



**Ordinance No. 00-15**

**AN ORDINANCE APPROVING A COMPREHENSIVE AND SUBSTANTIVE  
REWRITE OF THE LAND MANAGEMENT CODE  
OF PARK CITY, UTAH, SPECIFICALLY FOR SECTION 7.1,  
HISTORIC RESIDENTIAL (HR-1) DISTRICT, AND SECTION 7.14, HISTORIC  
RESIDENTIAL DEVELOPMENT LOW-DENSITY (HRL),  
TO ADDRESS DEVELOPMENT ON STEEP SLOPES,  
LOT AND SITE REQUIREMENTS FOR NEW CONSTRUCTION  
AND ADDITIONS, BUILDING HEIGHT MEASUREMENTS,  
PERMITTED AND CONDITIONAL LAND USES, AND  
VEGETATION PROTECTION. AS PART OF THE COMPREHENSIVE  
REWRITE OF THE LAND MANAGEMENT CODE  
THESE SECTIONS ARE RENUMBERED AND INCLUDED IN THE  
BODY OF THE MUNICIPAL CODE AS FOLLOWS:  
THE HRL SECTION BECOMES TITLE 15, CHAPTER 2.1  
AND THE HR-1 SECTION BECOMES TITLE 15, CHAPTER 2.2.**

WHEREAS, protecting the health and safety and preserving the historic integrity in residential areas of the Historic District are values of the community and identified goals of the City Council; and

WHEREAS, the City Council enacted amendments to the Land Management Code dealing with height and floor area ratios in December 1995, but further directed staff, the Historic District Commission, and Planning Commission to explore solutions to mitigate the mass and scale of new development in the Historic District and to develop regulations to ensure compatibility with existing historic structures; and

WHEREAS, the City is in the process of a comprehensive rewrite of the entire Land Management Code to clarify and resolve existing inconsistencies; update regulations to be consistent with the General Plan; add graphics and illustrations; render the LMC document more user friendly; and, specifically in the HR-1 and HRL Districts, address development on steep slopes in the Historic District, review lot and site requirements for new construction and additions, review building height measurements, review permitted and conditional land uses, and add regulations related to protection of significant vegetation; and

WHEREAS, on September 9, 1999 the City Council adopted a temporary zoning ordinance to establish interim zoning standards for the HRL and HR-1 Districts; and

WHEREAS, the temporary zoning ordinance will expire on March 9, 2000; and

WHEREAS, the Planning Commission duly noticed and conducted several public hearings at its regularly scheduled meetings, including one on September 22, 1999 and the latest on February 23, 2000; and

WHEREAS, the Planning Commission forwarded a recommendation to the City Council on Chapter 1- Provisions and Procedures, Chapter 2- Definitions, Chapter 12- Non-conforming Uses, Chapter 13- Off-street Parking, and the HR-1 and HRL Zoning District sections to review the minutes and consider Commissioners' and the public's comments from the February 23, 2000 meeting, including a concern about parking lots in the HR-1 and additional language specifying that additions to Historic Structures be subordinate to the original structure in design, mass, and scale; and

WHEREAS, the City Council duly noticed and conducted public hearings at its regularly scheduled meetings on February 25, 1999 and March 2, 2000 and finds it in the best interest of the residents of Park City, Utah to amend the Land Management Code with regulations that maintain the essence of the Historic District while safeguarding quality of life for its residents;

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

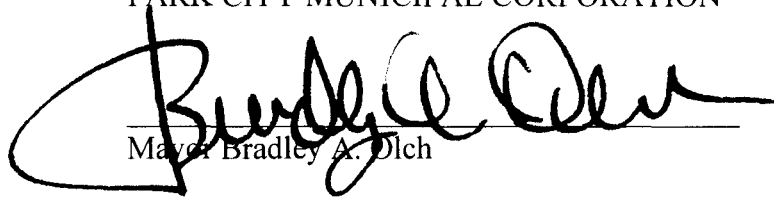
SECTION 1. AMENDMENT TO CHAPTER 7 OF THE LAND MANAGEMENT CODE. Chapter 7.1 is hereby deleted and replaced by proposed LMC Title 15, Chapter 2.2 attached hereto as Exhibit A. Any conflicts or cross-references from other provisions of the LMC to Chapter 7.1 shall be resolved by the Community Development Director. Defined terms in Title 15, Chapter 2.2 shall be defined in accordance with the pending revisions to the LMC, Title 15, Chapter 15.

SECTION 2. AMENDMENT TO CHAPTER 7 OF THE LAND MANAGEMENT CODE. Chapter 7.14 is hereby deleted and replaced by proposed LMC Title 15, Chapter 2.1 attached hereto as Exhibit B. Any conflicts or cross-references from other provisions of the LMC to Chapter 7.14 shall be resolved by the Community Development Director. Defined terms in Title 15, Chapter 2.1 shall be defined in accordance with the pending revisions to the LMC, Title 15, Chapter 15.

SECTION 3. EFFECTIVE DATE. This Ordinance shall be effective upon publication or March 9, whichever occurs first.

PASSED AND ADOPTED this 2<sup>nd</sup> day of March, 2000

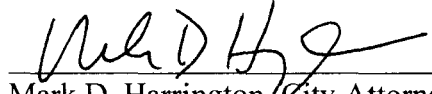
PARK CITY MUNICIPAL CORPORATION

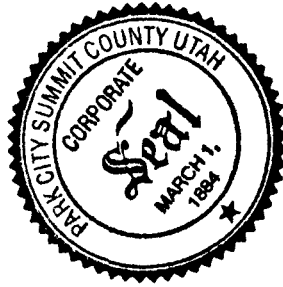
  
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Mayor Bradley A. Olch

Attest:

  
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Jan Scott, City Recorder

Approved as to form:

  
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Mark D. Harrington, City Attorney



**PARK CITY MUNICIPAL CODE**  
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**TITLE 15 - LAND MANAGEMENT CODE (LMC)**  
**CHAPTER 2.1 - HISTORIC RESIDENTIAL-LOW DENSITY (HRL) DISTRICT**

**15-2.1-1. PURPOSE.**

The purpose of the Historic Residential Low-Density (HRL) District is to:

- (A) reduce density that is accessible only by substandard Streets so these Streets are not impacted beyond their reasonable carrying capacity,
- (B) provide an area of lower density residential use within the old portion of Park City,
- (C) preserve the character of Historic residential Development in Park City,
- (D) encourage the preservation of Historic Structures,
- (E) encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District, and maintain existing residential neighborhoods.
- (F) establish Development review criteria for new Development on Steep Slopes, and

(G) define Development parameters that are consistent with the General Plan policies for the Historic core.

**15-2.1-2. USES.**

(A) **ALLOWED USES.**

- (1) Single-Family Dwelling
- (2) Home Occupation
- (3) Child Care, In-Home Babysitting
- (4) Child Care, Family
- (5) Child Care, Family Group<sup>1</sup>
- (6) Accessory Building and Use
- (7) Conservation Activity
- (8) Agriculture
- (9) Residential Parking Area or Structure with four (4) or fewer spaces

(B) **CONDITIONAL USES.**

- (1) Nightly Rentals
- (2) Lockout Room
- (3) Accessory Apartment<sup>2</sup>

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<sup>1</sup>See Chapter 15-14, Child Care Regulations

<sup>2</sup>See Chapter 15-8, Supplementary Regulations for Accessory Apartments

- (4) Child Care Center
- (5) Essential Municipal and Public Utility use, facility, service, and Building
- (6) Telecommunication Antenna, roof or wall mounted<sup>3</sup>
- (7) Satellite dish greater than thirty-nine inches (39") in diameter<sup>4</sup>
- (8) Residential Parking Area or Structure five (5) or more spaces
- (9) Temporary Improvement<sup>5</sup>
- (10) Passenger Tramway Station and Ski Base Facility
- (11) Ski Tow Rope, Ski Lift, Ski Run, and Ski Bridge
- (12) Recreation Facility, Private
- (13) Fence over six feet (6') in Height.

(C) **PROHIBITED USES.** Any use not listed above as an allowed or conditional use is a prohibited use.

**15-2.1-3. LOT AND SITE REQUIREMENTS.**

Except as may otherwise be provided in this Code, no Building Permit shall be issued for a Lot unless such Lot has the Area, Width, and Depth as required, and Frontage on a Street shown as a City Street on the Streets Master Plan, or on a private easement

<sup>3</sup>See Chapter 8.30, Telecommunications Facilities

<sup>4</sup>See Chapter 8.25, Satellite Receiving Antennas

<sup>5</sup>Subject to Admin. CUP, see Sect. 8.

connecting the Lot to a Street shown on the Streets Master Plan.

Minimum Lot and Site requirements are as follows:

(A) **LOT SIZE.** The minimum Lot Area is 3,750 square feet. The minimum width of a Lot is thirty-five feet (35'), measured fifteen feet (15') back from the Front Lot Line.

(B) **BUILDING ENVELOPE (HRL DISTRICT).** The Building Pad, Building Footprint, and Height restrictions define the maximum Building Envelope in which all Development must occur.

(C) **BUILDING PAD (HRL DISTRICT).** The Building Pad is the Lot Area minus required Front, Rear and Side Yard areas.

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

- (a) Porches or decks (with or without roofs);
- (b) At Grade patios;
- (c) Upper level decks (with or without roofs);
- (d) Bay Windows;
- (e) Chimneys;

(f) Sidewalks, pathways, and steps;

(g) Screened hot tubs; and

(h) Landscaping.

(2) Exceptions to the Building Pad area are subject to Community Development Department approval based on a determination that the proposed exceptions result in a design that:

(a) provides increased architectural interest consistent with the Historic District Guidelines;

(b) maintains the intent of this section to provide horizontal and vertical Building articulation.

(D) **BUILDING FOOTPRINT (HRL DISTRICT)**. The maximum Building Footprint of any Structure shall be calculated as follows:

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

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

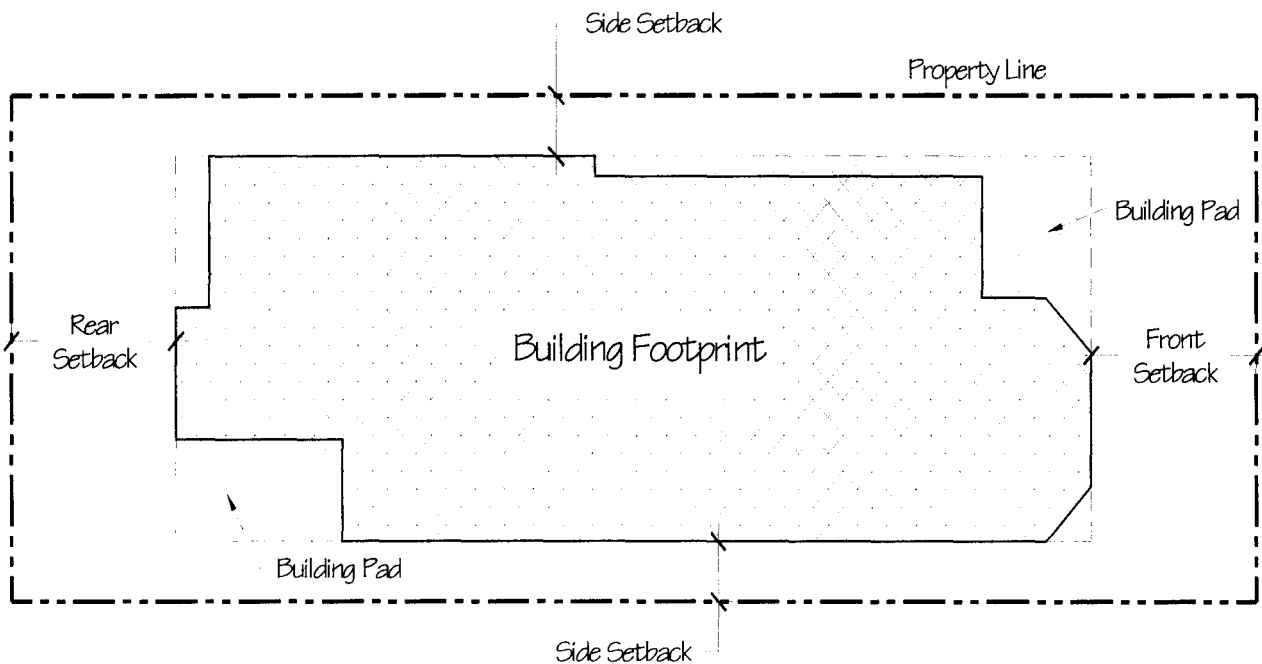
Example: 3,750 sq. ft. Lot:  $(3,750/2) \times 0.9^{(3750/1875)} = 1,875 \times 0.81 = \underline{1,519 \text{ sq. ft.}}$

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

**TABLE 15-2.1.**

Lot Depth <= ft.	Lot Width, ft. Up to:	Side Yards Min. Total		Lot Area Sq. ft.	Bldg. Pad Sq. ft.	Max. Bldg. Footprint Sq. ft.
75 ft.	37.5*	3 ft.	6 ft.	2,813	1,733	1,201
75 ft.	50.0	5 ft.	10 ft.	3,750	2,200	1,519
75 ft.	62.5	5 ft.	14 ft.	4,688	2,668	1,801
75 ft.	75.0	5 ft.	18 ft.	5,625	3,135	2,050
75 ft.	87.5	10 ft.	24 ft.	6,563	3,493	2,270
75 ft.	100.0	10 ft.	24 ft.	7,500	4,180	2,460
75 ft.	Greater than 100.0	10 ft.	30 ft.	Greater than 7,500	Per Setbacks and Lot Area	Per Formula

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



(E) **FRONT, REAR AND SIDE YARDS.**

(1) **FRONT AND REAR YARDS** are as follows:

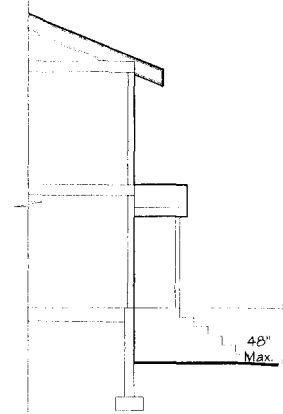
Lot Depth	Min. Front/Rear Setback	Total of Setbacks
Up to 75 ft., inclusive	10 ft.	20 ft.
From 75 ft. to 100 ft.	12 ft.	25 ft.
Over 100 ft.	15 ft.	30 ft.

(2) **FRONT YARD**

**EXCEPTIONS.** The Front Yard must be open and free of any Structure except:

(a) A Fence or wall not more than four feet (4') in Height. On Corner Lots, fences more than three feet (3') in Height are prohibited within twenty-five feet (25') of the intersection at back of curb.

(b) Uncovered steps leading to the Main Building; provided the steps are not more than four feet (4') in Height from Final Grade (not including any required handrail) and do not cause any danger or hazard to traffic by obstructing the view of the Street or intersection.



Front Yard

(c) A cantilevered deck, porch, or Bay Window not more than ten feet (10') wide, projecting not more than three feet (3') into the Front Yard.

(d) A roof overhang, eave, or cornice projecting not more than two feet (2') into the Front Yard.

(e) Sidewalks and pathways.

(f) A driveway leading to a garage or Parking Area. No portion of a Front Yard, except for driveways, allowed Parking Areas and sidewalks, may be Hard-Surfaced or graveled.

**(3) REAR YARD**

**EXCEPTIONS.** The Rear Yard must be open and free of any Structure except:

(a) A Bay Window not more than ten feet (10') wide projecting not more than two feet (2') into the Rear Yard.

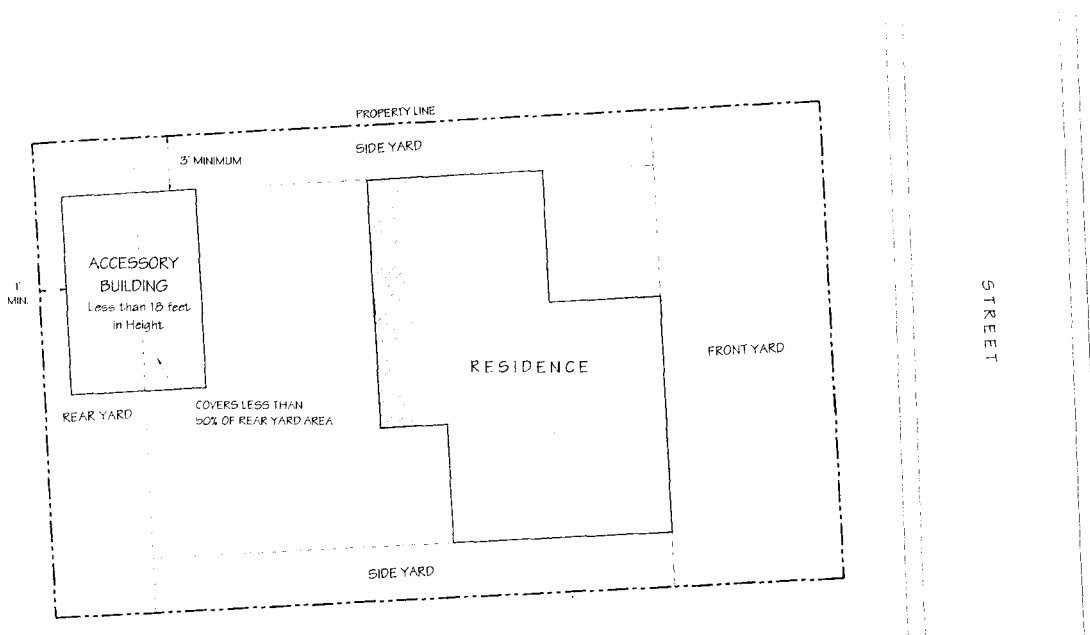
(b) A chimney not more than five feet (5') wide projecting not more than two feet (2') into the Rear Yard.

(c) A window well extending not more than four feet (4') into the Rear Yard.

(d) A roof overhang, eave, or cornice projecting not more than two feet (2') into the Rear Yard.

(e) A detached Accessory Building less than eighteen feet (18') in Height and maintaining a minimum Rear Yard Setback of one foot (1'). Such Structure must not

cover over fifty percent (50%) of the Rear Yard. (See the following illustration.)



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

(g) Screened mechanical equipment and hot tubs, located at least five feet (5') from the Rear Yard property line.

(h) A Fence, wall, or retaining wall not over six feet (6') in Height.<sup>6</sup>

(i) A patio, deck steps or similar Structure not more than thirty inches (30") above Final Grade, located at least one foot (1') from the Rear Yard Property Line.

(j) Pathways or Steps connecting to a City staircase or pathway.

**(4) SIDE YARDS.**

(a) The minimum Side Yard is three feet (3') but increases for Lots greater than thirty seven and one-half feet (37.5') in Width as per **Table 15-2.1.** above.

(b) Site plans and Building designs must resolve snow release issues to the satisfaction of the Chief Building Official.

(c) On Corner Lots, any Yard which faces a Street may not have a Side Yard less than five feet (5').

<sup>6</sup>A Fence over six feet (6') in Height requires a Conditional Use Permit.

**(5) SIDE YARD**

**EXCEPTIONS.** The Side Yard must be open and free of any Structure except:

(a) A window sill, belt course, trim, cornice, or other ornamental feature projecting not more than six inches (6") into the Side Yard.

(b) A roof overhang or eave projecting not more than two feet (2') into the Side Yard. **(Applies only to Lots with a Side Yard of five feet (5') or greater.)**

(c) Decks, patios, pathways or steps not over thirty inches (30") in Height from Final Grade, provided there is at least a one foot (1') setback to the property line. **(Applies only to Lots with a Side Yard of five feet (5') or greater.)**

(d) A fence, wall, or retaining wall not more than six feet (6') in Height.<sup>7</sup>

(e) A driveway leading to a garage or Parking Area.

(f) Pathway or steps connecting to a City staircase or pathway.

(g) A detached Accessory Building, less than eighteen feet (18') in Height, located a minimum of five feet (5') behind the front Facade of the Main Building, maintaining a minimum Side Yard setback of three feet (3').

(h) Screened mechanical equipment and hot tubs, located a minimum of five feet (5') from the Side Property Line.

**(F) CLEAR VIEW OF**

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

**15-2.1-4. EXISTING HISTORIC STRUCTURES.**

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

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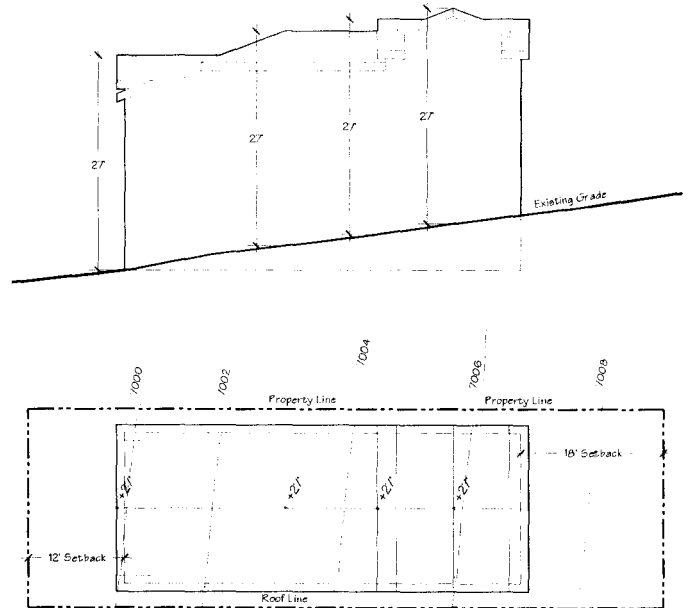
<sup>7</sup>A Fence over six feet (6') in Height requires a Conditional Use Permit.

(A) **EXCEPTION:** In order to achieve new construction consistent with the Historic District Design Guidelines, the Planning Commission may grant an exception to the Building Setback and driveway location standards for additions to Historic Buildings upon:

- (1) Approval of a Conditional Use Permit,
- (2) When the scale of the addition or driveway is Compatible with the Historic Structure,
- (3) When the addition complies with all other provisions of this Chapter, and
- (4) The addition complies with the Uniform Building and Fire Codes.

**15-2.1-5. BUILDING HEIGHT.**

No Structure shall be erected to a Height greater than twenty-seven feet (27'). In cases where due to excavation, Final Grade is lower than the Existing Grade, Building Height shall be measured from Final Grade. This measurement shall not include window wells or Basements.



(A) **BUILDING HEIGHT**  
**EXCEPTIONS.** The following exceptions apply:

- (1) An antenna, chimney, flue, vent, or similar structure may extend up to five feet (5') above the highest point of the Building to comply with Uniform Building Code (UBC) requirements.
- (2) Mechanical equipment, when Screened or enclosed, may extend up to five feet (5') above the maximum Height.
- (3) To accommodate a roof form consistent with the Historic District Design Guidelines, the Community Development Department may grant additional Building Height provided

that no more than twenty percent (20%) of the roof ridge line exceeds the Height requirement.

**15-2.1-6. DEVELOPMENT ON STEEP SLOPES.**

Development on Steep Slopes must be environmentally sensitive to hillside areas, carefully planned to mitigate adverse effects on neighboring land and Improvements, and consistent with the Historic District Design Guidelines.

(A) **ALLOWED USE.** An allowed residential Structure and/or Access to said Structure located upon an existing Slope of thirty percent (30%) or greater must not exceed a total square footage of one thousand square feet (1000 sq. ft.) including the garage.

(B) **CONDITIONAL USE.** A Conditional Use Permit is required for any Structure in excess of one thousand square feet (1000 sq. ft.) if said Structure and/or Access is located upon any existing Slope of thirty percent (30%) or greater.

The Community Development Department shall review all Conditional Use Permit applications and forward a recommendation to the Planning Commission. The Planning Commission shall review all Conditional Use Permit applications as Consent Calendar items, unless the Planning Commission removes the item from the Consent Agenda and sets the matter for a Public Hearing. Conditional Use Permit applications shall be subject to the following criteria:

(1) **LOCATION OF DEVELOPMENT.** Development is located and designed to reduce visual and environmental impacts of the Structure.

(2) **VISUAL ANALYSIS.** The Applicant must provide the Planning Department with a visual analysis of the project from key Vantage Points:

(a) To determine potential impacts of the proposed Access, and Building mass and design; and

(b) To identify the potential for Screening, Slope stabilization, erosion mitigation, vegetation protection, and other design opportunities.

(3) **ACCESS.** Access points and driveways must be designed to minimize Grading of the natural topography and to reduce overall Building scale. Common driveways and Parking Areas, and side Access to garages are strongly encouraged.

(4) **TERRACING.** The project may include terraced retaining Structures if necessary to regain Natural Grade.

(5) **BUILDING LOCATION.** Buildings, Access, and infrastructure must be located to minimize cut and fill that would alter the perceived

natural topography of the site. The site design and Building Footprint must coordinate with adjacent properties to maximize opportunities for open areas and preservation of natural vegetation, to minimize driveway and Parking Areas, and to provide variation of the Front Yard.

(6) **BUILDING FORM AND SCALE.** Where Building masses orient against the Lot's existing contours, the Structures must be stepped with the Grade and broken into a series of individual smaller components that are Compatible with the District. Low profile Buildings that orient with existing contours are strongly encouraged. The garage must be subordinate in design to the main Building. In order to decrease the perceived bulk of the Main Building, the Community Development Director and/or Planning Commission may require a garage separate from the main Structure or no garage.

(7) **SETBACKS.** The Community Development Department and/or Planning Commission may require an increase in one or more Setbacks to minimize the creation of a "wall effect" along the Street front and/or the rear Property Line. The Setback variation will be a function of the site constraints, proposed Building scale, and Setbacks on adjacent Structures.

(8) **DWELLING VOLUME.** The maximum volume of any Structure is a function of the Lot size, Building Height, Setbacks, and provisions set forth in this Chapter. The Community Development Department and/or Planning Commission may further limit the volume of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing Structures.

(9) **BUILDING HEIGHT (STEEP SLOPE).** The maximum Building Height in the HRL District is twenty-seven feet (27'). The Community Development Department and/or Planning Commission may require a reduction in Building Height for all, or portions, of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing residential Structures.

(10) **HEIGHT EXCEPTIONS (STEEP SLOPE).** The Community Development Department and/or Planning Commission may grant a Building Height exception for a portion or portions of a proposed Structure if the Applicant proves compliance with each of the following criteria:

(a) The Height exception does not result in a Height in excess of forty feet (40').

(b) The Lot width is greater than twenty-five feet (25').

(c) The proposed Building includes horizontal and vertical step backs to achieve increased Building articulation and Compatibility. The Planning Commission may refer the proposal to the Historic District Commission, prior to taking action, for a recommendation on the extent to which the proposed articulation and design are consistent with the Historic District Design Guidelines.

(d) The proposed design and articulation of the Building mass mitigates the project's visual impacts and differences in scale between the proposed Structure and nearby residential Structures.

(e) Snow release issues are resolved to the satisfaction of the Chief Building Official.

(f) A Height reduction in other portions of the Building and/or increased Setbacks are incorporated.

(g) The Height exception is not granted primarily to

create additional Building area.

(h) The Height exception enhances the Building's Compatibility with residential Structures by adding architectural interest to the garage element, front facade, porch, or other Building element.

(i) The Height exception is Compatible with good planning practices and good site design.

(j) The Height increase will result in a superior plan and project.

(k) The project conforms with Chapter 15-1.10 (Conditional Use Review.)

(C) **EXCEPTION.** In conjunction with a Subdivision or Plat Amendment, several Property Owners have undergone a review process comparable to that listed in the Conditional Use Section B above and the City does not seek to subject those Owners to additional Planning Commission review. Therefore, at the request of the Owner, the Community Development Director may exempt an allowed residential Structure in excess of one thousand square feet (1,000 sq. ft.) from the Conditional Use process upon finding the following:

- (1) The Lot resulted from a Subdivision or Plat Amendment after January 1, 1995;
- (2) The conditions of approval or required Plat notes reflect a maximum house size or Building Footprint; and
- (3) The conditions of approval or required Plat notes include a requirement for Community Development Department review of grading, excavation, erosion, or similar criteria as found in the foregoing Section B, prior to Building Permit issuance.

The findings shall be in writing, filed with the Owner and City Planning Department, and shall state that the maximum house size and all other applicable regulations continue to apply (the Owner is not vested for the maximum).

**15-2.1-7. PARKING REGULATIONS.**

- (A) Tandem Parking is allowed for Dwellings in the Historic District.
- (B) Common driveways are allowed along shared Side Yard Property Lines to provide Access to Parking in the rear of the Main Building or below Grade if both properties are deed restricted to allow for the perpetual use of the shared drive.
- (C) Common Parking Structures are allowed as a Conditional Use where it facilitates:

- (1) the Development of individual Buildings that more closely conform to the scale of Historic Structures in the District; and
- (2) the reduction, mitigation or elimination of garage doors at the Street edge.

(D) A Parking Structure may occupy below Grade Side Yards between participating Developments if the Structure maintains all Setbacks above Grade. Common Parking Structures requiring a Conditional Use Permit are subject to a Conditional Use review (Chapter 15.1.10)

(E) Driveways between Structures are allowed in order to eliminate garage doors facing the Street, to remove cars from on-Street parking, and to reduce paved areas, provided the driveway leads to an approved garage or Parking Area.

(F) Turning radii are subject to review by the Community Development Department as to function and design.

**15-2.1-8. ARCHITECTURAL REVIEW.**

(A) **REVIEW.** Prior to the issuance of a Building Permit (including footing and foundation) for any Conditional or Allowed Use within this District, the Community Development Department shall review the proposed plans for compliance with Historic District Design Guidelines.

(B) **NOTICE TO ADJACENT PROPERTY OWNERS.** When the Community Development Department (CDD) determines that proposed Development plans comply with the Historic District Design Guidelines, the Staff shall post the Property and provide written notice to Owners immediately adjacent to the Property (directly abutting the Property and across Public Streets and/or Rights-of-Way).

The notice shall state that the Community Development Department staff has made a preliminary determination finding that the proposed plans comply with the Historic District Design Guidelines.

(C) **APPEALS.** The posting and notice shall include the location and description of the proposed project and shall establish a ten (10) day period to appeal the Staff's determination of compliance to the Historic District Commission. Appeals must be written and shall contain the name, address, and telephone number of the petitioner, his or her relationship to the project and the Design Guidelines or Code provisions violated by the Staff determination.

**15-2.1-9. VEGETATION PROTECTION.**

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

Development plans must show all such trees within twenty feet (20') of a proposed Development. The Property Owner must demonstrate the health and viability of all Significant Vegetation through a certified arborist. The Community Development Director shall determine the Limits of Disturbance of any Development Activity and may require mitigation for loss of Significant Vegetation consistent with Landscape Criteria in Chapter 9.

**15-2.1-10. SIGNS.**

Signs are allowed in the HRL District as provided in the Park City Sign Code (Title 12).

**15-2.1-11. RELATED PROVISIONS.**

- Fences and Walls. Chapter 8-7.
- Accessory Apartment. Chapter 8.19.
- Satellite Receiving Antenna. Chapter 8.25.
- Telecommunication Facility. Chapter 8.30.
- Parking. See Chapter 15-3.
- Landscaping. Chapter 9 and 15-3.3(D).
- Lighting. Chapter 9 and Chapter 15-3.3.(C).
- Historic District Commission. Chapter 4.
- Park City Sign Code. Title 12.
- Architectural Design. Chapter 9.
- Snow Storage. Chapter 15-3.3.(E)
- Parking Ratio Requirements. Chapter 15-3.6.(A)(B).

**PARK CITY MUNICIPAL CODE**  
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**TITLE 15 - LAND MANAGEMENT CODE**

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**TITLE 15 - LAND MANAGEMENT CODE (LMC)**  
**CHAPTER 2.2 - HISTORIC RESIDENTIAL (HR-1) DISTRICT**

**15-2.2-1. PURPOSE.**

The purpose of the Historic Residential HR-1 District is to:

- (A) preserve present land uses and character of the Historic residential areas of Park City,
- (B) encourage the preservation of Historic Structures,
- (C) encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods,
- (D) encourage Single-Family Development on combinations of 25' x 75' Historic Lots,
- (E) define Development parameters that are consistent with the General Plan policies for the Historic Core, and
- (F) establish Development review criteria for new Development on Steep sites.

**15-2.2-2. USES.**

Uses in the HR-1 District are limited to the following:

(A) **ALLOWED USES.**

- (1) Single-Family Dwelling
- (2) Lockout Room<sup>1</sup>
- (3) Nightly Rental
- (4) Home Occupation
- (5) Child Care, In-Home Babysitting
- (6) Child Care, Family
- (7) Child Care, Family Group<sup>2</sup>
- (8) Accessory Building and Use
- (9) Conservation Activity
- (10) Agriculture
- (11) Residential Parking Area or Structure, with four (4) or fewer spaces

(B) **CONDITIONAL USES.**

- (1) Duplex Dwelling
- (2) Guest House on Lots one (1) acre or greater
- (3) Secondary Living Quarters

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<sup>1</sup>Nightly rental requires a CUP

<sup>2</sup>See Chapt. 14 for Child Care Regulations

- (4) Accessory Apartment<sup>3</sup>
- (5) Group Care Facility
- (6) Child Care Center
- (7) Public and Quasi-Public Institution, church and school
- (8) Essential Municipal Public Utility Use, Facility, Service, and Structure
- (9) Telecommunication Antenna, roof or wall mounted<sup>4</sup>
- (10) Satellite Dish, greater than thirty-nine inches (39") diameter<sup>5</sup>
- (11) Bed and Breakfast Inn<sup>6</sup>
- (12) Boarding House, hostel<sup>6</sup>
- (13) Hotel, Minor, (fewer than sixteen (16) rooms)<sup>6</sup>
- (14) Residential Parking Area or Structure with five (5) or more spaces.
- (15) Temporary Improvement<sup>7</sup>
- (16) Passenger Tramway Station and Ski Base Facility
- (17) Ski Tow, Ski Lift, Ski Run, and Ski Bridge
- (18) Recreation Facility, Private
- (19) Fence over six feet (6') in Height.

<sup>3</sup>See Chapt. 8.19, Supplemental Regulations for Accessory Apartments

<sup>4</sup>See Chapt. 8.30, Supplemental Regs. for Telecommunication Facilities

<sup>5</sup>See Chapt. 8.25, Supplemental Regs. for Satellite Receiving Antennas

<sup>6</sup>In Historic Structures only

<sup>7</sup>Subject to Admin. CUP, see Section

(C) **PROHIBITED USES.** Any use not listed above as an allowed or conditional use is a prohibited use.

**15-2.2-3 LOT AND SITE REQUIREMENTS.**

Except as may otherwise be provided in this Code, no Building Permit shall be issued for a Lot unless such Lot has Area, Width, and Depth as required, and Frontage on a Street shown as a City Street on the Streets Master Plan, or on a private easement connecting the Lot to a Street shown on the Streets Master Plan.

Minimum lot and site requirements are as follows:

(A) **LOT SIZE.** The minimum Lot area is 1,875 square feet for a Single Family Dwelling, and 3,750 square feet for a Duplex. The minimum width of a Lot is twenty five feet (25'), measured fifteen feet (15') back from the Front Lot Line.

(B) **BUILDING ENVELOPE (HR-1 DISTRICT).** The Building Pad, Building Footprint and Height Restrictions define the maximum Building envelope within which all Development must occur.

(C) **BUILDING PAD (HR-1 DISTRICT).** The Building Pad is the Lot Area minus required Front, Rear, and Side Yard areas.

- (1) The Building Footprint must be within the Building Pad. The Building Pad must be open and free of any other Structure except:

- (a) Porches or decks (with or without roofs);
- (b) At Grade patios;
- (c) Upper level decks (with or without roofs);
- (d) Bay Windows;
- (e) Chimneys;
- (f) Sidewalks, pathways, and steps;
- (g) Screened hot tubs; and
- (h) Landscaping.

(2) Exceptions to the Building Pad area are subject to Community Development Department approval based on a determination that the proposed exceptions result in a design that:

- (a) provides increased architectural interest consistent with the Historic District Guidelines;
- (b) maintains the intent of this section to provide horizontal and vertical Building articulation.

**(D) BUILDING FOOTPRINT (HR-1 DISTRICT).** The maximum Building Footprint of any Structure shall be calculated as follows:

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

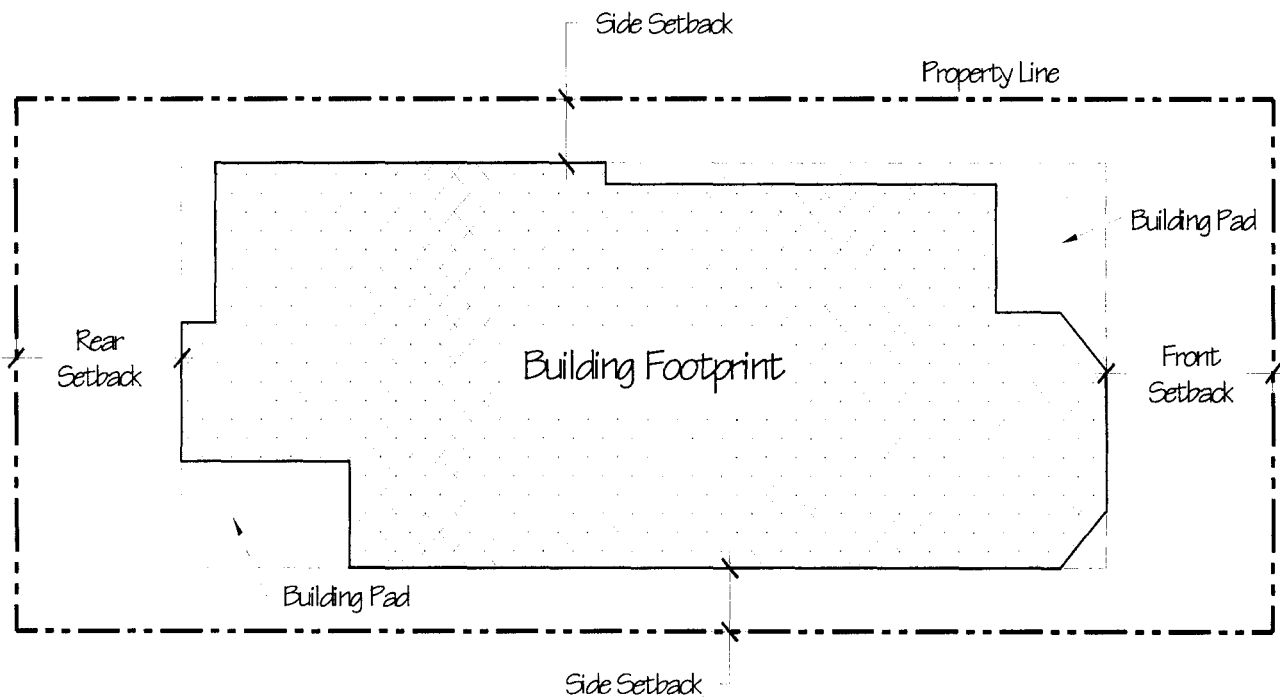
Where FP= maximum Building Footprint and A= Lot Area.

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

See Table 15-2.2. below for a schedule equivalent of this formula.

**TABLE 15-2.2.**

Lot Depth, <math>\leq</math> ft.	Lot Width, ft. Up to:	Side Yards Min. Total, ft.		Lot Area Sq. ft.	Bldg. Pad Sq. ft.	Max. Bldg. Footprint
75 ft.	25.0	3 ft.	6 ft.	1,875	1,045	844
75 ft.	37.5	3 ft.	6 ft.	2,813	1,733	1,201
75 ft.	50.0	5 ft.	10 ft.	3,750	2,200	1,519
75 ft.	62.5	5 ft.	14 ft.	4,688	2,668	1,801
75 ft.	75.0	5 ft.	18 ft.	5,625	3,135	2,050
75 ft.	87.5	10 ft.	24 ft.	6,563	3,493	2,270
75 ft.	100.0	10 ft.	24 ft.	7,500	4,180	2,460
75 ft.	Greater than 100.0	10 ft.	30 ft.	Greater than 75 ft.	Per Setbacks and Lot Area	Per formula



(E) **FRONT, REAR AND SIDE YARDS.**

(1) **FRONT AND REAR YARDS** are as follows:

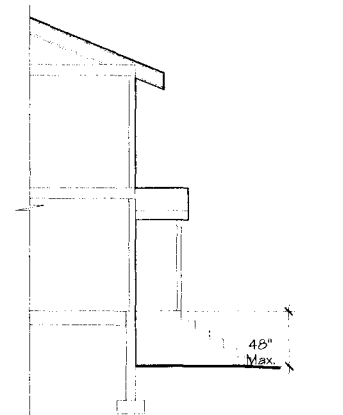
Lot Depth	Min. Front/Rear Setback	Total of Setbacks
Up to 75 ft., inclusive	10 ft.	20 ft.
From 75 ft. to 100 ft.	12 ft.	25 ft.
Over 100 ft.	15 ft.	30 ft.

(2) **FRONT YARD**

**EXCEPTIONS.** The Front Yard must be open and free of any Structure except:

(a) A Fence or wall not more than four feet (4') in Height. On Corner Lots, Fences more than three feet (3') in Height are prohibited within twenty-five feet (25') of the intersection at back of curb.

(b) Uncovered steps leading to the Main Building; provided the steps are not more than four feet (4') in Height from Final Grade (not including any required handrail) and do not cause any danger or hazard to traffic by obstructing the view of the Street or intersection.



Front Yard

(c) A cantilevered deck, porch or Bay Window not more than ten feet (10') wide, projecting not more than three feet (3') into the Front Yard.

(d) A roof overhang, eave or cornice projecting not more than two feet (2') into the Front Yard.

(e) Sidewalks and pathways.

(f) A driveway leading to a Garage or Parking Area. No portion of a Front Yard, except for driveways, allowed Parking Areas and sidewalks, may be Hard-Surfaced or graveled.

**(3) REAR YARD**

**EXCEPTIONS.** The Rear Yard must be open and free of any Structure except:

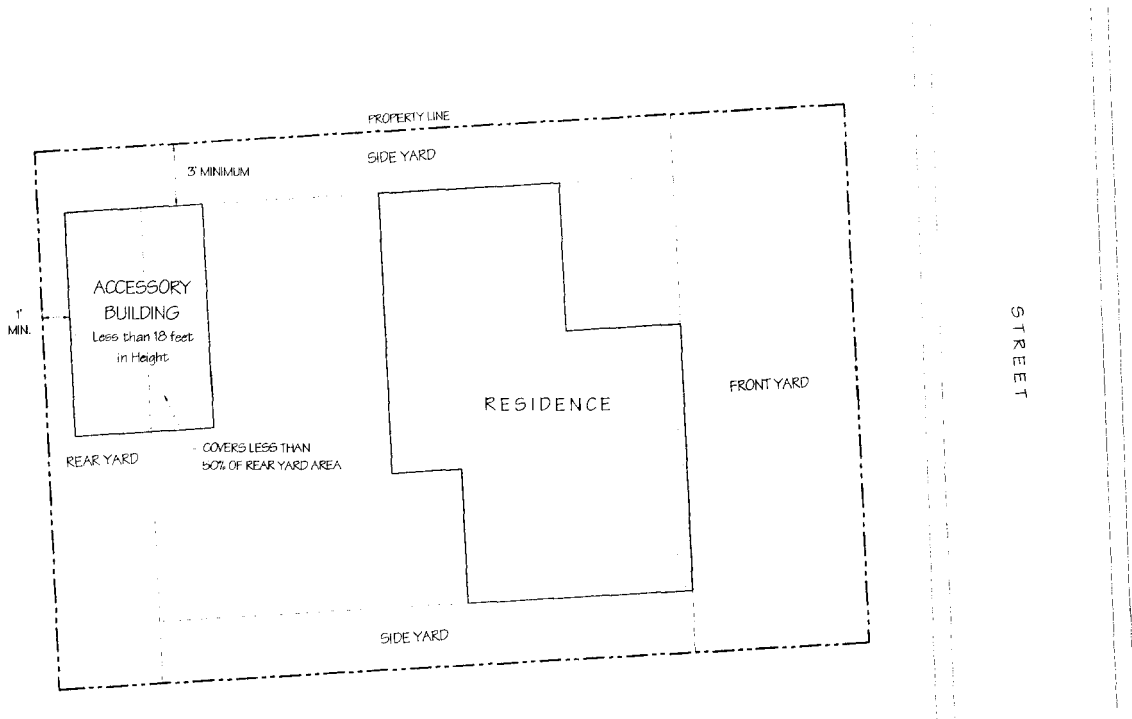
(a) A Bay Window not more than ten feet (10') wide projecting not more than two feet (2') into the Rear Yard.

(b) A chimney not more than five feet (5') wide projecting not more than two feet (2') into the Rear Yard.

(c) A window well extending not more than four feet (4') into the Rear Yard.

(d) A roof overhang, eave or cornice projecting not more than two feet (2') into the Rear Yard.

(e) A detached Accessory Building less than eighteen feet (18') in Height and maintaining a minimum Rear Yard Setback of one foot (1'). Such Structure must not cover over fifty percent (50%) of the Rear Yard. (See the following illustration.)



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

(g) Screened mechanical equipment and hot tubs located at least five feet (5') from the Rear Yard property line.

(h) A Fence, wall, or retaining wall not over six feet (6') in Height.<sup>8</sup>

(i) A patio, deck, steps, or similar Structure not more than thirty inches (30") above Final Grade, located at least one foot (1') from the Rear Yard Property Line.

(j) Pathways or steps connecting to a City staircase or pathway.

(4) **SIDE YARD.**

(a) The minimum Side Yard is three feet (3'), but increases for Lots greater than thirty seven and one-half feet (37.5') in Width, as per **Table 15-2.2.** above.

<sup>8</sup>A Fence over six feet (6') in Height requires a Conditional Use Permit.

(b) Site plans and Building designs must resolve snow release issues to the satisfaction of the Chief Building Official.

(c) On Corner Lots, any Yard which faces a Street may not have a Side Yard less than five feet (5').

(5) **SIDE YARD EXCEPTIONS.** The Side Yard must be open and free of any Structure except:

(a) A window sill, belt course, trim, cornice, or other ornamental feature projecting not more than six inches (6") into the Side Yard.

(b) A roof overhang or eave projecting not more than two feet (2') into the Side Yard. **(Applies only to Lots with a Side Yard of five feet (5') or greater.)**

(c) Decks, patios, pathways, or steps not over thirty inches (30") in Height from Final Grade, provided there is at least a one foot (1') setback to the Side Property Line. **(Applies only to Lots with a Side Yard of five feet (5') or greater.)**

(d) A Fence, wall, or retaining wall not more than six feet (6') in Height.<sup>9</sup>

(e) A driveway leading to a garage or Parking Area.

(f) Pathway or steps connecting to a City staircase or pathway.

(g) A detached Accessory Building less than eighteen feet (18') in Height, located a minimum of five feet (5') behind the Front facade of the Main Building, maintaining a minimum Side Yard setback of three feet (3').

(h) Screened mechanical equipment and hot tubs located a minimum of five feet (5') from the Side Property Line.

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

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<sup>9</sup>A Fence over six feet (6') in Height requires a Conditional Use Permit.

**15-2.2-4. EXISTING HISTORIC STRUCTURES.**

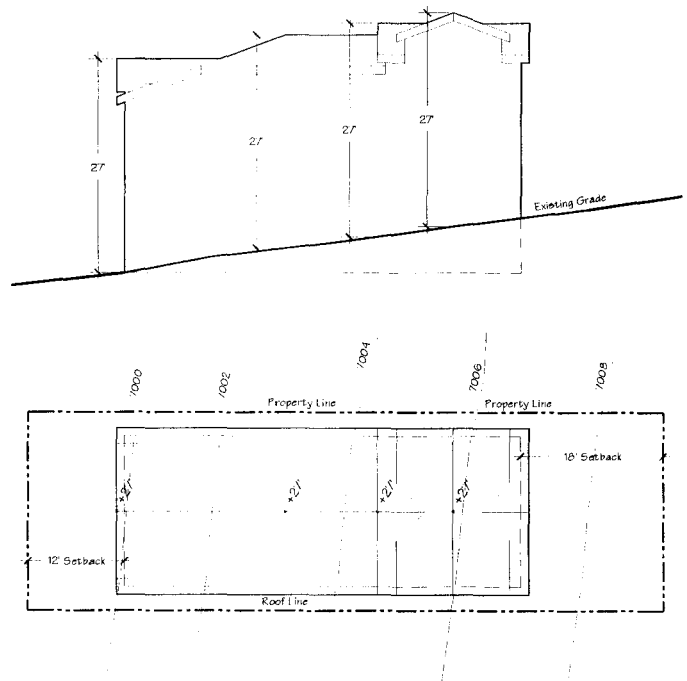
Historic Structures that do not comply with Building Setbacks, Off-Street parking, and driveway location standards are valid Complying Structures. Additions to Historic Structures are exempt from Off-Street parking requirements provided the addition does not create a Lockout Unit or an Accessory Apartment. Additions must comply with Building Setbacks, Building Footprint, driveway location standards and Building Height.

(A) **EXCEPTION.** In order to achieve new construction consistent with the Historic District Design Guidelines, the Planning Commission may grant an exception to the Building Setback and driveway location standards for additions to Historic Buildings upon:

- (1) Approval of a Conditional Use Permit,
- (2) When the scale of the addition or driveway is Compatible with the Historic Structure,
- (3) When the addition complies with all other provisions of this Chapter, and
- (4) The addition complies with the Uniform Building and Fire Codes.

**15-2.2-5. BUILDING HEIGHT.**

No Structure shall be erected to a Height greater than twenty-seven feet (27'). In cases where due to excavation Final Grade is lower than Existing Grade, Building Height shall be measured from Final Grade. This measure shall not include window wells or Basements.



(A) **BUILDING HEIGHT EXCEPTIONS.** The following exceptions apply:

- (1) An antenna, chimney, flue, vent, or similar Structure, may extend up to five feet (5') above the highest point of the Building to comply with Uniform Building Code (UBC) requirements.

(2) Mechanical equipment, when Screened or enclosed, may extend up to five feet (5') above the maximum Height.

(3) To accommodate a roof form consistent with the Historic District Design Guidelines, the Community Development Department may grant additional Building Height provided that no more than twenty percent (20%) of the roof ridge line exceeds the Height requirement.

**15-2.2-6. DEVELOPMENT ON STEEP SLOPES.**

Development on Steep Slopes must be environmentally sensitive to hillside areas, carefully planned to mitigate adverse effects on neighboring land and Improvements, and consistent with the Historic District Design Guidelines.

(A) **ALLOWED USE.** An allowed residential Structure and/or Access to said Structure located upon an existing Slope of thirty percent (30%) or greater must not exceed a total square footage of one thousand square feet (1000 sq. ft.) including the garage.

(B) **CONDITIONAL USE.** A Conditional Use Permit is required for any Structure in excess of one thousand square feet (1000 sq. ft.) if said Structure and/or Access is located upon any existing Slope of thirty percent (30%) or greater.

The Community Development Department shall review all Conditional Use Permit

applications and forward a recommendation to the Planning Commission. The Planning Commission shall review all Conditional Use Permit applications as Consent Calendar items, unless the Planning Commission removes the item from the Consent Agenda and sets the matter for a Public Hearing. Conditional Use Permit applications shall be subject to the following criteria:

(1) **LOCATION OF DEVELOPMENT.** Development is located and designed to reduce visual and environmental impacts of the Structure.

(2) **VISUAL ANALYSIS.** The Applicant must provide the Planning Department with a visual analysis of the project from key Vantage Points:

(a) To determine potential impacts of the proposed Access, and Building mass and design; and

(b) To identify the potential for Screening, Slope stabilization, erosion mitigation, vegetation protection, and other design opportunities.

(3) **ACCESS.** Access points and driveways must be designed to minimize Grading of the natural topography and to reduce overall Building scale. Common driveways

and Parking Areas, and side Access to garages are strongly encouraged.

(4) **TERRACING.** The project may include terraced retaining Structures if necessary to regain Natural Grade.

(5) **BUILDING LOCATION.** Buildings, Access, and infrastructure must be located to minimize cut and fill that would alter the perceived natural topography of the site. The site design and Building Footprint must coordinate with adjacent properties to maximize opportunities for open areas and preservation of natural vegetation, to minimize driveway and Parking Areas, and to provide variation of the Front Yard.

(6) **BUILDING FORM AND SCALE.** Where Building masses orient against the Lot's existing contours, the Structures must be stepped with the Grade and broken into a series of individual smaller components that are Compatible with the District. Low profile Buildings that orient with existing contours are strongly encouraged. The garage must be subordinate in design to the main Building. In order to decrease the perceived bulk of the Main Building, the Community Development Director and/or Planning Commission may require a garage separate from the main Structure or no garage.

(7) **SETBACKS.** The Community Development Department and/or Planning Commission may require an increase in one or more Setbacks to minimize the creation of a "wall effect" along the Street front and/or the rear Property Line. The Setback variation will be a function of the site constraints, proposed Building scale, and Setbacks on adjacent Structures.

(8) **DWELLING VOLUME.** The maximum volume of any Structure is a function of the Lot size, Building Height, Setbacks, and provisions set forth in this Chapter. The Community Development Department and/or Planning Commission may further limit the volume of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing Structures.

(9) **BUILDING HEIGHT (STEEP SLOPE).** The maximum Building Height in the HR-1 District is twenty-seven feet (27'). The Community Development Department and/or Planning Commission may require a reduction in Building Height for all, or portions, of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing residential Structures.

(10) **HEIGHT EXCEPTIONS (STEEP SLOPE).** The Community Development Department and/or Planning Commission may grant a Building Height exception for a portion or portions of a proposed Structure if the Applicant proves compliance with each of the following criteria:

- (a) The Height exception does not result in a Height in excess of forty feet (40').
- (b) The Lot width is greater than twenty-five feet (25').
- (c) The proposed Building includes horizontal and vertical step backs to achieve increased Building articulation and Compatibility. The Planning Commission may refer the proposal to the Historic District Commission, prior to taking action, for a recommendation on the extent to which the proposed articulation and design are consistent with the Historic District Design Guidelines.
- (d) The proposed design and articulation of the Building mass mitigates the project's visual impacts and differences in scale between the proposed Structure and nearby residential Structures.

- (e) Snow release issues are resolved to the satisfaction of the Chief Building Official.
- (f) A Height reduction in other portions of the Building and/or increased Setbacks are incorporated.
- (g) The Height exception is not granted primarily to create additional Building area.
- (h) The Height exception enhances the Building's Compatibility with residential Structures by adding architectural interest to the garage element, front facade, porch, or other Building element.
- (i) The Height exception is Compatible with good planning practices and good site design.
- (j) The Height increase will result in a superior plan and project.
- (k) The project conforms with Chapter 15-1.10 (Conditional Use Review).

(C) **EXCEPTION.** In conjunction with a Subdivision or Plat Amendment, several Property Owners have undergone a review process comparable to that listed in the

Conditional Use Section B above and the City does not seek to subject those Owners to additional Planning Commission review. Therefore, at the request of the Owner, the Community Development Director may exempt an allowed residential Structure in excess of one thousand square feet (1,000 sq. ft.) from the Conditional Use process upon finding the following:

- (1) The Lot resulted from a Subdivision or Plat Amendment after January 1, 1995;
- (2) The conditions of approval or required Plat notes reflect a maximum house size or Building Footprint; and
- (3) The conditions of approval or required Plat notes include a requirement for Community Development Department review of grading, excavation, erosion, or similar criteria as found in the foregoing Section B, prior to Building Permit issuance.

The findings shall be in writing, filed with the Owner and City Planning Department, and shall state that the maximum house size and all other applicable regulations continue to apply (the Owner is not vested for the maximum).

**15-2.2-7. PARKING REGULATIONS.**

(A) Tandem Parking is allowed for Dwellings in the Historic District.

(B) Common driveways are allowed along shared Side Yard Property Lines to provide Access to Parking in the rear of the Main Building or below Grade if both Properties are deed restricted to allow for the perpetual use of the shared drive.

(C) Common Parking Structures are allowed as a Conditional Use Permit where it facilities:

- (1) the Development of individual Buildings that more closely conform to the scale of Historic Structures in the District; and
- (2) the reduction, mitigation or elimination of garage doors at the Street edge.

(D) A Parking Structure may occupy below Grade Side Yards between participating Developments if the Structure maintains all Setbacks above Grade. Common Parking Structures requiring a Conditional Use Permit are subject to a Conditional Use review (Chapter 15-1-10)

(E) Driveways between Structures are allowed in order to eliminate garage doors facing the Street, to remove cars from on-Street parking, and to reduce paved areas, provided the driveway leads to an approved garage or Parking Area.

(F) Turning radii are subject to review by the Community Development Department as to function and design.

**15-2.2-8. ARCHITECTURAL REVIEW.**

(A) **REVIEW.** Prior to the issuance of a Building Permit (including footing and foundation) for any Conditional or Allowed Use within this District, the Community Development Department shall review the proposed plans for compliance with Historic District Design Guidelines.

(B) **NOTICE TO ADJACENT PROPERTY OWNERS.** When the Community Development Department (CDD) determines that proposed Development plans comply with the Historic District Design Guidelines, the Staff shall post the Property and provide written notice to Owners immediately adjacent to the Property (directly abutting the Property and across Public Streets and/or Rights-of-Way).

The notice shall state that the Community Development Department staff has made a preliminary determination finding that the proposed plans comply with the Historic District Design Guidelines.

(C) **APPEALS.** The posting and notice shall include the location and description of the proposed Development project and shall establish a ten (10) day period to appeal Staff's determination of compliance to the Historic District Commission. Appeals must be written and shall contain the name, address, and telephone number of the petitioner, his or her relationship to the project and the Design Guidelines or Code provisions violated by the Staff determination.

**15-2.2-9. CRITERIA FOR BED AND BREAKFAST INNS.**

A Bed and Breakfast Inn is a Conditional Use. No permit may be issued unless the following criteria are met:

(A) The use is in an Historic Structure, or an addition thereto.

(B) The Applicant will make every attempt to rehabilitate the Historic portion of the Structure to its original condition.

(C) The Structure has at least two (2) rentable rooms. The maximum number of rooms will be determined by the Applicant's ability to mitigate neighborhood impacts.

(D) The size and configuration of the rooms are Compatible with the Historic character of the Building and neighborhood.

(E) The rooms are available for Nightly Rental only.

(F) An Owner/manager is living on-site, or at a minimum, there is twenty-four (24) hour on-Site management and check in.<sup>10</sup>

(G) Food service is for the benefit of overnight guests only.

(H) No Kitchen is permitted within rental room(s).

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<sup>10</sup> The check-in facility may be Off-Site if it is within close proximity of the Bed and Breakfast Inn.

(I) Parking on-site is required at a rate of one (1) space per rentable room. If no on-Site parking is possible, the Applicant must provide parking in close proximity to the Inn. The Planning Commission may waive the parking requirement if the Applicant proves that:

(1) no on-Site parking is possible without compromising the Historic Structure or Site, including removal of existing Significant Vegetation, and all alternatives for proximate parking have been explored and exhausted; and

(2) the Structure is not economically feasible to restore or maintain without the adaptive use.

(J) The use complies with Chapter 15-1-10 Conditional Use Review Process.

**15-2.2-10. VEGETATION PROTECTION.**

The Property Owner must protect Significant Vegetation during any Development Activity. Significant Vegetation includes large trees six inches (6") in diameter or greater measured four and one-half feet (4.5') above the ground, groves of smaller trees, or clumps of oak and maple covering an area fifty square feet (50 sq. ft.) or more measured at the drip line. Development plans must show all such trees within twenty feet (20') of a proposed Development. The Property Owner must demonstrate the health and viability of all Significant Vegetation through a certified arborist. The Community Development

Director shall determine the Limits of Disturbance of any Development Activity and may require mitigation for loss of Significant Vegetation consistent with Landscape Criteria in Chapter 9.

**15-2.2-11. SIGNS.**

Signs are allowed in the HR-1 District as provided in the Park City Sign Code (Title 12).

**15-2.2-12. RELATED PROVISIONS.**

- Fences and Walls. Chapter 8-7.
- Accessory Apartment. Chapter 8.19.
- Satellite Receiving Antenna. Chapter 8.25.
- Telecommunication Facility. Chapter 8.30.
- Parking. See Chapter 15-3.
- Landscaping. Chapter 9 and 15-3.3(D).
- Lighting. Chapter 9 and Chapter 15-3.3.(C).
- Historic District Commission. Chapter 4.
- Park City Sign Code. Title 12.
- Architectural Design. Chapter 9.
- Snow Storage. Chapter 15-3.3.(E)
- Parking Ratio Requirements. Chapter 15-3.6.(A)(B).