

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.

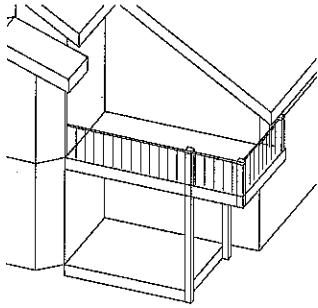
1.18 **ARCHITECTURAL DETAIL.** Physical Properties, features or components of a Building or Structure which embody distinctive characteristics of a type, period, or method of construction and refers to the way in which the Property was conceived, designed, or fabricated by a people or culture. Within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

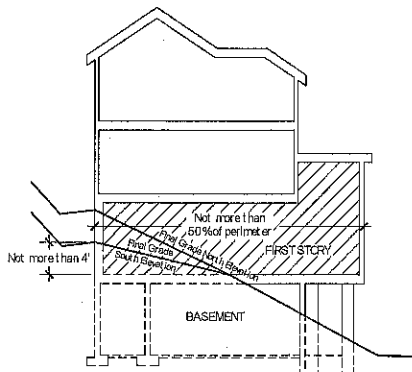
1.22 **BALCONY.** A platform that projects from the wall of a Building and is enclosed by a railing, parapet, or balustrade. See following illustration:



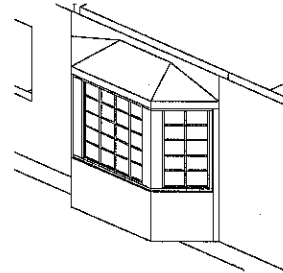
1.23 **BAR.** A Business that primarily sells alcoholic beverages for consumption on the premises; includes Private Clubs.

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.

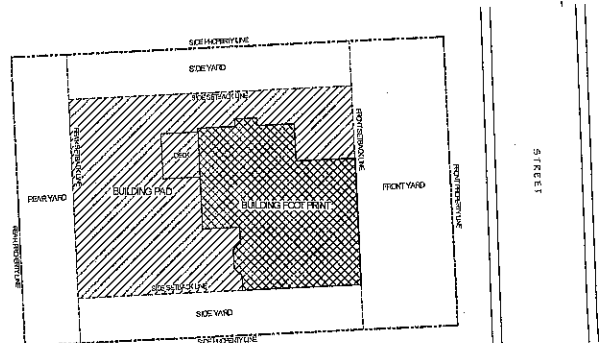
(D) **Building, Public**. A Building constructed by or intended for Use by the general public such as a library, museum, or Building of any political subdivision of the state of Utah or the United States.

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.



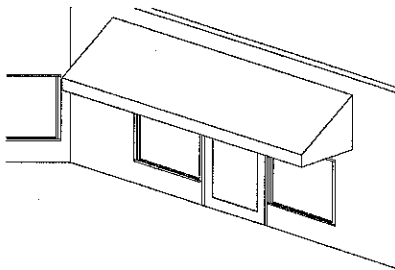
1.37 **BUILDING PERMIT**. A permit issued by the Chief Building Official authorizing Construction Activity on a Property or Lot.

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 facade, 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.**

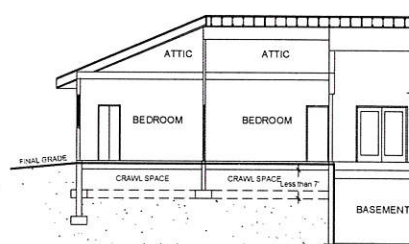
Building (main, attached, detached, or public), Accessory Building, Structure, Site, or Object that is determined by the Historic Preservation Board to meet specific criteria set forth in LMC 15-11-10. reflects the Historical or architectural character of the district as designated by the Historic Preservation Board. A portion of an existing building, an

Accessory Building, Structure, or object may also be considered contributory to 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 **FAÇADE 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.

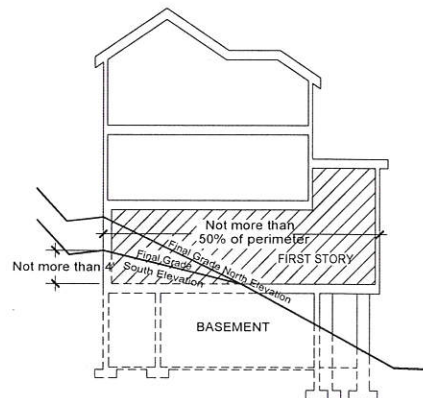
1.101 **FENCE.** A Structure to separate or divide outdoor Areas. The term Fence includes, but is not limited to, net Screening for golf balls, and masonry walls. A Fence need not be sight obscuring or light tight.

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 feet<sup>1</sup>, are not considered Floor Area. Basement and Crawl Space Areas below Final Grade are not considered Floor Area. Floor Area is measured from the finished surface of the interior of the exterior boundary walls.

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

limited to, storage, bathrooms, and meeting space, are considered Floor Area.

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

1.108 **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.

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

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

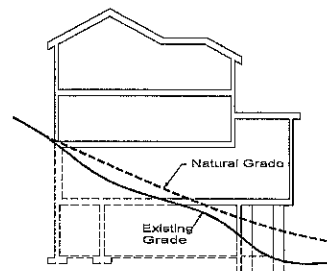
issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community.

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

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

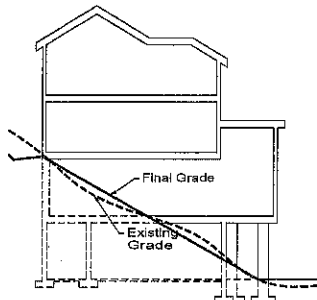
(A) **Grade, Existing.** The Grade of a Property prior to any proposed Development or Construction Activity.

(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.

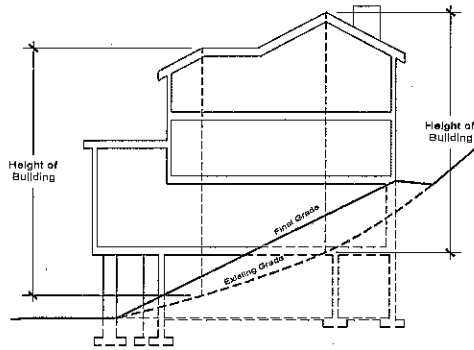
1.122 **GUEST HOUSE.** An Accessory Building and dwelling intended for non-rent paying guests of the primary Dwelling Unit's residents. Guest Houses are not a lodging Use where typical lodging services are provided. Payment is not allowed.

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.

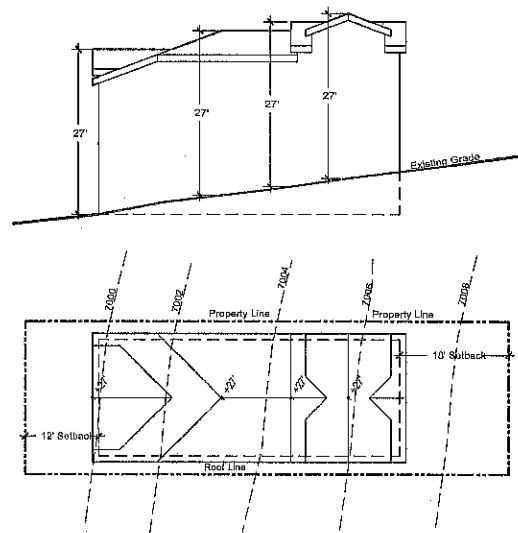
1.128 **HELISTOP.** Any landing Area used for the taking off or landing of private helicopters for the purpose of picking up and discharging passengers or cargo. This facility is not open to use by any helicopter without prior permission having been obtained.

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.

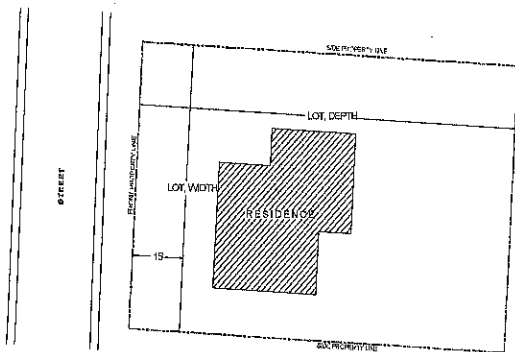
(A) **Lot, Corner**. A Lot situated at the intersection of two (2) Streets, the interior angle of such intersection not exceeding 135 degrees (135°).

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;