

1989 ORDINANCE LOG

Ord. No.	Date	Subject	Title
89-25	12/21	NOTICING REQURMTS.	An Ordinance amending various sections of the Land Management Code to clarify noticing requirements
89-24	11/16	SNOW REMOVAL AMD	An Ordinance amending Ordinance No. 84-3 to establish standards for the removal of snow from private streets and the private removal of snow from public streets in Park City, Utah
89-23	11/9	Homeowners Regist	An ordinance providing for the annual registration of homeowners' associations and notification to registered homeowners associations of building permit applications
89-22	10/5	Rezone of 1.92 acre parcel	An Ordinance rezoning a 1.92 acre parcel known as the North Silver Lake Homesite within Deer Valley from recreation open space (ROS) to Residential Development Master Planned Development (RD-MPD) and amending the official zoning map of Park City, Utah
89-21	10/5	Rezone of School parcel	An Ordinance rezoning a 5.72 acre parcel known as the school parcel in Deer Valley from Residential development-Master Planned Development (RD-MPD) to recreation open space (ROS) and amending the official zoning map of Park City, Utah

89-20	10/5	Satellite Stations with the Historic	An Ordinance amending Section 8.23 of the Park City Land Management Code to allow satellite receiving stations within the Historic District
89-19	9/21	Alternatives to Screening	An Ordinance amending Section 7.2.11 of the Park City Land Management Code to allow alternatives to screening of exterior mechanical equipment in the Historic Commercial Business District.
89-18	9/14	Prospector Rezone	An Ordinance rezoning Prospector Village from Single Family (SF) to Single Family Nightly Rental (SF-N) and amending the official Park City zoning map.
89-17	7/6	Maximum Density	An Ordinance amending Section 10.9 of the Land Management Code to change the maximum density requirements and the Land Use Tables of Section 7
89-16	4/27	Unit Equivalents	An Ordinance amending Section 10.12 of the Land Management Code to revise and clarify the unit equivalent formula
89-15	6/1	Section 5 LMC	An ordinance amending the Land Management Code, Section 5, Board of Adjustment, clarifying its duties and powers
89-14	5/25	Mariott North	An Ordinance amending the zoning map of Park City to change the zoning from recreation open space to recreation commercial on a .315 acre parcel (referred to as the Mariott North Parcel)

89-13	5/25	Mariott South	An Ordinance amending the zoning map of Park City to change the zoning from recreation commercial to recreation open space on a .315 acre parcel (referred to as the Mariott South Parcel adjacent to the Clementine Run)
89-12	5/25	Omnibus LMC	An Omnibus Land Management Code Amendment including appeals and review process and other miscellaneous revisions in Chapters 1, 2, 3, 4, 7, 9 & 12
89-11	5/18	Water Connection	An Ordinance amending Section 14 of Ordinance 82-17 Fees to specify water connection fees
89-10	5/11	Thaynes Creek	An Ordinance amending the official zoning map of Park City, Utah, to include the Thaynes Creek Subdivision
89-09	5/11	Water rates	An Ordinance amending various sections of Ordinance 82-15 to change water rates, to clarify language and to move section 10, connection fees, to Ordinance 82-17.
89-08	4/27	Contractors and builders	An Ordinance amending Section 18.03 and enacting a new section 20(h) of Ordinance 87-12 regarding the business licensing of contractors and builders
89-07	4/27	Construction registration	An Ordinance establishing the registration and regulation and regulation of construction trades within Park City

89-06	4/13	After Hours	An Ordinance amending Ordinance 83-16 to regulate beer and liquor licenses
89-05	3/30	Sign Code	An Ordinance amending the Park City Sign Code of July 21, 1977, to allow and set forth the requirements for neon signs as permitted in the Historic Commercial Business (HCB), Historic Recreation Commercial (HRC), Recreation Commercial (RC), and General Commercial (GC) zones and to clarify language in other sections of the Ordinance.
89-04	3/30	Motor Vehicle Act	An Ordinance adopting the Utah State Motor Vehicle Act, as amended, for use in Park City, Utah
82-27.7	3/9	Solicitation as applied to real estate salesmen	An Ordinance amending Section 5 of Ordinance No. 82-27 to clarify the application of the Ordinance to licensed real estate brokers and salesmen, stock brokers, and insurance agents and salesmen and clarifying Section 5(c).
89-03	2/23	Snow Creek rezone	An Ordinance designating a portion of the Snow Creek site as regional commercial overlay (RCO) and amending the official zoning map of Park City, Utah
89-02	2/23	RCO Zone	An ordinance amending the Park City Land Management Code to add a regional commercial overlay zone (RCO) to allow regional commercial uses on parcels

not zoned for commercial use upon the fulfillment of certain conditions

89-01 1/5 Meetings An Ordinance establishing a regular meeting date, time, and location for meetings of the City Council of Park City, Utah for 1989

AN ORDINANCE AMENDING VARIOUS SECTIONS OF
THE LAND MANAGEMENT CODE TO CLARIFY
NOTICING REQUIREMENTS

WHEREAS, the Land Management Code of Park City requires that public notice be given for a variety of development applications and planning and zoning reviews and approvals; and

WHEREAS, those notice requirements appear at various sections throughout the Land Management Code; and

WHEREAS, the City Council of Park City finds that it is desirable to consolidate the notice requirements contained in the Land Management Code and to standardize notice procedures to the extent practicable,

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

SECTION 1. Section 1.5 of the Land Management Code shall be amended to read as follows:

1.5. AMENDMENTS TO THE LAND MANAGEMENT CODE AND ZONING MAP. It may become desirable from time to time to amend the provisions of this Code or the zoning map. All amendments shall be made in the following manner:

- (a) Procedural Amendments. Amendments to the procedural provisions of the Code may be made by the City Council from time to time following a public hearing. Hearings on matters that are procedural in nature and do not directly affect the nature of uses on any given parcel of land, or which do not change allowed uses from permitted to conditional uses, shall be advertised for one week, prior to the week of the hearing, in a newspaper having general circulation in the City. The amendment may be adopted on the day of the hearing or at any time following the hearing.
- (b) Substantive Amendments. Amendments to the Code which affect the uses to be made of land within the City by (1) allowing a use previously prohibited; (2) prohibiting a use previously allowed; (3) increasing or decreasing the density of the uses previously allowed; (4) changing a permitted use to a conditional use; (5) changing a conditional use to a permitted use, or (6) changing the zone of any property shall be made only after public hearings as required by this Code.
- (c) Petition for Zone Change. A petition to change the zone of any land within Park City shall be filed first with the Community Development Department on a form prescribed for that purpose. The form shall contain a legal description of the land affected by the petition, and a statement of the petitioner's

interest in the land included within the petition. The petition shall state the current zone of the property and the zone which the petitioners desire to have applied. In the event that the petitioners desire to have a new zone designation established, the petition shall so state, and give some indication of the uses and standards requested. A fee may be established for acting on a petition for a zone change. To change or amend the zone within a legally recorded subdivision, the petition must include signatures of owners of at least 51% of the platted lots in the subdivision.

- (1) Hearing before Planning Commission. The Planning Commission shall hold a public hearing on all petitions for zone changes received from citizens or property owners affected by the change. The Commission shall also hold a public hearing on substantive amendments in the Land Management Code. Notice of all zone change hearings before the Planning Commission shall be given as set forth in Section 1.15 of this Code. The notice shall state generally the nature of the proposed amendment and land affected, and the time, place, and date of the hearing. More detailed information shall be available for public inspection at the office of the Community Development Department at the time the notice is published.
- (2) Action by Planning Commission. Following the hearing, the Planning Commission shall adopt formal recommendations to the City Council regarding the matter before it, approving, disapproving, or modifying the proposal. The Planning Commission shall act on the proposal at the time of the hearing or at its next regularly scheduled meeting following the hearing, unless the proponent or petitioner has requested the matter be tabled for further consideration, or the petition is withdrawn. If the Commission fails to act at its next regularly scheduled meeting, the proposal shall be forwarded to the City Council for consideration without recommendation.
- (3) Hearing Before City Council. The City Council shall hold a public hearing on all petitions for zone changes and substantive amendments to the Land Management Code. Following the hearing, the Council shall approve, disapprove, or modify and approve the proposal before it. The hearing may be continued, if necessary, without republication of notice. The recommendations of the Planning Commission are advisory only, and the Council may overrule the recommendations of the Commission. Council action on amendments to the Code or to the zoning map require the affirmative vote of three or more City Council members. Council may act on the petition at the time of the hearing or at subsequent meetings.
- (4) Joint Hearings. At the option of the City Council, the hearings before the Planning Commission and the Council may

be consolidated into a single hearing, provided however, that separate votes shall be taken by the Commission and the Council. And the Commission vote shall be taken first. Notice for any joint hearing shall comply with the standards set forth in Section 1.15 of this Code.

SECTION 2. Section 1.13(c) and (d) of the Land Management Code should be amended to read as follows:

(c) Written Statement. A written statement shall be submitted containing the following information:

a preliminary title report showing the title to the property, and listing all encumbrances, covenants, easements, and other matters affecting title, and a legal description of the site;

copies of any covenants or easements which are referred to in the title report;

a development schedule indicating phased development, if any, and the estimated completion date for the project;

stamped and addressed envelopes for all property owners within 300 feet of the perimeter of the site with their current mailing addresses as shown from the most recently available county assessment rolls, provided that the name and address of the registered agent for a condominium project is sufficient in lieu of each owner;

a general description of the project, prospective tenants or types of tenants or occupants, whether condominium ownership, time share ownership, or nightly rental uses are proposed, and the proposed property management structure for time share or nightly rental;

and other information that might be helpful to the Department in reviewing the proposed use.

(d) Notice/Posting. Upon receipt of the complete conditional use application and payment of all applicable fees, the Community Development Department shall cause notice to be given to the public in accordance with the provisions of Section 1.15 of the Code.

SECTION 3. Section 1.15 of the Land Management Code shall be amended as follows:

1.15. NOTICE. Notice of development applications received by the City, zoning and rezoning requests, substantive amendments to the Land Management Code and appeals from the City's

departments, boards and commission shall be provided in accordance with this section. When required by this Section, posted notice, mailed notice and published notice shall be given as follows:

- (a) Posted Notice. When posted notice is required, the Community Development Department shall post notice on the property affected by the application stating that an application concerning the development of that property has been filed, and stating that more detailed information concerning the application is available from the Community Development Department. If the property subject to the application is undeveloped and consists of four or more parcels in separate ownership, notice shall be posted in at least three conspicuous places in the area affected by the petition.
- (b) Mailed Notice. When mailed notice is required, the applicant shall provide the Community Development Department with stamped and pre-addressed envelopes for each owner of record of each parcel located entirely or partly within 300 feet from any boundary of the property subject to the application, together with a mailing list for those owners. The addresses for adjacent owners shall be as shown on the most recently available Summit County tax assessment rolls except that the name and address of the registered agent for a condominium project is sufficient in lieu of the address for each unit owner. Mailed notice shall state that an application has been filed affecting the subject property, or that an appeal or call-up has been made, the nature of the application or action, and the time, place and date set for public hearing on the matter.
- (c) Published Notice. Published notice shall be given by publication in a newspaper having general circulation in Park City for the specified period. Published notice shall state that an application has been filed affecting the subject property, or that an appeal or call-up has been made, the nature of the application or action, and the time, place and date set for public hearing on the matter.

Posted, mailed and/or published notice shall be provided by the Community Development Department for the listed applications and actions as follows:

- (1) Zoning or rezoning. Notice of the public hearings required before the Planning Commission and the City Council shall be provided by posting the property at least 15 (fifteen) days prior to the date set for hearing, by mailing notice to all owners of the subject property and owners of properties within 300 feet of the exterior boundary of the subject property at least 15 (fifteen) days prior to the hearing date, and by publishing notice once at least 15 (fifteen) days prior to the date of the hearing.

- (2) Substantive Amendments to the Land Management Code. Notice of the public hearings required before the Planning Commission and City Council shall be given by publication once at least ten (10) days prior to the date of the hearing.
- (3) Procedural Amendments to the Land Management Code. Notice of the public hearing required before the City Council shall be given by publication once the week prior to the date of the hearing.
- (4) Preliminary and Final Subdivision and Condominium Plat Approvals and Conditional Use Approvals, including MPD Approvals and Timeshare Conversions. Notice of the public hearing required before the Planning Commission shall be given by mail to the owners of parcels of property within 300 feet of the exterior boundary of the subject property at least ten days prior to the hearing date, the subject property shall be posted at least ten days prior to the hearing date, and notice shall be published once at least ten (10) days prior to the date of the hearing. of the hearing.
- (5) Appeals to the City Council from the Historic District or Planning Commissions, including Council Call-up. No formal public hearing is required, but notice shall be mailed to all parties who received mailed notice for the original Historic District or Planning Commission action at least ten days prior to the City Council meeting at which the appeal or call-up will be considered.
- (6) Appeals to the Board of Adjustment, including Variance Requests. Notice shall be provided by mail to all owners of parcels of property within 300 feet of the subject property and the subject property shall be posted, both at least ten days prior to the date set for the Board of Adjustment hearing. In addition, notice of the appeal or variance request shall be published once, at least ten days prior to the date set for hearing.

Notice shall be deemed to be legally adequate if given as specified in this Section. The City is entitled to rely, and will rely on the mailing lists and addressed and stamped envelopes supplied by the applicant and notice shall not become defective because of unrecorded or subsequent transfers of title.

(d) Homeowners Associations Registration and Notification:

1. Registration. Homeowners associations desiring notice of requests for building permits within their boundaries must file written registration annually with the Park City Building Department and pay an annual fee of fifty

dollars (\$50). This registration shall be due by January 31 of each year.

The registration shall consist of the name(s), address including P. O. Box, and telephone numbers of at least three (3) authorized representatives of the homeowners association and a notarized statement certifying that these individuals are the authorized representatives of said association.

Any change(s) in the above information shall be forwarded in writing to the Building Department within ten (10) days of the change.

2. Notice. Beginning January 31, 1990, prior to application for a building permit for all new construction or major alterations, additions or repairs, variances, conditional use permits or expansion of non-conforming uses in subdivision or condominium developments registered with the City, the applicant shall file with the City evidence of notification to the appropriate registered homeowners association. Acceptable evidence of notification shall be the following: (a) properly executed approval from the homeowners associations; (b) a signed return receipt from a certified letter posted to the proper association representative; and/or (c) the properly executed notice form, as approved by the City.
3. No Notice Required. Minor alterations, additions or repairs as defined by the Land Management Code Section 12.3(b) shall not require notice to the homeowners association prior to permit issuance.

Minor changes to projects after permit issuance shall not require further notice to the homeowners association.

Associations not registered with the City will not be included in the published list of homeowners associations and may not receive notice of building permit requests prior to their issuance.

4. City Not Party to Disputes. The City shall not become a party to disputes between the permit applicant and the homeowners association and shall not delay the City's permitting process because of such dispute.

SECTION 4. Section 1.16 of the Land Management Code is hereby amended as follows:

1.16. APPEALS, REVIEW AND CALL-UP PROCESS. Decisions by the Historic District Commission on architectural review in the Historic District may be appealed to the City Council. Decisions

by the Planning Commission regarding conditional uses, including small or large scale Master Planned Developments, may be appealed to the City Council. Any person who submitted written comment on a proposal before the Historic District Commission or Planning Commission, the owner of any property within 300 feet of the boundary of the subject site, and the owner of the subject property shall have standing to appeal a decision of the Commissions. Appeals from Commission actions shall be by letter or petition to the Mayor, delivered to the Recorder. The letter or petition shall contain the name, address, and telephone number of the petitioner, his or her relationship to the project or subject property, and the reasons for requesting review, including specific provisions of this Code, if known, that are violated by the action taken.

- (a) Written Findings Required. The Planning Commission or Historic District Commission (whichever has acted) shall prepare detailed written findings on any application that it denies. These findings shall state the reasons for denial and the provisions of this Code or other city ordinances, or guidelines, or applicable state or federal laws or regulations that would be violated by approval, and the proposed conditions of approval to be imposed and the reasons why those conditions were thought necessary.
- (b) Non-owner Petitions. Any person who submitted written comment on a proposal before the Planning Commission or Historic District Commission, and the owner of any property within 300 feet of the boundary of the subject site has the right to appeal to the City Council any final decision of the Planning Commission or Historic District Commission. The petition must be filed in writing with the City Recorder within ten calendar days of final project approval. The petition for the appeal shall state the name, address, and telephone number of the petitioner and his agent, if any, the name of the project, and the grounds for the appeal. The City Council shall set a date for the appeal, which shall be no more than 30 calendar days from the date the notice of appeal is filed with the Recorder. The City Recorder shall notify the petitioner and the owner of the project of the appeal date. The City Recorder shall obtain the findings from the Community Development Department, and all other pertinent information and transmit them to the Council.
- (c) Petitions by the Owner. The owner of any project has the right to appeal to the City Council from any final decision of the Planning Commission or Historic District Commission affecting that project. The petition must be filed in writing with the City Recorder within ten calendar days of final project approval. The petition for the appeal shall state the name, address, and telephone number of the owner and his agent, if any, the name of the project, and the grounds for the appeal. The City Council shall set a date for the appeal, which shall

be no more than 30 calendar days from the date the notice of appeal is filed with the City Recorder. The City Recorder shall notify the owner of the project of the appeal date. The City Recorder shall obtain the findings from the Community Development Department, and all other pertinent information and transmit them to the Council.

- (d) Action on Petitions. The City Council may affirm, reverse, or affirm in part and reverse in part any decision of the Planning Commission or Historic District Commission. The City Council may remand the matter to the appropriate commission with directions for specific areas of review or clarification. Council review of petitions of appeal shall be limited to consideration of only those matters raised by the petition(s), unless the Council by motion, enlarges the scope of the appeal to accept information on other matters.
- (e) City Council Call-Up. Within 15 calendar days of final action on any project, the City Council, on its own motion, may call any final action taken by the Planning Commission or Historic District Commission or Community Development Department up for review by the Council. The call up shall require the majority vote of the Council. Notice of the call up shall be given to the Chairman of the Commission and/or Community Development Director by the Recorder, together with the date set by the Council for consideration of the merits of the matter. The Recorder shall also provide notice as required by Section 1.15 of this Code. In calling a matter up, the Council may limit the scope of the call up hearing to certain issues, and need not take public input at the hearing. The City Council shall act on the matter within 30 days of the call-up, or the prior action is deemed approved.
- (f) Stay of Approval Pending Review or Appeal. Upon the filing of a non-owner petition or a petition by the owner for review by the City Council of a Historic District Commission or Planning Commission decision, any approval granted by the Historic District Commission or the Planning Commission will be suspended until the City Council has acted on the appeal. In the event the City Council votes to call up an action taken by the Historic District Commission, Planning Commission or Community Development Department, any approvals granted by those entities shall be suspended until the Council has acted on the call-up.
- (g) Appeal from the City Council. The owner of any project, or any person aggrieved by the approval of any project may appeal from any final action by the City Council affecting the project by filing a civil action in a court of competent jurisdiction. The decision of the Council shall stand, and those affected by the decision may act in reliance on it

unless and until the court enters an interlocutory or final order stating the effectiveness of that decision.

- (h) Finality of Action. If no appeal or call-up has been taken at the end of 15 days from the date of final action by the Planning Commission, Community Development Department or Historic District Commission, the action is final.

SECTION 5. Section 10.7 of the Land Management Code is hereby amended as follows:

10.7. PROPERTY POSTED, NOTICE MAILED. Upon receipt of a fully completed application form and the submission of the accompanying information, and upon the payment of the fee for review as prescribed by ordinance, the Planning Department shall cause notice to be given as described in Section 1.15. of this Code.

SECTION 6. Section 14.1.10 of the Land Management Code is hereby amended as follows:

14.1.10 Amendments. For the purpose of providing the public health, safety and general welfare, the City Council may from time to time amend the provisions imposed by the subdivision regulations. Public hearings on all proposed amendments shall be held by the Planning Commission and City Council in the manner prescribed by law and set forth in Section 1.15 of the Land Management Code.

SECTION 7. Section 14.2.2(2)(g) of the Land Management Code is hereby amended as follows:

- (g) Be accompanied by a list of all property owners within 300 feet of the proposed subdivision boundary and stamped, addressed envelopes for each property owner on the mailing list. In the case of a resubdivision of those lots previously created by the recording of the original Park City Survey or Snyder's Addition to Park City record maps, all property owners within 100 feet shall be deemed sufficient.

SECTION 8. Section 14.2.3(1)(b) and Section 14.2.3.(2) of the Land Management Code are hereby amended as follows:

14.2.3. Preliminary Plat

- (1) (b) Include all land which the applicant proposes to subdivide and all land immediately adjacent extending three hundred (300) feet therefrom, or of that directly opposite thereto, extending three hundred (300) feet from the street frontage of such opposite land, with the names and addresses of the

owners as shown on the County Assessor's tax files, together with a stamped, addressed envelope for each such owner. The mailing address information may be shown on a separate current tax map reproduction from the Assessor's office showing the subdivision imposed thereon.

- (2) Public Hearings. The Planning Commission shall hold a public hearing on the preliminary plat. Such hearings shall be advertised in accordance with the requirements of Section 1.15 of the Land Management Code and in the same manner as the subsequent public hearings on the final subdivision plat; except, however, that the Planning Commission may, at its sole discretion, combine the required hearings for both preliminary and final subdivision plat approval.

SECTION 9. Section 14.2.4(1)(h) and Section 14.2.4(2) of the Land Management Code are hereby amended as follows:

(h) Be accompanied by a list of owners of property immediately adjacent extending three hundred (300) feet therefrom, or of that directly opposite thereto extending three hundred (300) feet from the street frontage of such opposite property owners as are correct within the knowledge of the applicant as shown on the latest tax assessment roll, together with a stamped, addressed envelope for each such owner.

- (2) Notice of Public Hearing. Upon receipt of formal application and all accompanying material, the Planning Department shall schedule a public hearing for the next scheduled meeting of the Planning Commission for which adequate notice, in compliance with the noticing requirements contained in Section 1.15 of the Land Management Code, can be given.

SECTION 10. Effective Date. This Ordinance shall take effect upon publication.

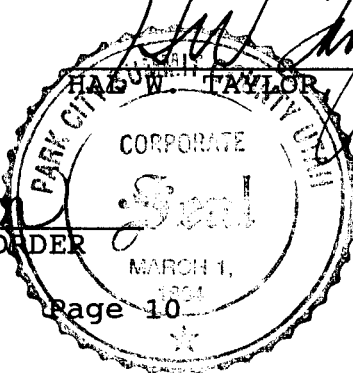
PASSED AND ADOPTED this 21st day of December, 1989.

PARK CITY MUNICIPAL CORPORATION


HAROLD W. TAYLOR, MAYOR

ATTEST:


ANITA L. SHELDON, CITY RECORDER



Ordinance No. 89-24

**AN ORDINANCE AMENDING ORDINANCE NO. 84-3
TO ESTABLISH STANDARDS FOR THE REMOVAL OF SNOW
FROM PRIVATE STREETS AND THE PRIVATE REMOVAL OF SNOW
FROM PUBLIC STREETS IN PARK CITY, UTAH**

WHEREAS, the owners of private streets within Park City have the duty to remove snow from those streets in a manner which will permit emergency access by police, fire, and medical personnel and equipment; and

WHEREAS, Park City requires private snow removal on certain public streets within the City and the public health and safety require that snow removed from public streets by private parties be done in a manner that will permit emergency access by police, fire, and medical personnel and equipment; and

WHEREAS, it is desirable to establish standards for snow removal on private streets and private snow removal on public streets to ensure public health and safety; and

WHEREAS, the responsible condominium owners association, property owners association, corporation, partnership, or other entity having control over a private street or having the responsibility for private snow removal on a public street may be difficult to identify or serve with process;

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

SECTION 1. AMENDMENTS. Section 1.1 of Ordinance No. 84-3 should be and hereby is amended to read as follows:

Section 1.1. Duty to Remove Snow. It shall be the duty of every condominium owners association, property owners association, corporation, partnership, or other entity having control over a private street system within the corporate limits of Park City, and the owners of properties abutting on such private streets which are provided access from those streets, to provide regular and adequate snow removal service on those private streets.

Ordinance No. 84-3 should be and is hereby amended to add Section 1.2 which shall read as follows:

Section 1.2. Snow Removal Standards. The term "regular and adequate snow removal service" as used in Section 1.1 above

shall mean that snow shall be removed from the street to a clear width of 20 feet within a period of eight hours from the end of each snow storm which deposits an accumulation of four inches of snow or more. It shall be unlawful to permit an accumulation of more than four inches of snow to remain on the private street for more than eight hours at a time.

Section 2 of Ordinance No. 84-3 should be and is hereby amended to add Section 2.5 as follows:

Section 2.5. Private Snow Removal on Public Streets. It shall be the duty of every condominium owners association, property owners association, corporation, partnership, or other entity having the responsibility for snow removal on a public street pursuant to plat restriction, conditional use approval or other permit or agreement with the City, and the duty of every owner of property abutting on and provided access from such public street to provide regular and adequate snow removal service on those public streets.

Section 2 of Ordinance No. 84-3 should be and is hereby amended to add Section 2.6 as follows:

Section 2.6. Snow Removal Standards. The term "regular and adequate snow removal service" as used in Section 2.5 above shall mean that snow shall be removed from the street to a clear width of 20 feet within a period of eight hours from the end of each snow storm which deposits an accumulation of eight inches of snow or more. It shall be unlawful to permit an accumulation of more than eight inches of snow to remain on the public street for more than eight hours at a time.

Section 2 of Ordinance No. 84-3 should be and is hereby amended to add Section 2.7 as follows:

Section 2.7. Failure to Remove Snow from Public Streets. In the event the party or parties responsible for private snow removal on public streets set forth in Section 2.5 hereof fail to remove snow to the required standard, the City may, at its sole discretion, perform the snow removal necessary to achieve the required standards, and obtain reimbursement of its costs of snow removal from the responsible party or parties.

Section 6 of Ordinance No. 84-3 should be and is hereby amended to read as follows.

Section 6. Penalties. Any person convicted of a violation of this ordinance is guilty of a Class C misdemeanor.

AN ORDINANCE PROVIDING FOR THE ANNUAL REGISTRATION
OF HOMEOWNERS ASSOCIATIONS AND NOTIFICATION
TO REGISTERED HOMEOWNERS ASSOCIATIONS
OF BUILDING PERMIT APPLICATIONS

WHEREAS, this Council is empowered to regulate the construction and building within Park City; and

WHEREAS, the Council is not empowered to enforce Covenants, Conditions and Restrictions existing within the individual subdivisions, condominium developments; and

WHEREAS, the homeowners associations desire notification of building permit applications at the earliest opportunity to enable the associations to enforce their CC&Rs; and

WHEREAS, the City deems it necessary to formally register the homeowners associations desiring notice to enable the notice procedures to be effectuated; and

WHEREAS, the Council deems it to be in the best interest of the citizens of Park City to establish a procedure for the identification, registration and notification of homeowners associations,

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

SECTION 1. The following is added as Section 1.15(d) of the Park City Land Management Code:

1.15(d) Homeowners Associations Registration and Notification:

- (i) Registration. Homeowners associations desiring notice of requests for building permits within their boundaries must file written registration annually with the Park City Building Department and pay an annual fee of fifty dollars (\$50). This registration shall be due by January 31 of each year.

The registration shall consist of the name(s), address including P. O. Box, and telephone numbers of at least three (3) authorized representatives of the homeowners association and a notarized statement certifying that these individuals are the authorized representatives of said association.

Any change(s) in the above information shall be forwarded in writing to the Building Department within ten (10) days of the change.

- (ii) Notice. Beginning January 31, 1990, prior to application for a building permit for all new construction or major alterations, additions or repairs, variances, conditional use permits or expansion of non-conforming uses in subdivision or

condominium developments registered with the City, the applicant shall file with the City evidence of notification to the appropriate registered homeowners association. Acceptable evidence of notification shall be the following: (a) properly executed approval from the homeowners associations; (b) a signed return receipt from a certified letter posted to the proper association representative; and/or (c) the properly executed notice form, as approved by the City.

- (iii) No Notice Required. Minor alterations, additions or repairs as defined by the Land Management Code Section 12.3(b) shall not require notice to the homeowners association prior to permit issuance.

Minor changes to projects after permit issuance shall not require further notice to the homeowners association.

Associations not registered with the City will not be included in the published list of homeowners associations and may not receive notice of building permit requests prior to their issuance.

- (iv) City Not Party to Disputes. The City shall not become a party to disputes between the permit applicant and the homeowners association and shall not delay the City's permitting process because of such dispute.

SECTION 2. EFFECTIVE DATE. This ordinance shall take effect upon its publication.

PASSED AND ADOPTED this 9th day of November, 1989.

PARK CITY MUNICIPAL CORPORATION


MAYOR

ATTEST:


CITY RECORDER

AN ORDINANCE REZONING A 1.92 ACRE PARCEL
KNOWN AS THE NORTH SILVER LAKE HOMESITE WITHIN DEER VALLEY
FROM RECREATION OPEN SPACE (ROS) TO
RESIDENTIAL DEVELOPMENT-MASTER PLANNED DEVELOPMENT (RD-MPD)
AND AMENDING THE OFFICIAL ZONING MAP OF PARK CITY, UTAH

WHEREAS, Park City has received a request from Deer Valley Resort Company to rezone a 1.92 acre parcel of property within Deer Valley from Recreation Open Space (ROS) to Residential Development-Master Planned Development (RD-MPD); and

WHEREAS, Deer Valley Resort Company has offered to rezone a separate 5.72 acre parcel in Deer Valley from Residential Development-Master Planned Development (RD-MPD) to Recreation Open Space (ROS) in order to enlarge the total open space contained within the Deer Valley Special Exception Permit area; and

WHEREAS, proper notice was given to adjoining land owners and public hearings were held before both the Planning Commission and City Council on the requested zone change; and

WHEREAS, the Planning Commission has forwarded a positive recommendation to the City Council in regard to the requested zone change; and

WHEREAS, the requested zone change is consistent with the adopted Park City Master Plan and the Deer Valley Special Exception Permit;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL of Park City, Utah as follows:

Section 1. Zone Change. That certain parcel of land as known more particularly described in Exhibit A hereto and containing 1.92 acres should be and hereby is rezoned from its present designation of Recreation Open Space (ROS) to Residential Development-Master Planned Development (RD-MPD).

Section 2. Amendment to Zoning Map. The official zoning map of Park City should be and is hereby modified to reflect this change in zoning designation.

Section 3. Effective Date. This ordinance shall take effect upon publication.

PASSED AND ADOPTED this 5th day of October, 1989.

PARK CITY MUNICIPAL CORPORATION

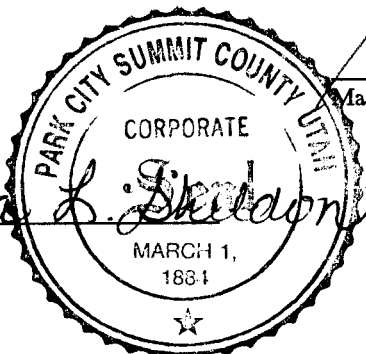
Hal W. Taylor

Mayor Hal W. Taylor

Attest:

Anita L. Sheldon

City Recorder



SILVER LAKE SINGLE FAMILY PARCEL

20000000

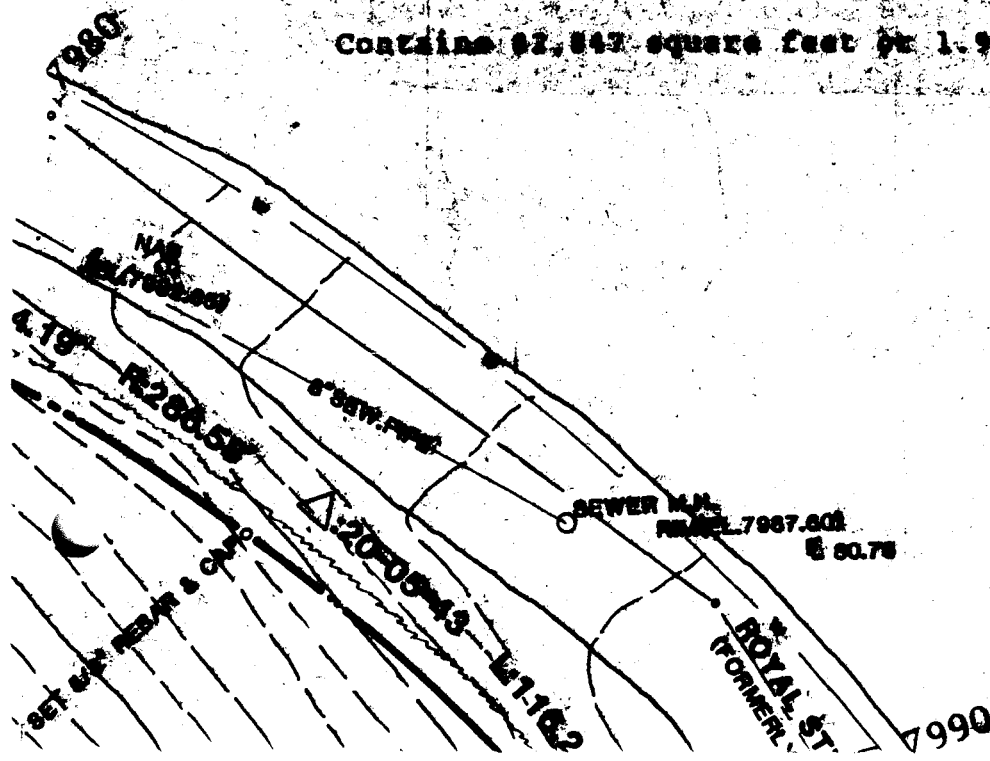
EXHIBIT A

DESCRIPTION

April 25, 1989

Beginning at a point which is East 8.88 feet and North 715.22 feet of the Southwest Corner of Section 27, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point also being on the northwesterly right-of-way line of a 70.00 foot wide road known as Royal Street (formerly known as Lake Flat Road); thence North $00^{\circ} 40' 59''$ East 5.56 feet; thence North $00^{\circ} 40' 59''$ East 220.00 feet; thence North $10^{\circ} 11' 56''$ East 232.43 feet to a point on a 70.00-foot wide right-of-way line of a road known as Royal Street (formerly known as Lake Flat Road); thence North $47^{\circ} 42' 26''$ East 22.73 feet along said right-of-way; thence North $47^{\circ} 42' 26''$ East 298.91 feet along said right-of-way line to a point on the westerly right-of-way line of a 70.00 foot wide road known as Royal Street West Road (formerly known as Lake Flat Road); thence South $14^{\circ} 15' 15''$ West 475.58 feet along said right-of-way to a point on a 286.58 foot radius curve to the right (center bears North $75^{\circ} 44' 45''$ West 286.58 feet of which the central angle is $22^{\circ} 49' 44''$); thence southwesterly along the arc of said curve and right-of-way line 114.19 feet to a point on a 331.43 foot radius compound curve to the right (center bears North $52^{\circ} 55' 01''$ West 331.43 feet of which the central angle is $20^{\circ} 05' 43''$); thence southwesterly along the arc of said curve and right-of-way line 114.24 feet; thence South $57^{\circ} 10' 42''$ West 34.42 feet along said right-of-way line to the point of beginning.

Contains 21,847 square feet or 1.907 acres.



Ordinance No. 89-21

**AN ORDINANCE REZONING A 5.72 ACRE PARCEL
KNOWN AS THE SCHOOL PARCEL IN DEER VALLEY FROM
RESIDENTIAL DEVELOPMENT-MASTER PLANNED DEVELOPMENT (RD-MPD)
TO RECREATION OPEN SPACE (ROS)
AND AMENDING THE OFFICIAL ZONING MAP OF PARK CITY, UTAH**

WHEREAS, Park City has received a request from Deer Valley Resort Company to rezone a 5.72 acre parcel adjacent to Deer Valley East Drive from Residential Development-Master Planned Development (RD-MPD) to Recreation Open Space (ROS); and

WHEREAS, proper notice was given to adjoining land owners and public hearings were held both before the Planning Commission and City Council on the request to change the zone; and

WHEREAS, the Planning Commission has forwarded a positive recommendation to the City Council in regard to the requested zone change; and

WHEREAS, the requested zone change is consistent with the adopted Park City Master Plan and with the Fifth Amended and Restated Special Exception Permit for Deer Valley;

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

Section 1. Zone Change. That certain parcel of land described as more particularly set forth in Exhibit A hereto, and containing 5.72 acres should be and is hereby rezoned from its present designation of Residential Development-Master Planned Development (RD-MPD) to Recreation Open Space (ROS).

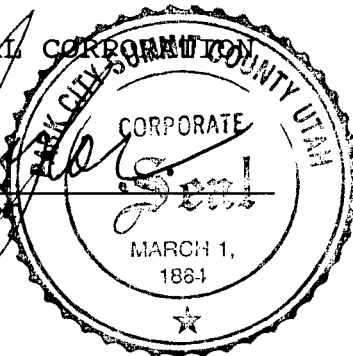
Section 2. Amendment to Zoning Map. That the official zoning map of Park City should be and is hereby modified to reflect this change in zoning designation.

Section 3. Effective Date. That this ordinance shall take effect upon publication.

PASSED AND ADOPTED this 5th day of October, 1989

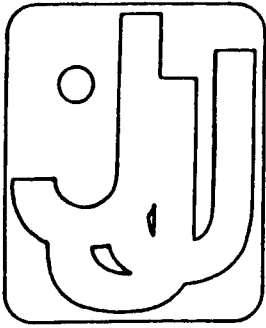
PARK CITY MUNICIPAL CORPORATION

Mayor Hal W. Taylor



Attest:

Anita L. Sheldon
City Recorder



J.J. Johnson & Associates

EXHIBIT A

Park Meadows Plaza

Park City, Utah 84060

(801) 649-9811

SCHOOL SITE
DEER VALLEY COMMUNITY
No Units

June 1, 1981

Beginning at a point which is South 230.77 feet and East 4234.10 feet from the East quarter corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point also being on a 308.46 foot radius curve to the right (center bears South 55° 47' 57" West 308.46 feet of which the central angle is 12° 17' 3"); thence Southeasterly along the arc of said curve 66.13 feet to a point of tangency; thence South 21° 55' 00" East 124.79 feet to a point on a 404.15 foot radius curve to the right (center bears South 68° 05' 00" West 404.15 feet of which the central angle is 58° 55' 00"); thence Southwesterly along the arc of said curve 415.58 feet to a point of tangency; thence South 37° 00' 00" West 296.50 feet to a point on a 360.00 foot radius curve to the left (center bears South 53° 00' 00" East 360.00 feet of which the central angle is 16° 20' 16"); thence Southwesterly along the arc of said curve 102.65 feet; thence North 52° 00' 00" West 205.56 feet; thence North 3° 00' 00" East 240.00 feet; thence North 23° 00' 00" East 412.00 feet; thence North 52° 00' 00" East 242.08 feet to the point of beginning.

Contains 5.7185 acres.

LE:mlb
Job No. 42-2-81
(Descr/DV School)

Prepared by: LE
Checked by: RCK
Reviewed by: JJ

ORDINANCE 89-20

AN ORDINANCE AMENDING SECTION 8.23
OF THE PARK CITY LAND MANAGEMENT CODE TO
ALLOW SATELLITE RECEIVING STATIONS WITHIN
THE HISTORIC DISTRICT

WHEREAS, the Park City Land Management Code currently prohibits the installation of roof or wall-mounted satellite receiving stations within the Historic District; and

WHEREAS, the City Council finds it to be in the best interest of the public to allow such satellite receiving stations if appropriately screened from view or otherwise integrated into the architecture of the Historic District,

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

SECTION 1. Section 8.23 (d)(4) of the Park City Land Management Code be amended in its entirety to read as follows:

(4) Roof or wall-mounted satellite receiving stations will be approved only if they do not extend above the ridge line of the roof or wall to which they are attached, are not located on the portion of the roof or wall fronting on any public street and maintain normal setbacks. Roof or wall-mounted satellite receiving stations in the Historic District must be approved by the Historic District Commission. The HDC shall review all applications for receiving stations and shall consider screening materials, integration into the structure, visibility, size of the receiving station and such other factors as deemed necessary by the HDC to achieve compatibility of the receiving station with the architecture and aesthetics of the Historic District.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon its adoption.

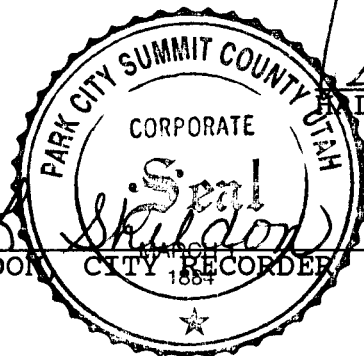
DATED this 5th day of October, 1989

PARK CITY MUNICIPAL CORPORATION


L. W. TAYLOR, MAYOR

ATTEST:


ANITA L. SHELDON, CITY RECORDER



ORDINANCE 89-19

AN ORDINANCE AMENDING SECTION 7.2.11 OF
THE PARK CITY LAND MANAGEMENT CODE TO
ALLOW ALTERNATIVES TO SCREENING OF
EXTERIOR MECHANICAL EQUIPMENT IN THE
HISTORIC COMMERCIAL BUSINESS DISTRICT

WHEREAS, the Park City Land Management Code currently requires that all mechanical equipment installed on the roofs of buildings within the Historic Commercial Business District (HCB District) must be screened in a manner that the equipment is hidden from the view of nearby properties looking down on the structures; and

WHEREAS, the Park City Council finds that alternatives to screening may be desirable in certain circumstances,

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

SECTION 1. Section 7.2.11 of the Park City Land Management Code is hereby amended in its entirety to read as follows:

MECHANICAL SERVICE. All mechanical equipment to be installed on the roofs or walls of buildings must be shown on the plans prepared for architectural review by the Historic District Commission, and the Historic District Commission must approve the location, screening or painting of such equipment as part of the architectural review process. Screening and mechanical equipment shall not exceed the maximum height limitation for the zone, except as allowed by this code for architectural details such as chimneys, steeples and cornices. All structures in the HCB zone must provide a means of storing refuse generated by the structure's occupants and such refuse service area shall be on the site and accessible from Main Street for structures on the west side of Main, or from either Main Street or Swede Alley for structures on the east side of Main Street. Other areas of the HCB zone shall provide service access from the rear of the structure where alleys and service yards exist. Refuse service areas shall be fully enclosed and properly ventilated so that the enclosed trash does not become a nuisance due to odor or unsanitary conditions.

SECTION 2. EFFECTIVE DATE. This Ordinance shall be effective upon its adoption.

PASSED AND ADOPTED this 21st day of September, 1989.

PARK CITY MUNICIPAL CORPORATION



HAL W. TAYLOR, MAYOR

ATTEST:



ANITA L. SHELDON, CITY RECORDER

Ordinance No. 89-18

AN ORDINANCE REZONING PROSPECTOR VILLAGE
FROM SINGLE FAMILY (SF) TO SINGLE FAMILY NIGHTLY RENTAL (SF-N)
AND AMENDING THE OFFICIAL PARK CITY ZONING MAP

WHEREAS, Park City has received a petition signed by the owners of eighty-one (81) lots within the Prospector Village Subdivision requesting that the subdivision be rezoned from Single Family (SF) to Single Family Nightly Rental (SF-N) in order to allow the rental of the houses within the subdivision for periods less than thirty (30) days; and

WHEREAS, proper notice was given to adjoining land owners and public hearings were held before the Planning Commission and City Council on the petition and request to change the zone; and

WHEREAS, the Planning Commission has forwarded recommendations to the City Council in regard to the requested zone change; and

WHEREAS, the requested zone change is consistent with the adopted Park City master plan;

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

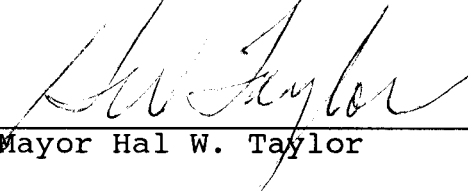
SECTION 1. ZONE CHANGE. A certain parcel of land described as Prospector Village Subdivision and containing one hundred thirteen (113) lots is hereby rezoned from its present designation of Single Family (SF) to Single Family Nightly Rental (SF-N).

SECTION 2. AMENDMENT TO ZONING MAP. The Official Zoning Map of Park City should be and is hereby modified to reflect this change in zoning designation.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 14th day of September, 1989.

PARK CITY MUNICIPAL CORPORATION



Mayor Hal W. Taylor

Attest:

Deputy City Recorder

ORDINANCE NO. 89-17

AN ORDINANCE AMENDING SECTION 10.9 OF THE
LAND MANAGEMENT CODE TO CHANGE
THE MAXIMUM DENSITY REQUIREMENTS AND
THE LAND USE TABLES OF SECTION 7.

WHEREAS, Section 10.9 of the Land Management Code currently refers to "maximum bonus levels", which maximum bonus levels are no longer a part of Chapter 10 of the Land Management Code; and

WHEREAS, the Land Use Tables of Section 7 of the Land Management Code show four dwelling structures and larger multi-dwelling structures to be non-permitted uses in the HR-1 zone; and,

WHEREAS, four dwelling structures and larger multi-dwelling structures should be conditional uses within the HR-1 zone when a part of a Master Planned Development;

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

SECTION 1. That Section 10.9(b) of the Land Management Code be amended to read in its entirety as follows:

(b) Maximum Density Requirements. The requirements of Chapter 7 (Use Tables) regarding maximum densities shall apply to all Master Planned Developments except as may be allowed pursuant to Chapter 11, Master Planned Moderate Income Housing development.

SECTION 2. The Land Use Tables of Chapter 7 of the Land Management Code shall be amended to show the following uses as C¹ uses:

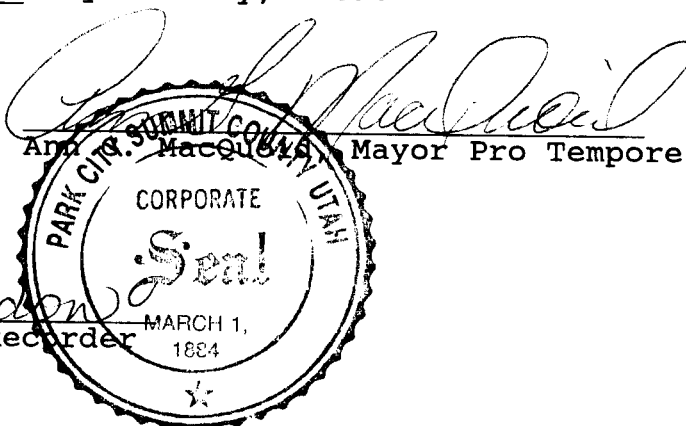
Four dwelling structure, four-plex; multi-dwelling structure, more than four but not more than eight; multi-dwelling structure, more than eight dwellings.

SECTION 3 Effective Date. This Ordinance shall take effect upon its adoption.

DATED this 6th day of July, 1989.

Attest:

Anita L. Sheldon
Anita L. Sheldon, City Recorder



ORDINANCE NO. 89-16

AN ORDINANCE AMENDING SECTION 10.12
OF THE LAND MANAGEMENT CODE TO REVISE AND CLARIFY
THE UNIT EQUIVALENT FORMULA

WHEREAS, the Unit Equivalent Formula was originally formulated to offer flexibility in unit configuration; and

WHEREAS, the City has now had several years of experience with the formula; and

WHEREAS, there are certain revisions which are recommended to make the formula more equitable;

NOW, THEREFORE, BE IT ORDAINED that the City Council of Park City makes the following revision to the Land Management Code:

Section 1. Amendment. Section 10.12 Unit Equivalent shall be amended as follows:

10.12. UNIT EQUIVALENT. Density of development is a factor of both the use and the use and the size of the structures built within a Master Planned Development. In order to maximize the flexibility in the development of property, the following table of unit equivalents is provided:

<u>Configuration</u>	<u>Unit Equivalent</u>
Hotel room, not exceeding 500 square feet, including bathroom areas, but not corridors outside of room	.25
Hotel suite, or one bedroom apartment, not exceeding 650 square feet, including bathroom areas, but not corridors outside of the room	.33
One bedroom, studio apartment or two bedroom apartment, not exceeding 1,000 square feet	.50
Apartment of any number of rooms, not exceeding 1,500 square feet	.75
Apartment of any number of rooms, not exceeding 2,000 square feet	1.00
Apartment of any number of rooms, not exceeding 2,500 square feet	1.33
Apartment of any number of rooms, in excess of 2,500 square feet	1.50
Single family house	1.00

Commercial spaces (approved as part of Master Plan Approval), for each 1,000 square feet of gross floor area, exclusive of common corridors, or for each part of a 1,000 square foot interval

1.00

Hotel uses must be declared at the time of site approval, and are subject to review for neighborhood compatibility. The election to use unit equivalents in the form of hotel rooms may not be allowed in all areas because of neighborhood conflicts or more intensive traffic generated. Within a hotel, up to 5% of the total floor area may be dedicated to meeting rooms, and an additional 5% for support commercial areas without requiring the use of a unit equivalent of commercial space.

Circulation spaces including lobbies outside of units, including lobby areas, do not count as floor area of the units, or as commercial unit equivalents.

Computation of floor areas and square footage shall be as provided in the Uniform Building Code adopted by Park City.

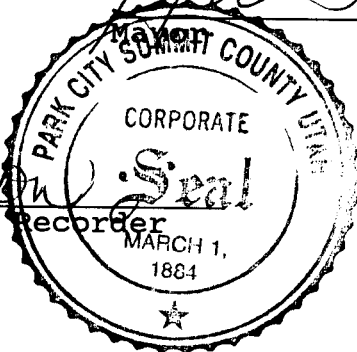
Where the unit configuration fits one of the above designations, but the square footage exceeds the footage stated for the configuration, the square footage shall control, and the unit equivalent for that size unit shall apply.

Section 2. Effective Date. This amendment shall become effective upon publication.

DATED this 27th day of April, 1989.

Attest:

Anita Sheldon
Anita Sheldon, City Recorder



L. W. Taylor

AN ORDINANCE AMENDING THE LAND MANAGEMENT CODE
SECTION 5, BOARD OF ADJUSTMENT,
CLARIFYING ITS DUTIES AND POWERS

Ordinance No. 89-15

WHEREAS, the Planning Commission and City Council have reviewed the various provisions of Section 5, Board of Adjustment, of the Park City Land Management Code, and find that some revision is necessary to clarify its purview, duties and powers; and

WHEREAS, public hearings has been held before the Planning Commission on April 26, 1989, and the City Council on May 25, 1989, as required by the Land Management Code prior to repeal, revision or adoption thereof; and

WHEREAS, this Council deems it to be in the best interest of the citizens of Park City to adopt the following amendment to the Land Management Code,

NOW THEREFORE BE IT ORDAINED, that the Land Management Code is amended, and shall read and be codified as follows:

SECTION 1 AMENDMENT. The following verbiage shall be enacted as described below:

CHAPTER 5. BOARD OF ADJUSTMENT

5.1. ESTABLISHMENT OF BOARD. In order to carry out the provisions of Utah law relating to planning and zoning, to avail the City of the powers provided in Chapter 9 of Title 10 of the Utah Code (1953, as amended), there is hereby created a Board of Adjustment which shall consist of five (5) members, one member of which shall also be a member of the Planning Commission, and a non-voting alternate to vote when a regular member is absent. There shall also be one (1) non-voting alternate to vote when a regular member is absent. Members shall be appointed by the City Council Mayor with the advice and consent of the City Council. The Council may fix per diem compensation for the members of the Board of Adjustment by resolution, based on necessary and reasonable expenses for meetings actually attended. All members of the Board of Adjustments shall reside within the City limits, and are deemed to have resigned if they move their residence from the City limits.

5.2. TERM OF OFFICE. Each member of the Board of Adjustment shall serve for a term of five (5) years or until his successor is appointed provided that the term of the members of the first Board so appointed shall be such that the term of one member shall expire each year. Any member may be removed for cause by the City Council upon written charges by the Council or public after public hearing, if such public hearing is requested by the Board member in question. Vacancies shall be filled in the same manner

as the original appointment for the balance of the unexpired term. Any Board member who is absent from two consecutive regular meetings of the Board is deemed to have resigned, unless the absence is excused by the Board's Chairman.

5.3. ORGANIZATION.

- (a) Chairman. The Board of Adjustment shall elect a Chairman and may adopt such rules for its own proceedings as are deemed necessary. ~~Meetings of the Board shall be held at the call of the Chairman, or in his absence the Acting Chairman. The Board shall keep minutes of its proceedings, showing the vote of each member upon question, or if absent, or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall immediately be filed in the office of the City Recorder, which shall be the office of the Board and shall be of public record.~~
- (b) Quorum. No business shall be conducted unless at least three members of the Board, not counting the alternate, are present.
- ~~(c) Voting. Action may be taken by a simple majority of those Board members present, including the vote of the Chairman.~~

5.4. MEETINGS. Meetings of the Board shall be held at the call of the Chairman and at such other times as the Board may determine. ~~The Board shall meet at least monthly unless there are no matters to be heard.~~

The Chairman of the Board of Adjustment or, in his absence the Acting Chairman, may administer oaths and compel the attendance of witnesses at such meetings, and all meetings shall be open to the public. The Board shall keep minutes of its proceedings showing the roll call of votes upon all questions or, ~~if a member is absent or fails to vote, indicating such fact,~~ and shall keep records of its examinations and other official actions; all of which shall be filed in the office of said Board and shall be public record.

5.5 HEARINGS BEFORE THE BOARD. The Board of Adjustments is created to hear ~~two~~ four classifications of cases as follows:

- (a) Variance Applications. Whenever any application or permit has been stayed or denied by the Planning Commission or City staff on the basis that approval of the requested permit or application would violate the provisions of this code relating to set back, building height, side yard, lot size, site requirements, parking requirements, or some similar provision of the Code that has the effect of depriving the applicant of the reasonable use of his property, when others similarly

situated are entitled to make such use of their property, the Board may hear the matter, and grant a variance from the strict enforcement of this Code.

(b) Modifications of Non-Conforming Uses. The Board shall have the power to rule on all requests for enlargements, modifications, or changes in the character of any non-conforming use pursuant to Section 12.4 of this Code, and to have hearings to determine whether the use in question is in fact a non-conforming use, as opposed to a violation of the ordinance or an allowable use within the zone.

(c) Appeals. The Board shall hear and decide appeals where any party with standing as defined in Section 1.17 of this Code alleges that there is an error in any order, requirement, decision or determination made by the Community Development Department in the enforcement of Article 1, Chapter 9, Title 10 of the Utah Code (1953, as amended), or any City ordinance adopted pursuant thereto.

(d) Special Exceptions. The Board may hear applications for special exceptions to the terms of this Code which apply to variances, modifications of non-conforming uses, appeals and other matters upon which the Board is required to pass under this Code.

5.6 VARIANCES. Variances from the provisions of the Code may be granted by the Board whenever a strict or literal application of the provisions of this Code would create a hardship on the owner of the subject property that is unique to that property. Because of the historical development of Park City, which has resulted in a number of irregular lots, encroachments by public streets, and the access problems inherent in the area because of these misplaced streets and steep grades, the Board shall exercise broad discretion in acting on variances to assure the public and the owners of property on which variances are requested that substantial equity results from Board actions. Variances shall be granted when the strict application of this Code would:

- (a) Deprive the owner of the property in question of the substantial property rights and privileges available to others owning similar property within the same zone; and
- (b) The deprivation results from conditions on the property, including irregular lot size, lot shape, access, presence of easements or rights-of-way across the property including non-platted but existing public streets, ~~existence of an historic structure which the Historic District Commission recommends preserving,~~ or similar factors not of general application to

other properties in the zone, and not from conditions created by the applicant; and

- (c) The granting of the variance would not be detrimental to the public health and safety or contrary to the comprehensive plan for the City, and strict adherence to the letter of the Code will cause hardships, the imposition of which are not necessary in order to carry out the general purpose of the plan.
- ~~(d) Variances in use may be granted in the discretion of the Board under the conditions, and for the purposes stated in Section 4.17. for the preservation of historic structures.~~

5.7 APPLICATION FOR VARIANCE REVIEW. An application for variance review must be filed with the City, and the required fee paid in advance. The application shall state the nature of the hardship and the nature of the variance requested. If the request for a variance is a result of a denial of any building permit or conditional use approval, the application shall so state, and all documents on file concerning the matter shall be forwarded to the Board for review as a part of the request. The applicant or the City may present any information as might be reasonably required by the Board in evaluating the request.

5.8 HEARING. The Board shall, upon receipt of the application for a variance, schedule a date for hearing on the matter. The hearing date shall be no less than fifteen (15) days, nor more than thirty (30) days from the date of application. Notice shall be given to adjoining land owners in the manner described in Section 1 of this Code and, in addition, notice of hearing shall be published at least once prior to the date of the hearing in a newspaper having general circulation in the city.

5.9 PERSONS ENTITLED TO APPEAR. At the hearing on any application for a variance matter before the Board of Adjustment, any person aggrieved or interested in the matter may appear in person or through his attorney to testify on the matter. The applicant shall have the right to respond to testimony offered in opposition to the application.

~~5.10. POWERS OF BOARD. The Board of Adjustment shall have the following powers:~~

- ~~(a) To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by a city official an Administrative Official in the enforcement of this Code;~~
- ~~(b) To hear and decide special exceptions to the terms of this Code upon which such board is required to pass under this~~

~~Code, including variances for the preservation of historic structures;~~

~~(c) To authorize upon appeal in specific cases such variance from the terms of the Code as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of the Code will result in unnecessary hardship, and so that the spirit of the Code shall be observed and substantial justice done, provided that before any variance may be authorized, it must be shown that:~~

~~(a) The variance will not substantially affect the comprehensive plan of zoning in the City and that adherence to the strict letter of the Code will cause difficulties and hardship, the imposition of which upon the petitioner is unnecessary in order to carry out the general purpose of the plan;~~

~~(b) special circumstances do not apply generally to other property in the same district;~~

~~(c) Because of said special circumstances, property covered by the application is deprived of the privileges possessed by other property in the same district, and that the granting of the variance is essential to the enjoyment of a substantial property right possessed by other property in the same district.~~

~~(d) To hear and decide non-conforming use review applications in accordance with the provisions of Chapter 12.~~

~~5.10 NOT USED~~

5.11. DECISION. In exercising the above-mentioned powers the Board may, in conformity with the provisions of the Code, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision, or determination as ought to be made, and to that end shall have all the powers of the official or board from whom the appeal is taken.

5.12. VOTE NECESSARY FOR REVERSAL. The concurring vote of three members of the Board shall be necessary to ~~reverse~~ reverse any order, requirement, or determination of any such administrative official or board, or to decide in favor of the applicant on any matter upon which it is required to pass under any such ordinance or to effect any variation in such ordinance.

5.13. LIBERAL CONSTRUCTION. Because of the unique historical factors in the platting of the older portions of Park City, and the fact that many times existing public streets encroach on platted lots, or that platted lots may be adjacent to platted

but unopened street rights-of-way, the powers of the Board shall be liberally construed to grant the flexibility reasonably necessary to enable the owners of property within the affected parts of the City reasonable opportunities to develop that property to the same extent as others similarly situated within the zone, but without the unique site constraints affecting the applicant's site.

5.14. JUDICIAL REVIEW OF BOARD DECISION. The City or any person aggrieved by any decision of the Board of Adjustment may have and maintain a plenary action for relief therefrom in the District Court in Summit County provided petition for such relief is presented to the court within thirty (30) days after the filing of such decision with the City Recorder.

SECTION 2. EFFECTIVE DATE. This ordinance shall become effective upon publication.

PASSED AND ADOPTED this first day of June, 1989.

PARK CITY MUNICIPAL CORPORATION



Kristen Rogers, Alternate Mayor Pro Tem

Attest:



Anita L. Sheldon, City Recorder



ORDINANCE NO. 89-14

AN ORDINANCE AMENDING THE ZONING MAP OF
PARK CITY TO CHANGE THE ZONING FROM RECREATION
OPEN SPACE TO RECREATION COMMERCIAL ON A
.315 ACRE PARCEL (REFERRED TO AS THE MARIOTT
NORTH PARCEL)

WHEREAS, a request has been received by the Park City
Ski Corporation, the current owners of the property, to change the
zoning on a small piece of property adjacent to the Park City Ski
Area; and

WHEREAS, hearings before the City Council and the
Planning Commission were held as required by law and the Planning
Commission did recommend approval of said zone change; and

WHEREAS, the City Council deems this zone change to be
in the best interest of the community,

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

SECTION 1. ZONING MAP AMENDED. The official zoning map
of Park City should be and is hereby amended to change the zoning
of the following described property from Recreation Open Space to
Recreation Commercial:

Beginning at a point South 420.39 feet and West
467.81 feet from the Northeast Corner of Section 17,
Township 2 south, Range 4 East, Salt Lake Base and
Meridian; and running thence North 42°00' West 94.83
feet; thence North 48°00' East 199.00 feet; thence
South 42°00' East 12.735 feet; thence South 48°00'
West 63.00 feet; thence South 42°00' East 82.095
feet; thence South 48°00' West 136.00 feet to the
point of beginning. Contains 0.315 acres, more or
less

SECTION 2. EFFECTIVE DATE. This ordinance shall take
effect upon its publication.

PASSED AND ADOPTED this 25th day of May, 1989.

Kristen Rogers
Kristen Rogers, Alternate Mayor Pro Tem

Attest:

Anita L. Sheldon
Anita L. Sheldon, City Recorder



ORDINANCE NO. 89-13

AN ORDINANCE AMENDING THE ZONING MAP OF
PARK CITY TO CHANGE THE ZONING FROM RECREATION COMMERCIAL
TO RECREATION OPEN SPACE ON A .315 ACRE
PARCEL (REFERRED TO AS THE MARRIOTT SOUTH PARCEL
ADJACENT TO THE CLEMENTINE SKI RUN)

WHEREAS, a request has been received by the Park City Ski Corporation, the current owners of the property, to change the zoning on a small piece of property adjacent to the Park City Ski Area; and

WHEREAS, hearings before the City Council and the Planning Commission were held as required by law and the Planning Commission did recommend approval of said zone change; and

WHEREAS, this Council deems this zone change to be in the best interest of the community,

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

SECTION 1. ZONING MAP AMENDED. The official zoning map of Park City should be and is hereby amended to change the zoning of the following described property from Recreation Commercial to Recreation Open Space:

Beginning at a point South 423.225 feet and West 196.11 feet from the Northeast corner of Section 17, township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence South 84 00' West 200.015 feet; thence North 42 00' West 65.00 feet; thence North 48 00' East 221.515 feet; thence South 23 42' East 68.46 feet to the point of beginning.

Contains .0315 acres, more or less

SECTION 2. EFFECTIVE DATE. This ordinance shall take effect upon its publication.

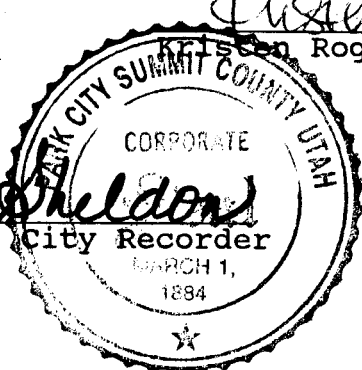
PASSED AND ADOPTED this 25th day of May, 1989.

Luzanne Rogers

Luzanne Rogers, Alternate Mayor Pro Tem

Attest:

Anita L. Sheldon
Anita L. Sheldon, City Recorder



ORDINANCE 89-12

OMNIBUS LAND MANAGEMENT CODE AMENDMENTS,
INCLUDING APPEALS AND REVIEW PROCESS AND OTHER
MISCELLANEOUS REVISIONS IN CHAPTERS 1, 2, 3, 4, 7, 9 & 12

WHEREAS, recent Utah Supreme Court cases, and legislative enactments have set forth the proper review and appeals process for zoning and land use actions; and

WHEREAS, the staff, Planning Commission and Council have reviewed the various provisions of the Park City Land Management Code and find that some revision is necessary to comply with recent cases; and

WHEREAS, the staff has determined that various sections of the Land Management Code are in need of revision or repeal; and

WHEREAS, public hearings have been held before the Planning Commission on April 26, 1989, and the City Council on May 11, 1989, as required by the Land Management Code prior to repeal, revision or adoption thereof; and

WHEREAS, this Council deems it to be in the best interest of the citizens of Park City to adopt the following amendments to the Land Management Code,

NOW THEREFORE BE IT ORDAINED, that the Land Management Code is amended, and shall read and be codified as follows:

CHAPTER 1. GENERAL PROVISIONS/PROCEDURES

Section 1.12(e)

- (e) Appeal and Review. If the applicant does not agree with the determination of the Community Development Department that existing infrastructure is inadequate, or with the requirement for additional infrastructure, the applicant may appeal the denial to request the Planning Commission of Park City review. A written appeal must be taken to the Planning Commission within sixty days of Community Development Department final action. The Planning Commission is empowered to affirm, reverse or modify the determination of the Community Development Department. All actions of the Planning Commission are appealable to the City Council. Additional appeal procedure is determined by Ordinance 80-13, amended, or its successor.

Section 1.13. Conditional Use Review Process

- (f) Department Action. Within 45 working days from the receipt of the application, the Community Development Department and other appropriate City departments or officials shall have reviewed the project and proposed a conditional use permit

encompassing all conditions of development and approval. The permit shall incorporate the site plans and architectural plans for the project. If the developer accepts the conditions imposed, the conditional use application shall be placed on the consent agenda of the Planning Commission for final approval. After action by the Commission has become final, building permits are to be issued as provided in the Building Code and this Code.

If the Community Development Department and the developer are not able to agree on conditions of approval, ~~the Department may deny the application. T~~ the developer may appeal the denial go before the Planning Commission for review of the staff action, or may withdraw the application. The appeal review shall appear on the agenda for the next regularly scheduled meeting that has available time. Priority shall be given to appeals reviews in preparation of the agendas.

If the Community Development Department has not acted on an application or has not indicated to the developer what aspects of the plan are not acceptable as proposed within 45 working days after submission, ~~the application is deemed denied, and the developer has~~ shall have the right of appeal to review by the Planning Commission. The developer may, at any time in the review process, request a denial by the Department in order to take an appeal of the entire review process review to of the conditions of approval by the Commission.

- (k) Architectural Review. All conditional uses are subject to architectural review by the Community Development Department subject to a right of appeal to review by the Planning Commission for all zones, except those in the Historic District, where appeal architectural review is shall be to by the Historic District Commission. Within the Historic District zones, conditional uses and permitted uses shall be subject to the architectural guidelines promulgated by the Historic District Commission and adopted by the Council by resolution as a supplement to this Code. ~~In other zones,~~ Outside the Historic District, conditional uses are subject to the General Architectural Guidelines adopted as a part of this Code in Chapter 9. Compliance with the architectural criteria is a condition of approval of all conditional use permits.

1.14. MASTER PLANNED DEVELOPMENT REVIEW PROCESS. Applications for developments to be built according to a master plan which provides for mixed uses, and/or density transfers and concentrations within the site, commonly referred to as planned unit development (without regard to the manner in which title to the project will be held) shall be treated as conditional use applications and are divided into two review processes depending on the size and nature of the project. These review processes are described as follows:

1.15. REVIEW BY PLANNING COMMISSION. THIS ENTIRE SECTION HAS BEEN MOVED TO CHAPTER 3, SECTION 3.14

1.17. APPEALS, REVIEW AND CALL-UP PROCESS. ~~Actions by the Department are appealed to the Planning Commission, or Decisions by the Historic District Commission on architectural review in the Historic District may be appealed to the City Council. Actions of Decisions by the Planning Commission regarding conditional uses, including small or large scale Master Planned Developments, or Historic District Commission are~~ may be appealed to the City Council. Any person who submitted written comment on a proposal before the ~~Department Historic District Commission or Planning Commission~~, the owner of any property within 100 feet of the boundary of the subject site, and the owner of the subject property shall have standing to request review of the actions of the Department by the Historic District or Planning Commission, or to appeal a decision of the ~~Department or Commissions~~. ~~Appeals from departmental action shall be filed by letter addressed to the Community Development Director.~~ Appeals from Commission actions shall be by letter or petition to the Mayor, delivered to the Recorder. The letter or petition shall contain the name, address, and telephone number of the petitioner, his or her relationship to the project or subject property, and the reasons for requesting review, including specific provisions of this Code, if known, that are violated by the action taken.

(a) Written Findings Required. The ~~Planning Commission or Community Development Department Historic District Commission~~ (whichever has acted) shall prepare detailed written findings on any application that it denies. These findings shall state the reasons for denial and the provisions of this Code or other city ordinances or guidelines or applicable state or federal laws or regulations that would be violated by approval, and the proposed conditions of approval to be imposed and the reasons why those conditions were thought necessary.

(b) Non-owner Petitions. Any person who submitted written comment on a proposal before the Planning Commission or Historic District Commission, and the owner of any property within 100 feet of the boundary of the subject site has the right to appeal to the City Council any final decision of the Planning Commission or Historic District Commission. The petition must be filed in writing with the City Recorder within ten (10) calendar days of final project approval. The petition for the appeal shall state the name, address, and telephone number of the petitioner and his agent, if any, the name of the project, and the grounds for the appeal. The City Council shall set a date for the hearing, which shall be no more than 30 calendar days from the date the request for review is filed with the Recorder. The City Recorder shall notify the petitioner and

the owner of the project of the hearing date. The City Recorder shall obtain the findings from the Community Development Department, and all other pertinent information and transmit them to the Council.

- (c) Petitions by the Owner. The owner of any project has the right to appeal to the City Council from any final decision of the Planning Commission or Historic District Commission affecting that project. The petition must be filed in writing with the City Recorder within ten (10) calendar days of final project approval. The petition for the appeal shall state the name, address, and telephone number of the owner and his agent, if any, the name of the project, and the grounds for the appeal. The City Council shall set a date for the hearing, which shall be no more than 30 calendar days from the date the request for review is filed with the City Recorder. The City Recorder shall notify the owner of the project of the hearing date. The City Recorder shall obtain the findings from the Community Development Department, and all other pertinent information and transmit them to the Council.
- (d) Action on Petitions. The City Council may affirm, reverse, or affirm in part and reverse in part any decision of the Planning Commission or Historic District Commission. ~~The Commission may affirm, reverse or affirm in part and reverse in part any decision of the Department...~~
- (e) City Council Call-Up. Within fifteen (15) calendar days of final Commission action on any project, the City Council, on its own motion, may call up any final action taken by the Planning Commission or Historic District Commission or any project under consideration by the Community Development Department or Community Development Department for review by the Council. The call up shall require the majority vote of the Council. Notice of the call up shall be given to the Chairman of the Commission and/or Community Development Director by the Recorder, together with the date set by the Council for consideration of the merits of the matter...
- (g) Finality of Action. If no appeal or call up has been taken at the end of fifteen (15) days from the date of final action by the Planning Commission, Community Development Department or Historic District Commission, the action is final.

1.19. APPEARANCES BEFORE PLANNING COMMISSION, HISTORIC DISTRICT COMMISSION, BOARD OF ADJUSTMENT, AND CITY COUNCIL ON APPEAL AND FOR REVIEW. All persons speaking before any city agency, department, commission, or board or the City Council on behalf of the owners of any project shall provide reasonable evidence of their agency relationship with the owner. This agency shall be presumed if the spokesman is associated with the architect or engineer whose name appears on the plans, or if the owner is

present. The Planning Commission or the Community Development Department may request other persons appearing to speak in any agency position with any project to provide a statement signed by the owner indicating the nature of the relationship and the authority of the agent to make decisions or representations concerning the project.

~~1.20. PROCEDURE FOR HISTORIC DISTRICT COMMISSION. The review process for those projects within the Historic District shall be identical to the review for the City as a whole, except that actions of the Community Development Department are appealed to the Historic District Commission instead of the Planning Commission. Appeals from the Historic District Commission are directed to the City Council rather than through the Planning Commission. Zone changes within the Historic District shall also be reviewed by the Planning Commission to ensure overall compliance with the Planning Commission's comprehensive and city-wide planning.~~

1.24. PLAT APPROVAL. On all projects requiring the recording of a plat or record of survey map under applicable state law, the plat shall conform to the following standards before approval will be granted by the City:

- (a) Owner's Execution. The A subdivision plat must be signed by the owner of the property and all persons claiming an interest in the property within the plat, including those holding a security interest in the property, excluding mechanic liens and judgment liens. A condominium plat need not be signed by those holding security interest in the property. All owners' signatures must be acknowledged.

2. CHAPTER 2 - DEFINITIONS

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 (a) ~~nine or more purchasers of the timeshare intervals in the event the timeshare project is located in any of the following districts: Commercial Business District (HCB), General Commercial District (GC), Recreation Commercial District (RC),~~ or (b) ~~three or more purchasers of the timeshare intervals in the event the timeshare project is located in any of the following districts: Historic Residential District (HR-1), Estate District (E), Residential Development District (RD), Residential Low Density District (R-1), or Residential Medium Density (RDM),~~ according to a fixed or floating time schedule on a periodic basis occurring annually over a period of time

in excess of three years in duration.

CHAPTER 4. HISTORIC DISTRICT COMMISSION, AND PRESERVATION
OF HISTORIC BUILDINGS AND SITES

4.1. COMMISSION CREATED. Pursuant to the Historic District Act (§ 11-18-1, et seq, of the Utah Code, 1953) and other applicable powers, there is hereby created a Park City Historic District Commission. The Commission shall be composed of five (5) members, one of whom shall be a member of the Planning Commission. The remaining four members shall serve terms of one year. The member appointed from the Planning Commission shall serve a term of two years, but a vacancy shall occur in the event the person ceases to be a member of the Planning Commission.

4.5. PERMIT ISSUANCE, PROJECT APPROVAL:

(b) All building projects within the Historic Districts shall be reviewed by the Community Development Department for compliance with the guidelines promulgated by the Historic District Commission and adopted by the City Council by resolution or ordinance. Those proposals for ~~conditional or~~ permitted uses which, after review by the Department are found to be in compliance shall be approved by the Department without the necessity of Historic District Commission review or hearing. In those cases where the Department finds the proposal is not in compliance, or where it is unable to make a determination at all, the proposal is submitted for review by the Historic District Commission, which shall either approve, approve with conditions, or disapprove the proposal. The Historic District Commission shall state specific reasons for disapproval so the applicant has an opportunity to address those concerns. At any time in the review process, the applicant, or any person qualified to file a non-owner petition pursuant to Section 1.17(b) of this code, may request the Department to deny the application and take an appeal to the Historic District Commission ~~Historic District review of the application~~. Actions of the Historic District Commission are subject to review by the City Council in the manner described in Chapter 1.

(c) In reviewing applications for building permits, the Community Development Department (or Commission ~~on appeal on review~~) shall approve each application if it is determined that the structure, construction, remodeling, modification, alteration, or building complies with the Historic District Architectural Design Guidelines as adopted by the City Council by resolution or ordinance.

4.6. ADDITIONAL POWERS. In addition to the powers set forth in Section 4.5 the Historic District Commission shall:

4.10. ARCHITECTURAL DESIGN STANDARDS. The Commission shall promulgate Architectural Guidelines for use in the Historic District. ~~Zones.~~ These guidelines shall, upon adoption by resolution or ordinance by the City Council, be the design standards applied by the City (and Commission on appeal review) in reviewing specific building proposals or reviewing City staff actions. ~~on appeal.~~ The standards shall address renovation of existing structures, additions to existing structures, and the construction of new structures. From time to time, the Commission may recommend changes in the design guidelines to the Council, provided that no changes in the guidelines shall take effect until adopted by a resolution of the Council.

~~4.14. IDENTIFICATION OF HISTORIC BUILDINGS AND SITES. The Historic District Commission shall design an appropriate marker with the words "Historic Building" or "Historic Site", the date of construction or use and pertinent information as to why it is of historic significance, and invite each owner of such building or site to display thereon an official marker. If the owner agrees to display an official marker, he shall signify his acceptance by executing an agreement in a form approved by the City Attorney, which shall give the City the right to maintain the marker, feature the structure or site in photo collections of historic sites, and shall contain commitments to the preservation of the structure or site, with limitations on the extent and nature of exterior modifications. Upon receipt of such agreement, properly executed, the Commission shall cause to be erected and thereafter maintain an official marker on or adjacent to such building or site.~~

~~4.17. VARIANCES IN USE AND OTHER REQUIREMENTS FOR PRESERVATION OF HISTORIC BUILDINGS. When reasonably necessary for the preservation of historic structures, the owner may request variances from provisions of this ordinance, including variances in uses to be made of the structure, in order to provide an economic means of restoring and preserving the structure. No such variance in use shall be granted except under the following procedure:~~

~~(a) The application shall be presented to the Historic District Commission for its review. Following its review of the application, if the Commission finds that (1) the structure is of substantial historic significance and importance to the community as an important or significant structure, (2) that the structure is in substantial danger of being demolished due to its deteriorated state, lack of economic worth if renovated to its original use or the uses now permitted in the zone in which the structure is located, and (3) the proposed use is consistent with a restoration that preserves the historical~~

~~character and integrity of the structure; the Historic District Commission shall give its recommendation of conditions to be imposed on the proposed use, and its recommendation on variance to be granted, to the Board of Adjustment.~~

~~(b) Upon receiving the favorable recommendations of the Historic District Commission on the variances of use requirements for the preservation of the historic structure, the Board of Adjustment shall review the proposal. The Board of Adjustment shall have the authority to grant variances in the use made of the structure, provided the Board first finds:~~

~~1. The Historic District Commission has determined that the building is of substantial historic significance, and is likely to be demolished unless some adaptive use is found for the structure;~~

~~2. The proposed use is not detrimental to the health, safety, and welfare of the neighborhood and the community as a whole, nor injurious to the interests of the owners of adjoining property;~~

~~3. That the proposed use is generally consistent with similar uses in the zone, whether those uses are conditional or permitted uses, except for the intensity or extent of the proposed use; and~~

~~4. That the historic significance of the structure and the fact that the Historic District Commission recommends against demolition creates a hardship;~~

~~Any variances in use granted under this provision shall be specifically limited to those uses which the Board finds are appropriate to the structure and the zone. In no event shall the Board authorize retail or industrial uses in purely residential zones. This provision permitting the Board to grant use variances shall only apply within the Historic District, or the structures outside the District which are, by themselves, of historic significance. This provision shall not be construed to limit the powers of the Board of Adjustment, or to require review by the Historic District Commission for variances not related to a change in the use allowed in the zone.~~

CHAPTER 3 - PLANNING COMMISSION

3.5. POWERS. The Planning Commission shall have all necessary powers conferred on Planning Commissions pursuant to Chapter 9 of Title 10, Utah Code Annotated, 1953, as amended, and such other powers

as are conferred on it by the City Council.

THE FOLLOWING SECTION WAS MOVED IN ITS ENTIRETY FROM SECTION 1.

3.14. REVIEW BY PLANNING COMMISSION. General planning and review of specific development projects by the Planning Commission shall be divided into the following functions: (a) City Comprehensive planning and zoning review, (b) subdivision approval, (c) Large Scale Master Planned Development approval (d) notification of conditional use applications, (e) review of decisions from the Community Development Department on appeal, (f) plat approval, (g) termination of inactive application and (h) review of trams and lifts outside the ROS and Estate Zones. The scope of review for each of these functions is as follows:

- (a) City Comprehensive Planning. The Planning Commission shall have the primary responsibility to initiate long-range master planning for the City, including planning for adequate streets, parks, trails, and recreation facilities, long-range zoning objectives, and periodic review of existing plans to keep them current. The Commission shall review proposed annexation to the City and recommend action and zoning on land to be annexed. The Commission shall initiate or recommend zone changes and review the development standards within zones. The Commission shall hear all requests for zone changes. A member of the Community Development Department shall be designated to work with the Commission in this long-range planning function.
- (b) Subdivision Approval. The Planning Commission shall review all applications for subdivisions under the provisions of the Park City Subdivision Control Ordinance.
- (c) Large Scale Master Planned Developments. All proposals for Large Scale Master Planned Development approval shall be reviewed by the Planning Commission. An application must be filed with the Community Development Department on a form as described in Chapter 10. Large Scale Master Planned Development planning shall include those departments which propose more than 50 Unit Equivalents and/or 15% or more of the floor area (exclusive of parking) for non-residential use. In reviewing requests for Large Scale Master Planned Development approval, the Commission shall consider the overall planning for the proposed project, including:

Site planning for the project;

traffic circulation within the project and on the adjoining streets, both existing and proposed;

land uses within the proposed project area including the mixture of commercial and residential;

density of development;

identification of development parcels within the larger tract, and the order in which development is proposed or should be permitted to allow for the orderly and economic expansion of City services;

compatibility with surrounding land uses;

other pertinent planning and land use issues that are affected by the project, such as the effects on schools, fire protection, water and utility services, drainage, and similar on and off site issues; geologic hazards;

compatibility with comprehensive plans adopted by the City;

utility capacity;

emergency vehicle access;

location and amount of off-street parking;

internal circulation system;

fencing, screening, and landscaping to separate the use from adjoining uses;

building mass, bulk, and orientation, and the location of buildings on the site;

usable open space;

signage and lighting;

physical design and compatibility with surrounding structures in mass, scale, style, design, and architectural detailing, and general architectural theme;

noise, vibration, odors, steam, smoke, or other mechanical factors that affect people and property off-site;

control of delivery and service vehicles, loading and unloading zones, and screening of trash pick-up areas;

expected ownership and management of the project as primary residences, condominiums, time interval ownership, nightly rental, or commercial tenancies;

(1) Nature of Approval. Upon review and consideration of the

proposal, the Planning Commission may approve, disapprove, or modify and approve the request for Large Scale Master Planned Development approval. The approval process shall establish the following items:

designation of land uses within the project area;

designation of identifiable development parcels within the total project area. These development parcels are not required to be divided or platted as subdivision lots, but may be designated on maps as a part of the approval with a final legal description of the parcels to be required at the time each is developed or sold, leased, or otherwise transferred or separated from the whole tract.

designation of the land use or mixture of uses for each development parcel;

designation of density ranges in Unit Equivalents for each development parcel identified;

designation of the order of development to ensure economical expansion of City services;

designation of specific conditions to the development of any parcels which are by their nature more subject to development constraints than the typical parcel in the proposed development;

designation of density transfers from one parcel to another, if any;

whether or not there will be commercial uses on all or some of the development parcels identified, and if so, the specific parcels that will include commercial uses;

the general architectural theme and character of the overall development.

- (2) Length of Approval. The Large Scale Master Planned Development approval granted by the Planning Commission shall be effective so long as construction is proceeding in accordance with the approved phasing plan. Approval will lapse after two years of inaction, unless extended for up to two years by the Planning Commission. Zone changes occurring while the approval is in effect shall not affect the approval. Modifications to the proposal shall be brought before the Planning Commission for consideration and shall be incorporated into the master plan when the modification is granted. Modification shall

act as an extension of the approval.

- (3) Record of Approval. When Large Scale Master Development approval is granted, the approval shall be noted in a recordable document stating the legal description of the property involved, and at least the general nature of the approval. The notice shall direct interested persons to the Community Development Department to review the actual master plan. The purpose of the recording is to put prospective purchasers on notice that the land has been included within a master plan that has established density ranges and land uses that might be more or less restrictive as to individual parcels than the underlying zoning regulations might imply.
 - (4) Development on Planned Parcels. Development proposals for each development parcel within the Large Scale Development Master Plan approval are reviewed by the Community Development Department as Small Scale Master Planned Developments under the conditional use process, regardless of the size or nature of the development.
- (d) Ratification of Departmental Actions. The Planning Commission shall review all actions of the Community Development Department on the approval of conditional use applications, including approval of Small Scale Master Planned Development applications under that review process. Conditional use approvals shall be placed on the Planning Commission agenda under a section designated as the consent agenda, with such supporting material as the Department and the Commission Chairman determine is appropriate or necessary for the information of the Commission members. All items on the consent agenda shall be passed or denied by a single motion at the Commission meeting, unless a motion to remove a specific item is made. Motions to remove specific items from the consent agenda shall state the reasons for the removal, referring to specific planning issues or Code sections which the Commissioner making the motion does not think have been satisfactorily resolved or complied with. Motions to remove items from the consent agenda shall be passed by a vote of two-thirds of the Commission members present and voting on the issue. When an item is removed from the consent agenda, it shall be acted on at the same meeting at which the removal occurs, unless the developer requests the item to be tabled in order to prepare additional information to respond to the Commission's concerns. The following items may be placed on the consent agenda:
- (1) conditional user permits;
 - (2) Small Scale Master Planned Development approvals;

- (3) plat approvals for either of the above, or plat approvals for condominiums or other projects, and subdivisions;
 - (4) requests for extensions of conditional use approvals, Small Scale Master Planned Development approvals, or Large Scale Master Planned Development approvals;
 - (5) other items of a perfunctory nature which the Chairman directs the Department to place on the consent agenda for action.
- (e) Review of Staff Actions. At any time, the developer or any non-owner as defined in Section 1.17(b) of this code may request that staff actions on a project be reviewed by the Planning Commission. The scope of review by the Planning Commission shall be the same as the scope of review at the staff level on the matters at issue.
 - (f) Plat Approval. The Commission shall review all plats to be recorded affecting land within the City limits or annexations to the City. The scope of review on plat approval is limited to finding substantial compliance with the provisions of the state statute on recording of plats, and that all previously imposed conditions of approval, whether imposed by the staff or the Commission, have been satisfied. Upon finding that the plat is in compliance with the state statute, and that conditions of approval have been satisfied, the plat must be approved. No new conditions may be imposed at the plat approval stage. The City Engineer, City Attorney, City Recorder, City Council, and Mayor shall all review the plat as required by statute before recording. Plats may be approved on the consent agenda.
 - (g) Inactive Projects. Termination of inactive projects, as described in Section 1.18.
 - (h) Review of Passenger Tramway Proposals. The Planning Commission shall hold hearings and perform the review of proposals for passenger tramways and liftways located in zones where they are conditional uses according to the standards of review set forth in Section 8.18 of this Code. Although these uses are conditional uses in these zones, the neighborhood impacts are such that specific review by the Planning Commission is required. Conditional use permits for passenger tramways and liftways shall be voted on by the Planning Commission, and shall not be ratified on the consent agenda. In the zones where passenger tramways or liftways are permitted uses, no Planning Commission action is required.

CHAPTER 7 - DISTRICTS AND REGULATIONS

~~7.1.4. FACADE VARIATIONS. In order to assure variety of facade alignments and preserve architectural variety within the HR-1 Zone, the following requirements for facade variation shall apply to both the front and rear facades of buildings in the zone:~~

~~(b) Facade Variation. In addition to minimum front and rear yard set backs, buildings in the HR-1 Zone are required to provide a volume of open space within the maximum allowable building envelope on both the front and rear of the structure. The volume of this additional open space shall be measured and computed according to the appropriate following formula:~~

~~Single family structures: Maximum allowable building width, multiplied by 25, multiplied by 5 equals open space volume requirement.~~

~~Duplexes: Maximum allowable building width multiplied by 25 multiplied by 7.~~

~~Triplexes: Maximum allowable building width multiplied by 25 multiplied by 9.~~

~~The open space volume requirement can be satisfied with deck areas, porches, balconies, or similar unenclosed areas which are open on at least two sides, one of which must be the front or back facade of the structure. Step back areas under the provisions of subsection (a) are included as open space volume. Porches, decks, balconies, etc., counted as open space volume may be under roof, but not under enclosed living areas, provided the area is open on at least two sides.~~

- ~~1. On interior lots, the required volume of open space shall be provided within the 12 feet immediately behind the front set back line, and in the 12 feet immediately in front of the rear set back line, so that the open volume areas appear on the front and rear facades of the building, rather than on the side yards.~~
- ~~2. On corner lots, the front facade variation open space volume may be provided on either of the street facing facades, or a combination of both, in addition to the rear facades. No additional open space volume is required by virtue of being a corner lot.~~
- ~~3. On lots with unusual configurations, or through lots having frontage on two streets, or where the location of the open space volume is not determinable from the~~

~~foregoing provisions, the Community Development Department shall make the determination based on the relationship to other adjoining structures and orientation of the structure to the streets and adjoining structures.~~

- ~~4. Roofs, balconies, decks, cornices, architectural details, porches, and stairways may project into the open space volume. This volume of open space may be provided on one or more levels of the structure, or may be provided by using a greater set back than the minimum set back. No space above the maximum allowable building height may be counted as facade variation open space.~~
- ~~5. Open space volume for facade variation must be provided on both the front and rear facades of the structures, but is not required on side facades.~~
- ~~6. Dormers, bay windows, fireplace pop-outs and similar architectural details that do not exceed five feet in any horizontal or vertical dimension may extend into space counted as facade variation open space volume without being deducted from that volume.~~

7.4.2. LOT AND SITE IMPROVEMENTS.

- (a) Relationship to Underlying Zone Districts. Those portions of the project located within the HCB District must comply with the provisions of all ordinances for that district. Those portions of the project located in the HR-1 District must comply with the provisions of all ordinances for that district, except as modified by this section. Under this ordinance, commercial development within HR-1 Zone is permitted, subject to the provisions of this Section, ~~so long as it is below the HR-1 residential street grade. In addition, the Community Development Department may permit above street grade, commercial uses to extend into the residential district provided that the land area calculated toward density in the residential district is reduced by the 150% of square footage of the above street grade commercial land coverage in the HR-1 District. Such development must maintain a set back of at least 50 feet from residential streets. The height of such commercial uses shall be coordinated with the site planning and building design of the HR-1 parcels in such manner that the impact of the commercial structures is minimized, however, in no case may the height exceed 28 feet above natural grade.~~
- ~~(b) Height. Structures containing uses permitted in the HCB Zone but not in the HR-1 Zone shall not extend above the elevation of the adjacent residential street, except as provided in Section 7.3.2.(a). The height of structures containing~~

~~residential uses shall be measured from natural grade.~~

CHAPTER 9 - ARCHITECTURAL REVIEW

9.2. HISTORIC DISTRICT. All uses within the Historic District, both permitted and conditional, are subject to design review by the Community Development Department for compliance with the Architectural Guidelines adopted by the City Council in a resolution of June 16, 1983. Those guidelines are incorporated into this Code by this reference, but may be revised from time to time by resolution of the Council. Design review is initially performed by the Community Development Department, with a right of appeal to the Historic District Commission. Review by the Historic District Commission is limited to matters of design compliance, with all functional review (of conditional uses) performed by the City staff. Decisions regarding design review may be reviewed by the City Council in the manner described in Chapter 1 for appeals from the Historic District Commission.

9.4. PERMITTED USE REVIEW. Permitted uses in all zones outside the Historic District are subject to design review by the Community Development Department, with a right of appeal to review by the Planning Commission. The standards of review are set forth in this Code, but additional design review standards may be adopted by resolution of the Council, provided that the resolution is consistent with the provisions of this Code.

9.5. ARCHITECTURAL DESIGN GUIDELINES. The following architectural design guidelines apply to all conditional and permitted uses, with the exception of single family houses, in all zones outside the Historic District:

- (b) Prohibited Siding Materials. The following materials have proved to be unsuitable for use in Park City due to the extremes of climate, or because their appearance is such that the values of adjoining or abutting properties are adversely affected:

Thick shake shingles;

Ceramic tile;

Slump block, weeping mortar;

Plastic or vinyl siding;

Used brick;

Simulated stone or brick, cultured stone or brick, synthetic

stone products, pre-cast stone or concrete imbedded with stone fragments;

Lava rock, clinkers;

Asphalt or hardboard siding;

~~Exposed concrete block, although block treated with stucco, sand coats, or other durable texturing materials; may be left exposed;~~

Plywood siding;

Aluminum siding is generally not considered an appropriate material. The Planning Commission may, however, consider requests for the use of aluminum siding. The design of the structure shall be consistent with the Park City Design Guidelines. The applicant will be required to bring a sample of the type and color of siding to be approved by the Planning Commission. When aluminum siding is approved by the Planning Commission, it shall have a minimum thickness of .019 inches and shall be backed or insulated with a minimum of 3/8 inch fiberboard or polystyrene foam.

CHAPTER 12. NONCONFORMING USES

12.3. ADDITIONS AND ENLARGEMENT

- (b) Minor additions, alterations, or repairs to improve the appearance, safety, or efficiency of the building and which do not constitute an expansion of the use within a non-conforming building, may be permitted; provided however, that non-conforming buildings that do not qualify under either this or Paragraph 12.3.(a) may be enlarged or extended only pursuant to the procedures provided in Section 12.4. For the purposes of this section, minor additions, alterations or repairs are defined as additions, repairs or alterations which do not increase the square footage of either enclosed or exterior spaces of the building, or change the building envelope.
- (c) A building on a non-conforming lot may be structurally altered, repaired, or enlarged to improve appearance, safety and/or efficiency, in accordance with the required setbacks of the district in which it is located, when the addition or alteration does not constitute an expansion of the principal use; otherwise, any modification must comply with the procedures set forth in Section 12.4.

EFFECTIVE DATE. This Ordinance shall take effect upon its publication.

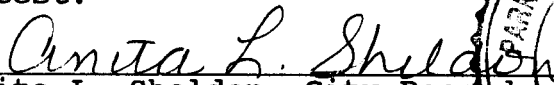
PASSED AND ADOPTED this 25th day of May, 1989.

PARK CITY MUNICIPAL CORPORATION

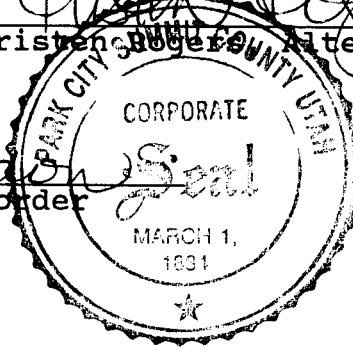


Kristine Roberts, Alternate Mayor Pro Tem

Attest:



Anita L. Sheldon, City Recorder



ORDINANCE NO. 89-11

AN ORDINANCE AMENDING SECTION 14 OF
ORDINANCE 82-17 TO SPECIFY WATER CONNECTION FEES

WHEREAS, Ordinance 82-17 establishes a schedule of fees to be paid to the City related to the construction of residential and commercial properties in Park City; and

WHEREAS, water connection fees have been set forth in Ordinance 82-15 which sets forth water rates for culinary water service within Park City; and

WHEREAS, water connection fees are related more to construction of residential and commercial properties than water rates,

WHEREAS, Ordinance 89-09*** moving water connection fees from Ordinance 82-15 has been approved by the City Council,

NOW, THEREFORE, BE IT ORDAINED, as follows:

SECTION 1. Section 14 of Ordinance 82-17 is hereby amended to read as follows:

SECTION 14. WATER CONNECTION FEES. ~~In order to cover the cost of connections to the City's water system, a fee is to be paid to the Building Official at the time the building permits are issued, according to the schedules in Ordinance 82-15 or its successor provisions or resolutions. All applicants for water service shall include in their system a frost-free water meter to specifications required by the Public Works Director and approved at the time the building permit is issued. Cost of making the connection and cost of purchasing and installing the water meter and water meter vault shall be paid by the applicant and shall be in addition to the connection fees.~~

In order to amortize the cost of the City's water system, a fee is to be paid to the Building Official at the time the building permits are issued according to the following schedule:

FEES

\$600.00	Single Family Residence
\$400.00	Multi-Family units with two or more bedrooms
\$200.00	Hotel Room, Studio or One-bedroom unit
\$200.00	Per one thousand square feet of commercial (i. e. non-residential space - minimum connection fee of \$400.00)
\$.05	Per square foot for all non-habitable, non water using space such as parking

Uses not covered above to be determined by the Building Official upon approval of the City Manager

SECTION 2 EFFECTIVE DATE. This Ordinance shall take effect upon its passage.

PASSED AND ADOPTED this 18th day of May, 1989.

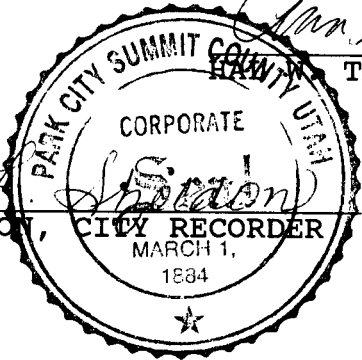
PARK CITY MUNICIPAL CORPORATION

Jan. B. MacQuail

TAYLOR, MAYOR

ATTEST:

Anita L. Sheldon
ANITA L. SHELDON, CITY RECORDER



ORDINANCE NO. 89-10

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP
OF PARK CITY, UTAH TO INCLUDE THE
THAYNES CREEK SUBDIVISION

WHEREAS, the owners of the Thaynes Creek Subdivision petitioned the City Council of Park City for annexation of a 2.695 acre parcel contiguous with the Thaynes Canyon Subdivision to be zoned Recreation Open Space (ROS), Residential Development Medium Density-Master Planned Development (RDM-MPD) and Single Family (SF) under the Land Management Code; and

WHEREAS, notice was duly published for six consecutive weeks beginning on the 15th day of December, 1988, and being completed on the 19th day of January, 1989; and

WHEREAS, a public hearing was held on the annexation on the 19th day of January, 1989, before the City Council, and other public hearings on January 11, 1989 and March 22, 1989 before the Planning Commission, and the City Council finds that the annexation and zoning designation as requested at the time of the hearing are in the best interest of the community;

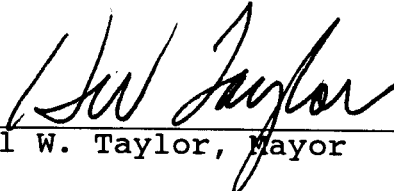
NOW THEREFORE BE IT ORDAINED by the City Council of Park City, Utah, that the official zoning map of Park City, Utah, be amended as follows:

SECTION 1. AMENDMENT TO OFFICIAL ZONING MAP. The land designated on the attached Annexation Plat as "Agricultural" shall be annexed and zoned as follows: The 11 lot single-family subdivision will be zoned SINGLE FAMILY (SF); the buffer area along Highway 224 will be zoned RECREATION OPEN SPACE (ROS); the office building site will be zoned RESIDENTIAL DEVELOPMENT MEDIUM DENSITY - MASTER PLANNED DEVELOPMENT (RDM-MPD), and the zoning map of Park City is hereby amended to reflect those changes.

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

PASSED AND ADOPTED this 11th day of May, 1989.

PARK CITY MUNICIPAL CORPORATION



Hal W. Taylor, Mayor

Attest:



Anita L. Sheldon, City Recorder



to use of to 5,000 gallons per month per meter, excluding fire flow, (and not per units served through that meter) without additional charge. All water consumed in excess of the 5,000 gallons per month shall be charged at the rate of \$1.37 per thousand gallons. There shall be no right of carry-over from month to month if fewer than 5,000 gallons are used, so that each month is billed independently as far as the base/demand charge is applied. Unoccupied structures will be billed the base/demand charge applicable to that meter unless a service disconnect request has been received by the Water Department. When an oversized meter is required for fire sprinklers, the base charge will be adjusted downward to reflect the meter size that would have been used but for the fire sprinkler culinary and irrigation demand.

SECTION 3. SECTION 6 IS AMENDED AS FOLLOWS AND SECTION 6A IS HEREBY ADDED:

6. DISCOUNT OF RATES. The City Manager shall be authorized to discount water charges for ~~senior citizens or~~ indigent persons who suffer serious hardship as a result of increased rates. The discounted rate shall never be less than \$2.00 per month.

6a. Seniors Rate. All current senior rate payers will be grandfathered at the current \$2.00/month base rate for the first 10,000 gallons. Additional use will be billed at the rate of \$1.37 per 1,000 gallons.

SECTION 4. SECTION 8 IS AMENDED AS FOLLOWS, AND SECTION 8A. IS HEREBY ADDED:

8. SHUT OFF. In the event of non-payment and a 60-day balance exceeding \$50.00, the City may maintain an action to recover the amount owed, and after giving written notice to the owner of the property and the occupant thereof, may terminate service. Notice of termination of service shall be served upon the occupant of the property in person, or post on the property, and notice will be given to the owner of the property by mail to the last know address if the owner has signed a service agreement with the Water Department. When more than one dwelling or unit is served through a single water, or there are multiple or time share owners, notice may be given to the owners association, management company or representative owner as shown on the City billing records. The structure will be posted, but it shall not be necessary to post each unit served. Service shall not be terminated for non-payment without at least ten days notice. (Water service may be terminated for non-payment of any billing of other City services.)

8a. METER DEPOSIT. All new services will be required to pay a deposit. Single family residential units will pay \$50.00. All others will pay \$100.00. If no outstanding balance occurs for 12 consecutive months, the deposit will be applied to the 13th month bill. No interest will be paid on the deposit.

SECTION 5. SECTION 9A IS HEREBY ADDED AS FOLLOWS:

9a. Returned Checks. Any user paying by check will pay an additional \$15.00 fee if the check is returned by the bank for any reason.

SECTION 6. SECTION 10 IS HEREBY DELETED FROM THIS ORDINANCE AND MOVED TO SECTION 14 OF ORDINANCE 82-17.

SECTION 7. SECTION 12 IS HEREBY AMENDED AS FOLLOWS:

12. WATER METER FEES. All water meters are to be supplied by and installed by Park City Municipal Corporation or by its authorized representative. For all water lines one inch or larger serving commercial uses and residential water lines larger than one inch meter and installation costs serving residential and commercial uses, an installation fee shall be paid to the Building Official at the time the building permit is issued. The following meter installation fee shall be paid for each meter installation:

<u>METER AND INSTALLATION FEES</u>		
3/4"		\$ 100.00
1"	\$ 110.00	\$ 125.00
	(Commercial Hook-up)	
1 1/2"	\$ 191.00	\$ 300.00
2"	\$ 331.50	\$ 350.00
3"	\$ 487.50	\$ 550.00
4"	\$1155.00	\$1000.00
6"	\$2400.00	\$2050.00
8"	\$3670.00	\$3200.00

SECTION 8. SECTION 15 IS HEREBY AMENDED AS FOLLOWS:

15. RESPONSIBILITY FOR REPAIR AND MAINTENANCE. The City shall be responsible to maintain and repair water lines lying within City rights-of-way and utility easements. Water meters shall be maintained and repaired by the City so long as the meter lies within five feet of City property, rights-of-way, or utility easements and not within any building. The property owner shall be responsible to repair and maintain all

water lines on his property not within five feet of the City rights-of-way or utility easements. ~~The individual shall maintain and repair water meters not within five feet of City rights-of-way or utility easements or within a building.~~

SECTION 7. SECTION 19 WATER EMERGENCIES, SUBSECTION E IS HEREBY AMENDED AS FOLLOWS:

E. Violations of Ordinance this Section 19 are infractions punishable by a fine but not imprisonment. The maximum fine shall not exceed five hundred dollars (\$500.00) for any violation.

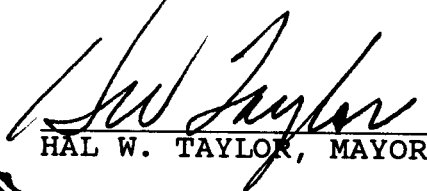
SECTION 10. SECTION 23 IS HEREBY AMENDED AS FOLLOWS:

23. PENALTY. All violations of this Ordinance (except those set forth in Section 19) shall be a Class B misdemeanor, punishable by a fine not exceeding ~~\$299.00~~ \$1,000 and incarceration not exceeding six months. Unauthorized taking of water is theft of services and may be a felony if the taking exceeds a value of \$1,000.

SECTION 11. EFFECTIVE DATE. This Ordinance shall take effect on June 1, 1989.

PASSED AND ADOPTED this 11th day of May, 1989.

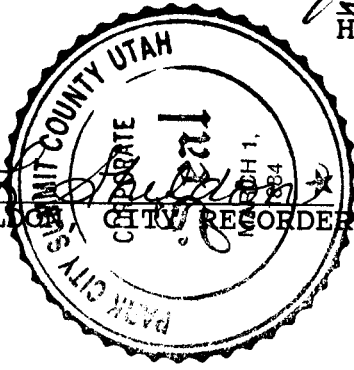
PARK CITY MUNICIPAL CORPORATION



HAL W. TAYLOR, MAYOR

ATTEST:


ANITA L. SHELTON, CITY RECORDER



ORDINANCE 89-08

AN ORDINANCE AMENDING SECTION 18.03 AND ENACTING
A NEW SECTION 20(h) OF ORDINANCE 87-12
REGARDING THE BUSINESS LICENSING OF CONTRACTORS
AND BUILDERS

WHEREAS, the recent Utah State Legislature approved Senate Bill 186, which provides for the licensure and regulation of contractors, plumbers, and electrical trades; and

WHEREAS, Park City Municipal Corporation has adopted Ordinance No. 8-12, which regulates the licensing of businesses within the City limits; and

WHEREAS, under the recently enacted State Statute 58-55-6, cities are permitted to license persons engaged in the construction trades with their principal place of business within the City; and

WHEREAS, Park City Municipal Corporation has a duty under our police powers to regulate contractors and subcontractors within the City,

NOW THEREFORE BE IT ORDAINED AS FOLLOWS:

Section 1. Section 18.03 Contractors and Builders. shall be amended to read as follows:

Section 18.03 Contractors and Builders.

~~(a) General contractors and subcontractors will be charged a regulatory license fee of \$75.00. No contractor shall be issued a business license unless he provides the City with the number of his license issued by the State Department of Business Regulation.~~

(a) All general contractors and subcontractors, including but not limited to, builders, electricians, plumbers and back flow device technicians, with their principal place of business within Park City shall be assessed a regulatory license fee of \$75.00 per year. Said fee must be paid and a business license issued prior to engaging in any construction within the City unless exempted from licensure under U.C.A. § 58-55-6(7) or Section 20 of this Ordinance.

No contractor shall be issued a business license under this section unless and until he has provided a certified statement that he is currently licensed with the State of Utah Department of Business Regulation, including the state license number(s) and date of expiration. If said state license expires prior to December 31st of the year, each contractor must provide proof of renewal within ten

(10) days of renewal or shall forfeit the City license for the balance of the year.

~~(b) Contractors engaged in excavating, hauling, or concrete delivery are also assessed on the size and number of trucks under Section 18.08.~~

(b) Contractors with their principal place of business within Park City engaged in excavating, hauling or concrete delivery are also assessed an additional fee under Section 18.08 based on the size and number of trucks.

~~(c) Contractors and subcontractors with Park City offices in a commercial district, are required to obtain a separate office business license (Code I 7389-23) and those with offices in their homes are required to obtain a separate home occupation license (Code I 8811-20) and planning department approval for the home office.~~

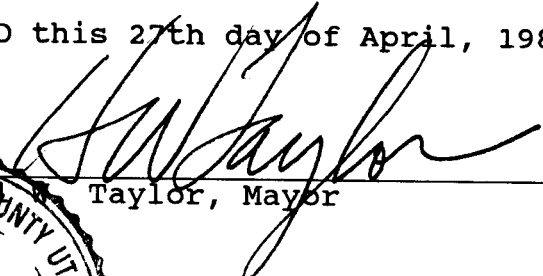
(c) Contractors with their principal place of business within Park City are required to obtain a separate office business license (Code C1521-10).

Section 2. Section 20(h) shall be enacted and shall read as follows:

(h) Any contractor, builder, electrician, plumber, etc., licensed under U.C.A. § 58-55-1, et seq with a principal place of business outside of Park City or as exempted by state law.

Section 3. Effective Date. Due to the necessity to protect and preserve the health and safety of the citizens of Park City, this Ordinance shall become effective immediately upon passage.

PASSED AND ADOPTED this 27th day of April, 1989.


Taylor, Mayor

Attest:


Anita L. Sheldon, City Recorder



ORDINANCE 89-07

AN ORDINANCE ESTABLISHING THE REGISTRATION
AND REGULATION OF CONSTRUCTION TRADES
WITHIN PARK CITY

WHEREAS, the recent Utah State legislature approved Senate Bill No. 186, which created the "Utah Construction Trades Licensing Act"; and

WHEREAS, this legislation requires that all persons engaged in the construction trades within the state and regulated by the cities in which they operate; and

WHEREAS, this legislation further makes the issuance of the building permit to an unlicensed contractor a Class A misdemeanor and imposes further duties and sanctions on cities to regulate the construction trades within their cities; and

WHEREAS, Park City is desirous of registering and regulating the construction trades within our City,

NOW THEREFORE BE IT ORDAINED, as follows:

There is hereby created the Park City Construction Trades Regulation and Registration Ordinance, which shall read as follows:

Section 1. Construction Trades Regulation and Registration. Any person engaged in the construction trades, licensed and regulated under U.C.A. § 58-55-1, et seq, with a principal place of business outside of Park City must register with the Park City Building Department and pay an annual \$75.00 registration fee prior to engaging in any construction within this city.

Section 2. Application. Each applicant for registration must certify the following information under penalty of perjury:

- (a) Name of applicant
- (b) Name of business if different from above
- (c) Principal place of business - address, city, state, zip code
- (d) Telephone number
- (e) State license number(s)
 - (1) Type of license
 - (2) Date of expiration
- (f) City license number (principal place of business)
 - (1) Expiration date

Section 3. Expiration. The registration shall be valid until December 31st of each year except as provided in Section 4 below.

Section 4. Expiration of State License. In the event the state license issued under U.C.A. § 58-55-1, et seq, expires prior to December 31st of any year, the contractor must provide the City with proof of renewal within ten (10) days of the renewal of the state license or the City's registration shall automatically terminate and a new registration and fee must be paid prior to engaging in further construction within the City.

Section 5. Exemptions - Park City Licensed Contractors/State Exemptions.

(a) Any person engaging in the construction trades licensed and regulated under U.C.A. § 58-55-1, et seq, with a principal place of business within Park City limits shall be exempted from the provisions of this Ordinance, but must obtain a Park City Business License pursuant to Ordinance 87-12, Section 18.03 prior to engaging in any construction within the City.

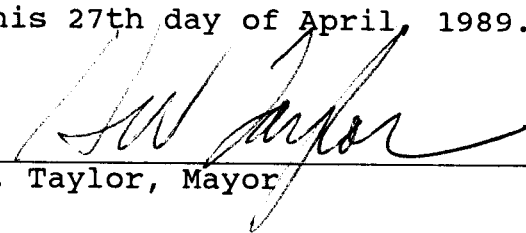
(b) Persons excepted from licensure under U.C.A. § 58-55-6 (7) must provide the City with a signed statement of said exemption.

Section 6. Criminal Penalties. Any person that wilfully violates any provision of this Ordinance shall be guilty of a Class "A" misdemeanor.

Section 7. Separability Clause. If any subsection, sentence, clause, phrase, or portion of this Chapter, including but not limited to any exemption, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter.

Section 8. Effective Date. Due to the necessity to protect and preserve the health and safety of the citizens of Park City, this Ordinance is to become effective immediately upon passage.

PASSED AND ADOPTED this 27th day of April, 1989.



Hal W. Taylor, Mayor

Attest



Anita L. Sheldon, City Recorder



AN ORDINANCE AMENDING ORDINANCE 83-16
TO REGULATE BEER AND LIQUOR LICENSES

WHEREAS, Park City did enact Ordinance No. 83-16, including Amendments (1) through (4), inclusive, to regulate the licensing of beer and liquor within the City; and

WHEREAS, it appears that some revision of said Ordinance is necessary to prevent the sale or consumption of beer or alcoholic beverages on licensed premises after hours, and to further enable the police to enforce the provisions of said Ordinance; and

WHEREAS, this Council deems it in the best interest of the citizens of Park City to enact this Ordinance and to make it effective immediately upon passage to preserve the health, safety and welfare of the community,

NOW, THEREFORE, BE IT ORDAINED

SECTION 1. Section 7.01, Paragraph (c) is hereby amended in its to read as follows:

- (c) Excess Hours of Operation. To sell, dispose of, give away or deliver any beer or liquor, or liquor set-ups, or to allow the consumption of any beer, liquor or set-ups on the licensed premises at any time between the hours of 2 a.m. and 7 a.m., except that on New Year's Day no beer or liquor shall be sold between the hours of 3 a.m. and 7 a.m. Holders of Class "A" beer licenses may ~~not sell beer for consumption off the premises at any time of day between the hours of 2 a.m. and 7 a.m. of any day.~~

SECTION 2. Further, there is hereby enacted a new provision which shall be designated as 7.01 (r), and shall read as follows:

- (r) Police right to Inspect. To deny a police officer access and admission into any licensed premises at any reasonable time to inspect for violations of this Ordinance or the Criminal Code.

SECTION 3. Effective Date

In an effort to maintain the health, safety and morals of the community, this Ordinance will become effective immediately upon passage.

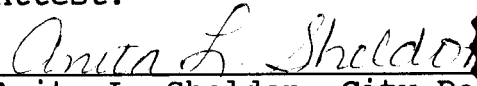
PASSED AND ADOPTED this 13th day of April, 1989

PARK CITY MUNICIPAL CORPORATION



Hal W. Taylor, Mayor

Attest:


Anita L. Sheldon, City Recorder



Ordinance No. - 05

AN ORDINANCE AMENDING THE PARK CITY SIGN CODE
OF JULY 21, 1977, TO ALLOW AND SET FORTH
THE REQUIREMENTS FOR NEON SIGNS AS PERMITTED IN THE
HISTORIC COMMERCIAL BUSINESS (HCB)
HISTORIC RECREATION COMMERCIAL (HRC), RECREATION
COMMERCIAL (RC), AND GENERAL COMMERCIAL
(GC) ZONES AND TO CLARIFY LANGUAGE IN OTHER SECTIONS
OF THE ORDINANCE

WHEREAS, the Park City Historic District Commission, Planning Commission and City Council find that neon is an appropriate material for use as signage; and

WHEREAS, the Park City Sign Ordinance, as currently written, permits neon signage in levels and designs which are not compatible with Park City's image as a World Class Ski Resort and its listing on the National Register of Historic Places for the Main Street Commercial Business District; and,

WHEREAS, the Historic District Commission and Planning Commission have recommended allowing neon signage in carefully regulated levels of sign area, design, color and contents; and,

WHEREAS, there are two other sections of the Ordinance requiring clarification; and,

WHEREAS, proper notice was given and hearing held before the Planning Commission and City Council on the issues,

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

Section 1. Subparagraph 3.1 shall be amended to read as follows:

3.1 Permits. No person shall erect, alter, or relocate any permanent ~~outdoor~~ sign within Park City without first obtaining a sign permit and a building permit from the City, unless the sign is exempt under this Ordinance.

Section 2. Subparagraph 4.1(1) of the Park City Sign Ordinance shall be amended to read as follows:

(1) Neon Signs. Neon signs may be used only in the HCB, HRC, RC and GC zones, provided that the following requirements are met:

1. Size. All other size requirements set forth in this Ordinance must be adhered to.

2. Location. Neon signage must be located within a building and displayed through a window rather than

being attached to the exterior of the building. If the neon signage is located within 10 feet of the front window, it is considered signage and must have a permit. Neon located 10 feet back from the window will be considered interior lighting and will not be regulated. The neon sign must be designed to be compatible with the space in which it is located, and have a sense of balance and proportion.

3. Colors. The following historical colors are permitted in the Historic District in primary shades only: red, yellow, white, blue, green. All others are prohibited. Other colors are permitted in the RC and GC zones.

4. Low Intensity. The neon's intensity must be regulated by being placed one foot back from the glass, and by being designed to have not more than 30 milliamps of power. Tubing diameter may not be less than 12 millimeters.

5. Content. Neon signage may include the name of the business, and possibly include a description of use in conjunction with the name (e.g. Dolly's Bookstore). Graphics and symbols may be permitted and should be historic or traditional in design.

6. Prohibited Neon Signs. The following are prohibited in neon: open/closed signs; product brand names; messages/sales promotion. Neon may not flash, move, alternate, or show animation.

7. HDC or Planning Commission Review. The Historic District Commission or Planning Commission may review neon signs at the option of the Planning Staff if or when there are questions about compliance with these requirements.

8. Date of Required Compliance. All neon signs not in compliance with this ordinance at the time of adoption will have an amortization period of approximately one year. All neon signs must be in compliance by April 15, 1990.

Section 3. Section 5 and Subsection 5(e) shall be amended to read as follows:

SECTION 5. PROHIBITED SIGNS AND SIGNAGE ILLUMINATION: No person shall erect, alter, maintain, or relocate any sign or illumination as specified in this section in any zone.

(e) Flashing signs or lights. Any sign which contains an intermittent or flashing light source, or which includes the illusion of intermittent or flashing light by means of

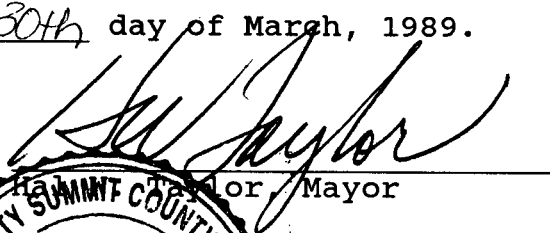
animation, or an externally mounted intermittent light source. Automatic changing signs, such as public service time, temperature and date signs, or electronically controlled message centers are not classified as flashing signs. Flashing light sources are prohibited.

Section 4. Subparagraph 7.3 of shall be amended to read as follows:

7.3 Removal of Non-Conforming Signs. All signs which are not in conformance with this ordinance shall be removed by the owner or user of the sign within two (2) years from the date on which the Department gives notice to the owner that the sign is non-conforming. In any event, the non-conforming sign shall not be transferred to a new tenant or occupant of the premises on which the sign is erected, but shall be removed at the termination of the tenancy to which it applies. All neon signs must be in compliance with Section 4.1(1) of this Ordinance by April 15, 1990.


Section 5. This Amendment shall take effect upon its adoption.

PASSED AND ADOPTED this 30th day of March, 1989.

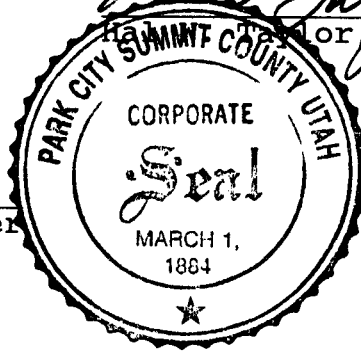


Mayor

Attest:



Anita L. Sheldon, City Recorder



******CAUTION******

THIS ORDINANCE 89-04 HAS BEEN ADOPTED INTO THE PARK CITY MUNICIPAL CODE. THIS COPY MAY NOT CONTAIN ALL THE AMENDMENTS THAT HAVE BEEN PASSED SINCE ITS ADOPTION INTO THE CODE. THE MOST CURRENT AND UP-TO-DATE VERSION WILL BE FOUND IN THE PARK CITY MUNICIPAL CODE IN SECTION 10.

Title

Ordinance 89-04

**AN ORDINANCE ADOPTING THE UTAH STATE
MOTOR VEHICLE ACT, AS AMENDED,
FOR USE IN PARK CITY, UTAH**

WHEREAS, the State of Utah has revised the comprehensive traffic code for use within the State; and

WHEREAS, the City Desires to have its traffic regulations consistent with the general provisions of the State so that motorists are not confronted with unusual or dissimilar traffic regulations when driving through the State;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah, that Ordinance 86-13 shall be amended as follows:

1. Title 41, Chapter 6 of the Utah Code Annotated 1953, as amended to this date, is hereby adopted by Park City in full as a Uniform Traffic Code.

2. Title 41, Chapter 7 of the Utah Code Annotated 1953, as amended to this date, is hereby adopted by Park City in full as a uniform regulation of the operation of motor vehicles owned by public agencies.

3. Title 41, Chapter 8 of the Utah Code Annotated 1953, as amended to this date, is hereby adopted by Park City in full as a uniform regulation of the operation of motor vehicles by minors.

4. Title 41, Chapter 1, Sections 18-166, inclusive, of the Utah Code Annotated 1953, as amended to this date, is hereby

adopted as the Park City ordinance concerning the registration and safety inspection of motor vehicles, except to the extent those provisions address matters that are administrative functions performed by state or county officials in the process of issuing registrations and keeping records of registrations.

5. Title 41, Chapter 2, Sections 101 through 609, inclusive, of the Utah Code Annotated 1953, as amended to this date, is hereby adopted as the Park City Ordinance concerning drivers licensing, except as those provisions apply to administrative acts on the part of officials of the drivers licensing division or the state agencies.

6. Title 41, Chapter 1, Section 1, of the Utah Code Annotated 1953, as amended to this date is hereby adopted by Park City to provide uniform definitions of terms used throughout the Motor Vehicle Act.

7. In the event present or future ordinances of Park City specifically address local conditions concerning parking, signage, intersection controls, or similar site specific conditions, the site specific regulation shall supercede the State Code as to that condition or site.

8. If any provision of the State Traffic Regulations, and consequently the Park City Traffic Regulations, if found to be illegal, unconstitutional, or violative of any superior law or provision, only that provision shall be affected, and the remainder of the Code, as adopted, shall be in full force and effect.

9. The Amendment shall take effect upon publication.

PASSED AND ADOPTED this 30th day of March, 1989.

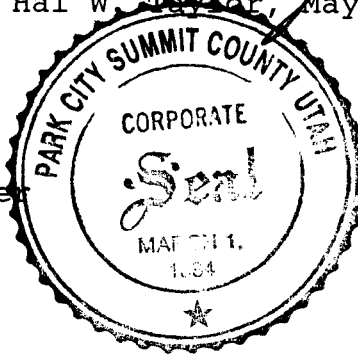
PARK CITY MUNICIPAL CORPORATION



Hal W. Taylor, Mayor

Attest:

Anita L. Sheldon
Anita L. Sheldon, City Recorder



SUMMIT COUNTY ATTORNEY'S OFFICE

ROBERT W. ADKINS
SUMMIT COUNTY ATTORNEY

SUMMIT COUNTY COURTHOUSE
P.O. BOX 128
COALVILLE, UTAH 84017
TELEPHONE (801) 336-4468

TERRY L. CHRISTIANSEN
ASSISTANT SUMMIT COUNTY ATTORNEY
FRANKLIN P. ANDERSEN
DEPUTY, SUMMIT COUNTY ATTORNEY

February 16, 1989

James W. Carter
Park City Municipal Corporation
P.O. Box 1480
Park City, Utah 84060

Re: Park City Traffic Code

Dear Jim:

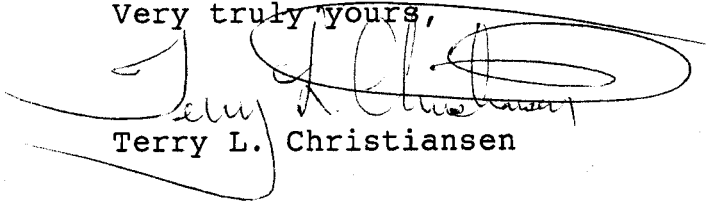
As you are probably aware, Park City's Traffic Code incorporates State statutes.

Since the State statutes were last adopted, there have been significant changes in the Driving Under the Influence of Alcohol Statutes. Accordingly, to comport with present State law it is my opinion that Park City should re-adopt the State Motor Vehicle Laws so that they are consistent with the laws as presently existing. This will be of great assistance to me in prosecuting driving violations, especially Driving Under the Influence of Alcohol violations.

I am enclosing herewith my copy of Park City's Ordinances adopting the Utah State Motor Vehicle Act. It appears the last adoption was in 1986. A cursory review of the State Statutes indicates that the code sections basically remain the same. Accordingly, I would suggest that the City Council simply readopt their old ordinance at the present time which would effectively incorporate all changes in the State Statutes since the date of the City's last adoption. I believe all the code sections will remain the same except as it relates to Title 41, Chapter 2. The present law adopts Sections 1 thru 40, whereas, the present law encompasses sections 101 thru 609.

Your prompt attention to this matter will be sincerely appreciated.

Very truly yours,


Terry L. Christiansen

TLC/gk

cc: Frank Bell

Ordinance No. 89-03

**AN ORDINANCE DESIGNATING A PORTION OF THE SNOW CREEK SITE
AS REGIONAL COMMERCIAL OVERLAY (RCO)
AND AMENDING THE OFFICIAL ZONING MAP OF PARK CITY, UTAH**

WHEREAS, the Park City Land Management Code provides the City Council the authority to create zoning designations, amend zoning provisions and the official zoning map; and

WHEREAS, substantive amendments, more specifically those which affect the uses to be made of land within the City, must be publicly heard before the Planning Commission and the City Council; and

WHEREAS, public hearings were legally noticed and held before the Planning Commission and City Council on January 25 and 26, 1989, respectively; to receive public input on applying the Regional Commercial Overlay Zone to a portion of the Snow Creek Site, on the corner of Highway 224 and Highway 248; and

WHEREAS, the City Council deems it appropriate that this parcel be duly zoned as Regional Commercial Overlay Zone (RCO) in consideration of adjacent commercial zoning, and to provide commercial development opportunities within the City limits to serve the community;

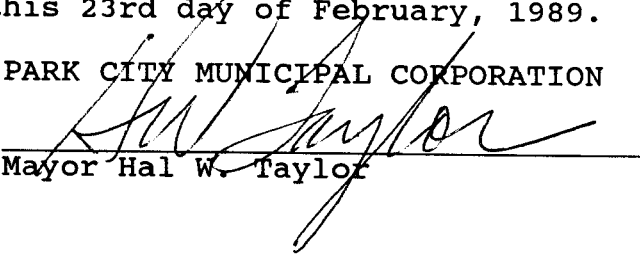
NOW, THEREFORE, BE IT ORDAINED by the City Council that:

SECTION 1. OFFICIAL PARK CITY ZONING MAP AMENDED. The Official Park City Zoning Map shall be amended to apply the Regional Commercial Overlay Zone to the parcel in Park City, as shown on Attachment A. The underlying zoning on this parcel shall remain in place.

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

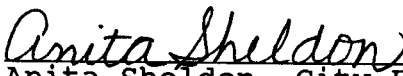
PASSED AND ADOPTED this 23rd day of February, 1989.

PARK CITY MUNICIPAL CORPORATION



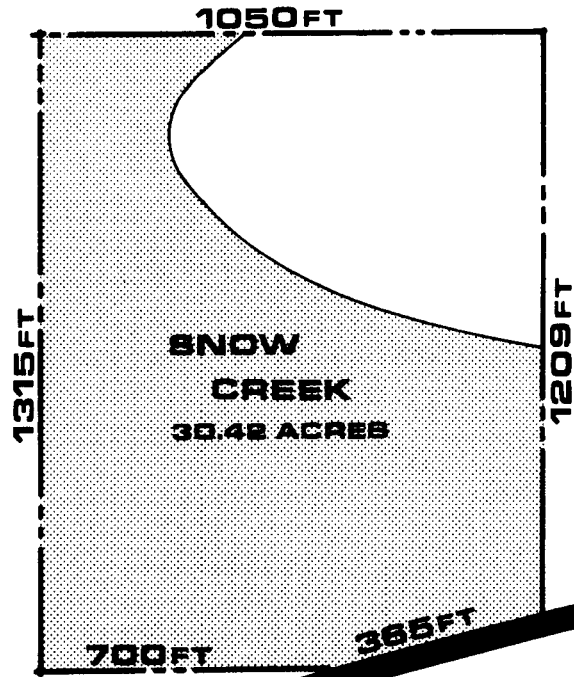
Mayor Hal W. Taylor

Attest:



Anita Sheldon, City Recorder

WINDRIFT
CONDOS



CITY
CEMETERY

CITY
GOLF
COURSE

HOLIDAY
VILLAGE



Ordinance No. 89-02

AN ORDINANCE AMENDING THE PARK CITY LAND MANAGEMENT CODE
TO ADD A REGIONAL COMMERCIAL OVERLAY ZONE (RCO)
TO ALLOW REGIONAL COMMERCIAL USES ON PARCELS NOT
ZONED FOR COMMERCIAL USE UPON THE FULFILLMENT
OF CERTAIN CONDITIONS

WHEREAS, the Park City Council is committed to provide diverse opportunities for commercial development within the City limits of Park City; and

WHEREAS, there are few parcels within the City currently zoned for commercial uses which are large enough to accommodate a regional commercial anchor; and

WHEREAS, the Council is also committed to ensure a standard of commercial development which is consistent with the overall quality of development in Park City; and

WHEREAS, it is the desire of the Council to provide for regional commercial uses on certain parcels not currently zoned for commercial uses on the terms and conditions set forth herein;

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

SECTION 1. AMENDMENT ADDING THE REGIONAL COMMERCIAL OVERLAY ZONE. Section 7, Districts and Regulations, is hereby amended by adding a new Subsection 18, Regional Commercial Overlay as follows:

7.18. REGIONAL COMMERCIAL OVERLAY ZONE (RCO)

7.18.1 PURPOSE. To allow for regional commercial uses on properties not otherwise zoned for commercial uses upon the conditions established in this section. This overlay zone affords the land owner the option to apply for commercial development of lands affected by the overlay zone. In the event the application is denied, the underlying zoning shall govern permissible development of the property.

7.18.2. PROCEDURE. An applicant may apply for the commercial development option if the subject property is located in an area to which the overlay is applied. The application for the commercial development option will be reviewed as a Master Planned Development (MPD) pursuant to Section 10 of the Land

Management Code. The Planning Commission shall consider all factors set forth in Section 10, and shall also consider the criteria listed below in Subsection 3 to determine whether implementation of the commercial option is warranted.

7.18.3. CRITERIA. An application for the commercial development option under this section must meet the following minimum standards:

- (a) The minimum lot size for any proposal shall be five (5) acres. Each proposal shall include one commercial anchor, a minimum of thirty thousand (30,000) square feet in size, and a maximum of sixty-five thousand (65,000) square feet. Not every parcel affected by the overlay area will be eligible to apply for the commercial development option. An assemblage of properties may be necessary to meet the minimum lot size required. The lot size per anchor may be in excess of five (5) acres.
- (b) An anchor of at least thirty thousand (30,000) square feet shall be required to be built first, with such other development to be built subsequently if the Planning Commission deems appropriate.
- (c) Internal circulation must be provided. Access to arterials shall be limited.
- (d) Buffering from highway frontages will be required. The buffering shall include extensive landscaping and berming to be approved by the Planning Commission. Parking shall be screened from public roadways to the extent possible.
- (e) A buffer will be required when the commercial development is adjacent to residential uses. The minimum width shall be one hundred (100) feet and the buffer shall include extensive landscaping and berming to be approved by the Planning Commission. The Planning Commission may increase or decrease the buffer size depending on proposed uses and proposed buffer design. The Commission may require that the buffer be put in place prior to commencement of construction, so that construction impacts on adjacent residences may be mitigated. The buffer may be required to include retaining walls, mature trees and berming, as deemed appropriate by the Planning Commission.
- (f) Any application to use the commercial option will constitute an MPD to be reviewed and approved by the Planning Commission.
- (g) Architectural plans shall be submitted and approved by the Planning Commission. The entire MPD shall have coordinated architecture which shall be consistent with the Park City Design Guidelines.

- (h) A sign plan shall be approved at the MPD stage. All signage will be coordinated within the project and shall be combined so as not to create a visually cluttered or competitive environment. All signage will be consistent with the Park City Sign Code.
- (i) The site plan for the MPD shall take into consideration significant natural features such as existing vegetation, stream channels and ridgelines. Development shall occur outside of these significant areas and, in some cases, the elements of those features may be required to be enhanced.
- (j) A lighting plan shall be approved at the MPD stage. The lighting shall be consistent with the Park City Design Guidelines and shall be directed downward without spilling over to adjacent properties.
- (k) Pedestrian circulation is very important and shall be addressed in the site planning for the MPD. Bicycle paths will be required if called for in the trails master plan.
- (l) Service and delivery access and dumpster locations shall be addressed in the site planning for the MPD. Service and delivery access shall not occur adjacent to residential uses. The service and delivery bays shall be fully screened from residential view by a 100% opaque masonry wall or wood fence. Trash must be stored in closed containers.
- (m) Outdoor storage and display of merchandise is not permitted except as allowed for temporary sales under Ordinance No. 82-27.

7.18.4. PLANNING COMMISSION FINDINGS. To approve an application for use of the commercial option, the Planning Commission must approve the MPD pursuant to Section 10 of the Land Management Code and must find that:

- (a) The proposal is consistent with the criteria set forth in Subsection 7.18.3.
- (b) The proposal is in the best interest of the City and is located in an appropriate location.
- (c) The proposal adequately mitigates potential impacts from adjacent properties and land uses. Special consideration shall be given to buffering MPD boundaries which are adjacent to different land uses.

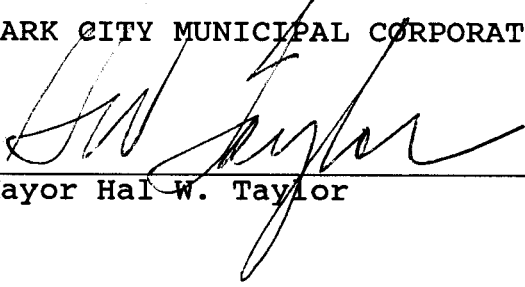
SECTION 2. AMENDMENT TO SCHEDULE OF REQUIREMENTS - LAND USE TABLES. The balance of Section 7, Schedule of Requirements - Land Use Tables shall be renumbered accordingly as Section 7.19. The Land Use Tables shall be amended to include the Regional

Commercial Overlay (RCO), a copy of which is attached and made a part of this Ordinance.

SECTION 3. EFFECTIVE DATE. This Ordinance shall become effective upon publication.

PASSED AND ADOPTED this 23rd day of February, 1989.

PARK CITY MUNICIPAL CORPORATION



Mayor Hal W. Taylor

Attest:



Anita Sheldon, City Recorder

LAND USE TABLES (Continued)

USE DESCRIPTION E SF SF-N RD RDM RCO R-1 HR-1 HR-2 RM GC HGB HRC RC LI ROS HRL

Public and quasi-public institutions, churches, schools, private schools with curriculum similar to public schools C C C C C C¹ C C C C C C A C C C *

Group care facilities, including halfway houses, rehabilitation centers, group foster care, senior citizen group homes, day care centers, and child nurseries C C C C C C¹ C C C C C C A C C *

Activities for conservation of soil, water, and wildlife A A A A A A A A A A A A A A A A

Agriculture, crop production, orchards, flower production, forest land, but not retail sales A A A A A A A A A A A A A A A A

Raising, grazing horses (limit of two horses/acre, 75 feet from nearest neighboring dwelling) A C C C C * * * * * * * C A *

Raising, grazing of sheep or goats C * * * * * * * * * * * * * * C *

Cemetery C C C C C * * * * * * * * * * C *

Essential municipal and public utility uses, facilities, services and buildings (provided business offices, repair storage, production facilities not included) C C C C C C¹ C C C C C C C C C C

LAND USE TABLES (Continued)

USE DESCRIPTION	E	SF	SF-N	RD	RDM	RCO	R-1	HR-1	HR-2	RM	GC	HCB	HRC	RC	LI	ROS	HRL
Professional offices, medical and dental clinics	*	*	*	*	C	C ¹	*	*	C	*	A	A	C ⁵	C ⁴	C	*	*
Business office	*	*	*	*	*	C ¹	*	*	C	*	A	A	C ⁵	A	*	*	*
Temporary building for construction project management and temporary sales, in conjunction with active building permit for development project	C	C	C	C	C	C ¹	C	C	C	C	C	C	C	C	C	C	C
Commercial parking lot or garage	*	*	*	*	*	C ¹	*	*	*	*	A	A	A	A	C	*	*
Passenger tramway stations and base facilities (see Supplemental Regulations)	C	*	*	*	*	C ¹	*	*	*	*	C	C	C	C	*	*	A
Liftway, no loading or unloading (see Supplemental Regulations)	A	*	*	*	*	C ¹	C	C	C	*	C	C	C	C	*	*	A
Retail commercial establishments limited to the following and similar uses: antique store, art gallery, art supply store, bakery, book store, camera store, clothing store, candy store, tobacco and cigarette store, florist, food store, gift shop, liquor store, pharmacy, sporting goods store, and variety																	
Retail commercial establishments limited to the following and similar																	

LAND USE TABLES (Continued)

USE DESCRIPTION

E SF SF-N RD RDM RCO R-1 HR-1 HR-2 RM GC HCB HRC RC LI ROS HRL

uses: department store, furniture store, hardware store, job printing shop, and office supply store

* * * * * C¹ * * * * * A A * * * C *

Retail commercial establishments

limited to the following and similar uses: automobile sales, plant nursery stock production and sales; and

service commercial establishments

limited to the following and similar uses: auto rental customer outlet, business office, financial institu-

tions, handicraft production, personal services, including barber and beauty shops, dry cleaning pick-up station, laundromat, studio for instruction in the arts, travel agency

* * * * * C¹ * * * C¹⁰ * A A C⁵ C⁵ C *

Service commercial establishments

limited to the following and similar uses: catering service, mortuary, tailoring and shoe repair, radio or television broadcast facility

* * * * * C¹ * * * C¹⁰ * A A C⁵ C⁵ C *

Service commercial establishments

limited to the following and similar uses: animal hospitals, automobile repairing and washing, bulk dry

cleaning and laundry, transportation services, trucking services, printing shops, product assembly, auto rental, or storage lot, wholesale business

* * * * * A * * * C⁵ C⁵ C *

Gasoline service station

* * * * * C¹ * * * C * * * C *

LAND USE TABLES (Continued)

USE DESCRIPTION	E	SF	SF-N	RD	RDM	RCO	R-1	HR-1	HR-2	RM	GC	HCB	HRC	RC	LI	ROS	HRL
association for private use by members, including tennis court, and swimming pool	A	A	A	A	A	A	A	A	*	A	A	A	A	A	A	A	A
Commercial recreation facility, racquet club, athletic club, or gymnasium, not including stables	C	C	C	C	C	C ¹	*	*	*	C	C	C ⁷	C ⁵	C	C	*	*
Commercial stables, riding academy	C	C	C	C	C	*	*	*	*	*	*	A	*	C	C	*	*
Mines and mine exploration, ore loading, but not processing	C	*	*	*	*	*	*	*	*	*	*	*	*	*	*	C	*
Ore shipping and loading facilities, truck and rail heads	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Mine milling and ore processing	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	C	*
Hotel, motel, inn, boarding house with 16 or more rooms	C ¹	*	*	C ¹	C ¹	C ¹	*	*	*	A	A	A	A	*	*	*	*
Hotel, motel, inn, boarding house with fewer than 16 rooms	C ¹	*	*	C ¹	C ¹	C ¹	*	*	*	C ¹	A	A	A	A	*	*	*
Bed and Breakfast Inns	*	*	*	*	*	*	C	C	C	A	A	A	A	A	*	*	*

LAND USE TABLES (Continued)

USE DESCRIPTION	E	SF	SF-N	RD	RDM	RCO	R-1	HR-1	HR-2	RM	GC	HCB	HRC	RC	LI	ROS	HRL
Master planned development including service and limited retail commercial support services	C	*	*	C	C	C ¹	*	*	*	*	C	C	C ⁷	C	*	*	*
Master planned development with full commercial uses, heavy retail, and services designed for general public use rather than support services	*	*	*	*	*	C ¹	*	*	*	*	C	C	*	C	*	*	*
Master planned development with residential and transient lodging uses only	C	*	*	C	C	C ¹	C	C	*	C	C	C	C	C	*	*	*
Master planned developments with moderate income housing density bonus	C	*	*	C	C	C ¹	*	*	*	C	C	*	C	C	*	*	*
Mobile homes, trailer parks	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Commercial campgrounds	*	*	*	*	*	*	*	*	*	*	*	*	*	*	C	*	*
Publicly owned campgrounds	C	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	C
Commonly owned garage for four or more cars, above grade or below, and not connected to dwellings or commercial structure	C	*	*	*	*	C ¹	C	C	*	C	C	C	A	*	*	*	C

ORDINANCE

Ordinance No. 89-1

AN ORDINANCE ESTABLISHING A REGULAR MEETING DATE,
TIME, AND LOCATION FOR MEETINGS OF THE
CITY COUNCIL OF PARK CITY, UTAH FOR 1989

BE IT ORDAINED by the City Council of Park City:

SECTION 1. REGULAR MEETING DATE. The regular meetings of the Park City Council shall be held every Thursday at 6 p.m. at the Marsac Municipal Building, 445 Marsac Avenue, Park City, Utah, except when there is no pending business or the regular meeting date falls on a holiday.

SECTION 2. NOTICE OF PUBLIC MEETINGS. Notice shall be given, indicating the specific location of the meeting, and notice shall be given regarding cancellations. The agenda will be posted at the Marsac Municipal Building at least twenty-four (24) hours prior to each regular meeting, and same delivered to the local news media.

SECTION 3. WORK SESSIONS. Work sessions may be held by the Council as specified on the agenda. No formal action is taken by the City Council during work sessions.

SECTION 4. CLOSED MEETINGS. Every meeting and work session is open to the public, unless closed pursuant to Sections 52-4-4 and 52-4-5 of the Utah Code. A closed meeting may be held upon the affirmative vote of two-thirds of the members of the public body present at an open meeting for which notice is given pursuant to Section 52-4-6; provide a quorum is present. No closed meeting is allowed except as to matters exempted under Section 51-4-5; provided no ordinance, resolution, rule, regulation, contract, or appointment shall be approved at a closed meeting. The reason or reasons for holding a closed meeting, the roll call, and any dissenting vote to close the meeting, shall be entered in the memorandum of closed session and made a part of the minutes.

SECTION 5. SPECIFIC MEETING DATES. The schedule for City Council meetings in 1989 are as follows:

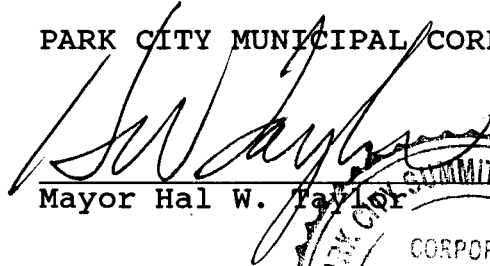
January 5, 12, 19, 26
February 2, 9, 16, 23
March 2, 9, 16, 30
April 6, 13, 20, 27
May 4, 11, 18, 25
June 1, 8, 15, 22, 29

July 6, 13, 20, 27
August 3, 10, 17, 24, 31
September 7, 14, 21, 28
October 5, 12, 19, 26
November 2, 9, 16, 23, 30
December 7, 14, 21, 28

SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

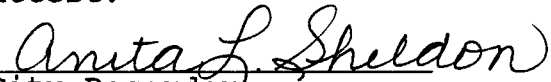
DATED this 5th of January, 1989.

PARK CITY MUNICIPAL CORPORATION



Mayor Hal W. Taylor

Attest:



City Recorder

