

Ordinance No. 2023-16

AN ORDINANCE AMENDING LAND MANAGEMENT CODE SECTIONS 15-2.5-2 HISTORIC RECREATION COMMERCIAL USES, 15-2.6-2 HISTORIC COMMERCIAL BUSINESS USES, 15-2.13-2 RESIDENTIAL DEVELOPMENT USES, 15-2.14-2 RESIDENTIAL DEVELOPMENT MEDIUM USES, 15-2.16-2 RECREATION COMMERCIAL USES, 15-2.17-2 RECREATION COMMERCIAL OVERLAY USES, 15-2.18-2 GENERAL COMMERCIAL USES, AND 15-15-1 DEFINITIONS, AND REPEALING SECTION 15-4-23 DWELLING UNIT, FRACTIONAL USE

WHEREAS, on October 27, 2022, the City Council adopted Ordinance No. 2022-21 regulating Fractional Use of Dwelling Units, allowing them in those Zoning Districts where Timeshares and Private Residence Clubs are allowed;

WHEREAS, on March 3, 2023, the Utah State Legislature enacted Senate Bill 271 prohibiting municipalities from regulating Fractional Use of Dwelling Units;

WHEREAS, the Chatham Crossing and West Ridge Homeowner Associations petitioned the City to amend the Land Management Code to prohibit Nightly Rentals in their subdivisions;

WHEREAS, on April 12, 2023, the Planning Commission conducted a public hearing on the proposed amendments and unanimously forwarded a positive recommendation to the City Council;

WHEREAS on April 27, 2023, the City Council conducted a public hearing on the proposed amendments to the Land Management Code;

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

SECTION 1. AMEND MUNICIPAL CODE OF PARK CITY TITLE 15 LAND MANAGEMENT CODE. The recitals are incorporated herein as findings of fact. Municipal Code of Park City Title 15 Land Management Code Sections 15-2.5-2 *Historic Recreation Commercial Uses*, 15-2.6-2 *Historic Commercial Business Uses*, 15-2.13-2 *Residential Development Uses*, 15-2.14-2 *Residential Development Medium Uses*, 15-2.16-2 *Recreation Commercial Uses*, 15-2.17-2 *Recreation Commercial Overlay Uses*, 15-2.18-2 *General Commercial Uses*, and 15-15-1 *Definitions* are hereby amended, and Section 15-4-23 *Dwelling Unit, Fractional Use*, is hereby repealed, as outlined in Attachment 1.

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

PASSED AND ADOPTED THIS 27th day of April 2023.

PARK CITY MUNICIPAL CORPORATION

DocuSigned by:

Nann Worel

57775BCB46414F6...

Nann Worel, Mayor

Attest:



DocuSigned by:

Michelle Kellogg

E5F905BB533F431...

City Recorder

Approved as to form:

DocuSigned by:

[Signature]

B7478B7734C7490...

City Attorney's Office

1 ATTACHMENT 1

2 **15-2.5-2 Uses**

3 Uses in the HRC are limited to the following:

4 A. **ALLOWED USES.**¹⁰

- 5 1. Single Family Dwelling⁵
- 6 2. Duplex Dwelling⁵
- 7 3. Secondary Living Quarters⁵
- 8 4. Lockout Unit^{1,5}
- 9 5. Accessory Apartment^{2,5}
- 10 6. Nightly Rental⁵
- 11 7. Home Occupation⁵
- 12 8. Child Care, In-Home Babysitting
- 13 9. Child Care, Family³
- 14 10. Child Care, Family Group³
- 15 11. Child Care Center³
- 16 12. Accessory Building and Use
- 17 13. Conservation Activity
- 18 14. Agriculture
- 19 15. Bed and Breakfast Inn^{4,5}
- 20 16. Boarding House, hostel⁵
- 21 17. Hotel, Minor, fewer than sixteen (16) rooms⁵
- 22 18. Office, General⁵
- 23 19. Parking Area or Structure, with four (4) or fewer spaces⁵

24 20. Food Truck Location¹¹

25 B. **CONDITIONAL USES.**^{9, 10}

26 1. Triplex Dwelling⁵

27 2. Multi-Unit Dwelling⁵

28 3. Guest House, on Lots one (1) acre⁵

29 4. Group Care Facility⁵

30 5. Public and Quasi-Public institution, church, or school

31 6. Essential Municipal public utility Use, facility, service, and Structure

32 7. Telecommunication Antenna⁶

33 8. Satellite dish, greater than thirty-nine inches (39") in diameter⁷

34 9. Plant and Nursery stock products and sales

35 10. Hotel, Major⁵

36 11. Timeshare Projects and Conversions⁵

37 12. Private Residence Club Project and Conversion^{4,5}

38 13. Office, Intensive⁵

39 14. Office and clinic, Medical⁵

40 15. Financial institution, without drive-up window⁸

41 16. Commercial Retail and Service, Minor⁸

42 17. Commercial Retail and Service, Personal Improvement⁸

43 18. Neighborhood Convenience Commercial, without gasoline sales

44 19. Café or Deli⁸

45 20. Restaurant, General⁸

46 21. Restaurant and Café, outdoor dining⁴

- 47 22. Outdoor Events and Uses⁴
- 48 23. Bar
- 49 24. Parking Area or Structure, with five (5) or more spaces⁵
- 50 25. Temporary Improvement⁴
- 51 26. Passenger Tramway station and ski base facility
- 52 27. Ski tow, ski lift, ski run, and ski bridge
- 53 28. Recreation Facility, Commercial, Public, and Private¹²
- 54 29. Entertainment Facility, Indoor
- 55 30. Fences greater than six feet (6') in height from Final Grade⁴
- 56 31. Private Residence Club, Off-Site⁵
- 57 32. Private Event Facility⁵
- 58 ~~33. [Dwelling Unit, Fractional Use¹³]~~

59 C. **PROHIBITED USES**. Unless otherwise allowed herein, any Use not listed above
60 as an Allowed or Conditional Use is a prohibited Use.

61 ¹Nightly rental of Lockout Units requires a Conditional Use permit.

62 ²Requires an Administrative Permit. See Section 15-4-7, Accessory Apartments.

63 ³See Section 15-4-9, Child Care And Child Care Facilities.

64 ⁴Requires an Administrative or Administrative Conditional Use permit, see Chapter 15-4.

65 ⁵Prohibited in HRC Zoned Storefront Property adjacent to Main Street, Heber Avenue and Park Avenue,
66 excluding those HRC Zoned Properties on the west side of Park Avenue and also excluding those HRC
67 Zoned Properties with the following addresses: 702 Main Street, 710 Main Street, 738 Main Street (for the
68 plaza side storefronts), 780 Main Street, 804 Main Street (for the plaza side storefronts), 875 Main Street,
69 890 Main Street, 900 Main Street, and 820 Park Avenue. Hotel rooms shall not be located within
70 Storefront Property; however access, circulation, and lobby areas are permitted within Storefront
71 Property.

72 ⁶See Section 15-4-14, Telecommunication Facilities.

73 ⁷See Section 15-4-13, Placement Of Satellite Receiving Antennas.

74 ⁸If Gross Floor Area is less than 2,000 sq. ft., the Use shall be considered an Allowed Use.

75 ⁹No community locations as defined by Utah Code 32B-1-102 (Alcoholic Beverage Control Act) are
76 permitted within 200 feet of Main Street unless a variance is permitted for an outlet, as defined by Utah
77 Code 32B-1-202, to obtain a liquor license.

78 ¹⁰Within the HRC Zoning District, no more than seven (7) Conventional Chain Businesses are permitted in
79 Storefront Properties.

80 ¹¹The Planning Director or designee shall upon finding a Food Truck Location in compliance with
81 Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative approval
82 letter.

83 ¹²See Section 15-4-22, Outdoor Pickleball Courts in Residential Areas.

84 ~~¹³Requires an Administrative Letter. See Section 15-4-23, Dwelling Unit, Fractional Use.]~~

85 HISTORY

86 *Adopted by Ord. [00-51](#) on 9/21/2000*

87 *Amended by Ord. [04-39](#) on 3/18/2004*

88 *Amended by Ord. [06-69](#) on 10/19/2006*

89 *Amended by Ord. [07-55](#) on 8/30/2007*

90 *Amended by Ord. [09-10](#) on 3/5/2009*

91 *Amended by Ord. [12-37](#) on 12/20/2012*

92 *Amended by Ord. [16-02](#) on 1/7/2016*

93 *Amended by Ord. [2017-45](#) on 8/17/2017*

94 *Amended by Ord. [2018-55](#) on 10/23/2018*

95 *Amended by Ord. [2020-36](#) on 7/30/2020*

96 *Amended by Ord. [2020-42](#) on 9/17/2020*

97 *Amended by Ord. [2021-51](#) on 12/16/2021*

98 Amended by Ord. [2022-08](#) on 4/28/2022

99 Amended by Ord. [2022-16](#) on 5/26/2022

100 Amended by Ord. [2022-21](#) on 10/27/2022

101 **15-2.6-2 Uses**

102 Uses in the Historic Commercial Business (HCB) District are limited to the following:

103 A. **ALLOWED USES.**¹¹

- 104 1. Single Family Dwelling¹
- 105 2. Multi-Unit Dwelling¹
- 106 3. Secondary Living Quarters¹
- 107 4. Lockout Unit^{1,2}
- 108 5. Accessory Apartment^{1,3}
- 109 6. Nightly Rental⁴
- 110 7. Home Occupation¹
- 111 8. Child Care, In-Home Babysitting¹
- 112 9. Child Care, Family^{1,5}
- 113 10. Child Care, Family Group^{1,5}
- 114 11. Child Care Center^{1,5}
- 115 12. Accessory Building and Use¹
- 116 13. Conservation Activity
- 117 14. Agriculture
- 118 15. Bed and Breakfast Inn^{1, 6}
- 119 16. Boarding House, hostel¹
- 120 17. Hotel, Minor, fewer than 16 rooms¹

- 121 18. Office, General¹
- 122 19. Office, Moderate Intensive¹
- 123 20. Office and clinic, Medical¹
- 124 21. Financial institution, without drive-up window
- 125 22. Commercial Retail and Service, Minor
- 126 23. Commercial Retail and Service, Personal Improvement
- 127 24. Commercial Neighborhood Convenience, without gasoline sales
- 128 25. Restaurant, Cafe or Deli
- 129 26. Restaurant, General
- 130 27. Bar
- 131 28. Parking Lot, Public or Private with four (4) or fewer spaces
- 132 29. Entertainment Facility, Indoor
- 133 30. Salt Lake City 2002 Winter Olympic Games Legacy Displays⁷
- 134 31. Temporary winter Balcony enclosures
- 135 32. Food Truck Location¹²
- 136 B. **CONDITIONAL USES.**^{10, 11}
- 137 1. Group Care Facility¹
- 138 2. Public and Quasi-Public institution, church, or school
- 139 3. Essential municipal public utility Use, facility, service, and Structure
- 140 4. Telecommunication Antenna⁸
- 141 5. Satellite dish, greater than thirty-nine inches (39") in diameter⁹
- 142 6. Plant and Nursery stock products and sales
- 143 7. Hotel, Major¹

- 144 8. Timeshare Projects and Conversions¹
- 145 9. Timeshare Sales Office, Off-Site within an enclosed Building¹
- 146 10. Private Residence Club Project and Conversion^{1,6}
- 147 11. Commercial Retail and Service, Major
- 148 12. Office, Intensive¹
- 149 13. Restaurant, outdoor dining⁶
- 150 14. Outdoor Events and Uses⁶
- 151 15. Hospital, Limited Care Facility¹
- 152 16. Parking Area or Structure for five (5) or more cars¹
- 153 17. Temporary Improvement⁶
- 154 18. Passenger Tramway station and ski base facility
- 155 19. Ski tow, ski lift, ski run, and ski bridge
- 156 20. Recreation Facility, Public
- 157 21. Recreation Facility, Private¹³
- 158 22. Recreation Facility, Commercial
- 159 23. Fences greater than six feet (6') in height from Final Grade⁶
- 160 24. Private Residence Club, Off-Site¹
- 161 25. Private Event Facility¹
- 162 26. ~~Dwelling Unit, Fractional Use¹⁴~~

163 C. **PROHIBITED USES.** Any Use not listed above as an Allowed or Conditional Use
164 is a prohibited Use.

165 ¹Prohibited in HCB Zoned Storefront Property adjacent to Main Street, Heber Avenue, Grant Avenue, and
166 Swede Alley. Hotel rooms shall not be located within Storefront Property; however access, circulation and
167 lobby areas are permitted within Storefront Property.

168 ²Nightly Rental of Lock Units requires a Conditional Use permit.

169 ³Requires an Administrative Permit. See Section 15-4-7, Accessory Apartments.

170 ⁴Nightly Rental of residential dwellings does not include the Use of dwellings for Commercial Uses.

171 ⁵See Section 15-4-9, Child Care And Child Care Facilities.

172 ⁶Requires an Administrative or Administrative Conditional Use permit.

173 ⁷Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City
174 Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed
175 on the original Property set forth in the services Agreement and/or Master Festival License. Requires an
176 Administrative Permit.

177 ⁸See Section 15-4-14, Telecommunication Facilities.

178 ⁹See Section 15-4-13, Placement Of Satellite Receiving Antennas.

179 ¹⁰No community locations as defined by Utah Code 32B-1-102 (Alcoholic Beverage Control Act) are
180 permitted within 200 feet of Main Street unless a variance is permitted for an outlet, as defined by Utah
181 Code 32B-1-202, to obtain a liquor license.

182 ¹¹Within the HCB Zoning District, no more than seventeen (17) Conventional Chain Businesses are
183 permitted in Storefront Properties.

184 ¹²The Planning Director or designee shall, upon finding a Food Truck Location in compliance with
185 Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative approval
186 letter.

187 ¹³See Section 15-4-22, Outdoor Pickleball Courts in Residential Areas.

188 [~~¹⁴Requires an Administrative Letter. See Section 15-4-23, Dwelling Unit, Fractional Use.~~]

189 HISTORY

190 *Adopted by Ord. [00-51](#) on 9/21/2000*

191 *Amended by Ord. [02-38](#) on 9/12/2002*

192 *Amended by Ord. [04-39](#) on 3/18/2004*

193 *Amended by Ord. [06-69](#) on 10/19/2006*

194 *Amended by Ord. [07-55](#) on 8/30/2007*

- 195 Amended by Ord. [09-10](#) on 3/5/2009
- 196 Amended by Ord. [12-37](#) on 12/20/2012
- 197 Amended by Ord. [16-02](#) on 1/7/2016
- 198 Amended by Ord. [16-01](#) on 1/7/2016
- 199 Amended by Ord. [2017-45](#) on 8/17/2017
- 200 Amended by Ord. [2018-55](#) on 10/23/2018
- 201 Amended by Ord. [2020-36](#) on 7/30/2020
- 202 Amended by Ord. [2020-42](#) on 9/17/2020
- 203 Amended by Ord. [2021-51](#) on 12/16/2021
- 204 Amended by Ord. [2022-08](#) on 4/28/2022
- 205 Amended by Ord. [2022-16](#) on 5/26/2022
- 206 Amended by Ord. [2022-21](#) on 10/27/2022

207 **15-2.13-2 Uses**

208 Uses in the RD District are limited to the following:

209 A. **ALLOWED USES.**

- 210 1. Single-Family Dwelling
- 211 2. Duplex Dwelling
- 212 3. Secondary Living Quarters
- 213 4. Lockout Unit¹
- 214 5. Accessory Apartment²
- 215 6. Nightly Rental³
- 216 7. Home Occupation
- 217 8. Child Care, In-Home Babysitting⁴

- 218 9. Child Care, Family⁴
- 219 10. Child Care, Family Group⁴
- 220 11. Accessory Building and Use
- 221 12. Conservation Activity Agriculture
- 222 13. Parking Area or Structure with four (4) or fewer spaces
- 223 14. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays⁵
- 224 15. Food Truck Location¹⁶
- 225 16. Internal Accessory Dwelling Unit¹⁷

226 **B. CONDITIONAL USES.**

- 227 1. Triplex Dwelling⁶
- 228 2. Multi-Unit Dwelling⁶
- 229 3. Guest House
- 230 4. Group Care Facility
- 231 5. Child Care Center⁴
- 232 6. Public and Quasi-Public Institution, Church, and School
- 233 7. Essential Municipal Public Utility Use, Facility, Service, and Structure
- 234 8. Telecommunication Antenna⁷
- 235 9. Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter⁸
- 236 10. Raising, grazing of horses
- 237 11. Cemetery
- 238 12. Bed and Breakfast Inn
- 239 13. Hotel, Minor⁶
- 240 14. Hotel, Major⁶

- 241 15. Private Residence Club Project and Conversion¹⁰
- 242 16. Office, General^{6,9}
- 243 17. Office, Moderate Intensive^{6,9}
- 244 18. Office, Medical^{6,9}
- 245 19. Financial Institution without drive-up window^{6,9}
- 246 20. Commercial Retail and Service, Minor^{6,9}
- 247 21. Commercial Retail and Service, personal improvement^{6,9}
- 248 22. Commercial, Resort Support^{6,9}
- 249 23. Café or Deli^{6,9}
- 250 24. Restaurant, Standard^{6,9}
- 251 25. Restaurant, Outdoor Dining¹⁰
- 252 26. Outdoor Event¹⁰
- 253 27. Bar^{6,9}
- 254 28. Hospital, Limited Care Facility^{6,9}
- 255 29. Parking Area or Structure with five (5) or more spaces
- 256 30. Temporary Improvement¹⁰
- 257 31. Passenger Tramway Station and Ski Base Facility¹¹
- 258 32. Ski Tow, Ski Lift, Ski Run, and Ski Bridge¹¹
- 259 33. Recreation Facility, Public
- 260 34. Recreation Facility, Commercial⁶
- 261 35. Recreation Facility, Private¹⁸
- 262 36. Entertainment Facility, Indoor^{6,9}
- 263 37. Commercial Stables, Riding Academy¹²

- 264 38. Heliport¹²
- 265 39. Vehicle Control Gate¹³
- 266 40. Fences and walls greater than six feet (6') in height from Final Grade¹⁰
- 267 41. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays¹⁴
- 268 42. Amenities Club
- 269 43. Club, Private Residence Off-Site¹⁵
- 270 ~~44. [Dwelling Unit, Fractional Use^{3, 19}]~~

271 C. **PROHIBITED USES**. Any Use not listed above as an Allowed or Conditional Use
272 is a prohibited Use.

273 ¹Nightly rental of Lockout Units requires a Conditional Use permit

274 ²Requires an Administrative Permit. See Section 15-4-7, Accessory Apartments

275 ³Nightly Rentals do not include the Use of dwellings for Commercial Uses. Nightly Rentals ~~[and Dwelling~~

276 ~~Unit, Fractional Use]~~ are not permitted in the April Mountain, Mellow Mountain Estates Subdivisions,

277 Meadows Estates Subdivision Phases #1A and #1B, Fairway Meadows Subdivision, ~~[and]~~ Hidden Oaks

278 at Deer Valley Phases 2 and 3, ~~Chatham Crossing Subdivision, and West Ridge and West Ridge Phase 2~~

279 ~~Subdivision.~~

280 ⁴See Section 15-4-9 Child Care and Child Care Facilities

281 ⁵Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City

282 Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed

283 on the original Property set forth in the services agreement and/or Master Festival License

284 ⁶Subject to provisions of LMC Chapter 15-6, Master Planned Development

285 ⁷See Section 15-4-14, Telecommunications Facilities

286 ⁸See Section 15-4-13, Placement of Satellite Receiving Antennas

287 ⁹Allowed only as a secondary or support Use to the primary Development or Use and intended as a

288 convenience for residents or occupants of adjacent or adjoining residential Developments.

289 ¹⁰Requires an Administrative Conditional Use permit.

290 ¹¹As part of an approved Ski Area Master Plan. See Section 15-4-18 Passenger Tramways and Ski Base
291 Facilities.

292 ¹²Omitted.

293 ¹³See Section 15-4-19, Review Criteria For Control Vehicle Gates.

294 ¹⁴Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City
295 Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed
296 in an Area other than the original location set forth in the services agreement and/or Master Festival
297 License.

298 ¹⁵Only allowed within a Master Planned Development. Requires an Administrative Conditional Use permit.
299 Is permitted only in approved existing Commercial spaces or developments that have ten (10) or more
300 units with approved Support Commercial space. A Parking Plan shall be submitted to determine site
301 specific parking requirements.

302 ¹⁶The Planning Director or their designee shall, upon finding a Food Truck Location in compliance with
303 Municipal Code 4-5-6, issue the property owner a Food Truck Location administrative approval letter.

304 ¹⁷See Section 15-4-7.1, Internal Accessory Dwelling Units.

305 ¹⁸See Section 15-4-22, Outdoor Pickleball Courts in Residential Areas.

306 [~~¹⁹Requires an Administrative Letter. See Section 15-4-23, Dwelling Unit, Fractional Use.~~]

307 HISTORY

308 *Adopted by Ord. [00-51](#) on 9/21/2000*

309 *Amended by Ord. [02-38](#) on 9/12/2002*

310 *Amended by Ord. [04-08](#) on 3/4/2004*

311 *Amended by Ord. [05-39](#) on 6/30/2005*

312 *Amended by Ord. [06-76](#) on 11/9/2006*

313 *Amended by Ord. [11-05](#) on 1/27/2011*

314 *Amended by Ord. [14-35](#) on 6/26/2014*

315 *Amended by Ord. [2018-23](#) on 5/17/2018*

316 Amended by Ord. [2018-55](#) on 10/23/2018

317 Amended by Ord. [2020-38](#) on 7/30/2020

318 Amended by Ord. [2020-45](#) on 10/1/2020

319 Amended by Ord. [2021-16](#) on 4/15/2021

320 Amended by Ord. [2021-38](#) on 9/23/2021

321 Amended by Ord. [2021-52](#) on 12/16/2021

322 Amended by Ord. [2021-51](#) on 12/16/2021

323 Amended by Ord. [2022-08](#) on 4/28/2022

324 Amended by Ord. [2022-21](#) on 10/27/2022

325 **15-2.14-2 Uses**

326 Uses in the RDM District are limited to the following:

327 A. **ALLOWED USES.**

- 328 1. Single Family Dwelling
- 329 2. Duplex Dwelling
- 330 3. Triplex Dwelling
- 331 4. Secondary Living Quarters
- 332 5. Lockout Unit¹
- 333 6. Accessory Apartment²
- 334 7. Nightly Rental³
- 335 8. Home Occupation
- 336 9. Child Care, In Home Babysitting⁴
- 337 10. Child Care, Family⁴
- 338 11. Child Care, Family Group⁴

- 339 12. Accessory Building and Use
- 340 13. Conservation Activity
- 341 14. Agriculture
- 342 15. Parking Area or Structure with four (4) or fewer spaces
- 343 16. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays⁵
- 344 17. Food Truck Location¹⁴
- 345 18. Internal Accessory Dwelling Unit¹⁵

346 **B. CONDITIONAL USES.**

- 347 1. Multi Unit Dwelling⁶
- 348 2. Guest House
- 349 3. Group Care Facility
- 350 4. Child Care Center
- 351 5. Public and Quasi Public Institution, Church, and School
- 352 6. Essential Municipal Public Utility Use, Facility, Service, and Structure
- 353 7. Telecommunication Antenna⁷
- 354 8. Satellite Dish, greater than thirty nine inches (39") in diameter⁸
- 355 9. Raising grazing of horses
- 356 10. Cemetery
- 357 11. Bed and Breakfast Inn
- 358 12. Boarding House, Hotel
- 359 13. Hotel, Minor⁶
- 360 14. Hotel, Major⁶
- 361 15. Private Residence Club Project and Conversion¹¹

- 362 16. Office, General⁶
- 363 17. Office, Moderate Intensive^{6,9}
- 364 18. Office and Clinic, Medical^{6,10}
- 365 19. Financial Institution, without drive up window^{6,10}
- 366 20. Commercial Retail and Service, Minor^{6,10}
- 367 21. Commercial Retail and Service, personal improvement^{6,10}
- 368 22. Commercial, Resort Support^{6,10}
- 369 23. Cafe or Deli^{6,10}
- 370 24. Restaurant, Standard^{6,10}
- 371 25. Restaurant, Outdoor Dining¹¹
- 372 26. Outdoor Event¹¹
- 373 27. Bar^{6,10}
- 374 28. Hospital, Limited Care Facility^{6,9}
- 375 29. Parking Area or Structure with five (5) or fewer spaces
- 376 30. Temporary Improvement¹¹
- 377 31. Passenger Tramway Station and Ski Base Facility¹²
- 378 32. Ski Tow, Ski Lift, Ski Run, and Ski Bridge¹²
- 379 33. Recreation Facility, Public
- 380 34. Recreation Facility, Commercial⁶
- 381 35. Recreation Facility, Private¹⁶
- 382 36. Entertainment Facility, Indoor^{6,9}
- 383 37. Commercial Stables, Riding Academy^{6,10}
- 384 38. Fences greater than six feet (6') in height from Final Grade

385 39. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays¹³

386 ~~40. [Dwelling Unit, Fractional Use¹⁷]~~

387 C. **PROHIBITED USES**. Any Use not listed above as an Allowed or Conditional Use
388 is a prohibited Use.

389 ¹Nightly Rental of Lockout Units requires a Conditional Use permit.

390 ²Requires an Administrative Permit. See Section 15-4-7, Accessory Apartments.

391 ³Nightly Rentals do not include the Use of Dwellings for Commercial Use.

392 ⁴See Section 15-4-9, Child Care and Child Care Facilities

393 ⁵Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City
394 Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed
395 on the original Property set forth in the services agreement and/or Master Festival License

396 ⁶Subject to Master Planned Development approval. See Chapter 15-6.

397 ⁷See Section 15-4-14, Telecommunication Facilities.

398 ⁸See Section 15-4-13, Placement of Satellite Receiving Antennas.

399 ⁹General Offices are only permitted with an approved Master Planned Development and may only be
400 approved as the redevelopment of an existing Building or Property. In addition to meeting the necessary
401 criteria in the Chapter 15-6 Master Planned Developments, the Planning Commission must find that: a)
402 the redevelopment of an existing Building or Property to a General Office use will substantially advance
403 the objectives of Economic Element of the General Plan or other more specific neighborhood plans; b) it
404 has minimized/eliminated any potential detrimental impact on the resort and/or resort-residential
405 character of the RDM District and the Frontage Protection Zone through careful planning and conditions
406 of approval; c) it will not result in an intensification of use incompatible with neighboring developments;
407 and d) it will not result in substantial increase in the existing trip generations for services and deliveries.

408 ¹⁰Allowed only as a secondary or support Use to the primary Development or Use and intended as a
409 convenience for residents or occupants of adjacent or adjoining residential Development.

410 ¹¹Requires an administrative Conditional Use permit.

411 ¹²As part of an approved Ski Area Master Plan. See Section 15-4-18, Passenger Tramways and Ski Base

412 Facilities

413 ¹³Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City
414 Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed
415 in an Area other than the original location set forth in the services agreement and/or Master Festival
416 License.

417 ¹⁴The Planning Director or their designee shall, upon finding a Food Truck Location in compliance with
418 Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative approval
419 letter.

420 ¹⁵See Section 15-4-7.1, Internal Accessory Dwelling Units.

421 ¹⁶See Section 15-4-22, Outdoor Pickleball Courts in Residential Areas.

422 [~~¹⁷Requires an Administrative Letter. See Section 15-4-23, Dwelling Unit, Fractional Use.~~]

423 HISTORY

424 *Adopted by Ord. [00-51](#) on 9/21/2000*

425 *Amended by Ord. [02-24](#) on 6/27/2002*

426 *Amended by Ord. [02-38](#) on 9/12/2002*

427 *Amended by Ord. [04-39](#) on 3/18/2004*

428 *Amended by Ord. [06-76](#) on 11/9/2006*

429 *Amended by Ord. [2018-55](#) on 10/23/2018*

430 *Amended by Ord. [2020-45](#) on 10/1/2020*

431 *Amended by Ord. [2021-38](#) on 9/23/2021*

432 *Amended by Ord. [2021-51](#) on 12/16/2021*

433 *Amended by Ord. [2022-08](#) on 4/28/2022*

434 *Amended by Ord. [2022-21](#) on 10/27/2022*

435 **15-2.16-2 Uses**

436 Uses in the RC District are limited to the following:

437 A. **ALLOWED USES.**

- 438 1. Single Family Dwelling
- 439 2. Duplex Dwelling
- 440 3. Triplex Dwelling
- 441 4. Secondary Living Quarters
- 442 5. Lockout Unit¹
- 443 6. Accessory Apartment²
- 444 7. Nightly Rental³
- 445 8. Home Occupation
- 446 9. Child Care, In-Home Babysitting⁴
- 447 10. Child Care, Family⁴
- 448 11. Child Care, Family Group⁴
- 449 12. Child Care Center⁴
- 450 13. Accessory Building and Use
- 451 14. Conservation Activity
- 452 15. Agriculture
- 453 16. Bed and Breakfast Inn
- 454 17. Boarding House, Hostel
- 455 18. Hotel, Minor
- 456 19. Parking Area or Structure with four (4) or fewer spaces
- 457 20. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays⁵
- 458 21. Food Truck Location¹²

459 B. **CONDITIONAL USES.**

- 460 1. Multi-Unit Dwelling
- 461 2. Group Care Facility
- 462 3. Public and Quasi-Public institution, church, and school
- 463 4. Essential municipal and public utility Use, facility, service, and Structure
- 464 5. Telecommunications Antenna⁶
- 465 6. Satellite dish Antenna, greater than thirty-nine inches (39") in diameter⁷
- 466 7. Raising, grazing of horses
- 467 8. Cemetery
- 468 9. Hotel, Major
- 469 10. Timeshare Project and Conversion
- 470 11. Timeshare Sales Office
- 471 12. Private Residence Club Project and Conversion⁹
- 472 13. Office, General⁸
- 473 14. Office, Moderate⁸
- 474 15. Office and clinic, Medical⁸
- 475 16. Financial institution without drive-up window⁸
- 476 17. Minor Retail and Service Commercial⁸
- 477 18. Retail and Service Commercial, Personal Improvement⁸
- 478 19. Transportation Service⁸
- 479 20. Neighborhood Market, without gasoline sales⁸
- 480 21. Café or Deli⁸
- 481 22. Restaurant, General⁸
- 482 23. Restaurant, outdoor dining^{8,9}

- 483 24. Bar⁸
- 484 25. Hospital, Limited Care Facility⁸
- 485 26. Parking Area or Structure with five (5) or more spaces
- 486 27. Temporary Improvement⁹
- 487 28. Passenger Tramway station and ski base facility¹⁰
- 488 29. Ski tow rope, ski lift, ski run, and ski bridge¹⁰
- 489 30. Outdoor Events and Uses⁹
- 490 31. Recreation Facility, Public and Private^{8, 13}
- 491 32. Recreation Facility, Commercial⁸
- 492 33. Entertainment Facility, Indoor⁸
- 493 34. Commercial Riding Stable(s), riding academy⁸
- 494 35. Heliport⁸
- 495 36. Amenities Club
- 496 37. Club, Private Residence Off-Site¹¹
- 497 ~~38. [Dwelling Unit, Fractional Use¹⁴]~~

498 C. **PROHIBITED USES**. Any Use not listed above as an Allowed or Conditional Use
499 is a prohibited Use.

500 ¹Nightly Rental of Lockout Units requires a Conditional Use permit

501 ²Requires an Administrative Permit. See Section 15-4-7, Accessory Apartments

502 ³Nightly Rentals do not include the Use of dwellings for Commercial Uses

503 ⁴See Section 15-4-9, Child Care And Child Care Facilities

504 ⁵Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City
505 Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed
506 on the original Property set forth in the services agreement and/or Master Festival License. Requires an
507 Administrative Permit.

508 ⁶See Section 15-4-14, Telecommunication Facilities

509 ⁷See Section 15-4-13, Placement Of Satellite Receiving Antennas

510 ⁸As support Use to primary Development or Use, subject to provisions of LMC Chapter 15-6, Master
511 Planned Developments

512 ⁹Requires an Administrative or Administrative Conditional Use permit, see Chapter 15-4

513 ¹⁰As part of an approved Ski Area Master Plan

514 ¹¹Requires an Administrative Conditional Use permit. Is permitted only in approved existing Commercial
515 spaces or Developments that have ten (10) or more units with approved Support Commercial space. A
516 Parking Plan shall be submitted to determine site specific parking requirements.

517 ¹²The Planning Director or their designee shall, upon finding a Food Truck Location in compliance with
518 Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative approval
519 letter.

520 ¹³See Section 15-4-22, Outdoor Pickleball Courts in Residential Areas.

521 [~~¹⁴Requires an Administrative Letter. See Section 15-4-23, Dwelling Unit, Fractional Use.~~]

522 HISTORY

523 *Adopted by Ord. [00-51](#) on 9/21/2000*

524 *Amended by Ord. [02-38](#) on 9/12/2002*

525 *Amended by Ord. [04-39](#) on 3/18/2004*

526 *Amended by Ord. [06-76](#) on 11/9/2006*

527 *Amended by Ord. [09-10](#) on 3/5/2009*

528 *Amended by Ord. [11-05](#) on 1/27/2011*

529 *Amended by Ord. [15-35](#) on 10/12/2015*

530 *Amended by Ord. [2018-23](#) on 5/17/2018*

531 *Amended by Ord. [2018-55](#) on 10/23/2018*

532 *Amended by Ord. [2020-36](#) on 7/30/2020*

533 *Amended by Ord. [2020-45](#) on 10/1/2020*

534 Amended by Ord. [2021-51](#) on 12/16/2021

535 Amended by Ord. [2022-08](#) on 4/28/2022

536 Amended by Ord. [2022-21](#) on 10/27/2022

537 **15-2.17-2 Uses**

538 Uses in the RCO District are limited to the following:

539 A. **ALLOWED USES.**

540 1. Secondary Living Quarters

541 2. Lockout Unit¹

542 3. Accessory Apartment²

543 4. Nightly Rental

544 5. Home Occupation

545 6. Child Care, In-Home Babysitting³

546 7. Child Care, Family³

547 8. Child Care, Family Group³

548 9. Accessory Building and Use

549 10. Conservation Activity

550 11. Agriculture

551 12. Parking Area or Structure with four (4) or fewer spaces

552 13. Recreation Facility, Private¹²

553 14. Allowed Uses in the Underlying Zoning District

554 15. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays⁴

555 16. Food Truck Location¹¹

556 B. **CONDITIONAL USES.**

- 557 1. Multi-Unit Dwelling⁵
- 558 2. Group Care Facility⁵
- 559 3. Child Care Center^{3,5}
- 560 4. Public and Quasi-Public Institution, Church and School⁵
- 561 5. Essential Municipal Public Utility Use, Facility, Service, and Structure⁵
- 562 6. Telecommunication Antenna⁶
- 563 7. Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter⁷
- 564 8. Plant and Nursery stock products and sales⁵
- 565 9. Bed and Breakfast Inn⁵
- 566 10. Boarding House, Hostel⁵
- 567 11. Hotel, Minor⁵
- 568 12. Hotel, Major⁵
- 569 13. Private Residence Club Project and Conversion⁹
- 570 14. Timeshare Sales Office, off-site⁵
- 571 15. Office, General⁵
- 572 16. Office, Moderate Intensive⁵
- 573 17. Office, Intensive⁵
- 574 18. Office and Clinic, Medical⁵
- 575 19. Financial Institution, with and without drive-up window^{5,8}
- 576 20. Retail and Service Commercial, Minor⁵
- 577 21. Retail and Service Commercial, personal improvement⁵
- 578 22. Retail and Service Commercial, Major⁵
- 579 23. Transportation Service⁵

- 580 24. Retail Drive-Up Window⁸
- 581 25. Neighborhood Convenience Commercial⁵
- 582 26. Commercial, Resort Support⁵
- 583 27. Gasoline Service Station⁵
- 584 28. Cafe, Deli⁵
- 585 29. Restaurant, General⁵
- 586 30. Restaurant, Outdoor Dining⁹
- 587 31. Outdoor Event⁹
- 588 32. Restaurant, Drive-up window⁸
- 589 33. Bar⁵
- 590 34. Hospital, Limited Care Facility⁵
- 591 35. Hospital, General⁵
- 592 36. Parking Area or Garage with five (5) or more spaces⁸
- 593 37. Temporary Improvement⁹
- 594 38. Passenger Tramway Station and Ski Base Facility⁵
- 595 39. Ski tow rope, ski lift, ski run, and ski bridge⁵
- 596 40. Recreation Facility, Public⁵
- 597 41. Recreation Facility, Commercial⁵
- 598 42. Entertainment, Indoor⁵
- 599 43. Heliport⁵
- 600 44. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays¹⁰
- 601 ~~45. [Dwelling Unit, Fractional Use¹³]~~

602 C. **PROHIBITED USES**. Any Use not listed above as an Allowed or Conditional Use
603 is a prohibited Use.

604 ¹Nightly Rental of Lockout Units requires a Conditional Use permit.

605 ²Requires an Administrative Permit. See Section 15-4-7, Accessory Apartments.

606 ³See Section 15-4-9, Child Care and Child Care Facilities.

607 ⁴Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City
608 Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed
609 on the original Property set forth in the services agreement and/or Master Festival License.

610 ⁵Subject to Master Planned Development approval. See Chapter 15-6.

611 ⁶See Section 15-4-14, Telecommunication Facilities.

612 ⁷See Section 15-4-13, Placement of Satellite Receiving Antennas.

613 ⁸See Section 15-2.18-5 criteria for drive-up windows.

614 ⁹Requires an administrative Conditional Use permit.

615 ¹⁰Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City
616 Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed
617 in an Area other than the original location set forth in the services agreement and/or Master Festival
618 License.

619 ¹¹The Planning Director or their designee shall, upon finding a Food Truck Location in compliance with
620 Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative approval
621 letter.

622 ¹²See Section 15-4-22, Outdoor Pickleball Courts in Residential Areas.

623 ~~¹³Requires an Administrative Letter. See Section 15-4-23, Dwelling Unit, Fractional Use.~~

624 HISTORY

625 *Adopted by Ord. [00-51](#) on 9/21/2000*

626 *Amended by Ord. [02-38](#) on 9/12/2002*

627 *Amended by Ord. [04-39](#) on 9/23/2004*

628 *Amended by Ord. [06-76](#) on 11/9/2006*

629 Amended by Ord. [2018-55](#) on 10/23/2018

630 Amended by Ord. [2020-45](#) on 10/1/2020

631 Amended by Ord. [2021-51](#) on 12/16/2021

632 Amended by Ord. [2022-08](#) on 4/28/2022

633 Amended by Ord. [2022-21](#) on 10/27/2022

634 **15-2.18-2 Uses**

635 Uses in the GC District are limited to the following:

636 A. **ALLOWED USES.**

637 1. Secondary Living Quarters

638 2. Lockout Unit¹

639 3. Accessory Apartment²

640 4. Nightly Rental

641 5. Home Occupation

642 6. Child Care, In-Home Babysitting³

643 7. Child Care, Family³

644 8. Child Care, Family Group³

645 9. Child Care Center³

646 10. Accessory Building and Use

647 11. Conservation Activity

648 12. Agriculture

649 13. Plant and Nursery Stock production and sales

650 14. Bed and Breakfast Inn

651 15. Boarding House, Hostel

- 652 16. Hotel, Minor
- 653 17. Hotel, Major
- 654 18. Office, General
- 655 19. Office, Moderate Intensive
- 656 20. Office, Intensive
- 657 21. Office and Clinic, Medical and Veterinary Clinic
- 658 22. Financial Institution without a drive-up window
- 659 23. Commercial, Resort Support
- 660 24. Retail and Service Commercial, Minor
- 661 25. Retail and Service Commercial, Personal Improvement
- 662 26. Retail and Service Commercial, Major
- 663 27. Cafe or Deli
- 664 28. Restaurant, General
- 665 29. Hospital, Limited Care Facility
- 666 30. Parking Area or Structure with four (4) or fewer spaces
- 667 31. Parking Area or Structure with five (5) or more spaces
- 668 32. Food Truck Location¹⁰

669 **B. CONDITIONAL USES.**

- 670 1. Single Family Dwelling
- 671 2. Duplex Dwelling
- 672 3. Triplex Dwelling
- 673 4. Multi-Unit Dwelling
- 674 5. Group Care Facility

- 675 6. Public and Quasi-Public Institution, Church, and School
- 676 7. Essential Municipal Public Utility Use, Facility, Service, and Structure
- 677 8. Telecommunication Antenna⁴
- 678 9. Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter⁵
- 679 10. Timeshare Project and Conversion
- 680 11. Timeshare Sales Office, off-site within an enclosed Building
- 681 12. Private Residence Club Project and Conversion⁸
- 682 13. Financial Institution with a Drive-up Window⁶
- 683 14. Retail and Service Commercial with Outdoor Storage
- 684 15. Retail and Service Commercial, Auto Related
- 685 16. Transportation Service
- 686 17. Retail Drive-Up Window⁶
- 687 18. Gasoline Service Station
- 688 19. Restaurant and Cafe, Outdoor Dining⁷
- 689 20. Restaurant, Drive-up Window⁶
- 690 21. Outdoor Event⁷
- 691 22. Bar
- 692 23. Sexually Oriented Businesses⁸
- 693 24. Hospital, General
- 694 25. Light Industrial Manufacturing and Assembly
- 695 26. Temporary Improvement⁷
- 696 27. Passenger Tramway and Ski Base Facility
- 697 28. Ski tow rope, ski lift, ski run, and ski bridge

- 698 29. Commercial Parking Lot or Structure
- 699 30. Recreation Facility, Public
- 700 31. Recreation Facility, Commercial
- 701 32. Recreation Facility, Private⁹
- 702 33. Indoor Entertainment Facility
- 703 34. Heliport
- 704 35. Temporary Sales Trailer in conjunction with an active Building permit for
- 705 the Site.⁸
- 706 36. Fences greater than six feet (6') in height from Final Grade⁷
- 707 37. Household Pet, Boarding⁷
- 708 38. Household Pet, Daycare⁷
- 709 39. Household Pet, Grooming⁷
- 710 ~~40. [Dwelling Unit, Fractional Use¹⁴]~~

711 C. **PROHIBITED USES**. Any Use not listed above as an Allowed or Conditional Use
712 is a prohibited Use.

713 ¹Nightly rental of Lockout Units requires Conditional Use permit.

714 ²Requires an Administrative Permit. See Section 15-4-7, Accessory Apartments.

715 ³See Section 15-4-9, Child Care and Child Care Facilities.

716 ⁴See Section 15-4-14, Telecommunication Facilities.

717 ⁵See Section 15-4-13, Placement of Satellite Receiving Antennas.

718 ⁶See Section 15-2.18-6 for Drive-Up Window review.

719 ⁷Requires an Administrative Conditional Use permit.

720 ⁸See Section 15-4-16 for additional criteria.

721 ⁹See Section 15-4-22, Outdoor Pickleball Courts in Residential Areas.

722 ¹⁰The Planning Director or their designee shall, upon finding a Food Truck Location in compliance with

723 Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative approval
724 letter.

725 [~~14 Requires an Administrative Letter. See Section 15-4-23, Dwelling Unit, Fractional Use.~~]

726 HISTORY

727 *Adopted by Ord. [00-51](#) on 9/21/2000*

728 *Amended by Ord. [04-39](#) on 9/23/2004*

729 *Amended by Ord. [06-76](#) on 11/9/2006*

730 *Amended by Ord. [14-57](#) on 11/20/2014*

731 *Amended by Ord. [2018-55](#) on 10/23/2018*

732 *Amended by Ord. [2020-45](#) on 10/1/2020*

733 *Amended by Ord. [2021-51](#) on 12/16/2021*

734 *Amended by Ord. [2022-08](#) on 4/28/2022*

735 *Amended by Ord. [2022-21](#) on 10/27/2022*

736 **~~[15-4-23 Dwelling Unit, Fractional Use~~**

737 ~~Planning staff shall evaluate the Fractional Use Applications, and shall find compliance~~
738 ~~with the following:~~

739 ~~A. The following are prohibited:~~

740 ~~1. Nightly Rentals;~~

741 ~~2. On-Street Parking;~~

742 ~~3. Outdoor display of goods and merchandise;~~

743 ~~4. Signs;~~

744 ~~5. Commercial uses.~~

745 ~~B. The Applicant submits a Management Plan describing the satisfactory level of~~
746 ~~management and maintenance of the Dwelling Unit, Fractional Use that~~
747 ~~addresses the following:~~

748 ~~1. A designated responsible party that is a property management company,~~
749 ~~realtor, lawyer, owner, or another individual, who resides within a one-hour~~
750 ~~drive of the property, or, in the case of a company, has offices in Summit~~
751 ~~County, Utah. The responsible party must be available by telephone, or~~
752 ~~otherwise, twenty-four (24) hours per day, and must be able to respond to~~
753 ~~telephone inquiries within twenty (20) minutes of the receipt of such~~
754 ~~inquiries. The responsible party is also designated as the agent for~~
755 ~~receiving all official communications.~~

756 ~~2. Snow removal during winter months to a level that allows safe access to~~
757 ~~the Dwelling Unit over the normal pedestrian access.~~

758 ~~3. Snow removal service to off-street parking associated with the property to~~
759 ~~ensure parking is available for owner use at all times.~~

760 ~~4. Summer yard maintenance, including landscaping, weed control, and~~
761 ~~irrigation to a level that is consistent with the level of landscaping and~~
762 ~~maintenance on adjoining and nearby properties.~~

763 ~~5. Structural maintenance to preserve substantial code compliance.~~

764 ~~6. Routine upkeep, including painting and repair to a level that is consistent~~
765 ~~with the level of maintenance on adjoining or nearby properties.~~

- 766 ~~7. Trash collection which ensures that trash cans are not left at the curb for~~
767 ~~any period in excess of 24 hours; the property must be kept free from~~
768 ~~accumulated garbage and refuse.~~
- 769 ~~8. Noise and Occupancy Control— Property management and owners are~~
770 ~~responsible for regulating the occupancy of the property and noise created~~
771 ~~by occupants. Violation of the Noise Ordinance in Municipal Code of Park~~
772 ~~City Chapter 6-3, violation of occupancy loads, failure to use designated~~
773 ~~off-street parking, illegal conduct, or any other abuse, which violates any~~
774 ~~law regarding use or occupancy of the property is grounds for revocation.~~
- 775 ~~9. Information on the proposed Fractional Use, including:~~
- 776 ~~1. A description of the method of management of the Fractional Use.~~
777 ~~2. Any restrictions on the use or occupancy of the Dwelling Unit and~~
778 ~~property.~~
- 779 ~~3. Any additional documentation the Applicant or City staff deem~~
780 ~~reasonably necessary to evaluate the Fractional Use.~~
- 781 ~~10. An active Business License for the fractional ownership company.~~

782 **HISTORY**

783 *Adopted by Ord. 2022-21 on 10/27/2022]*

784 **15-15-1 Definitions**

785 . . .

786 ~~**DWELLING UNIT, FRACTIONAL USE.** Any Dwelling Unit which is owned by a limited~~
787 ~~liability company, corporation, partnership, or other joint ownership structure in which~~
788 ~~unrelated persons or entities own, sell, purchase or otherwise for consideration create~~

789 ~~or acquire any divided property interest including co-ownership or fractional or divided~~
790 ~~estates, shares, leaseholds, or memberships which are subject to, or subsequently~~
791 ~~bound by any agreement limiting interest holders' or their designees' right or functional~~
792 ~~ability to occupy or use the property to their respective interests or any other agreement~~
793 ~~which limits interest holders' or their designees' use of the property to fractional~~
794 ~~reservations through stay limitations of any duration. Fractional Use is established by~~
795 ~~any of the following elements : co-ownership or fractional or divided estates, shares,~~
796 ~~leaseholds, or memberships which are openly advertised, marketed, or offered for sale~~
797 ~~and sold individually at separate times; centralized or professional management;~~
798 ~~reservation systems; maximum or minimum day limits on each interest holder's~~
799 ~~occupancy or use of the property; or management fees reflective of interval use or~~
800 ~~ownership, irrespective of whether the agreement may be canceled individually or by~~
801 ~~any party. This definition shall not include non-commercial groups such as families,~~
802 ~~partnerships, associations, or trusts with divided interests or agreements in which the~~
803 ~~real estate is held and transferred within the family, partnership, association, or trust as~~
804 ~~opposed to sold on the free market for commercial purposes.]~~
805