

Ordinance No. 2017-59

AN ORDINANCE AMENDING THE LAND MANAGEMENT CODE OF PARK CITY, UTAH, AMENDING TITLE 15, CHAPTERS 2.1, 2.2, 2.3, AND 15 REGARDING ROOF PITCHES; LIMITING THE LOCATION, HEIGHT AND USE OF FLAT ROOFS AND GREEN ROOFS ON PRIMARY FACADES; AND AMENDING ASSOCIATED DEFINITIONS

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 of Park City; and

WHEREAS, it is in the best interest of the community to periodically amend the Land Management Code to reflect the goals and objectives of the City Council and to align the Code with the Park City General Plan; and

WHEREAS, the City Council finds that the proposed changes to the Land Management Code are necessary to supplement existing zoning regulations to protect Historic structures and neighborhoods, and the economic investment by owners of similarly situated property (currently Historic); and

WHEREAS, Park City was originally developed as a mining community and much of the City's unique cultural identity is based on the historic character of its mining era buildings; and

WHEREAS, these buildings are among the City's most important cultural, educational, and economic assets;

WHEREAS, individual members of the Historic Preservation Board, ("HPB") the official body to review matters concerning the design of buildings within the City, have made recommendations to City Council to encourage compatible design;

WHEREAS, the pending amendments to the Land Management Code ("LMC") and the Historic District Guidelines and any revisions to the Historic Building Inventory are expected to be completed within the next six months;

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

SECTION 1. AMENDMENTS TO TITLE 15- LAND MANAGEMENT CODE CHAPTER 2.1 (Historic Residential-Low Density (HRL) District). The recitals above are incorporated herein as findings of fact. Chapter 2.1 of the Land Management Code of Park City is hereby amended as redlined (Exhibit A).

SECTION 2. AMENDMENTS TO TITLE 15- LAND MANAGEMENT CODE CHAPTER 2.2 (Historic Residential (HR-1) District). The recitals above are incorporated

herein as findings of fact. Chapter 2.2 of the Land Management Code of Park City is hereby amended as redlined (Exhibit B).

SECTION 3. AMENDMENTS TO TITLE 15- LAND MANAGEMENT CODE CHAPTER 2.3 (Historic Residential (HR-2) District). The recitals above are incorporated herein as findings of fact. Chapter 2.3 of the Land Management Code of Park City is hereby amended as redlined (Exhibit C).

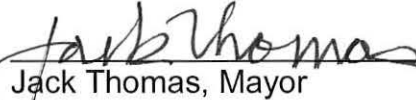
SECTION 4. AMENDMENTS TO TITLE 15-LAND MANAGEMENT CODE CHAPTER 15 (Definitions). The recitals above are incorporated herein as findings of fact. Chapter 15 of the Land Management Code of Park City is hereby amended as redlined (Exhibit D).

SECTION 5. EFFECTIVE DATE. This Ordinance shall be effective upon publication.

PASSED AND ADOPTED this 9th day of November, 2017.

PARK CITY MUNICIPAL CORPORATION





Jack Thomas, Mayor

Attest:



Michelle Kellogg, City Recorder

Approved as to form:



Mark Harrington, City Attorney

Exhibit A- Amendments to Title 15- Land Management Code Chapter 2.1 (Historic Residential-Low Density (HRL) District), Section 5 (Building Height)

15-2.1-5 Building Height

No Structure shall be erected to a height greater than twenty-seven feet (27') from Existing Grade. This is the Zone Height. Final Grade must be within four vertical feet (4') of Existing Grade around the periphery of the Structure, except for the placement of approved window wells, emergency egress, and a garage entrance. The following height requirement must be met:

A. A Structure shall have a maximum height of thirty five feet (35') measured from the lowest floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters.

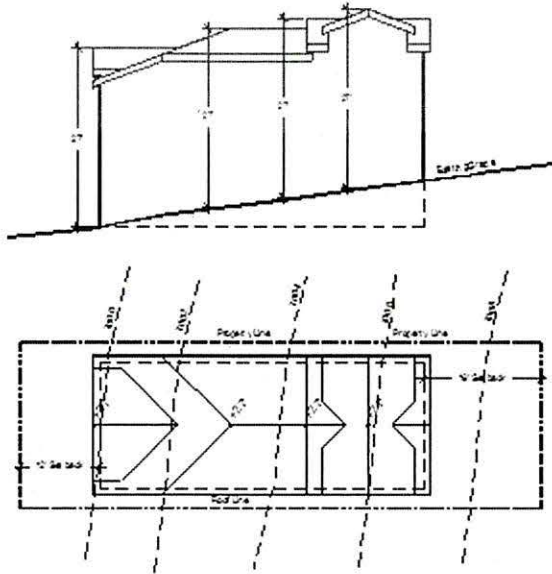
B. A ten foot (10') minimum horizontal step in the downhill façade is required unless the First Story is located completely under the finish grade on all sides of the Structure. The horizontal step shall take place at a maximum height of twenty three feet (23') from where the Building Footprint meets the lowest point of existing Grade. Architectural features, that provide articulation to the upper story façade setback, may encroach into the minimum ten foot (10') setback but shall be limited to no more than twenty five percent (25%) of the width of the building encroaching no more than four feet (4') into the setback, subject to compliance with the Design Guidelines for Historic Sites and Historic Districts.

C. **ROOF PITCH.** ~~The roof pitch must be between 4:~~ The roof pitch of a Structure's Contributing Roof Form shall be between seven: twelve (7:12) and twelve: twelve (12:12) and shall occupy a minimum horizontal distance of 20 feet measured from the primary façade to the rear of the building, as viewed from the primary public right-of-way. A Green Roof may be below the required 7:12 roof pitch as part of the primary roof design. In addition, a roof that is not part of the primary roof design Secondary Roof Forms may be below the required 7:12 roof pitch and located on the primary façade (such as porches, bay window roofs, etc).

1. Secondary Roof Forms may be Rooftop Decks so long as they are not more than 23 feet in height above Finished Grade. This height includes any railings, parapets, stairs, and similar constructions on the Roof Deck.

2. The height of railings, parapets, stairs, and similar constructions on a Green Roof or Flat Roof are included in the calculation of Building Height. Decks, hot tubs, outdoor cooking areas, and seating areas are not permitted on Green Roofs. Green Roofs must be vegetated.

3. A Structure containing a flat roof shall have a maximum height of thirty-five feet (35') measured from the lowest floor plan to the highest wall top plate that supports the ceiling joists or roof rafters. The height of the Green Roof, including the parapets, railing, or similar features shall not exceed twenty four inches (24") above the highest top plate mentioned above. Any required railings for a Green Roof shall comply with Building Height.



4. Accessory Structures may be below the required seven: twelve (7:12) roof pitch.

D. **BUILDING HEIGHT EXCEPTIONS.** The following height exceptions apply:

1. Antennas, chimneys, flues, vents, or similar Structures, may extend up to five feet (5') above the highest point of the Building to comply with International Building Code (IBC) requirements.
2. Water towers, mechanical equipment, and associated Screening, when Screened or enclosed, may extend up to five feet (5') above the height of the Building.
3. **ELEVATOR ACCESS.** The Planning Director may allow additional height to allow for an elevator compliant with American Disability Act (ADA) standards. The Applicant must verify the following:
 - a. The proposed height exception is only for the Area of the elevator. No increase in square footage of the Building is being achieved.
 - b. The proposed option is the only feasible option for the elevator on the Site.
 - c. The proposed elevator and floor plans comply with the American Disability Act (ADA) standards.
4. **GARAGE ON DOWNHILL LOT.** The Planning Commission may allow additional Building Height (see entire Section 15-2.1-5) on a downhill Lot to accommodate a single car wide garage in a Tandem Parking configuration; to accommodate circulation, such as stairs and/or an ADA elevator; and to accommodate a reasonably sized front entry area and front porch that provide a Compatible streetscape design. The depth of the garage may not exceed the minimum depth for internal Parking Space(s) as dimensioned within this Code, Section 15-3. The additional Building Height may not exceed thirty-five feet (35') from Existing Grade.

Adopted by Ord. 00-15 on 3/2/2000
Amended by Ord. 06-56 on 7/27/2006
Amended by Ord. 09-10 on 3/5/2009
Amended by Ord. 09-14 on 4/9/2009
Amended by Ord. 09-40 on 11/5/2009
Amended by Ord. 13-48 on 11/21/2013
Amended by Ord. 2016-44 on 9/15/2016
Amended by Ord. 2017-59 on 11/9/2017

Exhibit B- Amendments to Title 15- Land Management Code Chapter 2.2 (Historic Residential (HR-1) District), Section 5 (Building Height)
15-2.2-5 Building Height

No Structure shall be erected to a height greater than twenty-seven feet (27') from Existing Grade. This is the Zone Height. Final Grade must be within four vertical feet (4') of Existing Grade around the periphery of the Structure, except for the placement of approved window wells, emergency egress, and a garage entrance. The following height requirement must be met:

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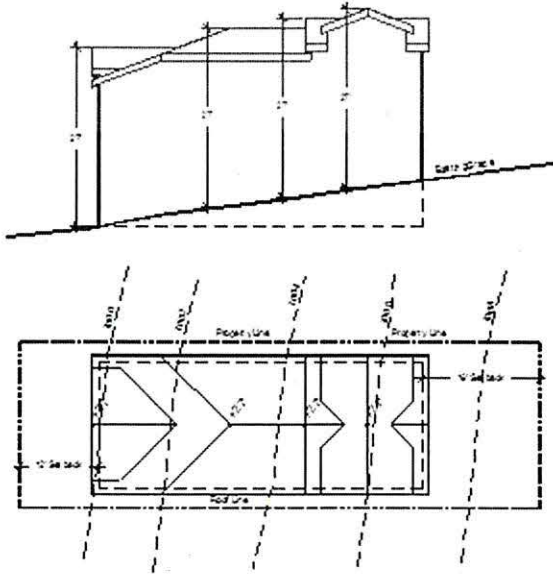
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Exhibit C- Amendments to Title 15- Land Management Code Chapter 2.3 (Historic Residential (HR-2) District), Section 6 (Building Height)

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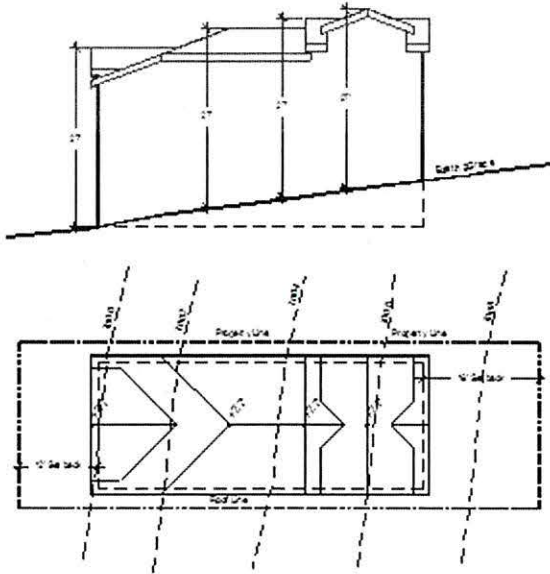
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**Exhibit D- Amendments to Title 15- Land Management Code Chapter 15
(Definitions)**

DECK:

- A. Platform Deck: Open structure above the ground that is located in the front yard, rear yard, or side yard of a Site.
- B. Deck, Rooftop: Open structure located on or above the roof framework and the enclosed gross floor area of a Structure.

ESSENTIAL HISTORIC FORM. The physical characteristics of a Structure that make it identifiable as existing in or relating to an important era in the past. These physical characteristics include, but are not limited to the structure's form, Roof Forms, window and door configuration, and materials.

ROOF FORM. The roof shape with the largest area of the Total Roof measured in square feet in plan is the Roof Form. The square feet in plan of architectural features such as dormers, cupolas, chimneys, elevators, etc. is not included in the calculation of the total level square feet of the Roof Form.

CONTRIBUTING ROOF FORM. The most visually prominent roof form viewed from the primary public right-of-way. Contributing Roof Form is determined by a three-dimensional visual roof analysis. Appropriate Contributing Roof Forms for residential Structures include gabled, hipped, and shed roofs.

FLAT ROOF. A roof form with less than or equal to a 2:12 (two:twelve) roof pitch.

SECONDARY ROOF FORM. Any roof shape included in a Structure's Total Roof, but not included in the calculation of the total square feet of the Roof Form as measured in plan view.

TOTAL ROOF. The protective framework sheltering a Structure's Footprint, including any roof overhangs.

Amended by Ord. 2017-59 on 11/9/2017