

PARK CITY MUNICIPAL CODE
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TITLE 15 - LAND MANAGEMENT CODE

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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 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.

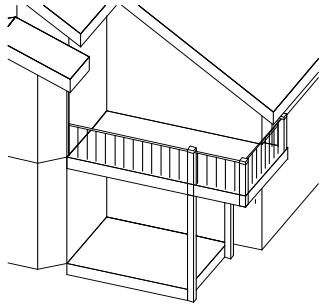
1.18 **ARCHITECTURAL DETAIL.** Physical Properties, features or components of a Building or Structure which embody distinctive characteristics of a type, period, or method of construction and refers to the way in which the Property was conceived, designed, or fabricated by a people or culture. Within 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.

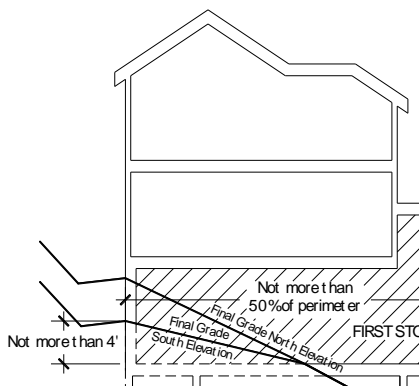
1.22 **BALCONY.** A platform that projects from the wall of a Building and is enclosed by a railing, parapet, or balustrade. See following illustration:



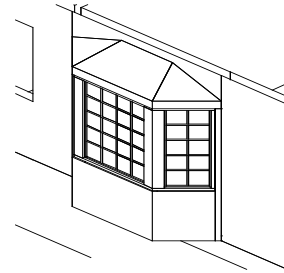
1.23 **BAR.** A Business that primarily sells alcoholic beverages for consumption on the premises; includes Private Clubs.

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

1.25 **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.



1.26 **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.



1.27 **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.

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

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

1.30 **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.

1.31 **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.

1.32 **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.

1.33 **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.

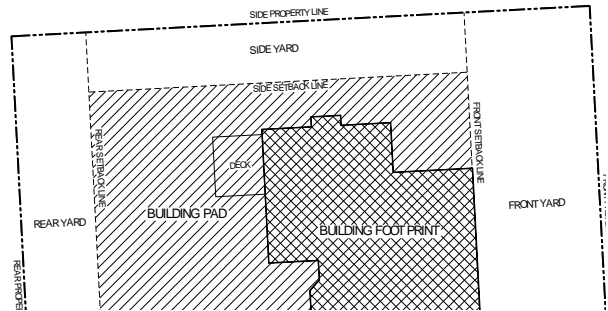
(D) **Building, Public.** A Building constructed by or intended for Use by the general public such as a library, museum, or Building of any political subdivision of the state of Utah or the United States.

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

1.35 **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.

1.36 **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.



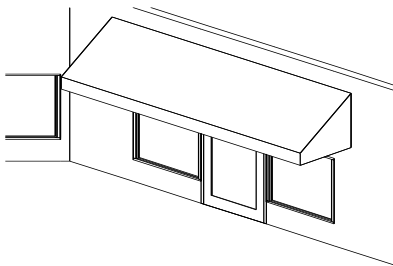
1.37 **BUILDING PERMIT.** A permit issued by the Chief Building Official authorizing Construction Activity on a Property or Lot.

1.38 **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.

1.39 **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.

1.40 **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.



1.41 **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.

1.42 **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.

1.43 **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.

1.44 **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.

1.45 **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.

1.46 **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.

1.47 **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.

1.48 **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.

1.49 **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.

(D) **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.

(E) **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.

(F) **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.

1.50 **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.

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

1.52 **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.

1.53 **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.

1.54 **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.

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

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

1.57 **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.

(A) **Visual Compatibility.** Characteristics of different architectural designs that integrate with and relate to one another to maintain and/or enhance the context of a surrounding Area or neighborhood. In addition to the elements effecting Compatibility which include, but are not limited to Height, scale, mass, and bulk of Building. Other factors that dictate compatibility include proportion of building's front façade, proportion of openings within the facility, rhythm of solids to voids in front facades; rhythm of entrance or porch projections; relationship of materials and textures; roof shapes; scale of building.

1.58 **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.

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

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

1.61 **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, Section 57-18-1 (et seq.), Utah Code Annotated, 1953 as amended.

1.62 **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.

1.63 **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.

1.64 **CONSTRUCTION MITIGATION PLAN**

A written description of the method by which an Owner will ameliorate the adverse impacts of Construction Activity.

1.65 **CONSTRUCTION PLAN.**

The map and drawings showing the specific location and design of the Development.

1.66 **CONTINUITY.**

The state or quality of being continuous, as a line, edge, or direction. Factors that dictate continuity within a streetscape include, but are not limited to, mass scale, and height of buildings; streetscape elements such as sidewalks, curbs, rock walls, and paving patterns; and development patterns such as setbacks, orientation of buildings, repetition of porches and entryways.

1.67 **CONTRIBUTING BUILDING, STRUCTURE, SITE/AREA OR**

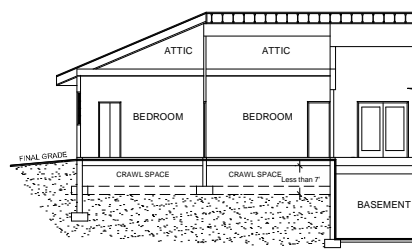
OBJECT. Building (main, attached, detached, or public, Accessory Building, Structure, Site, or Object that is determined by the Historic Preservation Board to meet specific criteria set forth in LMC 15-11-10. A portion of an existing building, an Accessory Building, Structure, or object may also be considered contributory so the historical significance of a Building or Site

if it reflects the Historical or architectural character of the site or district as designated by the Historic Preservation Board.

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

1.69 **COVER, SITE.** The Area covered by an Impervious Surface such as a Structure, deck, pool, patio, walk, or driveway.

1.70 **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.



1.71 **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.

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

1.73 **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.

1.74 **DEMOLISH OR DEMOLITION.** Any act or process that destroys in part or in whole a Building or Structure. Includes dismantling, razing, or wrecking of any fixed Building(s) or Structure(s). 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.

1.75 **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.

(A) In terms of visual compatibility, Density refers to the pattern of clustering residential or commercial structures within a neighborhood and/or District. The pattern is established by the overall mass (length, height, and width) of the structure visible from the Right-of-Way, size of the lot(s), width between structures, and orientation of structures on the site.

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

1.77 **DETACHED.** Completely separate and disconnected. Not sharing walls, roofs,

foundations, or other structural elements.

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

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

1.80 **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.

1.81 **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.

1.82 **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.

1.83 **DEVELOPMENT CREDIT.** A

credit measured in Unit Equivalents that denotes the amount of density on a Sending Site which may be Transferred.

1.84 **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.

1.85 **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.

1.86 **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.

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

1.88 **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.

1.89 **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.

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

1.91 **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.

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

1.93 **EMERGENCY REPAIR WORK**. Work requiring prompt approval because of an imminent threat to the safety or welfare of the public or to the structure or site. The scope of the approval for emergency repair work shall only be to the extent related to stabilizing or repairing the emergency situation. Staff shall give a verbal report regarding the emergency repairs at the next Historic Preservation meeting.

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

1.95 **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.

1.96 **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.

1.97 **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.

1.98 **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.

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

1.100 **FACADE SHIFT.** A change or

break in the horizontal or vertical plane of the exterior of a Building.

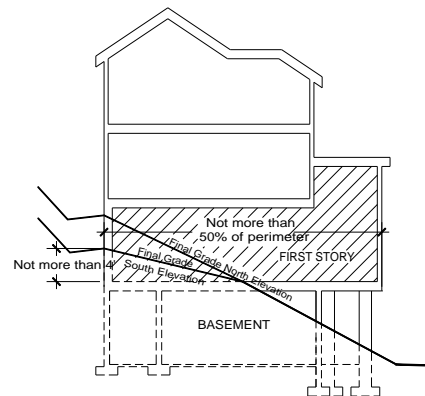
1.101 **FENCE.** A Structure to separate or divide outdoor Areas. The term Fence includes, but is not limited to, net Screening for golf balls, and masonry walls. A Fence need not be sight obscuring or light tight.

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

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

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

1.105 **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:



1.106 **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.

1.107 **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 feet¹, 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,

¹400 sq. ft. in Historic Districts

mechanical and storage Areas, parking, and restrooms.

1.108 **FLOOR AREA RATIO (FAR).** The maximum allowed Gross Floor Area divided by the Area of the Lot or Parcel.

1.109 **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.

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

1.111 **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.

1.112 **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.

1.113 **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.

1.114 **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

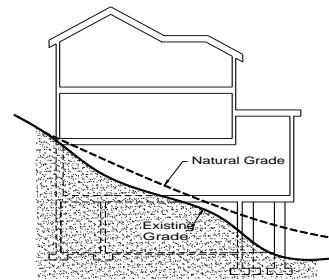
and of Park City and furthering the health, safety, and welfare of the Park City community.

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

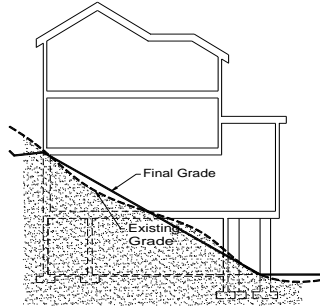
1.116 **GRADE.** The ground surface elevation of a Site or Parcel of land.

(A) **Grade, Existing.** The Grade of a Property prior to any proposed Development or Construction Activity.

(B) **Grade, Natural.** The Grade of the surface of the land prior to any Development Activity or any other man-made disturbance or Grading. The Planning Department shall estimate the Natural Grade, if not readily apparent, by reference elevations at points where the disturbed Area appears to meet the undisturbed portions of the Property. The estimated Natural Grade shall tie into the elevation and Slopes of adjoining Properties without creating a need for a new retaining wall, abrupt differences in the visual Slope and elevation of the land, or redirecting the flow of run-off water.



(C) **Grade, Final.** The finished or resulting Grade where earth meets the Building after completion of the proposed Development Activity.



1.117 **GRADING.** Any earthwork or activity that alters the Natural or Existing Grade, including but not limited to excavating, filling or embanking.

1.118 **GREEN ROOF.** A roof of a Building that is covered with vegetation and soil, or a growing medium, planted over a waterproofing membrane. It may also include additional layers such as a root barrier and drainage and irrigation systems. This does not refer to roofs which are colored green, as with green roof shingles.

1.119 **GROUP CARE FACILITY.** A Building or Structure where care, protection, supervision, and limited medical care are provided on a regular schedule for up to ten (10) children or adults, including caretakers. May include multiple overnight stays.

1.120 **GRUBBING.** The removal or destruction of vegetation, including disturbance to the root system or soil surface by mechanical, chemical or other means.

1.121 **GUARANTEE.** Any form of security including a cash deposit with the City, a letter of credit, or an Escrow agreement in an amount and form satisfactory to the City or some combination of the above as approved by the city or an

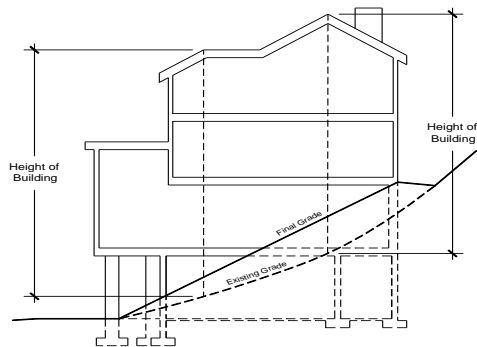
approved equal, including but not limited to a lien on the Property.

1.122 **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.

1.123 **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.

1.124 **HARD-SURFACED.** Covered with concrete, brick, asphalt, or other Impervious Surface.

1.125 **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.



1.126 **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.

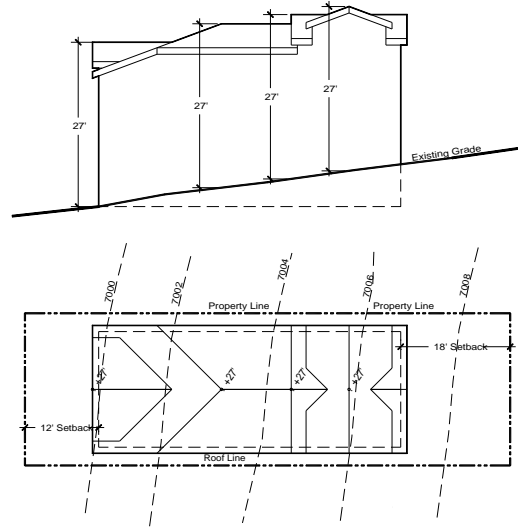
1.127 **HELIPORT.** Any landing Area used for the landing and taking off of helicopters, including all necessary passenger and cargo facilities, fueling, and emergency service facilities.

1.128 **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.

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

1.130 **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.

1.131 **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

1.132 **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.

1.133 **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.

1.134 **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.

1.135 **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.

1.136 **HOTEL/MOTEL.** A Building containing sleeping rooms for the occupancy of guests for compensation on a nightly basis that includes 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.

1.137 **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.

1.138 **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.

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

1.140 **IMPERVIOUS SURFACE.** Any hard-surfaced, man-made area that does not readily absorb or retain water, including but not limited to building roofs, parking and driveway areas, sidewalks, patios, and paved recreation areas.

1.141 **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.

1.142 **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.

1.143 **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.

1.144 **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.

1.145 **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.

1.146 **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.

1.147 **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.

1.148 **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.

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

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

1.151 **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.

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

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

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

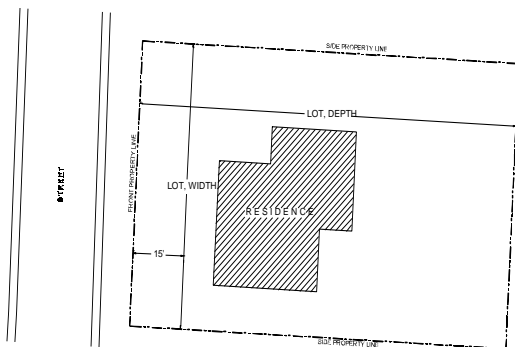
(A) **Lot, Corner**. A Lot situated at the intersection of two (2) Streets, the interior angle of such intersection not exceeding 135 degrees (135°).

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

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

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

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



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

1.160 **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.

1.161 **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.

1.162 **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.

1.163 **MATERIAL DECONSTRUCTION OR DISMANTLING.** The disassembly of structures for the purpose of salvaging and reusing as many of the construction materials or building components. In some cases, deconstruction or dismantling may be used to remove non-historic materials from a historic site or structure or to remove those historic construction materials or building components that are beyond repair.

1.164 **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”.

1.165 **MAXIMUM HOUSE SIZE.** A measurement of Gross Floor Area.

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

1.167 **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.

1.168 **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.

1.169 **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.

1.170 **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.

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

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

1.173 **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.

1.174 **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.

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

1.176 **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.

1.177 **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.

1.178 **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.

1.179 **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.

1.180 **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.

1.181 **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.

1.182 **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.

1.183 **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.

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

1.185 **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.

1.186 **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.

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

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

1.189 **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.

1.190 **PARKING STRUCTURE**. A fully

enclosed Structure designed and intended for parking.

1.191 **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.

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

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

1.194 **PET SERVICES**

(A) **Household Pets**-Household pets include dogs, cats, rabbits, birds, other small companion animals such as gerbils and ferrets, and other similar animals owned for non-commercial use.

(B) **Household Pet Boarding**-A commercial establishment for overnight boarding and care of four (4) or fewer dogs as well as other Household Pets, not under the care of a veterinarian, in purposely-designed establishment.

(C) **Household Pet Daycare**-A commercial establishment that has a primary purpose of providing same day, short-term daycare of Household Pets in a purposely-

designed establishment.

(D) **Household Pet Grooming-**A commercial establishment where Household Pets are bathed, clipped, combed, or similarly cared for, for the purpose of enhancing their aesthetic value and/or health, and for which a fee is charged. Pet grooming also includes any self-service pet washing business where the customer washes his/her own pet or where other self-service grooming tasks are provided.

(E) **Veterinary Clinic-** A facility maintained by or for the use of a licensed veterinarian in the care and treatment of animals wherein overnight care is prohibited except when necessary for medical purposes.

1.195 **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.

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

1.197 **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.

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

1.199 **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.

1.200 **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.

1.201 **PRIVATE EVENT**. An event, gathering, party or activity that is closed to the general public or that requires and invitation and/or fee to attend.

1.202 **PRIVATE EVENT FACILITY**. A facility where the primary Use is for staging, conducting, and holding Private Events.

1.203 **PRIVATE PLAZA.** Private Property in excess of seven hundred and fifty (750) square feet that serves as common area to adjoining Commercial Development and is free of Structures and is hard surfaced and/or landscaped. Private Plazas generally provide an Area for pedestrian circulation, common amenities, and act as a gathering space for private or public purposes.

1.204 **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, Floor Area, tenant space or unit that has a storefront window or storefront entrance that fronts on a Public Street. Storefront Property includes the entire Floor Area associated with the storefront window or storefront entrance that fronts on the Public Street. For purposes of this provision, the term “fronts on a Public Street” shall mean a separately enclosed space, Floor Area, tenant space or unit with:

(1) A storefront window and/or storefront entrance at the adjacent Public Street, or within fifty lateral/horizontal feet (50’) of the adjacent Public Street measured from the edge of pavement to the storefront window or storefront entrance; and

(2) A storefront window and/or storefront entrance that is not more

than eight feet (8’) above or below the grade of the adjacent Public Street and where such entrance is not a service or emergency entrance to the Building.

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

1.205 **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.

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

1.207 **PUBLIC ART.** Any visual work of art displayed for two weeks or more in an open city-owned area, on the exterior of any city-owned facility, inside any city-owned facility in areas designated as public areas, or on non-city property if the work of art is installed or financed, either wholly or in part, with city funds or grants procured by the city.

1.208 **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.

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

1.210 **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.

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

1.212 **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.

1.213 **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.

1.214 **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.

1.215 **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.

1.216 **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.

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

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

1.219 **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.

1.220 **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.

1.221 **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.

1.222 **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.

1.223 **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.

1.224 **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.

1.225 **RHYTHM AND PATTERN.** The development patterns established by factors including, but not limited to, the siting of existing structures, including their mass, scale, and height; the spacing of buildings along a streetscape, including setbacks and building sizes, spacing, size and proportion of façade openings, including windows and doors.

1.226 **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.

1.227 **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.

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

1.229 **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.

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

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

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

1.233 **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.

1.234 **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.

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

1.236 **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.

1.237 **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.

1.238 **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.

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

1.240 **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.

1.241 **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.

1.242 **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.

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

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

1.245 **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.

1.246 **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.

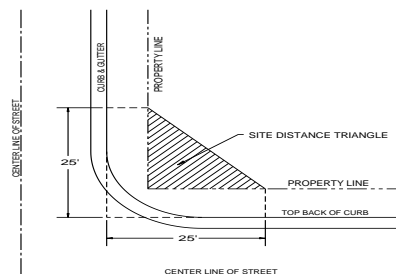
1.247 **SIGNIFICANT VEGETATION.** Includes all large trees six inches (6") in diameter or greater measured four and one-half feet (4.5') above the ground, all groves of small trees, and all clumps of oak or maple covering an Area fifty square feet (50 sq. ft.) or more measured at the drip line.

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

1.249 **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.

1.250 **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.

1.251 **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.

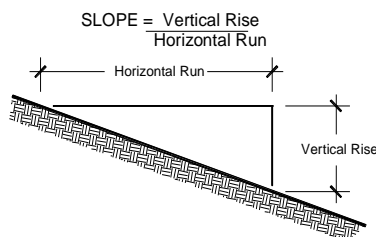


1.252 **SITE SUITABILITY ANALYSIS.**

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.

1.253 **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.

1.254 **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%).

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

1.256 **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.

1.257 **STEALTH.** A Telecommunications

Facility which is disguised as another object or otherwise concealed from public view.

1.258 **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.

1.259 **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.

1.260 **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.

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

1.262 **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.

1.263 **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.

1.264 **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”.

1.265 **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.).

1.266 **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.

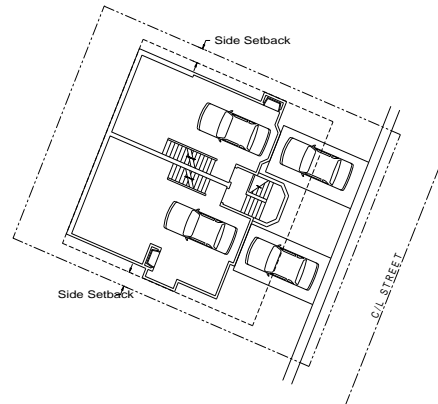
(B) **Subdivision, Minor.** Any Subdivision containing not more than three (3) Lots fronting on an existing Street, not involving any new Street, or the extension of municipal facilities, or the creation of any Public Improvements, and not adversely affecting the remainder of the Parcel or adjoining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

1.267 **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.

1.268 **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.

1.269 **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.



1.270 **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.

1.271 **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.

1.272 **TEMPORARY IMPROVEMENT**. A Structure built, or installed, and maintained during construction of a Development, or during a Special Event or activity and then removed prior to release of the performance Guarantee. Does not include temporary storage units, such as

PODS or other similar structures used for temporary storage that are not related to a Building Permit for construction of a Development and are not part of an approved Special Event or activity.

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

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

1.275 **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.

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

1.277 **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.

1.278 **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.

1.279 **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.

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

1.281 **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.

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

1.283 **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.

1.284 **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.

1.285 **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.

1.286 **TRANSFER**. Any action which results in the sale, exchange, or joint venturing of development credits from one property to another property.

1.287 **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.

1.288 **TRANSPORTATION SERVICES**.

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

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

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

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

1.292 **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.

1.293 **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:

- (A) Osguthorpe Barn;
- (B) Treasure Mountain Middle School;
- (C) Intersection of Main Street and Heber Avenue;
- (D) Park City Ski Area Base;
- (E) Snow Park Lodge;
- (F) Park City Golf Course Clubhouse;

(G) Park Meadows Golf Course Clubhouse;

(H) State Road 248 at the turn-out one quarter mile west from U.S. Highway 40;

(I) State Road 224, one-half mile south of the intersection with Kilby Road;

(J) Intersection of Thaynes Canyon Drive and State Road 224; and

(K) Across valley view.

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

1.295 **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.

1.296 **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.

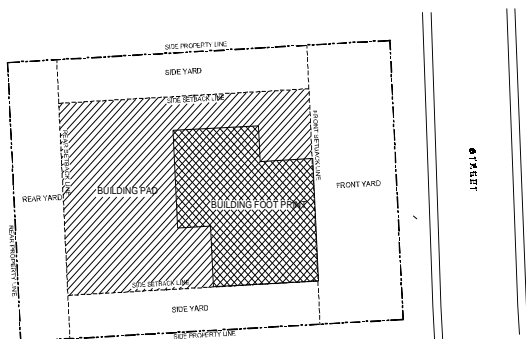
1.297 **WIND ENERGY SYSTEM, SMALL**. All equipment, machinery, and Structures utilized in connection with the conversion of wind to electricity. This includes, but is not limited to, storage, electrical collection and supply equipment, transformers, service and Access roads, and one (1) or more wind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

1.298 **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:



1.299 **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.

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

1.301 **XERISCAPE.** A landscaping method developed especially for arid and semiarid climates utilizing water – conserving techniques (such as the use of drought-tolerant plants, mulch, and efficient irrigation).

(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; 11-12; 12-37; 14-57; 15-53; 16-02)

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	Façade, Front
Cover, Site	Facade Easement
Crawl Space	Facade Shift
Crest of Hill	Fence
Cul-de-sac	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)
-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	

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
Impervious Surface
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 Art
 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

-X-

Xeriscape

-Y-

Yard, Front

Yard, Rear

Yard, Side

-Z-

Zone Height

Zoning District

Zoning Map, Official