

Ordinance No. 06-48

AN ORDINANCE AMENDING TITLE 15 OF THE PARK CITY MUNICIPAL CODE, LAND MANAGEMENT CODE, ESTABLISHING SECTION 15-2-23: COMMUNITY TRANSITION DISTRICT AND SECTION 15-6-8, A UNIT EQUIVALENT MULTIPLIER FOR I-OCCUPANCY USES

WHEREAS, it is in the public interest to create a zoning district is to preserve the character of the area's existing open space, recreation, and institutional land uses; and

WHEREAS, it is in the public interest clustering low-density development in a manner that respects the entry corridor, sensitive lands, and existing open space area; and

WHEREAS, low-density public, quasi-public, and/or institutional uses relating to community open space, recreation, sport training and development, tourism, and community health are land uses consistent with the City's General Plan and Quinns Junction Joint Planning Principles; and

WHEREAS, it in the public interest to prohibit highway service commercial and regional/big-box commercial uses in the community's entry corridor areas; and

WHEREAS, the relative density factors applied to hospitals/I-Occupancy uses is functionally different than residential and commercial uses due to building code requirements for wider hallway corridors, mechanical and air-exchange space, equipment storage, and other requirements for patient safety; and

WHEREAS, the proposed amendments were properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, the City Council adopted Resolution No. 21-05 on July 14, 2005 forming the IHC/USSA/Burbidge Annexation Task Force for purposes of providing a recommendation to the Planning Commission and City Council on the annexation petition elements relating to the proposed zoning, land uses, affordable housing, transportation, and community economic/fiscal impacts; and

WHEREAS, the IHC/USSA/Burbidge Annexation Task Force on October 27, 2005 unanimously recommended Community Transition (CT) District be the zoning designation applied the annexation area;

WHEREAS, the IHC/USSA/Burbidge Annexation Task Force on October 27, 2005 unanimously recommended that Land Management Code be amended to establish a 1666 square foot unit equivalent multiplier for I-Occupancy uses; and

WHEREAS, the Planning Commission held a public hearing on January 11, 2006 to receive public input on the proposed Land Management Code amendments and forwarded a positive recommendation to City Council; and

WHEREAS, on June 29, 2006 the City Council held public hearings to receive input on the proposed Land Management Code amendments; and

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

SECTION 1. LAND MANAGEMENT CODE AMENDMENT. Title 15 of the Park City Municipal Code, Land Management Code is amended as described in Exhibit A to create Section 15-2-23: Community Transition (CT) District and amend Section 15-6-8: Master Planned Developments—Unit Equivalents as described in Exhibit B.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 29th day of June 2006.

PARK CITY MUNICIPAL CORPORATION



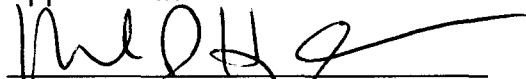
Mayor Dana Williams

Attest:



Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney

**PARK CITY MUNICIPAL CODE
TABLE OF CONTENTS
TITLE 15 LAND MANAGEMENT CODE - CHAPTER 2.23**

TITLE 15 - LAND MANAGEMENT CODE

CHAPTER 2.23 - COMMUNITY TRANSITION DISTRICT

15-2.23-1.	PURPOSE.....	1
15-2.23-2.	USES	2
15-2.23-3.	LOT AND SITE REQUIREMENTS	2
15-2.23-4.	DENSITY.....	3
15-2.23-5.	HEIGHT.....	5
15-2.23-6.	ARCHITECTURAL REVIEW	6
15-2.23-7.	PARKING REGULATIONS.....	6
15-2.23-8.	MECHANICAL SERVICE	6
15-2.23-9.	ACCESS, SERVICE AND DELIVERY.....	6
15-2.23-10.	GOODS AND USES TO BE WITHIN ENCLOSED BUILDING	6
15-2.23-11.	VEGETATION PROTECTION.....	8
15-2.23-12.	SIGNS	8
15-2.23-13.	RELATED PROVISIONS.....	8

**TITLE 15 - LAND MANAGEMENT ODE
MC**
**CHAPTER 2.23 - COMMUNITY
TRANSITION (CT) DISTRICT**

Chapter adopted by Ordinance No. ____

15-2.23-1. PURPOSE.

The purpose of the Community Transition (CT) District is to:

- (A) Encourage low-density public, quasi-public, and/or institutional uses relating to community open space, recreation, sports training and development, tourism, and community health.
- (B) Encourage low density development designed in a manner so as to cluster uses in the least visually sensitive areas and maximizes open space.
- (C) Enhance and expand public open space and recreation uses compatible with the adjacent public deed-restricted open space;
- (D) Prohibit highway service commercial, regional-commercial, and limit residential land uses;
- (E) Require building and site design solutions that minimize the visual impacts of parking and parking lot lighting from the entry corridor and adjacent neighborhoods and land uses.
- (F) Preserve and enhance environmentally sensitive lands such as wetlands, steep slopes, ridgelines, wooded areas, and stream corridors;

(G) Preserve Park City's scenic entry corridor by providing significant open space and landscape buffers between development and the highway corridor;

(H) Encourage transit-oriented development and uses;

(I) Promote significant linkages to the broader community open space and trail network;

(J) Encourage the development of high quality public places such as parks, trails, and recreation facilities

(K) Encourage development which preserves the natural setting to the greatest extent possible.

(L) Minimize curb cuts, driveways, and access points to the highway.

15-2.23-2. USES.

Uses in the Community Transition District are limited to the following:

(A) **ALLOWED USES.**

(1) Conservation Activities

(B) **CONDITIONAL USES.**

- (1) Master Planned Developments
- (2) Public, Quasi-Public, Civic, Municipal Uses
- (3) General Acute Hospital
- (4) Alternative Professional Health-related Services
- (5) Athletic Training and Testing Offices and Facilities
- (6) Athletic Program Administrative Offices
- (7) Support Short-Term Athlete Housing (within an approved MPD)

- (8) Accredited Physician Office Space
- (9) Accredited Medical & Dental Clinics
- (10) Medical Heliport
- (11) Group Care Facility
- (12) Ancillary Support Commercial (within an approved MPD)
 - a. Gift Shop
 - b. Dispensing pharmacy
 - c. Medical supply
 - d. Restaurant
 - e. Deli
 - f. Outdoor Grills/Beverage Service Stations
 - g. Day Care
- (13) Recreation Facility, Public and Private
- (14) Recreation Facility, Commercial
- (15) Park and Ride Lot
- (16) Municipal/Institutional Accessory Building and Use
- (17) Conservation Activity
- (18) Parking Lot, Public or
- (19) Public Utility or Essential Services
- (20) Single Family Dwelling - with an approved MPD¹
- (21) Duplex Dwelling - with an approved MPD¹
- (22) Multi-Unit Dwelling - with an approved MPD¹

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

15-2.23-3. LOT AND SITE REQUIREMENTS.

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

¹ Residential uses can not exceed 1 unit/ acre

Master Plan. All Development must comply with the following:

(A) **LOT SIZE.** There is no minimum lot size in the CT District.

(B) **FRONT, REAR AND SIDE YARDS.** Unless otherwise further restricted by Frontage Protection Overlay standards and/or Master Planned Development conditions of approval, all Structures must be no less than twenty-five feet (25') from the boundary line of the Lot, district or public Right-of-Way.

(C) **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.

15-2.23-4. DENSITY. The base Density of the CT District is one (1) unit per twenty (20) per acres.

(A) **Density Bonus—One (1) Unit/Acre:** The base Density of the CT District may increased up to one (1) unit per acre provided the following standards are incorporated through a Master Planned Development:

(1) **Open Space:** The Master Planned Development shall provide 70% Transfer of Open Space on the project site.

(2) **Frontage Protection Zone No-Build Setback:** The Master

Planned Development shall include a 200 foot Frontage Protection Zone no-build setback measured from the closest edge of the highway right-of-way.

- (3) Parking: Parking for the Master Planned Development is subject to the requirements set forth in Section 15-3. A minimum of 40% of the Master Planned Development's required project parking shall in structured/tiered parking so as to limit the visibility of parking areas and parking lot lighting. The Planning Commission may consider reducing the 40% minimum structured/tiered parking requirement based on existing site topography in locating exterior surface parking to achieve maximum screening of parking from entry corridor areas and/or to achieve optimum site circulation and/or shared parking.

- (4) Public Transit Facilities: The Master Planned Development shall include the development of a public transit hub facility within the development area. The Planning Commission may consider waiving this requirement if a developer/applicant contributes funding for an existing or proposed transit hub that is located within a close walking distance from a

proposed development.

- (5) Enhanced Public Benefit Dedication: The Master Planned Development shall provide the inclusion of public recreation facilities and/or land for public and/or quasi-public institutional uses reasonably related to the General Plan goals for the Area, and impacts of the development activity.
- (6) Public Trails and Pedestrian Improvements: The Master Planned Development shall provide public dedicated pedestrian improvements and enhanced trail connections to adjacent open space and/or public ways.
- (7) Sensitive Lands Overlay Standards: The Master Planned Development shall comply with all requirements set forth in Section 15-2.21: Sensitive Lands Overlay.
- (8) Affordable Housing: The Master Planned Development shall provide an additional 5% affordable housing commitment beyond that required by the City's Affordable Housing Resolution in effect at the time of application. The Planning Commission may consider alternative housing uses for the additional 5% affordable

housing commitment.

- (9) Sustainable-Green Development Design: All Development within the proposed Master Planned Development shall implement City-approved sustainable-green building practices and site design practices in effect at the time of application.

(B) Density Bonus—Three (3) Units/Acre:

The base Density of the CT District may increased up to three (3) units per acre provided that all density bonus requirements set forth in Section 15-2.23

(A): Density Bonus—One (1) Unit/Acre are met and the following additional standards are incorporated into the Master Planned Development:

- (1) Open Space: The Master Planned Development shall provide 80% Open Space on the project site.
- (2) Frontage Protection Zone No-Build Setback: The Master Planned Development shall include a 300 foot Frontage Protection Zone no-build setback measured from the closest edge of the highway right-of-way. The Planning Commission may consider allowing encroachments into the 300' Frontage Protection Zone requirement based on existing site topography in locating

roads and other infrastructure in order to achieve optimum site circulation.

- (3) Parking: Parking for the Master Planned Development is subject to the requirements set forth in Section 15-3. A minimum of 60% of the Master Planned Development's required project parking shall in structured/tiered parking so as to limit the visibility of parking areas and parking lot lighting. The Planning Commission may consider reducing the 60% minimum structured/tiered parking requirement based on existing site topography in locating exterior surface parking to achieve maximum screening of parking from entry corridor areas and/or to achieve optimum site circulation and/or shared parking.

- (4) Additional Enhanced Public Benefit Dedication: The Master Planned Development shall provide the inclusion of public recreation facilities and/or land for public and/or quasi-public institutional uses reasonably related to the General Plan goals for the Area, and impacts of the development beyond that provided to achieve a project density of up to one (1) unit per acre by a factor reasonably related to the density

increase sought.

- (5) Affordable Housing: The Master Planned Development shall provide an additional 5% affordable housing commitment beyond that required by the City's Affordable Housing Resolution in effect at the time of application. This is in addition to that provided in Section 15-2.23-A.8.

15-2.23-5. MAXIMUM BUILDING HEIGHT. The maximum zone building height is twenty eight feet (28') from existing grade.

(C) **MAXIMUM BUILDING HEIGHT EXCEPTIONS.** To allow for pitched roofs and to provide usable space within the Structure, the following exceptions apply:

- (1) A gable, hip, gambrel or similarly pitched roof may extend up to five feet (5') above the Zone Height.
- (2) 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.
- (3) Water towers, mechanical equipment, and associated Screening, when enclosed or Screened, may extend up to five feet (5') above the height of the Building.
- (4) An Elevator Penthouse may extend up to eight feet (8') above the Zone Height.

15-2.23-6. ARCHITECTURAL REVIEW.

(A) **REVIEW.** Prior to issuance of a Building Permit for any Conditional or Allowed Use, Planning Department must review the proposed plans for compliance with the Architectural Review standards, Chapter 15-9. 3 and compliance with any additional architectural design guidelines approved by the Planning Commission as part of the Master Planned Development.

15-2.23-7. PARKING REGULATIONS.

Off street parking shall be provided per the LMC Parking Standards set forth in Chapter 15-3.

15-2.23-8. MECHANICAL SERVICE.

All exterior mechanical equipment must be Screened to minimize noise infiltration to adjoining Properties and to eliminate visual impacts on nearby Properties, including those Properties located above the roof tops of Structures in the adjacent District.

All mechanical equipment must be shown on the plans prepared for architectural review by the Planning and Building Departments. The Planning Department will approve or reject the location, Screening and painting of such equipment as part of the architectural review process.

15-2.23-9. ACCESS, SERVICE AND DELIVERY.

All Structures must provide a means of storing refuse generated by the Structure's occupants. The refuse storage must be on-Site and accessible

from a public street. Refuse storage must be fully enclosed and properly ventilated. Public trash receptacles set in the Right-of-Way by the City for Use by the public are exempt from this regulation.

15-2.23-10. GOODS AND USES TO BE WITHIN ENCLOSED BUILDING.

(A) **OUTDOOR DISPLAY OF GOODS PROHIBITED.** Unless expressly allowed as an Allowed or Conditional Use, all goods including food, beverage and cigarette vending machines must be within a completely enclosed Structure. New construction of enclosures for the storage of goods shall not have windows and/or other fenestration, which exceeds a wall-to-window ratio of thirty percent (30%). See Section 15-2.6-12(B)(3) for outdoor display of bicycles, kayaks, and canoes.

(B) **OUTDOOR USES PROHIBITED/EXCEPTIONS.** The following outdoor Uses may be allowed by the City upon the issuance of an Administrative Permit. The Applicant must submit the required application, pay all applicable fees, and provide all required materials and plans. Appeals of departmental actions are heard by the Planning Commission.

(1) **OUTDOOR DINING.** Outdoor dining is subject to the following criteria:

(a) The proposed seating Area is located on private Property or leased public Property and does not diminish parking or landscaping.

(b) The proposed

seating Area does not impede pedestrian circulation.

(c) The proposed seating Area does not impede emergency Access or circulation.

(d) The proposed furniture is Compatible with the Streetscape.

(e) No music or noise is in excess of the City Noise Ordinance, Title 6.

(f) No Use after 10:00 p.m.

(g) No net increases in the Restaurant's seating capacity without adequate mitigation of the increased parking demand.

(2) **OUTDOOR GRILLS/BEVERAGE SERVICE STATIONS.** Outdoor grills and/or beverage service stations are subject to the following criteria:

(a) The Use is on private Property or leased public Property, and does not diminish parking or landscaping.

(b) The Use is only for the sale of food or beverages in a form suited for immediate consumption.

(c) The Use is Compatible with the neighborhood.

(d) The proposed service station does not impede pedestrian circulation.

(e) The proposed service station does not impede emergency Access or circulation.

(f) Design of the service station is Compatible with the adjacent Buildings and Streetscape.

(g) No violation of the City Noise Ordinance, Title 6.

(h) Compliance with the City Sign Code, Title 12.

(3) OUTDOOR EVENTS AND MUSIC. Outdoor events and music require an Administrative Use Permit. The Use must also comply with Section 15-1-10, Conditional Use review. The Applicant must submit a Site plan and written description of the event, addressing the following:

(a) Notification of adjacent Property Owners.

(b) No violation of the City Noise Ordinance, Title 6.

(c) Impacts on adjacent residential Uses.

(d) Proposed plans for music, lighting, structures, electrical signs, etc.

(e) Parking demand and impacts on neighboring Properties.

(f) Duration and hours of operation.

(h) Impacts on emergency Access and circulation.

15-2.23-11. 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 ½ ') 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 Significant Vegetation within twenty feet (20') of a proposed Development. The Property Owner must demonstrate the health and viability of all large trees through a certified arborist. The Planning, Building, and Engineering Departments shall determine the Limits of Disturbance and may require mitigation for loss of Significant Vegetation consistent with landscape criteria in LMC Chapter 15-3-3(D) and Title 14.

15-2.23-12. SIGNS.

Signs are allowed in the CT District as provided in the Park City Sign Code, Title 12.

15-2.23-13. RELATED PROVISIONS.

- Fences and Walls. LMC Chapter 15-4-2.
- Accessory Apartment. LMC Chapter 15-4-7.
- Satellite Receiving Antenna. LMC Chapter 15-4-13.
- Parking. LMC Chapter 15-3.
- Landscaping. Title 14; LMC Chapter 15-3-3(D).
- Lighting. LMC Chapters 15-3-3(C), 15-5-5(I).
- Park City Sign Code. Title 12.
- Architectural Design. LMC Chapter 15-5.
- Snow Storage. LMC Chapter 15-3-3(E).
- Parking Ratio Requirements. LMC Chapter 15-3-6.

Exhibit B
LMC MPD Chapter
Draft Ordinance Language
UE Multiplier for I Occupancy

The following language will be added to Section 15-6-8 of the Land Management Code:

(H) I OCCUPANCY. I-Occupancy uses, approved as part of a Master Planned Development, shall be calculated on the basis of one (1) Unit Equivalent per 1666 square-foot of gross floor area.