mass with adjacent Properties, and promotes neighborhood Compatibility, and protects residential neighborhoods and Uses;

(H) The MPD provides amenities to the community so that there is no net loss of community amenities;

(I) The MPD, as conditioned, is consistent with the employee Affordable Housing requirements as adopted by the City Council at the time the Application was filed.

(J) The MPD, as conditioned, meets the Sensitive Lands requirements of the Land Management Code. The project has been designed to place Development on the most developable land and least visually obtrusive portions of the Site;

(K) The MPD, as conditioned, promotes the Use of non-vehicular forms of transportation through design and by providing trail connections; and

(L) The MPD has been noticed and public hearing held in accordance with this Code.

(M) The MPD incorporates best planning practices for sustainable development, including energy efficient design and construction, per the Residential and Commercial Energy and Green Building program and codes adopted by the Park City Building Department in effect at the time of Application.

*(Amended by Ord. Nos. 06-22; 10-14)*

**15-6-7. MASTER PLANNED AFFORDABLE HOUSING DEVELOPMENT.**

(A) **PURPOSE.** The purpose of the master planned Affordable Housing Development is to promote housing for a diversity of income groups by providing Dwelling Units for rent or for sale in a price range affordable by families in the low-to-

moderate income range. This may be achieved by encouraging the private sector to develop Affordable Housing. Master Planned Developments, which are one hundred percent (100%) Affordable Housing, as defined by the housing resolution in effect at the time of Application, would be considered for a Density incentive greater than that normally allowed under the applicable Zoning District and Master Planned Development regulations with the intent of encouraging quality Development of permanent rental and permanent Owner-occupied housing stock for low and moderate income families within the Park City Area.

(B) **RENTAL OR SALES PROGRAM.** If a Developer seeks to exercise the increased Density allowance incentive by providing an Affordable Housing project, the Developer must agree to follow the guidelines and restrictions set forth by the Housing Authority in the adopted Affordable Housing resolution in effect at the time of Application.

(C) **MIXED RENTAL AND OWNER/OCCUPANT PROJECTS.** When projects are approved that comprise both rental and Owner/occupant Dwelling Units, the combination and phasing of the Development shall be specifically approved by the reviewing agency and become a condition of project approval. A permanent rental housing unit is one which is subject to a binding agreement with the Park City Housing Authority.

(D) **MPD REQUIREMENTS.** All of

the MPD requirements and findings of this section shall apply to Affordable Housing MPD projects.

(E) **DENSITY BONUS**. The reviewing agency may increase the allowable Density to a maximum of twenty (20) Unit Equivalents per acre. The Unit Equivalent formula applies.

(F) **PARKING**. Off-Street parking will be required at a rate of one (1) space per Bedroom.

(G) **OPEN SPACE**. A minimum of fifty percent (50%) of the Parcel shall be retained or developed as open space. A reduction in the percentage of open space, to not less than forty percent (40%), may be granted upon a finding by the Planning Commission that additional on or Off-Site amenities, such as playgrounds, trails, recreation facilities, bus shelters, significant landscaping, or other amenities will be provided above any that are required. Project open space may be utilized for project amenities, such as tennis courts, Buildings not requiring a Building Permit, pathways, plazas, and similar Uses. Open space may not be utilized for Streets, roads, or Parking Areas.

(H) **RENTAL RESTRICTIONS**. The provisions of the moderate income housing exception shall not prohibit the monthly rental of an individually owned unit. However, Nightly Rentals or timesharing shall not be permitted within Developments using this exception. Monthly rental of individually owned units shall comply with the guidelines and restrictions set forth by the Housing Authority as stated in the

adopted Affordable Housing resolution in effect at the time of Application.

*(Amended by Ord. Nos. 06-22; 09-10)*

**15-6-8. UNIT EQUIVALENTS.**

Density of Development is a factor of both the Use and size of Structures built within a project. In order to allow for, and to encourage, a variety of unit configurations, Density shall be calculated on the basis of Unit Equivalents. Unless otherwise stipulated, one (1) Unit Equivalent equates to one (1) single family Lot, 2,000 square feet of Multi-Family Dwelling floor area, or 1,000 square feet of commercial or office floor area. A duplex Lot equates to two (2) Unit Equivalents, unless otherwise stipulated by the Master Planned Development (MPD). The MPD may stipulate maximum Building Footprint and/or maximum floor area for single family and duplex Lots. Residential Unit Equivalents for Multi-Family Dwellings shall be calculated on the basis of one (1) Unit Equivalent per 2,000 square feet and portions of Unit Equivalents for additional square feet above or below 2,000. For example: 2,460 square feet of a multi-family unit shall count as 1.23 Unit Equivalents.

Affordable Housing units required as part of the MPD approval, and constructed on Site do not count towards the residential Unit Equivalents of the Master Plan. Required ADA units do not count towards the residential Unit Equivalents.

Support Uses and accessory meeting space use Unit Equivalents as outlined in Section 15-6-8(C) and (D) below.

(A) **CALCULATING RESIDENTIAL UNIT SQUARE FOOTAGE.** Unit square footage shall be measured from the interior of the exterior unit walls. All bathrooms, halls, closets, storage and utility rooms within a unit will be included in the calculation for square footage. Exterior hallways, common circulation and hotel use areas, such as lobbies, elevators, storage, and other similar Areas, will not be included. Common outdoor facilities, such as pools, spas, recreation facilities, ice-skating rinks, decks, porches, etc. do not require the Use of Unit Equivalents.

(B) **LOCKOUTS.** For purposes of calculating Unit Equivalents, Lockouts shall be included in the overall square footage of a unit.

(C) **SUPPORT COMMERCIAL WITHIN RESIDENTIAL MASTER PLANNED DEVELOPMENTS.** Within a Hotel or Nightly Rental condominium project, the Floor Area of Support Commercial uses may not exceed five percent (5%) of the total Floor Area of the approved residential Unit Equivalents. Any unused support commercial floor area may be utilized for meeting space Uses.

(D) **MEETING SPACE.** Within a Hotel or Condominium project, Floor Area of meeting space may not exceed five percent (5%) of the total Floor Area of the approved residential unit equivalents. Any unused meeting space floor area may be utilized for support commercial uses within

a Hotel or Nightly Rental Condominium project.

(E) **COMMERCIAL UNIT EQUIVALENTS.** Commercial spaces, approved as a part of a Master Planned Development, shall be calculated on the basis of one (1) Unit Equivalent per 1000 square feet of Net Leasable Floor Area, exclusive of common corridors, for each part of a 1,000 square foot interval. For example: 2,460 square feet of commercial Area shall count as 2.46 Unit Equivalents.

(F) **RESIDENTIAL ACCESSORY USES.** Residential Accessory Uses include typical back of house uses and administration facilities that are for the benefit of the residents of a commercial Residential Use, such as a Hotel or Nightly Rental Condominium project and that are common to the residential project and are not located within any individual Residential unit. Residential Accessory Uses do not require the use of Unit Equivalents and include, but are not limited to, such Uses as:

- Ski/Equipment lockers
- Lobbies
- Registration
- Concierge
- Bell stand/luggage storage
- Maintenance Areas
- Mechanical rooms and shafts
- Laundry facilities and storage
- Employee facilities
- Common pools, saunas and hot tubs, and exercise areas not open to the public
- Telephone Areas
- Guest business centers
- Public restrooms

Administrative offices  
Hallways and circulation  
Elevators and stairways

(G) **RESORT ACCESSORY USES.**

The following Uses are considered accessory for the operation of a resort for winter and summer operations. These Uses are incidental to and customarily found in connection with the principal Use or Building and are operated for the convenience of the Owners, occupants, employees, customers, or visitors to the principal resort Use. Accessory Uses associated with an approved summer or winter resort do not require the Use of a Unit Equivalent. These Uses include, but are not limited to, such Uses as:

Information  
Lost and found  
First Aid  
Mountain patrol  
Administration  
Maintenance and storage facilities  
Emergency medical facilities  
Public lockers  
Public restrooms  
Employee restrooms and Areas  
Ski school/day care facilities  
Instruction facilities  
Ticket sales  
Equipment/ski check  
Circulation and hallways

*(Amended by Ord. Nos. 06-22; 09-10; 10-14; 11-05)*

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**TITLE 15 - LAND MANAGEMENT CODE (LMC)**  
**CHAPTER 15 - DEFINITIONS**

*Chapter adopted by Ordinance No. 00-25*

**CHAPTER 15 - DEFINED TERMS.**

**15-15-1. DEFINITIONS.**

For the purpose of the LMC, certain numbers, abbreviations, terms, and words shall be used, interpreted, and defined as set forth herein. Defined terms will appear as proper nouns throughout this Title. Words not defined herein shall have a meaning consistent with Webster’s New Collegiate Dictionary, latest edition.

Unless the context clearly indicates to the contrary, words used in the present tense include the future tense; words used in the plural number include the singular; the word “herein” means “in these regulations”; the word “regulations” means “these regulations”; “used” or “occupied” as applied to any land or Building shall be construed to include the words “intended, arranged, or designed to be used or occupied”.

1.1. **ACCESS.** The provision of vehicular and/or pedestrian ingress and egress to Structures, facilities or Property.

1.2. **ACCESSORY APARTMENT.** A self-contained Apartment, with cooking, sleeping, and sanitary facilities, created either by converting part of and/or by adding on to a Single-Family Dwelling or detached garage. Accessory Apartments do not increase the residential Unit Equivalent of the Property and are an Accessory Use to the primary Dwelling.

1.3. **ACCESSORY BUILDING.** A Building on the same Lot as the principal Building and that is:

- (A) clearly incidental to, and customarily found in connection with such principal Building, such as detached garages, barns, and other similar Structures that require a Building Permit;
- (B) operated and maintained for the benefit of the principal Use;
- (C) not a Dwelling Unit; and
- (D) also includes Structures that do not require a Building Permit, such as sheds, outbuildings, or similar Ancillary Structures. See Ancillary Structure.

1.4. **ACCESSORY USE.** A land Use that is customarily incidental and

subordinate to the primary Use located on the same Lot.

1.5. **ACTIVE BUILDING PERMIT.** Any Building Permit that has not expired.

1.6. **ADMINISTRATIVE PERMIT.** A permit issued by the Planning, Building, and Engineering Departments for specified Use upon proof of compliance with certain criteria.

1.7. **AFFORDABLE HOUSING.** Dwelling Units for rent or for sale in a price range affordable to families in the low to moderate income range.

1.8. **AGENT.** The Person with written authorization to represent an Owner.

1.9. **AGRICULTURE.** Use of land for primarily farming and related purposes such as pastures, farms, dairies, horticulture, animal husbandry, and crop production, but not the keeping or raising of domestic pets, nor any agricultural industry or business such as meat, fruit, or other food packing and/or processing plants, fur farms, livestock feeding operations, animal hospitals, or similar Uses.

1.10. **ALLOWED USE.** A Use that is permitted in a Zoning District without a Conditional Use permit, not including Non-Conforming Use.

1.11. **ALTERATION, BUILDING.** Any act or process that changes the Architectural Detail of a Building, including but not limited to, the erection, construction, reconstruction, or removal of any Building.

1.12. **ANCILLARY STRUCTURE.** One-Story, attached or detached Structure, 250 square feet in Area or smaller, that is subordinate to and located on the same Lot as the principal Use, does not include Dwelling Area, and is not intended for sleeping or cooking. Includes Structures such as sheds, green houses, play equipment, utility Buildings, and similar Structures that may or may not require a Building Permit.

1.13. **ANEMOMETERS AND ANEMOMETER TOWERS.** A temporary tower and housing or supporting wind measuring equipment for the purpose of establishing the viability of the wind generated energy by measuring and monitoring wind velocity, direction, shear, duration, intensity, and regularity.

1.14. **ANTENNA.** A transmitting or receiving device used in Telecommunications that radiates or captures radio, television, or similar communication signals.

(A) **Antenna, Drive Test.** A temporary Antenna which is used for field testing of Telecommunications signals and for possible locations for a permanent Antenna, but does not provide Telecommunications to customers.

(B) **Antenna, Enclosed.** An Antenna or series of individual Antennas entirely enclosed inside a Structure, including but not limited to a cupola or wall of a Building or chimney.

(C) **Antenna, Freestanding.** An Antenna mounted on or within a stand alone

support Structure including but not limited to a wooden pole, steel pole, lattice tower, utility pole, lift tower, light standard, flag pole, or other vertical support.

(D) **Antenna, Roof Mounted.** An Antenna or series of individual Antennas mounted on a roof of a Building.

(E) **Antenna, Temporary.** An Antenna used for a time period of less than thirty (30) days.

(F) **Antenna, Wall Mounted.** An Antenna or series of individual Antennas mounted fully against the exterior face of a Building including on the face of a chimney or penthouse. A wall or face of a Building is defined as the entire Area of all exposed vertical surfaces of a Building that are above ground and facing approximately the same direction.

1.15. **APARTMENT.** A Dwelling Unit within a Multi-Unit Dwelling Building with exclusive living, cooking, sleeping and bathroom Areas.

1.16. **APPLICANT.** The Owner of the Property that is the subject of the Application, or the Owner's Agent.

1.17. **APPLICATION.** A written request, completed in a manner prescribed in this Code, for review, approval, or issuance of a Development permit, including but not limited to Conditional Use permits, Building Permits, variances, annexation and re-zoning requests, Subdivision and record of survey plats, plat amendments, Code amendments, design review, and Administrative Permits.

(A) **Application, Complete.** A submission that includes all information requested on the appropriate form, and payment of all applicable fees.

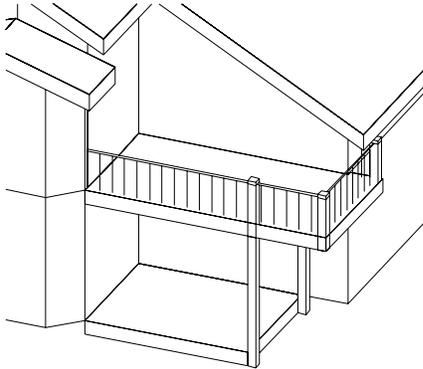
1.18. **ARCHITECTURAL DETAIL.** Physical Properties, features or components of a Building or Structure which embody distinctive characteristics of a type, period, or method of construction and refers to the way in which the Property was conceived, designed, or fabricated by a people or culture. Within a Historic District, these physical features or traits commonly recur in individual Buildings. The characteristics can be expressed in terms of form, proportion, Structure, plan, architectural style, or materials such as siding, doors, windows, or trim.

1.19. **AREA OR SITE.** A specific geographic division of Park City where the location maintains Historical, cultural or archeological value regardless of the value of any existing Structure.

1.20. **ATTIC.** The space between the ceiling joists and roof rafters.

1.21. **BAKERY.** A Business that bakes food products and sells such products primarily for off-premises consumption. May include a Café or Restaurant.

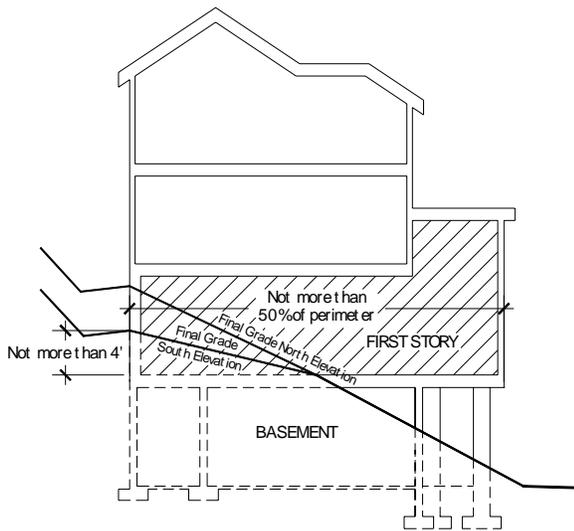
1.22. **BALCONY.** A platform that projects from the wall of a Building and is enclosed by a railing, parapet, or balustrade. See following illustration:



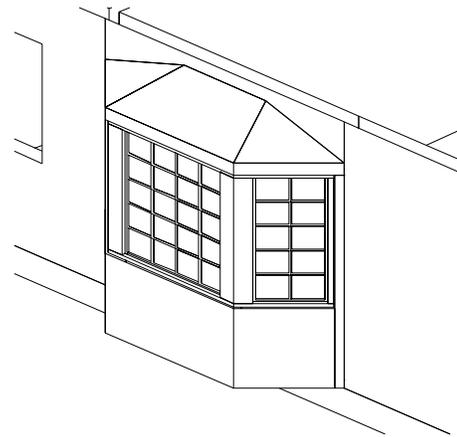
1.23. **BAR.** A Business that primarily sells alcoholic beverages for consumption on the premises; includes Private Clubs.

1.XX. **BASE ZONING.** Existing zoning without the addition of the Transfer of Development Rights overlay zone.

1.24. **BASEMENT.** Any floor level below the First Story in a Building. Those floor levels in Buildings having only one floor level shall be classified as a Basement, unless that floor level qualifies as a First Story as defined herein. See First Story.



1.25. **BAY WINDOW.** A window or series of windows forming a recess or bay from a room and projecting outward from the wall. A Bay Window does not include a window directly supported by a foundation.



1.26. **BED AND BREAKFAST INN.** A Business, located in an Owner or on-Site manager occupied dwelling, in which up to ten (10) Bedrooms are rented nightly or weekly, and where one (1) or more meals are provided to the guests only, the price of which is usually included in the room rate. Bed and Breakfast Inns are considered a lodging Use where typical lodging services are provided, such as daily maid service.

1.27. **BEDROOM.** A separate room designed for or used as a sleeping room.

1.28. **BILLBOARD.** A separate room designed for or used as a sleeping room.

1.29. **BLANK WALL.** A wall of a Building faced with a single material of uniform texture and color on a single plan with less than thirty percent (30%) of the surface of the wall as openings or windows.

1.30. **BLOCK.** A tract of land bounded by Streets, or by a combination of Streets and public parks, cemeteries, railroad Rights-of-Way, shore lines of water ways, or City boundary lines, as shown on an official plat.

1.31. **BOARDING HOUSE.** A Business, within a dwelling with two (2) or more Bedrooms where, for direct or indirect compensation, on a monthly basis, the Owner provides lodging and/or common Kitchen facilities or meals for boarders not related to the head of the household. Boarding Houses do not include the Use of Nightly Rental.

1.32. **BUILDING.** Any Structure, or any part thereof, built or used for the support, shelter, or enclosure of any Use or occupancy by Persons, animals, or chattel.

(A) **Building, Attached.** A Building connected on one (1) or more sides to an adjacent Building by a common Party Wall with a separate exterior entrance for each Building.

(B) **Building, Detached.** Any Building separated from another Building on the same Lot or Parcel.

(C) **Building, Main.** The principal Building, or one of the principal Buildings on a Lot, that is used primarily for the principal Use.

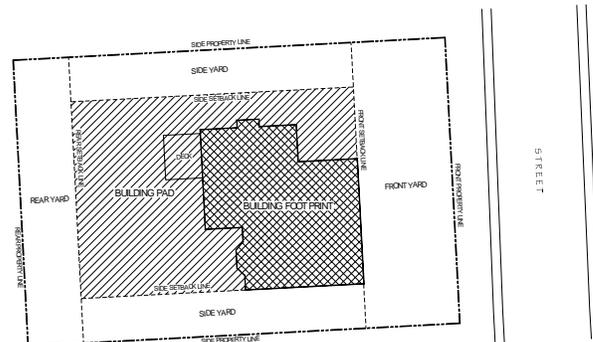
(D) **Building, Public.** A Building constructed by or intended for Use by the general public such as a library, museum, or Building of any political subdivision of the

state of Utah or the United States.

1.33. **BUILDING ENVELOPE.** The Building Pad, Building Footprint, and Height restrictions that defines the maximum Building Envelope in which all Development must occur.

1.34. **BUILDING FOOTPRINT.** The total Area of the foundation of the Structure, or the furthest exterior wall of the Structure projected to Natural Grade, not including exterior stairs, patios, decks and Accessory Buildings listed on the Park City Historic Structures Inventory that are not expanded, enlarged or incorporated into the Main Building.

1.35. **BUILDING PAD.** The exclusive Area, as defined by the Yards, in which the entire Building Footprint may be located. See the following example; also see Limits of Disturbance.

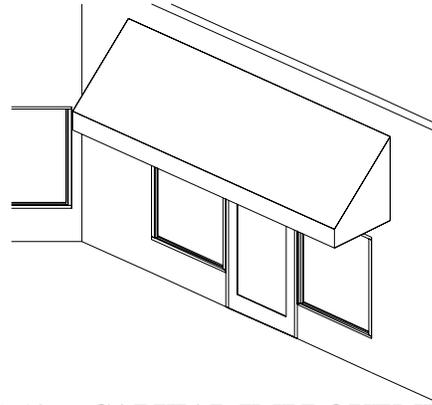


1.36. **BUILDING PERMIT.** A permit issued by the Chief Building Official authorizing Construction Activity on a Property or Lot.

1.37. **BUSINESS.** Any activity within Park City carried on for the purpose of gain or economic profit. The acts of employees rendering service to employers are not included in the term Business unless otherwise specifically prescribed. Business includes but is not limited to, the sale or rental of tangible personal or real Property, the manufacturing of goods or Property and the rendering of personal services for others for consideration by Persons engaged in any profession trade, craft, occupation, or other calling.

1.38. **CAFE.** A Business that primarily sells beverages for on-Site consumption. May serve food prepared off-premises but does not have International Building Code (IBC) Commercial Kitchen facilities and generally does not employ hostesses, wait staff, bus staff, chefs, or other employees typically associated with a restaurant.

1.39. **CANOPY.** A roof or awning constructed of fabric or other material and extending outward from a Building to provide a protective shield for doors, windows, or other openings with supports extended to the ground directly under the Canopy or cantilevered from the Building.



1.40. **CAPITAL IMPROVEMENTS PROGRAM.** A proposed schedule and description of all proposed public works, listed in order of construction priority, together with cost estimates and the anticipated means of financing each project.

1.41. **CERTIFICATE OF APPROPRIATENESS.** A certificate issued by the Building Department in cases of immediate public hazard, the Planning Department in cases of architectural insignificance, or the Historic Preservation Board in all other cases, indicating approval of plans for Alteration, construction, removal, or Demolition of a Landmark or Building having architectural Significance.

1.42. **CERTIFICATE OF ECONOMIC HARDSHIP.** A certificate issued by the Historic Preservation Board authorizing an Alteration, construction, removal, or Demolition of a Historic Landmark, or Building having architectural Significance, even though a Certificate of Appropriateness has previously been denied.

1.43. **CERTIFICATE OF OCCUPANCY.** A certificate issued by the Chief Building Official authorizing occupancy of a dwelling, Business, or any other Structure requiring a Building Permit.

1.44. **CHILD CARE.** The provision, day or night, of supplemental parental care, instruction and supervision for a non-related child or children, on a regular basis, and for less than 24 hours a day.

The term does not include babysitting services on a casual, non-recurring nature or in the child's own home nor cooperative, reciprocate Child Care by a group of parents in their respective domiciles.

(A) **Child Care, In-Home Babysitting.** The provision of Child Care for four (4) or fewer children within a dwelling and within commercial Buildings outside of residential Zoning Districts.

(B) **Child Care, Family.** The provision of Child Care for up to eight (8) children, including the provider's children who are under the age of eighteen (18), within the provider's primary residence.

(C) **Child Care, Family Group.** The provision of Child Care for nine (9) to sixteen (16) children, including the provider's children who are under the age of eighteen (18), within the provider's primary residence.

1.45. **CHILD CARE CENTER.** A Structure or Building, including outside play Areas, used for the provision of Child Care for more than four (4) children for less than twenty four (24) hours per day, meeting all State requirements for Child Care that is not also the primary residence of the care provider.

1.46. **CITY DEVELOPMENT.** Any

Conditional Use permit or Master Planned Development in which Park City Municipal Corporation or corporations controlled by Park City Municipal Corporation is the Applicant.

1.47. **CLEARVIEW OF INTERSECTING STREETS.** On any Corner Lot, an Area is kept clear of Structures, Fences, or tall vegetation, to allow vehicle drivers an unobstructed view of traffic approaching on the intersecting Street. This Area is the Site Distance Triangle. See Site Distance Triangle.

1.48. **CLUB.**

(A) **Club, Amenities.** Any organization formed and operated for the primary purpose of providing its members with social and recreational opportunities involving the access, use and enjoyment of physical amenities and services provided at or through an existing approved Hotel, including restaurants, bars, spas, spa services, pools, lounges, exercise facilities, lockers, ski facilities and services, pools, and other facilities and services.

(B) **Club, Private.** Any non-profit corporation, or organization, operating as a social club, recreational, fraternal, athletic or kindred association organized primarily for the benefit of its stockholders or members and serving alcoholic beverages and/or food.

(C) **Club, Private Residence.** Residential Use real estate within a single Condominium project, in which ownership or Use of a Condominium Dwelling Unit or group of Condominium Dwelling Units and associated common area is shared by not

less than four (4) or more than twelve (12) Owners or members per Condominium Dwelling Unit and whose Use is established by a reservation system and is managed with 24 hour reservation and Property management, seven (7) days a week, providing reservation, registration, and management capabilities. Membership in a Private Residence Club may be evidenced by:

- (1) a deeded interest in real Property;
- (2) an interest or membership in a partnership, limited partnership, limited liability company, non-profit corporation, or other Business entity;
- (3) a non-entity membership in a non-profit corporation, non-incorporated association, or other entity;
- (4) beneficial interest in a trust;
- (5) other arrangement providing for such Use and occupancy rights.

(C) **Club, Private Residence Conversion.** The conversion of Condominium Units and associated Common Areas within an existing Condominium project to the exclusive Use as Private Residence Club.

(D) **Club, Private Residence Off-Site.** Any Use organized for the exclusive benefit, support of, or linked to or associated with, or in any way offers exclusive hospitality services and/or concierge support to any defined Owner’s association, timeshare

membership, residential club, or real estate project. Hospitality includes, but is not limited to, any of the following services: real estate, restaurant, bar, gaming, locker rooms, storage, salon, personal improvement, Office.

(E) **Club, Private Residence Project.** Any Condominium Property that is subject to a Private Residence Club deed, interest, trust, or other arrangement for providing for Use and Ownership as a Private Residence Club, and contains at least four (4) units.

1.49. **CLUSTER DEVELOPMENT.** A design that concentrates Buildings in specific Areas on a Site to allow the remaining land to be used for recreation, Open Space, and preservation of environmentally sensitive Areas.

1.50. **CODE.** The Land Management Code (LMC).

1.51. **COLLECTOR ROAD.** A road intended to move traffic from local roads to major throughways. A Collector Road generally serves a neighborhood or a large Subdivision.

1.52. **CO-LOCATION.** The location of Telecommunications Facility on an existing Structure, tower, or Building, in such a manner that precludes the need for that Telecommunications Facility to be located on a free-standing Structure of its own.

1.53. **COMMERCIAL USE.** Retail Business, service establishments, professional offices, and other enterprises that include commerce and/or trade and the buying and selling of goods and services.

(A) **Commercial Use, Support.** A Commercial Use oriented toward the internal circulation of a Development, for the purpose of serving the needs of the residents or users of that Development, and not Persons drawn from Off-Site.

(B) **Commercial Use, Resort Support.** A Commercial Use that is clearly incidental to, and customarily found in connection with, the principal resort Use, and which is operated and maintained for the benefit or convenience of the Owner, occupants, employees, customers of, or visitors to, the principal Use.

1.54. **COMMON AREA.** Facilities and yards under Common Ownership, identified within projects, for the Use and enjoyment of the residents.

1.54. **COMMON OWNERSHIP.** Ownership of the same Property by different Persons.

1.56. **COMPATIBLE OR COMPATIBILITY.** Characteristics of different Uses or designs that integrate with and relate to one another to maintain and/or enhance the context of a surrounding Area or neighborhood. Elements affecting Compatibility include, but are not limited to, Height, scale, mass and bulk of Building, pedestrian and vehicular circulation, parking, landscaping and architecture, topography, environmentally sensitive Areas, and Building patterns.

1.57. **CONDITIONAL USE.** A land Use that, because of its unique characteristics or potential impact, is allowed only if certain

measures are taken to mitigate or eliminate the potential impacts.

1.58. **CONDOMINIUM.** Any Structure or Parcel that has been submitted to fractionalized Ownership under the provisions of the Utah Condominium Ownership Act.

1.59. **CONSERVATION ACTIVITY.** A process to restore, enhance, protect, and sustain the quality and quantity of ecosystems and natural resources.

1.XX **CONSERVATION EASEMENT.** An easement, covenant, restriction, or condition in a deed, will, or other instrument signed by or on behalf of the record owner of the underlying real property for the purpose of preserving and maintaining land or water areas predominantly in a natural state, scenic, or open condition, or for recreational, agricultural, cultural, wildlife habitat, or other use or condition consistent with the protection of open land. Conservation easement(s) granted from the Transfer of Development Rights Ordinance shall be subject to The Land Conservation Easement Act, Sections 57-18-1 (et seq.), Utah Code Annotated, 1953 as amended.

1.60. **CONSTITUTIONAL TAKING.** Final Actions(s) by the City to physically take or exact private real Property that requires compensation to the Owner because of the mandates of the Fifth or Fourteenth Amendment to the Constitution of the United States, or of Article I, Section 22, of the Utah Constitution.

1.61. **CONSTRUCTION ACTIVITY.** All Grading, excavation, construction,

Grubbing, mining, or other Development Activity which disturbs or changes the natural vegetation, Grade, or any existing Structure, or the act of adding an addition to an existing Structure, or the erection of a new principal or Accessory Structure on a Lot or Property.

1.62. **CONSTRUCTION MITIGATION PLAN** A written description of the method by which an Owner will ameliorate the adverse impacts of Construction Activity.

1.63. **CONSTRUCTION PLAN**. The map and drawings showing the specific location and design of the Development.

1.64. **CONTRIBUTING BUILDING, STRUCTURE, SITE/AREA OR OBJECT**. A Building, Structure, Site, Area, of Object that reflects the Historical or architectural character of the district as designated by the Historic Preservation Board.

1.65. **COUNCIL**. Members of the City Council of Park City.

1.66. **COVER, SITE**. The Area covered by an impervious surface such as a Structure, deck, pool, patio, walk, or driveway.

1.67. **CRAWL SPACE**. An uninhabitable Area with no exterior windows or doors and less than seven vertical feet (7') measured from the base of the footings to the floor framing above.

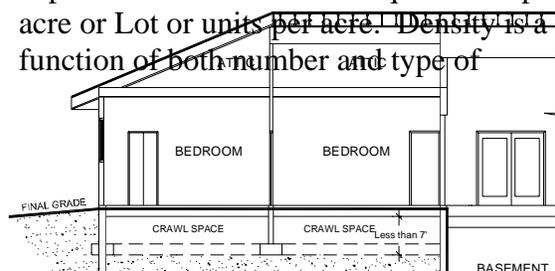
1.68. **CREST OF HILL**. The highest point on a hill or Slope as measured continuously throughout the Property. Any given Property may have more than one (1) Crest of Hill.

1.69. **CUL-DE-SAC**. A local Street with only one outlet and an Area for the safe and convenient reversal of traffic.

1.70. **DELI OR DELICATESSEN**. A Business which primarily sells prepared foods and drinks for consumption on or off the premises, but does not have International Building Code (IBC) Commercial Kitchen facilities and does not employ hostesses, wait staff, bus staff, or other employees typically associated with a Restaurant.

1.71. **DEMOLISH OR DEMOLITION**. Any act or process that destroys in part or in whole a Building or Structure. Excludes Building(s) and/or Structure(s) undergoing relocation and/or reorientation pursuant to Section 15-11-13 of this Code, disassembly pursuant to Section 15-11-14 of this Code, or Reconstruction pursuant to Section 15-11-15 of this Code.

1.72. **DENSITY**. The intensity or number of non-residential and Residential Uses expressed in terms of Unit Equivalents per acre or Lot or units per acre. Density is a function of both number and type of



Dwelling Units and/or non-residential units and the land Area.

1.73. **DESIGN GUIDELINE**. A standard of appropriate activity that will preserve the Historic and architectural character of a Landmark, Building, Area, or Object.

1.74. **DETACHED**. Completely separate and disconnected. Not sharing walls, roofs, foundations, or other structural elements.

1.75. **DEVELOPABLE LAND**. That portion of a Master Planned Development or Cluster Development within the Sensitive Lands Overlay that is designated for Density.

1.76. **DEVELOPER**. The Applicant for any Development.

1.77. **DEVELOPMENT**. The act, process, or result of erecting, placing, constructing, remodeling, converting, altering, relocating, or Demolishing any Structure or improvement to Property including Grading, clearing, Grubbing, mining, excavating, or filling of such Property. Includes Construction Activity.

1.78. **DEVELOPMENT AGREEMENT**. A contract or agreement between an Applicant or Property Owner and the City pursuant to the provisions in this Code and used as an implementation document for Master Planned Developments.

1.79. **DEVELOPMENT APPROVAL APPLICATION**. Includes any Application for any Development approval including, but not limited to Grubbing, Grading, an alteration or revision to an approved MPD, Conditional Use permit (CUP), zoning or

rezoning, Subdivision, or annexation. The term “Development Approval Application” shall not include any Building Permits associated with construction within an approved Subdivision or on an existing platted Lot unless otherwise specified.

**1.XX DEVELOPMENT CREDIT**. A credit measured in Unit Equivalents that denotes the amount of density on a Sending Site which may be transferred.

**1.XX DEVELOPMENT CREDIT CERTIFICATE**. The certificate issued by the Planning Director of Park City that represents the total number of development credits recognized for and derived from the sending site that may be transferred.

**1.XX DEVELOPMENT RIGHT**. The right held by a fee simple property owner to build on a legally established parcel of real property. This right is limited by applicable zoning ordinances.

1.80. **DISABLED CARE**. A long-term care residential facility for disabled Persons, Persons suffering from a physical or mental impairment that substantially limits one (1) or more of a Person’s major life activities, including a Person having a record of such an impairment or being regarded as having such an impairment.

1.81. **DISSIMILAR LOCATION**. A location that differs from the original location in terms of vegetation, topography, other physical features, and proximity of Structures.

1.82. **DWELLING**.

(A) **Dwelling, Duplex.** A Building containing two (2) Dwelling Units.

(B) **Dwelling, Triplex.** A Building containing three (3) Dwelling Units.

(C) **Dwelling, Multi-Unit.** A Building containing four (4) or more Dwelling Units.

(D) **Dwelling, Single Family.** A Building containing not more than one (1) Dwelling Unit.

1.83. **DWELLING UNIT.** A Building or portion thereof designed for Use as the residence or sleeping place of one (1) or more Persons or families and includes a Kitchen, but does not include a Hotel, Motel, Lodge, Nursing Home, or Lockout Unit.

1.84. **ECONOMIC HARDSHIP, SUBSTANTIAL.** Denial of all reasonable economic Use of the Property.

1.85. **ELDER CARE.** A long-term care residential facility for elderly Persons, adults sixty (60) years of age or older, who because of physical, economic, social, or emotional problems cannot function normally on an independent basis. The term does not include a health care facility.

1.86. **ELEVATOR PENTHOUSE.** The minimum Structure required to enclose the top most mechanical workings of an elevator.

1.87. **EQUIPMENT SHELTER.** See Telecommunications Facilities, Equipment Shelter 1.231(B).

1.88. **ESCROW.** A deposit of cash or approved alternate in lieu of cash with a third party held to ensure a performance, maintenance, or other Guarantee.

1.89. **ESSENTIAL HISTORICAL FORM.** The physical characteristics of a Structure that make it identifiable as existing in or relating to an important era in the past.

1.90. **EXTERIOR ARCHITECTURAL APPEARANCE.** The architectural character and general composition of the exterior of a Building or Structure, including but not limited to the kind, color, and texture of the Building material and the type, design, and character of all windows, doors, light fixtures, signs, and appurtenant features.

1.91. **FACADE.**

(A) **Facade, Building.** The exterior of a Building located above ground and generally visible from public points of view.

(B) **Façade, Front.** That portion of a Building that generally faces the street and/or Front Lot Line.

1.92. **FACADE EASEMENT.** A recordable instrument, in a form approved by the City Attorney, which restricts the Owner's ability to alter the Building Facade.

1.93. **FACADE SHIFT.** A change or break in the horizontal or vertical plane of the exterior of a Building.

1.94. **FENCE.** A Structure to separate or divide outdoor Areas. The term Fence

includes, but is not limited to, net Screening for golf balls, and masonry walls. A Fence need not be sight obscuring or light tight.

1.95. **FILTERED LIGHT FIXTURE.** Any outdoor light fixture that has a refractive light source. Quartz or clear glass do not refract light.

1.96. **FINAL ACTION.** The later of the final vote or written decision on a matter.

1.97. **FINAL PLAT.** A recordable Subdivision or Condominium map.

1.98. **FIRST STORY.** The lowest Story in a Building provided the floor level is not more than four feet (4') below Final Grade for more than fifty percent (50%) of the perimeter. Can include habitable or uninhabitable Floor Area. See the following illustration:

1.99. **FLOOD PLAIN AREA.** An Area adjoining a river, Stream, or water course, or body of standing water in which a potential flood hazard exists when the Area

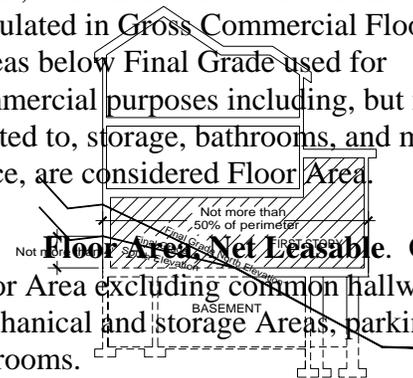
experiences a one hundred year storm, including, any Area designated as a Flood Plain by the Department of Housing and Urban Development or Federal Emergency Management Agency of the United States Government.

1.100. **FLOOR AREA.**

(A) **Floor Area, Gross Residential.** The Area of a Building, including all enclosed Areas, Unenclosed porches, Balconies, patios and decks, vent shafts and courts are not calculated in Gross Residential Floor Area. Garages, up to a maximum Area of 600 square feet<sup>1</sup>, are not considered Floor Area. Basement and Crawl Space Areas below Final Grade are not considered Floor Area. Floor Area is measured from the finished surface of the interior of the exterior boundary walls.

(B) **Floor Area, Gross Commercial.** The Area of a Building including all enclosed Areas excluding parking areas. Unenclosed porches, Balconies, patios and decks, vent shafts and courts are not calculated in Gross Commercial Floor Area. Areas below Final Grade used for commercial purposes including, but not limited to, storage, bathrooms, and meeting space, are considered Floor Area.

(C) **Floor Area, Net Leasable.** Gross Floor Area excluding common hallways, mechanical and storage Areas, parking, and restrooms.



1.101. **FLOOR AREA RATIO (FAR).**

<sup>1</sup>400 sq. ft. in Historic Districts

The maximum allowed Gross Floor Area divided by the Area of the Lot or Parcel.

1.102. **FOOT CANDLE.** A unit for measuring the amount of illumination on a surface. The measurement is a candle power divided by distance.

(A) **Foot Candle, Average (afc).** The level of light measured at an average point of illumination between the brightest and darkest Areas, at the ground surface or four to five feet (4' to 5') above the ground surface.

(B) **Foot Candle, Horizontal (hfc).** A unit of illumination produced on a horizontal surface, all points of which are one foot (1') from a uniform point source of one (1) candle.

(C) **Foot Candle, Vertical (vfc).** A unit of illumination produced on a vertical surface, all points of which are one foot (1') from a uniform point source of one (1) candle.

1.103. **FRONTAGE.** That portion of a Lot abutting a public or private Right-of-Way and ordinarily regarded as the front of the Lot.

1.104. **FULLY SHIELDED.** Luminaires that are constructed so that no light rays are emitted at angles above the horizontal plane, as certified by a photometric test report.

1.105. **GARAGE.**

(A) **Garage, Commercial.** A Building, or portion thereof, used for the storage or parking of motor vehicles for consideration.

(B) **Garage, Front Facing.** Garages that face or are generally parallel to the Street frontage.

(C) **Garage, Private.** An Accessory Building, or a portion of the Main Building, used for the storage of motor vehicles for the tenants or occupants of the Main Building and not by the general public.

(D) **Garage, Public.** A Building or a portion thereof, used for servicing, repairing, equipping, hiring, selling or storing motor-driven vehicles, that is open to the general public.

1.106. **GEOLOGIC HAZARD.** A hazard inherent in the crust of the earth, or artificially created, which is dangerous or potentially dangerous to life, Property or improvements, due to the movement, subsidence, or shifting of the earth. The term includes but is not limited to unstable Slopes, faulting landslides, and rock fall.

1.107 **GOOD CAUSE.** Providing positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community.

1.108. **GOVERNING BODY.** The City Council of Park City.



of the above as approved by the city or an approved equal, including but not limited to a lien on the Property.

1.115. **GUEST HOUSE**. An Accessory Building and dwelling intended for non-rent paying guests of the primary Dwelling Unit's residents. Guest Houses are not a lodging Use where typical lodging services are provided. Payment is not allowed.

1.116. **HABITABLE SPACE (ROOM)**. Space in a Structure for living, sleeping, eating, or cooking. Bathrooms, toilet compartments, closets, halls, storage, or utility space, and similar Areas are not considered Habitable Space.

1.117. **HARD-SURFACED**. Covered with concrete, brick, asphalt, or other impervious surface.

1.118. **HEIGHT, BUILDING**. The vertical distance under any roof or roof element to Existing Grade. See LMC Chapter 15-2, Zoning Districts, for various exceptions within the different Zoning Districts.

1.119. **HELIPAD**. A facility without the

logistical support provided by a Heliport where helicopters take off and land. Helipads do not include facilities for maintenance, repair, fueling, or storage of helicopters.

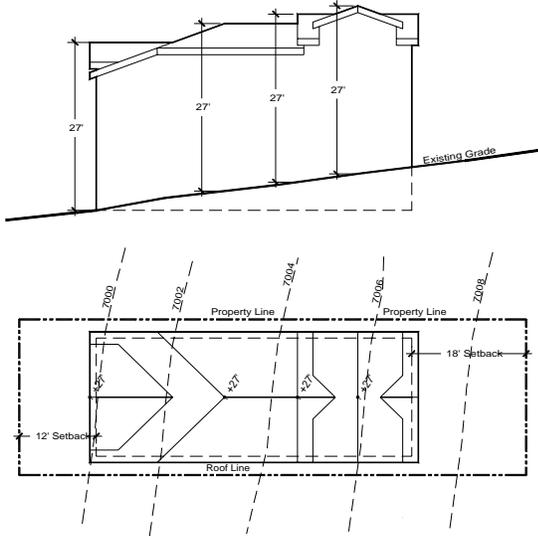
1.120. **HELIPORT**. Any landing Area used for the landing and taking off of helicopters, including all necessary passenger and cargo facilities, fueling, and emergency service facilities.

1.121. **HELISTOP**. Any landing Area used for the taking off or landing of private helicopters for the purpose of picking up and discharging passengers or cargo. This facility is not open to use by any helicopter without prior permission having been obtained.

1.122. **HISTORIC**. That which has interest or value to the heritage, background and/or cultural character of Park City and its environs.

1.123. **HISTORIC BUILDING, STRUCTURE, SITE OR OBJECT**. Any Building, Structure, Site and/or object, as designated by the Historic Preservation Board to demonstrate Historic Significance as set forth in LMC Chapter 15-11.

1.124. **HISTORIC DISTRICT**. A geographically definable Area possessing a significant concentration, linkage, or continuity of Buildings, Structures, Sites or objects united by past events, plan or physical Development. A Historic District may comprise an individual Site or individual elements separated geographically but linked by association, plan, design, or history.



*Historic District Building Height*

1.125. **HISTORIC INTEGRITY.** The ability of a Site to retain its identity and, therefore, convey its Significance in the history of Park City. Within the concept of Historic Integrity, Park City Municipal Corporation recognizes seven (7) aspects or qualities as defined by the National Park Service, that in various combinations define integrity. They are as follows:

- (A) **Location.** The place where the Historic Site was constructed or the Historical event took place.
- (B) **Design.** The combination of physical elements that create the form, plan, space, Structure, and style of a Site. Design includes such considerations as the structural system, massing, arrangement of spaces, pattern of fenestration, textures and colors of surface materials, type, amount and style of ornamental detailing, and arrangement and type of plantings in the designed landscape.

(C) **Setting.** The physical environment, either natural or manmade, of a Historic Site, including vegetation, topographic features, manmade features (paths, fences, walls) and the relationship between Structures and other features or open space.

(D) **Materials.** The physical elements that were combined or deposited during a particular period of time in a particular pattern or configuration to form a Historic Site.

(E) **Workmanship.** The physical evidence of the crafts of a particular culture or people during any given period of history, including methods of construction, plain or decorative finishes, painting, carving, joinery, tooling, and turning.

(F) **Feeling.** A Site's expression of the aesthetic of Historic sense of a particular period of time. Feeling results from the presence of physical features that, taken together, convey the Property's Historic character.

(G) **Association.** The direct link between an important Historic era or Person and a Historic Site. A Site retains association if it is in the place where the activity occurred and is sufficiently intact to convey that relationship to an observer.

1.126. **HISTORIC SITES INVENTORY.** A list of Historic Sites, as determined by the Historic Preservation Board, that meets specified criteria set form in Land Management Code Chapter 15-11.

1.127. **HOME OCCUPATION.** A Business carried on entirely within a

dwelling by Persons residing within the dwelling, which Business is clearly incidental and secondary to the Use of the dwelling for residential purposes.

1.128. **HOSPITAL.** An institution specializing in clinical, temporary or emergency medical services to humans and/or licensed by the state to provide facilities and services in surgery, obstetrics, and general medical practice. Does not include Uses defined as “Office, Medical”.

(A) **Hospital, Limited Care.** An institution licensed by the state to provide out-patient medical or surgical care and related services without overnight stay.

1.129. **HOTEL/MOTEL.** A Building containing sleeping rooms for the occupancy of guests for compensation on a nightly basis that include accessory facilities such as restaurants, bars, spas, meeting rooms, on-site check-in lobbies, recreation facilities, group dining facilities, and/or other facilities and activities customarily associated with Hotels, such as concierge services, shuttle services, room service, and daily maid service. Hotel/Motel does not include Nightly Rental Condominium projects without restaurants, bars, spas, and on-site check-in lobbies. Lockout Units or Bed and Breakfast Inns and Boarding Houses are not Hotels. Hotels are considered a lodging Use and ownership of units may be by a condominium or timeshare instrument Hotel rooms may include a Lockout as part of the Unit.

(A) **Hotel, Major.** A Hotel with more than fifteen (15) Hotel Rooms.

(B) **Hotel, Minor.** A Hotel, Motel, with fewer than sixteen (16) Hotel Rooms.

1.130. **HOTEL ROOM.** A Unit consisting of one (1) room, without a Kitchen, intended for temporary living and sleeping purposes and including a separate, exclusive bathroom.

1.131. **HOTEL SUITE.** Two (2) or more interconnected Hotel Rooms with a single corridor or exterior Access. May include a Kitchenette. See Bed and Breakfast Inn, Lockout Unit, and Boarding House.

1.132. **IMPACT ANALYSIS.** A determination of the potential effects(s), environmental, fiscal, social, etc., upon the community of a proposed Development.

1.133. **INACTION.** An Application is Inactive and subject to denial on the basis of Inactivity if, through the act or omission of the Applicant and not the City:

(A) more than six (6) months has passed since a request for additional information was made by the Department staff without response from the Applicant;

(B) upon notice the Applicant is more than sixty (60) days in default of the payment of any fee assessed by ordinance, or has not paid the fee under protest;

(C) the Applicant has stated an intent to abandon the project;

(D) the Application appears to have been filed in bad faith for the purpose of attempting to vest rights prior to a zoning change, without actual intent to construct

the project applied for.

1.134. **INCIDENTAL RETAIL SALES**. The sale of common items associated with a Home Occupation and not produced on the premises that might be sold along with a product that is, such as a picture frame for a photo, or a swatch of material or extra buttons for an item of clothing, etc.

1.135. **INDOOR ENTERTAINMENT FACILITY**. An establishment or enterprise for the purpose of amusing or entertaining Persons for profit or non-profit and generally contained within a Structure. Such Uses include, but are not limited to, theater, playhouse, cinema, performing arts, planetarium, discovery center, museum, or bowling alley.

1.136. **KITCHEN**. An enclosed Area for the preparation of food and containing a sink, refrigerator, and stove.

(A) **Kitchen, IBC Commercial**. A Kitchen that is required by the International Building Code (IBC), because of the nature of the cooking or food preparation activities, to have commercial food heat-processing equipment, such as compensating hoods, grease filters, kitchen hoods, and similar types of equipment.

1.137. **KITCHENETTE**. An Area used or designed for the preparation of food and containing a sink, refrigerator and an electrical outlet which may be used for a microwave oven. No 220V outlet for a range or oven is provided. A Kitchenette is not intended to be used in such a manner as to result in the establishment of an additional Dwelling Unit.

1.138. **LANDMARK**. A Property, Building, or Structure designated as a “Landmark” by the Historic Preservation Board (HPB) pursuant to the procedures prescribed herein, that is worthy of rehabilitation, restoration, and preservation because of its Historic and/or architectural Significance to Park City.

1.139. **LANDMARK SITE**. Any Site, including Building (main, attached, detached, or public), Accessory Building, and/or Structure that is determined by the Historic Preservation Board to meet specified criteria set forth in LMC Chapter 15-11.

1.140. **LANDSCAPING**.

(A) **Landscaping, Interior**. Planting islands located within the Parking Area.

(B) **Landscaping, Parking Area**. Includes all spaces, aisles, and drives as defined by the top-back of curb or edge of pavement.

(C) **Landscaping, Perimeter**. Planting Areas between the Property Line and Parking Area.

1.141. **LIFTWAY**. The necessary Right-of-Way, both surface and air space, for the operation of any tram or ski lift.

1.142. **LIFTWAY SETBACK**. The minimum allowable distance between the side line of the Liftway and any Structure.

1.143. **LIGHT SOURCE**. A single artificial point source of luminescence that

emits a measurable radiant energy in or near the visible spectrum.

(A) **Light Source, Refractive.** A Light Source that controls the Vertical and Horizontal Foot Candles and eliminates glare.

1.144. **LIMITS OF DISTURBANCE.** The designated Area in which all Construction Activity must be contained.

1.145. **LOCKOUT UNIT.** An Area of a dwelling with separate exterior Access and toilet facilities, but no Kitchen.

1.146. **LOT.** A unit of land described in a recorded Subdivision Plat.

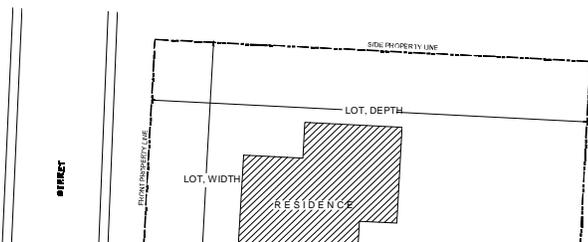
(A) **Lot, Corner.** A Lot situated at the intersection of two (2) Streets, the interior angle of such intersection not exceeding 135 degrees (135°).

1.147. **LOT DEPTH.** The minimum distance measured from the Front Property Line to the Rear Property Line of the same Lot.

1.148. **LOT LINE.** Any line defining the boundaries of a Lot.

1.149. **LOT LINE ADJUSTMENT.** The relocation of the Property Line between two (2) adjoining Lots.

1.150. **LOT WIDTH.** The minimum distance between the Side Lot Lines at the Front Yard or Front Building Façade. See the following illustration:



1.151. **LUMEN.** A measurement of light output or the amount of light emitting from a Luminaire.

1.152. **LUMINAIRE.** A complete lighting unit consisting of a light source and all necessary mechanical, electrical, and decorative parts.

(A) **Luminaire, Cutoff-Type.** A Luminaire with shields, reflectors, refractors, or other such elements that direct and cut-off emitted light at an angle less than ninety degrees (90°).

(B) **Luminaire, Fully Shielded.** Luminaires that are constructed so that no light rays are emitted at angles above the horizontal plane, as certified by a photometric test report.

(C) **Luminaire, Partially Shielded.** Luminaires that are constructed so that no more than ten percent (10%) of the light rays are emitted at angles above the horizontal plane, as certified by a photometric test report.

1.153. **MASTER FESTIVAL.** Any event held on public or private Property in which the general public is invited with or without charge and which creates significant public

impacts through any of the following:

- (A) The attraction of large crowds;
- (B) Necessity for Street closures on Main Street or any arterial Street necessary for the safe and efficient flow of traffic in Park City;
- (C) Use of public Property;
- (D) Use of City transportation services;
- (E) Use of off-Site parking facility, or;
- (F) Use of amplified music in or adjacent to a residential neighborhood.

1.154. **MASTER PLANNED DEVELOPMENT (MPD)**. A form of Development characterized by a comprehensive and unified Site plan and design reviewed under the Master Planned Development review processes described in LMC Chapter 15-6. The MPD generally includes a number of housing units; a mix of Building types and land Uses; clustering Buildings and providing Open Space; flexibility in Setback, Height, and Density allocations; and providing additional valued community amenities.

1.155. **MAXIMUM EXTENT FEASIBLE**. The maximum mitigation where no prudent, practical and feasible alternative exists to completely mitigate the adverse impact. Economic considerations may be taken into account but shall not be the overriding factor in determining “Maximum Extent Feasible”.

1.156. **MAXIMUM HOUSE SIZE**. A

measurement of Gross Floor Area.

1.157. **MODEL HOME**. A Dwelling Unit used initially for display or marketing purposes which typifies the units that will be constructed.

1.158. **NEIGHBORHOOD CONVENIENCE, COMMERCIAL**. Any retail establishment offering for sale prepackaged or fresh food products, beverages, household items, or other goods commonly associated with the same, not including automobile fuel sales, and having a maximum Gross Floor Area of 3,500 square feet.

1.159. **NIGHTLY RENTAL**. The rental of a Dwelling Unit or any portion thereof, including a Lockout Unit for less than thirty (30) days to a single entity or Person. Nightly Rental does not include the Use of Dwelling Units for Commercial Uses.

1.160. **NON-COMPLYING STRUCTURE**. A Structure that:

- (A) legally existed before its current zoning designation; and
- (B) because of subsequent zoning changes, does not conform to the zoning regulation’s Setback, Height restrictions, or other regulations that govern the Structure.

1.161. **NON-CONFORMING USE**. A Use of land that:

- (A) legally existed before its current zoning designation;
- (B) has been maintained continuously

since the time the zoning regulation governing the land changed; and

(C) because of subsequent zoning changes, does not conform to the zoning regulations that now govern the land.

1.162. **NOTEWORTHY**. Deserving notice or attention because of uniqueness, excellence, or Significance.

1.163. **NURSERY, GREENHOUSE**. A Business where young plants are raised for experimental horticultural purposes, for transplanting, or for sale.

1.164. **NURSING HOME**. A Business described also as a “rest home”, or “convalescent home”, other than a Hospital in which Persons are generally lodged long-term and furnished with care rather than diagnoses or treatment. Also see Group Care Facility.

1.165. **OFF-SITE**. Any premises not located within the Property to be Developed or Subdivided, whether or not in the same ownership of the Applicant for Development or Subdivision approval.

1.166. **OFF-STREET**. Entirely outside of any City Right-of-Way, Street, Access easement, or any private Access drive, or Street required by this Title.

1.167. **OFFICE**.

(A) **Office, General**. A Building offering executive, administrative, professional, or clerical services, or portion of a Building wherein services are performed involving predominately

operations with limited client visits and limited traffic generated by employees and/or clients.

(B) **Office, Intensive**. Businesses offering executive, administrative, professional or clerical services which are performed with a high level of client interaction and traffic generated by employees and/or clients; and/or the intensity of employees if five (5) or more employees per 1000 sq. ft. of net leasable office space. These Uses include real estate, telemarketing, and other similar Uses.

(C) **Office, Medical**. A Business wherein services are performed for the diagnosis and treatment of human and animal patients, with a moderate to high level of client interaction and traffic generated by employees and/or clients. A Medical Office includes Veterinarian clinics. A Medical Office does not include an overnight care facility for humans, but would allow overnight care for small animals associated with a Veterinarian clinic, but does not include pet boarding Uses for non-medical related reasons.

(D) **Office, Moderately Intensive**. A Business offering executive, administration, professional, or clerical services which are performed with a moderate level of client interaction and traffic generated by employee and/or clients.

1.168. **OFFICIAL STREETS MASTER PLAN**. As adopted by the City Council, the designation of each existing and planned Street and Right-of-Way, and those located on approved and filed plats, for the purpose of providing for the Development of the

Streets, highways, roads, and Rights-of-Way and for their future improvement, reconstruction, realignment, and necessary widening, including provision for curbs and sidewalks. The classification of each Street and Right-of-Way is based upon its location in the respective Zoning District of the City, its present and estimated future traffic volume and its relative importance and function.

1.169. **OFFICIAL ZONING MAP.** The map adopted by the City Council pursuant to law showing the Streets, Zoning Districts, and City boundaries; and any amendments or additions thereto resulting from the approval of Subdivision or Annexation Plats and the subsequent filing of such approved plats.

1.170. **ONE BEDROOM APARTMENT.** A Dwelling Unit consisting of a living room, a Kitchen, which may be a part of the living room, a separate room designed and intended as a Bedroom, and a bathroom for the exclusive Use of that unit.

1.171. **OPEN SPACE.**

(A) **Open Space, Landscaped.** Landscaped Areas, which may include local government facilities, necessary public improvements, and playground equipment, recreation amenities, public landscaped and hard-scaped plazas, and public pedestrian amenities, but excluding Buildings or Structures.

(B) **Open Space, Natural.** A natural, undisturbed Area with little or no improvements. Open space may include, but is not limited to, such Areas as Ridge

Line Area, Slopes over thirty percent (30%), wetlands, Stream Corridors, trail linkages, Subdivision or Condominium Common Area, or view corridors.

(C) **Open Space, Transferred Development Right (TDR).** That portion of a Master Planned Development, PUD, Cluster Plan or other Development plan from which Density is permanently transferred. This Area may be either Natural or Landscaped Open Space.

1.172. **ORDINARY HIGH WATER MARK.** The line on the bank to which the high water ordinarily rises annually in season as indicated by changes in the characteristics of soil, vegetation, or other appropriate means which consider the characteristics of the surrounding Areas. Where the ordinary high water mark cannot be found, the top of the channel bank shall be substituted. In braided channels, the ordinary high water mark or substitute shall be measured so as to include the entire stream feature.

1.173. **ORDINARY REPAIRS AND MAINTENANCE.** Work done on a Building in order to correct any deterioration, decay, or damage to a Building or any part thereof in order to restore same as or nearly as practical to its condition prior to such deterioration, decay, or damage.

1.174. **OUTDOOR USE OR EVENT.** Any land Use, Business or activity that is not conducted entirely within an enclosed Building or Structure, not including outdoor recreation activities and those Uses customarily associated with indoor Uses,

such as parking, drive-up windows, ATM's, gas pumps, playgrounds, and such. Outdoor Uses include outdoor dining; outdoor food and beverage service stations and carts; outdoor storage and display of bicycles, kayaks, and canoes; and outdoor events and music.

1.175. **OWNER**. Any Person, or group of Persons, having record title to a Property, and the Owner's Agent.

1.176. **PARCEL**. An unplatted unit of land described by metes and bounds and designated by the County Recorder's Office with a unique tax identification number.

1.177. **PARKING**.

(A) **Parking, Public**. A Parking Area or parking facility to be used by the public for fee or otherwise.

(B) **Parking, Residential**. A Parking Area or Structure used exclusively for residential, non-commercial Uses.

(C) **Parking, Shared**. The Development and Use of Parking Areas on two (2) or more separate Properties for joint Use by the businesses or residents on those Properties.

1.178. **PARKING AREA**. An unenclosed Area or Lot other than a Street used or designed for parking.

1.179. **PARKING LOT, COMMERCIAL**. A Parking Lot in which motor vehicles are parked for compensation or for Commercial Uses.

1.180. **PARKING SPACE**. An Area

maintained for parking or storing an automobile or other vehicle, which is Graded for proper drainage and is Hard-Surfaced or Porous Paved.

1.181. **PARKING STRUCTURE**. A fully enclosed Structure designed and intended for parking.

1.182. **PASSENGER TRAMWAY**. A mechanical device to transport passengers and cargo by means of chairs or enclosed compartments attached to a cable or to rails, including each of the devices described in Section 72-11-102 of the Utah Code Annotated, as amended. Includes ski tows and ski lifts.

1.183. **PERIOD OF HISTORIC SIGNIFICANCE**. A specific period of time that provides a context for Historic Sites based on a shared theme.

1.184. **PERSON**. An individual, corporation, partnership, or incorporated association of individuals such as a club.

1.185. **PLANNED UNIT DEVELOPMENT (PUD)**. Multiple, Single-Family or Duplex Dwelling Units, averaging no greater than 3,900 square feet per Dwelling Unit, clustered as much as possible with TDR Open Space and in which the overall design, size, mass, scale, Setback, materials, colors and visual character are integrated one with another.

1.186 **PHYSICAL MINE HAZARDS**. Any shaft, adit, tunnel, portal, building, improvement or other opening or structure related to mining activity.

1.187. **POROUS PAVING.** A substantial surfacing material designed and intended to support light vehicular movement. Porous Paving includes paving systems such as modular pavers which provide at least fifty percent (50%) surface exposure suitable for the establishment of plant materials and which substantially abates surface water runoff. Gravel and/or compacted soil are not Porous Paving. Porous paving includes pervious paving.

1.188. **PRELIMINARY PLAT.** The preliminary drawings of a proposed Subdivision, specifying the layout, Uses, and restrictions.

1.189. **PRESERVATION.** The act or process of applying measures necessary to sustain the existing form, integrity, and materials of a Historic Property. Work, including preliminary measures to protect and stabilize the Property, generally focuses upon ongoing maintenance and repair of Historic materials and features rather than extensive replacement and new construction.

1.190. **PRESERVATION EASEMENT.** An easement that includes, as minimum stipulations, a conveyance of design approval for exterior changes, and a program whereby the Owner commits to restore and maintain a Structure following the Secretary of Interior’s Standards for rehabilitation, in a form approved by the City. A time frame for completion of the restoration program may be specified in the easement agreement.

1.191. **PROPERTY.** Any Parcel, Lot, or tract of land, including improvements thereon, in the possession of or owned by, or recorded as the real Property of, the same

Person or Persons.

(A) **Property, Storefront.** A separately enclosed space or unit that has a window or entrance that fronts on a Public Street. For purposes of this provision, the term “fronts on a Public Street” shall mean a separately enclosed space or unit with:

- (1) A window and/or entrance within fifty lateral/horizontal feet (50’) of the back, inside building edge, of the public sidewalk; and
- (2) A window and/or entrance that is not more than eight feet (8’) above or below the grade of the adjacent Public Street.

In the case of split-level, multi-level Buildings with only one primary entrance, only those fully enclosed spaces or units that directly front the Street as set forth above, shall be designated to be a “Storefront Property.” The Planning Director or their designee shall have the final determination of applicability.

1.192. **PROPERTY LINE.** The boundary line of a Parcel or Lot.

(A) **Property Line, Front.** That part of a Parcel or Lot which abuts a Street.

1.193. **PROPERTY OWNER.** Any Person, or group of Persons, having record title to a Property, and the Owner’s Agent.

1.194. **PUBLIC IMPROVEMENT.** Any Building, water system drainage ditch, roadway, parkway, sidewalk, pedestrian way, tree, lawn, Off-Street Parking Lot,

space or Structure, Lot improvement, or other facility for which the City may ultimately assume responsibility, or which may effect a City improvement.

1.195. **PUBLIC USE**. A Use operated exclusively by a public body, to serve the public health, safety, or general welfare.

1.196. **QUALIFIED PROFESSIONAL**. A professionally trained Person with the requisite academic degree, experience, and professional certification or license in the field or fields relating to the matter being studied or analyzed.

1.197. **QUASI-PUBLIC USE**. A Use operated by a private nonprofit educational, religious, recreational, charitable, or philanthropic institution, serving the general public.

1.XX. **RECEIVING SITE**. A Parcel of real property denoted as a receiving site in the Transfer of Development Rights Overlay Zone, as shown on the Park City zoning map. A receiving site is the site to which Development Credits may be transferred.

1.198. **RECONSTRUCTION**. The act or process of depicting, by means of new construction, the form, features, and detailing of a non-surviving Site, landscape, Building, Structure or object for the purpose of replicating its appearance at a specific period of time and in its Historic location.

1.199. **RECREATION EQUIPMENT, OUTDOOR**. Playground equipment and accessory park related amenities, such as swing sets, slides, jungle gyms, sand boxes, picnic tables, volleyball nets, baseball

backstops, basketball standards, frisbee golf holes, soccer goals, and similar amenities.

1.200. **RECREATION FACILITIES**.

(A) **Recreation Facilities, Commercial**. Recreation Facilities operated as a Business on private or public Property and open to the public for a fee.

(B) **Recreation Facilities, Private**. Recreation facilities operated on private Property and not open to the general public. Including Recreation Facilities typically associated with a homeowner or Condominium association, such as pools, tennis courts, playgrounds, spas, picnic Areas, similar facilities for the Use by Owners and guests.

(C) **Recreation Facilities, Public**. Recreation facilities operated by a public agency and open to the general public with or without a fee.

1.201. **RECYCLING FACILITY**. A building, structure or land area used for the collection, processing or transfer of recyclable materials such as glass, paper, plastic, cans, or other household scrap materials.

(A) **Recycling Facility, Class I**. Recycling containers totaling up to 60 cubic yards of capacity per residential lot or business used for the collection and temporary storage of recyclable materials such as glass, plastic, aluminum, mixed metals, fiber, and cardboard. These facilities are generally, but not limited to the use by a specific residential neighborhood, civic facility, or commercial business park, and

can be for the use of the entire community.

1.202. **REFRACTIVE LIGHT SOURCE.** A light source that controls the Vertical and Horizontal Foot Candles and eliminates glare.

1.203. **REGULATED USE.** A Use that is allowed, subject to certain regulations and restrictions as prescribed in this Code.

1.204. **REHABILITATION.** The act or process of making possible a compatible Use for a Property through repair, alterations, and additions while preserving those portions or features which convey its Historical, cultural, or architectural values.

1.205. **RESIDENTIAL USE.** Uses and project that consist primarily of activities that are residential in nature that may include other support Uses, such as support commercial, but where the primary Use is for human habitation and associated activities. Residential Use includes occupancy of a dwelling as living quarters and all associated Uses, but not including temporary Structures such as tents, railroad cars, trailers, or similar units.

1.206. **RESORT SUPPORT COMMERCIAL.** Use that is clearly incidental to, and customarily found in connection with, the principal Building or Use, and that is operated and maintained for the benefit and convenience of the Owners, occupants, employees, customers, or visitors to the principal Use or Building.

1.207. **RESTAURANT.** A Business in which food is prepared and sold for consumption.

(A) **Restaurant, Drive-Through.** A Restaurant, Deli, Café, fast food Restaurant, or other similar Business that includes a window or similar feature which allows food to be ordered and taken from the premises for consumption elsewhere, without leaving a vehicle.

1.208. **RESTORATION.** The act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of removal of features from other periods in its history and Reconstruction of missing features from the restoration period.

1.209. **RESUBDIVISION.** A change in a map of an approved or recorded Subdivision Plat if such change affects any Right-of-Way, or Lot Line; or any change in a map or plan legally recorded prior to the adoption of regulations controlling Subdivisions.

1.210. **RETAIL AND SERVICE.**

(A) **Retail and Service, Commercial-Auto Related.** An establishment primarily engaged in the sale or rental of goods, merchandise, and services related to the automobile, such a auto repair, auto body work, painting, detailing, auto and auto related equipment sales, with moderate to high volume of customer turnover and moderate to high parking demand. These Uses do not include auto dismantling, salvage, junk yards, and similar Uses. Self-service car washes are included.

(B) **Retail and Service, Commercial-Major.** A large scale Business engaged primarily in the sale or rental of goods, merchandise, or services with a high

customer turnover and high parking demand. These establishments may have large interior showrooms or semi-truck loading docks. Examples of these Uses include large department, grocery, variety, drug, super stores. Fully-enclosed car washes are included.

(C) **Retail and Service, Commercial-Minor.** A Business primarily engaged in the sale or rental of goods, merchandise, or services with a low volume of customer turnover, low parking demand, and no outdoor storage of goods. These Uses do not include automobile or large equipment rental or sales. Such Uses include antique stores, art galleries, art supply stores, bakeries, book stores, clothing stores, candy stores, florists, gift shops, liquor stores, pharmacies, sporting goods stores, auto parts stores, interior design stores, and home furnishing stores.

(D) **Retail and Service, Commercial-Personal Improvement.** A Business engaged in or offering courses and services for the enhancement of personal recreational interests, Business skills, vocational training, dance training, art and drama classes, public speaking, and similar Uses where the class or session meets as a group.

1.211. **RIDGE LINE AREA.** The top, ridge or Crest of Hill, or Slope plus the land located within one hundred fifty feet (150') on both sides of the top, crest or ridge.

1.212. **RIDING STABLE, COMMERCIAL.** A Structure and/or Site for horses, ponies, and/or mules, that is rented or used for compensation.

1.213 **RIGHT-OF-WAY.** A strip of land, dedicated to public Use that is occupied or intended to be occupied by a Street, crosswalk, trail, stairway, ski lift, railroad, road, utilities, or for another special Use.

1.214. **ROAD.**

(A) **Road, Collector.** A road intended to move traffic from local roads to major thoroughways. A Collector Road serves a neighborhood or a large Subdivision.

1.215. **ROAD CLASSIFICATION.** The Streets, highways, Roads, and Rights-of-Way designated on the Streets master plan.

1.216. **ROAD RIGHT-OF-WAY WIDTH.** The distance between Property Lines measured at right angles to the center line of the Street.

1.217. **SALT LAKE CITY 2002 WINTER OLYMPIC GAMES OLYMPIC LEGACY DISPLAYS.** Official exhibits from the Salt Lake City 2002 Winter Olympic Games created and/or provided by the Salt Lake Organizing Committee (SLOC) as part of the SLOC/Park City Municipal Corporation Olympic Services agreement and/or Olympic Master Festival License and approved by the City Council for installation on City Property, public Rights-of-Way and/or within the Areas that were Olympic venue Sites during the 2002 Winter Olympic Games at Park City Mountain Resort and Deer Valley Resort, or replacement exhibits that expressly commemorate the Salt lake City 2002 Olympic Winter Games. Olympic Legacy Displays may include the following additional information:

(A) Park City Municipal Corporation or Venue name and/or logo provided said information does not exceed twenty percent (20%) of the display area; and/or

(B) Master Festival Event identification provided said information does not exceed twenty percent (20%) of the display area, and is not displayed for more than two (2) weeks unless otherwise approved as part of the Master Festival License.

1.218. **SATELLITE RECEIVING STATION**. Any apparatus or device designed for the purpose of transmitting and/or receiving radio, television, satellite microwave, or other electromagnetic energy signals between terrestrially and/or orbitally based Uses. This definition includes but is limited to what are commonly referred to as satellite earth stations, satellite microwave Antennas, TVRO's or dish Antennas. This definition does not include conventional television Antennae.

1.219. **SBWRD**. Snyderville Basin Water Reclamation District.

1.220. **SCREEN OR SCREENED**. The act, process, or result of visually and/or audibly shielding or obscuring a Structure or Use from adjacent Property by Fencing, walls, berms, densely planted vegetation or other landscaping features.

1.221. **SECONDARY LIVING QUARTERS**. An Area within a main dwelling which is used by the Property Owner or primary tenant as a dwelling for the private Use of the Property Owner's relatives, domestic help, caretakers, nursing staff, house guest, or similar user.

1.XX. **SENDING SITE**. A parcel of real property denoted as a sending site in the Transfer of Development Rights Overlay Zone, as shown on the Park City zoning map. A Sending Site is the Site from which Development Credits may be Transferred.

1.222. **SENSITIVE LAND**. Land designated as such by a Sensitive Lands Analysis and as reflected on the Official Zoning Map.

1.223. **SENSITIVE LANDS ANALYSIS**. A comprehensive analysis performed by a qualified professional(s) that examines, identifies, and delineates on a map and in a written report all Areas of a Property deemed to be environmentally and aesthetically important to the community as expressed in the Park City General Plan, including, but not limited to, Steep Slopes, Very Steep Slopes, Significant Ridge Line Areas, wetlands, streams and lakes, wildlife habitat Areas, entry corridors, Vantage Points, Significant Vegetation, and Wildfire/Wildland Interface Zones.

1.224. **SENSITIVE OR SPECIALLY VALUED SPECIES**. Federally Threatened and Endangered Species; State of Utah Threatened and Endangered Species; State of Utah Species of Concern as identified in the document; animals and plants of special concern to the Park City Community as identified in the General Plan and in need of special protection.

1.225. **SETBACK**. The required minimum distance between a Building Pad and the closest of the following:

- (A) Property Line;
- (B) platted Street; or
- (C) existing curb or edge of a Street.

1.226. **SEXUALLY ORIENTED BUSINESSES.** Businesses defined as such according to Municipal Code Section 4-9-4.

1.227 **SIGNIFICANCE.** The quality of having Historical consequence or being regarded as having great architectural value.

1.228. **SIGNIFICANT RIDGE LINE AREA.** Ridge lines in Areas deemed to be significant or sensitive as determined during the Sensitive Lands Analysis, the significance of these ridge lines is to be determined during the sensitive lands visual analysis process.

1.229. **SIGNIFICANT SITE.** Any Site, including a Building (main, attached, detached or public), Accessory Building, and/or Structure that is determined by the Historic Preservation Board to meet specified criteria set forth in LMC Chapter 15-11.

1.230. **SIGNIFICANT VEGETATION.** Includes all large trees six inches (6") in diameter or greater measured four and one-half feet (4.5') above the ground, all groves of small trees, and all clumps of oak or maple covering an Area fifty square feet (50 sq. ft.) or more measured at the drip line.

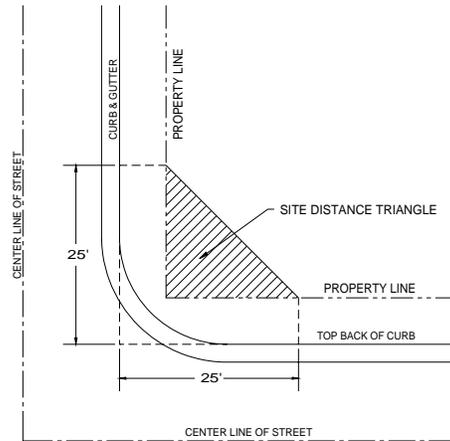
1.231. **SINGLE FAMILY SUBDIVISION.** A Development consisting of primarily, although not exclusively, of Single Family Dwellings.

1.232. **SITE.** An Area, Lot, or piece of

land where a Building (main, attached, detached or public), Accessory Building, and/or Structure was, is, or will be located.

1.233. **SITE DEVELOPMENT STANDARDS.** Regulations unique to each zone concerning standards for Development including, but not limited to Lot Areas, Setbacks, Building Height, Lot coverage, open space.

1.234. **SITE DISTANCE TRIANGLE.** A triangular Area at the intersection of two Streets formed by the Streets at Property Line and a line connecting them at points twenty-five feet (25') from the intersection of the Street lines.



1.235. **SITE SUITABILITY ANALYSIS.** A comprehensive analysis of a Property or Site used in making a determination of appropriate Density considering such factors as Sensitive Lands, existing and proposed utilities and transportation systems, and other community objectives as stated in the General Plan.

1.236. **SKETCH PLAT.** A Sketch preparatory to the Preliminary Plat, or Subdivision Plat in the case of Minor

Subdivisions, to enable the Owner to save time and expense in reaching general agreement with the Planning Commission as to the form of the plat.

1.237. **SLOPE.** The level of inclination of land from the horizontal plane determined by dividing the horizontal run or distance of the land into the vertical rise or distance of the same land and converting the resulting figure in a percentage value.

(A) **Slope, Steep.** Slope greater than fifteen percent (15%).

(B) **Slope, Very Steep.** Slope greater than forty percent (40%).

1.238. **SPACING.** Distance between the closer edges of adjoining driveways or driveways and Right-of-Way lines of intersecting Streets.

1.239. **SPECIAL EVENT.** Any event, public or private, with either public or private venues, requiring City licensing beyond the scope of normal Business and/or liquor regulations, as defined by this Code, or creates public impacts through any of the

following:

- (A) The use of City personnel;
- (B) Impacts via disturbance to adjacent residents;
- (C) Traffic/parking;
- (D) Disruption of the normal routine of the community or affected neighborhood; or
- (E) Necessitates Special Event temporary beer or liquor licensing in conjunction with the public impacts, neighborhood block parties or other events requiring Street closure of any residential Street that is not necessary for the safe and efficient flow of traffic in Park City for a duration of less than one (1) day shall be considered a Special Event.

1.240. **STEALTH.** A Telecommunications Facility which is disguised as another object or otherwise concealed from public view.

1.241 **STOREFRONT PROPERTY.** A separately enclosed space or unit that has a window or entrance that fronts on a Public Street. For purposes of this provision, the term “fronts on a Public Street” shall mean a separately enclosed space or unit with:

- (1) A window and/or entrance within fifty lateral/horizontal feet (50’) of the back, inside building edge, of the public sidewalk; and
- (2) A window and/or entrance that is not more than eight feet (8’) above or below the grade of the adjacent Public Street.

In the case of split-level, multi-level Buildings with only one primary entrance, only those fully enclosed spaces or units that directly front the Street as set forth above, shall be designated to be a “Storefront Property.” The Planning Director or their designee shall have the final determination of applicability.

1.242. **STORY**. The vertical measurement between floors taken from finish floor to finish floor. For the top most Story, the vertical measurement is taken from the top finish floor to the top of the wall plate for the roof Structure.

1.243. **STREAM**. A naturally-fed water course, that flows year round or intermittently during years of normal rainfall. This definition excludes ditches and canals constructed for irrigation and drainage purposes.

1.244. **STREAM CORRIDOR**. The Corridor defined by the Stream’s Ordinary High Water Mark.

1.245. **STREET**. Any highway, avenue, boulevard, parkway, road, lane, walk, alley, viaduct, subway, tunnel, bridge, easement, or other way.

(A) **Street, Public**. A Street that has been dedicated to and accepted by the City Council; that the City has acquired and accepted by prescriptive right; or that the City owns in fee.

1.246. **STREETSCAPE**. The distinguishing characteristics of a particular Street including paving materials, adjacent space on both sides of the Street,

landscaping, retaining walls, sidewalks, Building Facades, lighting, medians, Street furniture, and signs.

(A) **Streetscape, Architectural**. The Architectural Streetscape required as part of the Historic District Design Review process and Steep Slope CUP process.

1.247. **STRUCTURE**. Anything constructed, the Use of which requires a fixed location on or in the ground, or attached to something having a fixed location on the ground and which imposes an impervious material on or above the ground; definition includes “Building”.

1.248. **STUDIO APARTMENT**. A Dwelling Unit consisting of a single room equipped for cooking, living, and sleeping, having a separate bathroom or Kitchen for the exclusive Use of the dwelling, and a Floor Area of not more than one thousand square feet (1,000 sq. ft.).

1.249. **SUBDIVISION**. Any land, vacant or improved, which is divided or proposed to be divided or combined into one (1) or more Lots, Parcels, Site, Units, plots, or interests for the purpose of offer, sale, lease, or Development, either on the installment plan or upon any all other plans, terms, and conditions, including Resubdivision. Subdivision includes the division or Development of residential and nonresidential zoned land, whether by deed, metes and bounds description, devise, intestacy, lease, map, plat, or other recorded instrument. Subdivision includes the creation of a single lot of record from a Lot, Parcel, Site, Unit, plot, or other division of land.

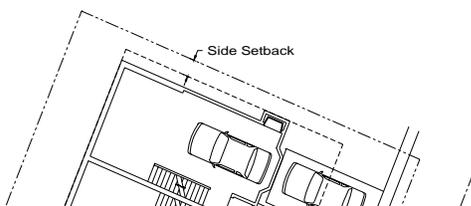
(A) **Subdivision, Major.** All Subdivisions of four (4) or more Lots, or any size Subdivision requiring any new Street or extension of municipal facilities, or the creation of any Public Improvements.

(B) **Subdivision, Minor.** Any Subdivision containing not more than three (3) Lots fronting on an existing Street, not involving any new Street, or the extension of municipal facilities, or the creation of any Public Improvements, and not adversely affecting the remainder of the Parcel or adjoining Property, and not in conflict with any provision or portion of the General Plan, Official Zoning Map, Streets Master Plan, or these regulations.

1.250. **SUBDIVISION PLAT.** The final map or drawing, on which the Applicant's plan of Subdivision is presented to the City Council for approval and which, if approved, may be submitted to the Summit County Recorder for filing.

1.251. **SUITABILITY DETERMINATION.** A determination by the Planning Director whether Development at increased Densities due to a Density transfer from a Sensitive Area is Compatible with Development on surrounding or adjacent Property.

1.252. **TANDEM PARKING.** A parking design which allows parking one (1) vehicle behind another. Such parking may not include more than two (2) cars in depth, and may not require occupants of separate Dwelling Units to park behind one another.



1.253. **TELECOMMUNICATIONS.** The transmission between or among points specified by a user, of information of the user's choosing, without change in the form or content of the information as sent or received.

1.254. **TELECOMMUNICATIONS FACILITY.** A Telecommunications Facility consists of Antenna, Equipment Shelters, and related Structures used for transmitting and/or receiving Telecommunications and/or radio signals.

(A). **Telecommunications Facility, Co-Location.** The location of Telecommunications Facility on an existing Structure, tower, or Building, in such a manner that precludes the need for that Telecommunications Facility to be located on a free-standing Structure of its own.

(B) **Telecommunications Facility, Equipment Shelter.** A cabinet or Building used to house equipment for Telecommunications Facilities.

(C) **Telecommunications Facility, Stealth.** A Telecommunications Facility which is disguised as another object or otherwise concealed from public view.

(D) **Telecommunications Facility, Technical Necessity.** A particular design, placement, construction, or location of a Telecommunications Facility that is technically necessary for Telecommunications consistent with the Federal Telecommunications Act of 1996, as amended.

1.255. **TEMPORARY IMPROVEMENT.** A Structure built and maintained during construction of a Development, activity or Special Event and then removed prior to release of the performance Guarantee.

1.256. **TIMESHARE CONVERSION.** The conversion into a Timeshare Project of any Property and the existing Structure(s) attached thereto.

1.257. **TIMESHARE ESTATE.** A Timeshare Estate shall be defined in accordance with Utah Code Section 57-19-2, as amended, excluding Private Residence Club ownership.

1.258. **TIMESHARE INSTRUMENT.** Any instrument whereby the Use, occupancy, or possession of real Property has been made subject to either a Timeshare Estate or Timeshare Use, and whereby such Use, occupancy, or possession circulates among three (3) or more purchasers of the Timeshare Intervals according to a fixed or floating time schedule on a periodic basis occurring annually over a period of time in excess of three (3) years in duration.

1.259. **TIMESHARE INTERVAL.** A Timeshare Estate or a Timeshare Use.

1.260. **TIMESHARE OFF-PREMISES CONTACTING ACTIVITY.** Activity occurring outside of a Timeshare Project that is engaged in by off-premises timeshare contacting personnel in an effort to induce Persons to attend a Timeshare Sales Presentation. Off-Premises Timeshare Contacting Activity must be confined to a fully enclosed Building.

1.261. **TIMESHARE OFF-PREMISES SALES ACTIVITY.** Original timeshare sales and resale activity occurring outside of a Timeshare Project. Off-Premises Timeshare Sales shall be confined to a fully enclosed Building and is subject to business license regulation.

1.262. **TIMESHARE OFF-PREMISES SALES OFFICE.** An office outside of a Timeshare Project, wherein Timeshare Sales Presentations are made and other marketing related activities are conducted in an effort to generate Timeshare Interval sales or resales.

1.263. **TIMESHARE ON-SITE SALES ACTIVITY.** Timeshare sales activity occurring within a Timeshare Project.

1.264. **TIMESHARE ON-SITE SALES OFFICE.** An office located within a Timeshare Project wherein Timeshare Sales Presentations are made and other marketing related activities are conducted in an effort to generate Timeshare Interval sales.

1.265. **TIMESHARE PROJECT**. Any Property that is subject to a Timeshare Instrument, including a Timeshare Conversion.

1.266. **TIMESHARE SALES PRESENTATION**.

- (A) An offer to sell or reserve a Timeshare Interval;
- (B) An offer to sell an option to purchase a Timeshare Interval;
- (C) The sale of a Timeshare Interval, or an option to purchase a Timeshare Interval; or
- (D) The reservation of a Timeshare Interval, whether the Timeshare Interval is located within or without the State of Utah.

1.267. **TIMESHARE UNIT**. That unit of Property and time where possession and Use are allowed under a contract from seller to purchaser, excluding Private Residence Club units.

1.268. **TIMESHARE USE**. Any contractual right of exclusive occupancy created by a Timeshare Instrument which does not fall within the definition of “Timeshare Estate”, including, without limitation, a vacation license, general partnership interest, limited partnership interest, vacation bond, or beneficial interest in a trust, and the documents by which the right of exclusive occupancy is transferred, excluding Private Residence Club Use.

1.XX. **TRANSFER**. Any action which results in the sale, exchange, or joint

venturing of development credits from one property to another property.

1.269. **TRANSFERRED DEVELOPMENT RIGHT (TDR) OPEN SPACE**. That portion of a Master Planned Development, PUD, Cluster Plan or other Development plan from which Density is permanently transferred. This Area may be either Natural or Landscaped Open Space.

1.270. **TRANSPORTATION SERVICES**. A Business involving transit operations, taxis, shuttle services, rental cars, or similar transit-related services.

1.271. **UDOT**. Utah State Department of Transportation, an agency that maintains and regulates State Highways.

1.272. **UNIFORMITY RATIO**. The ratio between the average and minimum light distribution or luminance across a given Area.

1.273. **UNIT EQUIVALENT**. The Density factor applied to different sizes and configurations of Dwelling Units and commercial spaces.

1.274. **USE**. The purpose or purposes for which land or Structures are occupied, maintained, arranged, designed, or intended.

(A) **Use, Intensity of**. The maximum number of residential units, or commercial, or industrial space within a specified land Area designated for that purpose.

1.275. **VANTAGE POINTS**. A height of five feet (5') above a set reference marker in the following designated Vantage Points

within Park City that function to assist in analyzing the visual impact of Development on hillsides and Steep Slopes:

1. Osguthorpe Barn;
2. Treasure Mountain Middle School;
3. Intersection of Main Street and Heber Avenue;
4. Park City Ski Area Base;
5. Snow Park Lodge;
6. Park City Golf Course Clubhouse;
7. Park Meadows Golf Course Clubhouse;
8. State Road 248 at the turn-out one quarter mile west from U.S. Highway 40;
9. State Road 224, one-half mile south of the intersection with Kilby Road;
10. Intersection of Thaynes Canyon Drive and State Road 224; and
11. Across valley view.

1.276. **VEHICLE CONTROL GATE.** Any gate, barrier, or other mechanism to limit vehicular Access on or across a Street.

1.277. **WETLAND, SIGNIFICANT.** All wetlands that occupy a surface Area greater than one-tenth (1/10) acre or are associated with permanent surface water or that are adjacent to, or contiguous with, a Stream Corridor.

1.278. **WILDFIRE/WILDLAND INTERFACE ZONE.** All Areas within the Sensitive Areas Overlay Zone are within the Wildfire/Wildlife Interface Zone unless the City Fire Marshal determines otherwise based upon the amount of vegetative cover, including coniferous or deciduous trees, gamble oak or high shrub, and mixed forest, and steepness.

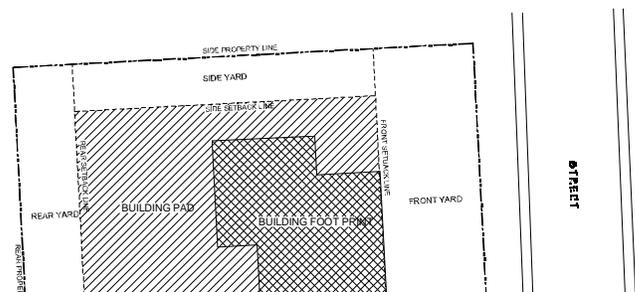
1.279. **WIND ENERGY SYSTEM, SMALL.** All equipment, machinery, and Structures utilized in connection with the conversion of wind to electricity. This includes, but is not limited to, storage, electrical collection and supply equipment, transformers, service and Access roads, and one (1) or more wind turbines, which has a rated nameplate capacity of 100kW or less.

1.280. **YARD.**

(A) **Yard, Front.** The Area between the front of the closest Building and the Front Lot Line or closer Right-of-Way, extending the full width of the Lot. The “depth” of the Front Yard is the minimum distance between the Front Lot Line and the front line of the closest Structure.

(B) **Yard, Rear.** The Area between the rear line of the closest Building and the Rear Lot Line, or closer Right-of-Way, and extending the full width of the Lot. The “depth” of the Rear Yard is the minimum distance between the Rear Lot Line and the rear line of the closest Structure.

(C) **Yard, Side.** The Area between the side line of the Building and the Side Lot Line and extending from the Front Yard to the Rear Yard. The “width” of the Side Yard shall be the minimum distance between the Side Lot Line and the side line of the closest Structure. See the following illustration:



1.281. **ZONE HEIGHT.** The base Building height permitted in the Zoning District prior to Application of any allowable height exceptions.

1.282. **ZONING DISTRICT.** An Area identified on the Official Zoning Map to which a uniform set of regulations applies as set forth herein, which districts are co-terminus with, and which are designed to implement the Park City General Plan.

1.283. **ZONING MAP, OFFICIAL.** The map adopted by the City Council depicting the geographic scope of the City’s land Use designations.

*(Amended by Ord. Nos. 02-07; Ord. No. 02-38; 04-39; 05-01; 06-86; 07-25; 07-55; 08-07; 09-05; 09-09; 09-10; 09-14; 09-23; 09-40; 11-05)*

**15-15-2. LIST OF DEFINED TERMS.**

**-A-**

Access  
 Accessory Apartment  
 Accessory Building  
 Accessory Use

Active Building Permit  
 Administrative Permit  
 Affordable Housing  
 Agent  
 Agriculture  
 Allowed Use  
 Alteration, Building  
 Ancillary Structure  
 Anemometers and Anemometer Towers  
 Antenna  
 Antenna, Test Drive  
 Antenna, Enclosed  
 Antenna, Freestanding  
 Antenna, Roof Mounted  
 Antenna, Temporary  
 Antenna, Wall Mounted  
 Apartment  
 Applicant  
 Application  
 Application, Complete  
 Architectural Detail  
 Area or Site  
 Attic

**-B-**

Bakery  
 Balcony  
 Bar  
**Base Zoning**  
 Basement  
 Bay Window  
 Bed and Breakfast Inn  
 Bedroom  
 Billboard  
 Blank Wall  
 Block  
 Boarding House  
 Building  
 Building, Attached  
 Building, Detached  
 Building, Main

Building, Public  
 Building Alteration (see Alteration,  
     Building)  
 Building Envelope  
 Building Footprint  
 Building Pad  
 Building Permit  
 Business  
  
**-C-**  
 Café  
 Canopy  
 Capital Improvements Program  
 Certificate of Appropriateness  
 Certificate of Economic Hardship  
 Certificate of Occupancy  
 Child Care  
 Child Care, In-Home Babysitting  
 Child Care, Family  
 Child Care, Family Group  
 Child Care Center  
 City Development  
 Clearview of Intersecting Streets  
 Club  
 Club, Private  
 Club, Private Residence  
 Club, Private Residence Conversion  
 Club, Private Residence Off-Site  
 Club, Private Residence Project  
 Cluster Development  
 Code  
 Collector Road  
 Co-Location (see Telecommunications  
     Facility, Co-Location)  
 Commercial Use  
 Commercial Use, Support  
 Commercial Use, Resort Support  
 Common Area  
 Common Ownership  
 Compatible or Compatibility  
 Conditional Use  
 Condominium

Conservation Activity  
**Conservation Easement**  
 Constitutional Taking  
 Construction Activity  
 Construction Mitigation Plan  
 Construction Plan  
 Contributing Building, Structure, Site/Area  
     or Object  
 Council  
 Cover, Site  
 Crawl Space  
 Crest of Hill  
 Cul-de-sac

**-D-**  
 Deli or Delicatessen  
 Demolish or Demolition  
 Density  
 Design Guideline  
 Detached  
 Developable Land  
 Developer  
 Development  
 Development Agreement  
 Development Approval Application  
**Development Credit**  
**Development Credit Certificate**  
**Development Right**  
 Disabled Care  
 Dissimilar Location  
 Dwelling, Duplex  
 Dwelling, Triplex  
 Dwelling, Multi-Unit  
 Dwelling, Single Family  
 Dwelling Unit

**-E-**  
 Economic Hardship, Substantial  
 Elder Care  
 Elevator Penthouse  
 Equipment Shelter (see Telecommunications  
     Facility, Equipment Shelter)

Escrow  
 Essential Historical Form  
 Exterior Architectural Appearance

**-F-**

Facade, Building  
 Façade, Front  
 Facade Easement  
 Facade Shift  
 Fence  
 Filtered Light Fixture  
 Final Action  
 Final Plat  
 First Story  
 Flood Plain Area  
 Floor Area, Gross Commercial  
 Floor Area, Gross Residential  
 Floor Area, Net Leasable  
 Floor Area Ratio (FAR)  
 Foot Candle  
 Foot Candle, Average (afc)  
 Foot Candle, Horizontal (hfc)  
 Foot Candle, Vertical (vfc)  
 Frontage  
 Fully Shielded

**-G-**

Garage, Commercial  
 Garage, Front Facing  
 Garage, Private  
 Garage, Public  
 Geologic Hazard  
 Good Cause  
 Governing Body  
 Grade  
 Grade, Existing  
 Grade, Natural  
 Grade, Final  
 Grading  
 Green Roof  
 Group Care Facility  
 Grubbing

Guarantee  
 Guest House

**-H-**

Habitable Space (Room)  
 Hard-Surfaced  
 Height, Building  
 Helipad  
 Heliport  
 Helistop  
 Historic  
 Historic Building, Structure, Site or Object  
 Historic District  
 Historic Integrity  
 Historic Significance, Period of  
 Historic Sites Inventory  
 Historical Form, Essential (see Essential  
     Historical Form)  
 Home Occupation  
 Hospital  
 Hospital, Limited Care  
 Hotel/Motel  
 Hotel/Motel, Major  
 Hotel/Motel, Minor  
 Hotel Room  
 Hotel Suite

**-I-**

Impact Analysis  
 Inaction  
 Incidental Retail Sales  
 Indoor Entertainment Facility

**-K-**

Kitchen  
 Kitchen, IBC Commercial  
 Kitchenette

**-L-**

Landmark  
 Landmark Site  
 Landscaping, Interior

Landscaping, Parking Area  
Landscaping, Perimeter  
Liftway  
Liftway Setback  
Light Source  
Light Source, Refractive  
Limits of Disturbance  
Lockout Unit  
Lot  
Lot, Corner  
Lot Depth  
Lot Line  
Lot Line Adjustment  
Lot Width  
Lumen  
Luminaire  
Luminaire, Cutoff Type  
Luminaire, Fully Shielded  
Luminaire, Partially Shielded

**-M-**

Master Festival  
Master Planned Development (MPD)  
Maximum Extent Feasible  
Maximum House Size  
Model Home

**-N-**

Neighborhood Convenience, Commercial  
Nightly Rental  
Non-Complying Structure  
Non-Conforming Use  
Noteworthy  
Nursery, Greenhouse  
Nursing Home

**-O-**

Off-Site  
Off-Street  
Office, General  
Office, Intensive  
Office, Medical

Office, Moderately Intensive  
Official Streets Master Plan  
Official Zoning Map  
One Bedroom Apartment  
Open Space, Landscaped  
Open Space, Natural  
Open Space, Transferred Development  
Right (TDR)  
Ordinary High Water Mark  
Ordinary Repairs and Maintenance  
Outdoor Use  
Outdoor Recreation Equipment (see  
Recreation Equipment, Outdoor)  
Owner

**-P-**

Parcel  
Parking, Public  
Parking, Residential  
Parking, Shared  
Parking Area  
Parking Lot, Commercial  
Parking Space  
Parking Structure  
Passenger Tramway  
Period of Historic Significance  
Person  
Physical Mine Hazard  
Planned Unit Development (PUD)  
Porous Paving  
Preliminary Plat  
Preservation  
Preservation Easement  
Private Club (see Club, Private)  
Private Residence Club (see Club, Private  
Residence)  
Private Residence Club Conversion (see  
Club, Private Residence Conversion)  
Private Residence Club Project (see Club,  
Private Residence Project)  
Property

Property, Storefront  
 Property Line  
 Property Line, Front  
 Property Owner (see Owner)  
 Public Improvement  
 Public Use

**-Q-**  
 Qualified Professional  
 Quasi-Public Use

**-R-**  
**Receiving Site**  
 Reconstruction  
 Recreation Equipment, Outdoor  
 Recreation Facilities, Commercial  
 Recreation Facilities, Private  
 Recreation Facilities, Public  
 Recycling Facility  
 Recycling Facility, Class I  
 Refractive Light Source  
 Regulated Use  
 Rehabilitation  
 Residential Use  
 Resort Support Commercial  
 Restaurant  
 Restaurant, Drive-Through  
 Restoration  
 Resubdivision  
 Retail and Service, Commercial-Auto  
     Related  
 Retail and Service, Commercial-Major  
 Retail and Service, Commercial-Minor  
 Retail and Service, Commercial-  
     Personal Improvement  
 Ridge Line Area  
 Riding Stable, Commercial  
 Right-of-Way  
 Road, Collector  
 Road Classification  
 Road Right-of-Way Width

**-S-**  
 Salt Lake City 2002 Winter Olympic Games  
     Olympic Legacy Displays  
 Satellite Receiving Station  
 SBWRD  
 Screen or Screened  
 Secondary Living Quarters  
**Sending Site**  
 Sensitive Land  
 Sensitive Land Analysis  
 Sensitive or Specially Valued Species  
 Setback  
 Sexually Oriented Businesses  
 Significance  
 Significance, Period of Historic  
 Significant Ridge Line Area  
 Significant Site  
 Significant Vegetation  
 Single Family Subdivision  
 Site  
 Site Development Standards  
 Site Distance Triangle  
 Site Suitability Analysis  
 Sketch Plat  
 Slope  
 Slope, Steep  
 Slope, Very Steep  
 Spacing  
 Special Event  
 Storefront Property (see Property,  
     Storefront)  
 Story  
 Stream  
 Stream Corridor  
 Street  
 Street, Public  
 Streetscape  
 Streetscape, Architectural  
 Structure  
 Studio Apartment  
 Subdivision  
 Subdivision, Major

Subdivision, Minor

Subdivision Plat

Substantial Economic Hardship (see  
Economic Hardship, Substantial)

Suitability Determination

**-T-**

Tandem Parking

Telecommunications

Telecommunications Facility

Telecommunications Facility, Co-Location

Telecommunications Facility, Equipment  
Shelter

Telecommunications Facility, Stealth

Telecommunications Facility, Technical  
Necessity

Temporary Improvement

Timeshare Conversion

Timeshare Estate

Timeshare Instrument

Timeshare Interval

Timeshare Off-Premises Contacting Activity

Timeshare Off-Premises Sales Activity

Timeshare Off-Premises Sales Office

Timeshare On-Site Sales Activity

Timeshare On-Site Sales Office

Timeshare Project

Timeshare Sales Presentation

Timeshare Unit

Timeshare Use

**Transfer**

Transferred Development Right (TDR)  
Open Space

Transportation Services

**-U-**

UDOT

Uniformity Ratio

Unit Equivalent

Use

Use, Intensity of

**-V-**

Vantage Points

Vehicle Control Gate

**-W-**

Wetland, Significant

Wildfire/Wildland Interface Zone

Wind Energy System, Small

**-Y-**

Yard, Front

Yard, Rear

Yard, Side

**-Z-**

Zone Height

Zoning District

Zoning Map, Official