

**Ordinance 15-44**

**AN ORDINANCE AMENDING THE LAND MANAGEMENT CODE OF PARK CITY, UTAH, AMENDING SECTION 15-2.1-2 USES IN THE HISTORIC RESIDENTIAL-LOW DENSITY (HR-L) DISTRICT.**

WHEREAS, the Land Management Code was adopted by the City Council of Park City, Utah to promote the health, safety and welfare of the residents, visitors, and property owners of Park City; and

WHEREAS, the Land Management Code implements the goals, objectives and policies of the Park City General Plan to maintain the quality of life and experiences for its residents and visitors; and to preserve the community's unique character and values; and

WHEREAS, the City reviews the Land Management Code and identifies necessary amendments to address planning and zoning issues that have come up in the past, and to address specific Land Management Code issues raised by the public, Staff, and the Commission, and to align the Code with the Council's goals implementing the General Plan; and

WHEREAS, the City's goals include preservation of Park City's character regarding Old Town improvements, historic preservation, sustainability, affordable housing, and protecting Park City's residential neighborhoods and commercial districts; and

WHEREAS, Chapters 2.1, Historic Residential-Low Density District (HR-L) provides a description of requirements, provisions and procedures specific to this zoning district that the City desires to revise; and

WHEREAS, by prohibiting Nightly Rentals within the HR-L District-East, it would further protect the integrity of this Old Town sub-neighborhood to remain predominantly as a primary resident neighborhood; and

WHEREAS, the Planning Commission duly noticed and conducted public hearings at the regularly scheduled meeting on May 13, 2005, October 14, 2015, and October 28, 2015; and forwarded a positive recommendation to City Council; and

WHEREAS, the City Council duly noticed and conducted a public hearing at its regularly scheduled meeting on November 5, 2015; and

WHEREAS, it is in the best interest of the residents of Park City, Utah to amend the Land Management Code to be consistent with the Park City General Plan and to be consistent with the values and identified goals of the Park City community and City Council to protect health and safety, maintain the quality of life for its residents,

preserve and protect the residential neighborhoods, and preserve the community's unique character.

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


SECTION 1. AMENDMENTS TO TITLE 15 - Land Management Code Chapter 2.1 Section 2. The recitals above are incorporated herein as findings of fact. Section 15-2.1-2 of the Land Management Code of Park City is hereby amended as redlined (see Attachment 1).

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



PASSED AND ADOPTED this 5th day of November, 2015.

PARK CITY MUNICIPAL CORPORATION

  
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Jack Thomas, Mayor

Attest:

  
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Michelle Kellogg, City Recorder

Approved as to form:

  
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Mark Harrington, City Attorney

## Attachment 1

### 15-2.1-2. USES.

#### (A) ALLOWED USES.

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

#### (B) CONDITIONAL USES.

- (1) Nightly Rentals<sup>8</sup>
- (2) Lockout Unit
- (3) Accessory Apartment<sup>2</sup>
- (4) Child Care Center<sup>1</sup>
- (5) Essential Municipal and Public Utility Use, facility, service, and Building
- (6) Telecommunication Antenna<sup>3</sup>
- (7) Satellite dish greater than thirty-nine inches (39") in diameter<sup>4</sup>
- (8) Residential Parking Area or Structure five (5) or more spaces
- (9) Temporary Improvement<sup>5</sup>
- (10) Passenger Tramway Station and Ski Base Facility<sup>6</sup>
- (11) Ski Tow Rope, Ski Lift, Ski Run, and Ski Bridge<sup>6</sup>
- (12) Recreation Facility, Private
- (12) Fences greater than six feet (6') in height from Final Grade<sup>5,7</sup>

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

(Amended by Ord. Nos. 06-56; 09-10; 15-44)

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<sup>1</sup>See LMC Chapter 15-4-9 for Child Care Regulations

<sup>2</sup>See LMC Chapter 15-4-7, Supplemental Regulations for Accessory Apartments

<sup>3</sup>See LMC Chapter 15-4-14, Telecommunications Facilities

<sup>4</sup>See LMC Chapter 15-4-13, Satellite Receiving Antennas

<sup>5</sup>Subject to Administrative or Administrative Conditional Use permit, see LMC Chapter 15-4.

<sup>6</sup>See LMC Chapter 15-4-18, Passenger Tramways and Ski-Base Facilities

<sup>7</sup>See LMC Chapter 15-4-2, Fences and Walls

<sup>8</sup>Conditional Use Permit allowed only in the West sub-neighborhood located south of platted 2<sup>nd</sup> Avenue, west of Upper Norfolk and Daly Avenues, and east of King Road. No Nightly Rentals are allowed elsewhere in this Zoning District.