

Ordinance No. 2023-19

**AN ORDINANCE AMENDING LAND MANAGEMENT CODE CHAPTER 15-2.21
SENSITIVE LAND OVERLAY ZONE REGULATIONS
AND SECTION 15-15-1 DEFINITIONS**

WHEREAS, the Land Management Code promotes the general health, safety, and welfare of the present and future inhabitants, businesses, and visitors of the City and implements the goals and policies of the General Plan;

WHEREAS, the Park City General Plan recommends protections for sensitive lands and Goal 4 is to conserve a connected, healthy network of open space for continued access to and respect for the natural setting, and Goal 6 states Park City will implement climate adaptation strategies to enhance the City's resilience to the future impacts of climate change and Objective 6C is to support ecosystem health, biodiversity, and natural buffers between development and sensitive lands;

WHEREAS, in 1991, the City Council recognized the City's economic well-being was dependent on the appeal of the year-round resort destination and that protection of the City's natural resources, view corridors, and mountain environment was directly related to the City's appeal for both tourists and the quality of life for residents. On October 10, 1991, the City Council passed Resolution No. 30-91 *Establishing Principles for the Protection of Sensitive Lands in the Park City Planning Area*, authorizing a study of sensitive lands within the community;

WHEREAS, in 1992, the City Council passed Ordinance No. 92-17 *Adopting the Sensitive Area Overlay Zone Regulations and Amending the Official Zoning Map of Park City, Utah to Include the Sensitive Area Overlay Zone and Amending the Land Management Code of Park City, Utah to Better Regulate Development of Sensitive Lands*;

WHEREAS, the Sensitive Land Overlay established in Land Management Code Chapter 15-2.21 requires dedicated Open Space in aesthetically and environmentally sensitive areas, encourages preservation of large expanded of Open Space and wildlife habitat, clusters development while allowing reasonable use of property, prohibits development on Ridge Line Areas, Steep Slopes, and wetlands, and protects and preserves environmentally sensitive land;

WHEREAS, while minor modifications to the Sensitive Land Overlay were enacted over the years, the City has annexed significant acreage and requires updates to Ridge Line Areas and Vantage Points;

WHEREAS, the Sensitive Land Overlay establishes exceptions for ski slopes and exceptions are expanded to the construction of trails if those trails are part of an approved

Trails Master Plan the Planning Commission reviews for Sensitive Land Overlay compliance prior to adoption by the City Council;

WHEREAS, the Sensitive Land Overlay prohibits development within fifty feet of a Very Steep Slope and the proposed amendments require applicants to identify Very Steep Slopes within fifty feet of property boundaries;

WHEREAS, on March 3, 2023, staff posted notice to the Utah Public Notice and City websites, on March 6, 2023, staff mailed courtesy notices to property owners within the Sensitive Land Overlay, and on March 8, 2023 the Park Record published public notice;

WHEREAS, on January 25, 2023, the Planning Commission conducted a work session on the proposed amendments;

WHEREAS, on March 22, 2023, the Planning Commission conducted a public hearing and unanimously forwarded a positive recommendation for City Council's consideration;

WHEREAS, on April 27, 2023, the City Council conducted a public hearing;

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 Chapter 15-2.21 *Sensitive Land Overlay Zone Regulations* and Section 15-15-1 *Definitions* are hereby amended 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
57775BCB46444F6...
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 **15-2.21-2 Overlay Review Process**

3 The overlay review process has four primary steps:

4 A. **SENSITIVE LANDS ANALYSIS**. Applicants for Development within the SLO
5 must identify the Property's sensitive environmental and aesthetic Areas such as
6 Steep Slopes, Ridge Line Areas, Crest of Hills, wetlands, Stream Corridors,
7 Wildland interface, and wildlife habitat Areas and provide at time of Application, a
8 Sensitive Lands Analysis. Every annexation must provide a Sensitive Lands
9 Analysis.

10 B. **APPLICATION OF OVERLAY ZONE REGULATIONS**. Regulatory standards
11 apply to the type of Sensitive Lands delineated.

12 C. **SITE DEVELOPMENT SUITABILITY DETERMINATION**. Staff shall review the
13 Sensitive Lands Analysis, apply the applicable Sensitive Lands Overlay
14 Regulations (15-2.21-4 through ~~[15-2.21-9]~~ 15-2.1-8), and shall prepare a report
15 to the Applicant and the Planning Commission identifying those Areas suitable
16 for Development as Developable Land.

17 D. **TRAILS MASTER PLAN**. Trails proposed to be constructed in compliance with a
18 Trails Master Plan that has been fully reviewed for compliance with this Chapter
19 by the Planning Commission and adopted by the City Council require an
20 Administrative Permit at the time of trail construction with wetland and Significant
21 Vegetation evaluation only. The Trails Master Plan shall be reviewed for
22 Significant Land Overlay compliance at least once every three years.

23 E. **HARDSHIP RELIEF**. If the Applicant demonstrates that the regulations would
24 deny all reasonable Use of the Property, the Planning Commission may modify
25 application of these regulations to provide the Applicant reasonable Use of the
26 Property.

27 HISTORY

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

29 *Amended by Ord. [07-81](#) on 12/6/2007*

30 **15-2.21-3 Sensitive Lands Overlay Zone - Ordinance Provisions**

31 A. **SENSITIVE LANDS ANALYSIS**. Any Applicant for Development must produce a
32 Sensitive Lands Analysis performed by a Qualified Professional(s) that identifies
33 and delineates all the following features and conditions:

34 1. **VISUAL ASSESSMENT**. A visual assessment of the Property from
35 Vantage Points designated by the Planning Department and identified by
36 the Applicant with latitude and longitude coordinates, depicting conditions
37 before and after the proposed Development, including the proposed
38 location, size, design, landscaping, and other visual features of the
39 project.

40 2. **SLOPE/TOPOGRAPHIC MAP**. A Slope and topographic map based on a
41 certified boundary survey depicting contours at an interval of five feet (5')
42 or less. The map must identify Very Steep Slopes within fifty feet (50') of
43 the Property boundary [The map] and must highlight Areas of high
44 geologic hazard, Areas subject to land sliding, and all **[significant]** Steep

45 Slopes^[4] for Areas with a rise of at least twenty-five feet (25') vertically and
46 a run of at least fifty feet (50') horizontally in the following categories:

- 47 a. Greater than fifteen percent (15%), but less than or equal to thirty
- 48 percent (30%);
- 49 b. Greater than thirty percent (30%) but less than or equal to forty
- 50 percent (40%); and
- 51 c. Very Steep Slopes, greater than forty percent (40%).

52 3. **FOR PROPERTIES WITH STEEP SLOPES OR WITH VERY STEEP**
53 **SLOPES WITHIN FIFTY FEET (50') OF THE PROPERTY, THE**
54 **FOLLOWING ARE ALSO REQUIRED:**

- 55 a. **SOIL INVESTIGATION REPORT.** A soil investigation report,
56 including but not limited to shrink-swell potential water table
57 elevation, general soil classification and suitability for Development,
58 erosion potential, hazardous material analysis, and potential frost
59 action. The soils report shall indicate whether the property is 1)
60 within the Prospector Soils Ordinance area and 2) within a Point
61 Source water protection zone.
- 62 b. **GEOTECHNICAL REPORT.** A geotechnical report which must
63 include the location of major geographic and geologic features, the
64 depth of bedrock, structural features, folds, fractures, etc., and
65 potential land slide and other high-hazard Areas such as mine
66 shafts and avalanche paths.

67 c. **ADDITIONAL SLOPE INFORMATION.** A Slope/topographic map
68 depicting contours at an interval of two feet (2').

69 4. **RIDGE LINE AREAS.** A map depicting all [~~Crests~~] Crest of Hills and
70 Ridge Line Areas.

71 5. **VEGETATIVE COVER.** A detailed map of vegetative cover, depicting the
72 following:

- 73 a. Deciduous trees;
- 74 b. Coniferous trees;
- 75 c. Gamble oak or high shrub; and
- 76 d. Sage, grassland, and agricultural crops.

77 The Planning Department may require a more detailed tree/ vegetation
78 survey if the Site has unusual or Significant Vegetation, stands of trees, or
79 woodlands.

80 6. **DESIGNATED [~~ENTRY CORRIDORS AND~~] VANTAGE POINTS.**

81 Designated [~~entry corridors and~~] Vantage Points from which the proposed
82 project is visible [~~present within or adjacent to the Site, including Utah~~
83 ~~Highway 248 east of Wyatt Earp Way and Utah Highway 224 north of~~
84 ~~Holiday Ranch Loop Road and Payday Drive~~] as identified by Staff and
85 confirmed by the Applicant with latitude and longitude coordinates.

86 Typical Vantage Points may include but are not limited to locations within
87 or near [~~are~~]:

- 88 a. [~~Osguthorpe/~~]McPolin Barn (3000 S.R. 224)

- 89 b. ~~[Treasure Mountain Middle School]~~ Park City School District
- 90 Campus
- 91 c. Intersection of Main Street and Heber Avenue
- 92 d. Park City Ski Area Base
- 93 e. Snow Park Lodge
- 94 f. ~~[Park City Golf Course Clubhouse]~~ Intersection of Thaynes Canyon
- 95 Drive and S.R. 224/Park Avenue
- 96 g. Park Meadows Golf Course Clubhouse
- 97 h. ~~[Utah Highway]~~ S.R. 248 at the turn-out one quarter mile west from
- 98 ~~[U.S. Highway]~~ HWY 40
- 99 i. ~~[Highway]~~ S.R. 224, ~~[2]~~ one-half mile south of the intersection with
- 100 with ~~[Kilby Road]~~ Ute Boulevard
- 101 j. The intersection of S.R. 224 and Holiday Ranch Loop Road
- 102 k. The intersection of Queen Esther Drive and Deer Valley Drive
- 103 l. City Hall (445 Marsac Avenue)
- 104 m. The roundabout at the Park City Hospital (900 Round Valley Drive)
- 105 n. The intersection of the Rail Trail and Richardson Flat Road
- 106 o. Additional Vantage Points established on a case-by-case basis for
- 107 evaluation of project impacts on designated Ridge Line Areas

108 7. **WETLANDS.** A map delineating all Wetlands established by using the
109 1987 *Federal Manual for Identifying and Delineating Jurisdictional*
110 *Wetlands*, as amended. (See Section 15-2.21-6).

111 8. **STREAM CORRIDORS, CANALS, AND IRRIGATION DITCHES.** A map
112 delineating all stream corridors, canals, and irrigation ditches, defined by
113 the Ordinary High-Water Mark.

114 9. **WILDLIFE HABITAT AREAS.** A map depicting all wildlife habitat Areas,
115 as defined by a Wildlife Habitat Report shall be provided by the applicant.
116 The Wildlife Habitat Report shall be prepared by a professional, qualified
117 in the Areas of ecology, wildlife biology, or other relevant disciplines and
118 describe the following:

- 119 a. The ecological and wildlife Use characterization of the Property
120 explaining the species of wildlife using the Areas, the times or
121 seasons the Area is used by those species, and the value, e.g.
122 meaning feeding, watering, cover, nesting, roosting, or perching,
123 that the Area provides for such wildlife species;
- 124 b. The existence of critical wildlife movement corridors;
- 125 c. The existence of special habitat features, including Key nesting
126 Sites, feeding Areas, calving or production Areas, Use Areas for
127 migrant song birds and grassland birds, fox and coyote dens, deer
128 and elk winter concentration Areas as identified by the Utah
129 Division of Wildlife, and Areas of high terrestrial or aquatic insect
130 diversity.
- 131 d. Areas inhabited by or frequently utilized by any species identified
132 by state or Federal agencies as Threatened or Endangered.

- 133 e. The general ecological functions provided by the Site and its
- 134 features[;].
- 135 f. Potential impacts on these existing wildlife species that would result
- 136 from the proposed ~~[movement]~~ Development.

137 **B. ADDITIONAL INFORMATION AND STUDY REQUIREMENTS**. The Planning
138 Department may require the Applicant to submit the following information, as
139 applicable:

- 140 ~~1. **[VISUAL ASSESSMENT]**. A visual assessment of the Property from~~
- 141 ~~Vantage Points designated by the Planning Department and identified by~~
- 142 ~~the Applicant with latitude and longitude coordinates, depicting conditions~~
- 143 ~~before and after the proposed Development, including the proposed~~
- 144 ~~location, size, design, landscaping, and other visual features of the~~
- 145 ~~project.~~
- 146 ~~2. **SOIL INVESTIGATION REPORT**. A soil investigation report, including but~~
- 147 ~~not limited to shrink-swell potential water table elevation, general soil~~
- 148 ~~classification and suitability for Development, erosion potential, hazardous~~
- 149 ~~material analysis, and potential frost action. The soils report shall indicate~~
- 150 ~~whether the property is 1) within the Prospector Soils Ordinance area and~~
- 151 ~~2) within a Point Source water protection zone.~~
- 152 ~~3. **GEOTECHNICAL REPORT**. A geotechnical report which must include the~~
- 153 ~~location of major geographic and geologic features, the depth of bedrock,~~
- 154 ~~structural features, folds, fractures, etc., and potential land slide and other~~
- 155 ~~high-hazard Areas such as mine shafts and avalanche paths.~~

156 4. ~~**ADDITIONAL SLOPE INFORMATION.** If the size of the proposed~~
157 ~~Development and visual sensitivity of the Site dictate, the Planning~~
158 ~~Department may require the Applicant to submit a Slope/topographic map~~
159 ~~depicting contours at an interval of two feet (2').]~~

160 5. **FIRE PROTECTION REPORT.** A fire protection report that identifies
161 potential Wildland Urban Interface areas. Analysis must include fire
162 hazards, mitigation measures, access for fire protection equipment,
163 existing and proposed fire flow capability and compliance with the
164 International Wildland Urban Interface Code, the Summit County Wildfire
165 Plan, and the Municipal Code Chapter 11-21, Utah Wildland-Urban
166 Interface Code.

167 6. **HYDROLOGICAL REPORT.** A hydrological report, including information
168 on groundwater levels, drainage channels and systems, and base
169 elevations in flood plains.

170 C. **SENSITIVE LANDS DETERMINATION.** The Planning Department shall review
171 the information presented in the Sensitive Lands Analysis, as described in
172 Section 15-2.21-3(A) and Section 15-2.21-3(B), and provide a recommendation
173 to the Planning Commission determining and delineating all Sensitive Lands on
174 the parcel, including Steep Slope Areas, Ridge Lines Areas, Entry Corridors,
175 Wetlands, Stream Corridors, Irrigation Ditches, Wildland and Wildfire Interface
176 Areas, and Critical Wildlife Movement Corridors and Habitat Areas.

177 1. **DENSITY TRANSFER.** Whenever land within the Sensitive Area Overlay
178 Zone is subject to more than one (1) Density Transfer provision, the more
179 restrictive provision shall apply.

180 ~~⁴Slope determinations shall be made upon Areas with a rise of at least twenty-five feet
181 (25') vertically and a run of at least fifty feet (50') horizontally.~~

182 HISTORY

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

184 *Amended by Ord. [07-81](#) on 12/6/2007*

185 *Amended by Ord. [2020-35](#) on 7/9/2020*

186 **15-2.21-4 Sensitive Lands Regulations - Slope Protection**

187 The following Slope protection provisions apply in the Sensitive Land Overlay Zone:

188 A. **PROHIBITIONS.** No Development is allowed on or within fifty feet (50'), map
189 distance, of Very Steep Slopes, Areas subject to land slide activity, and other
190 high-hazard geologic Areas. As used herein, an Area of Very Steep Slopes must
191 cover a topographic Area at least twenty-five feet (25') vertically, upslope or
192 downslope, and fifty feet (50') horizontally in any direction to be subject to this
193 prohibition.

194 The Planning commission may vary the Setback from Very Steep Slopes if the
195 Planning Commission can make all of the following findings during the suitability
196 review:

197 1. Varying the Setback does not create an intrusion by Buildings into the
198 Ridge Line Area when viewed from [~~Land Management Code~~] designated

199 Vantage Points, Section 15-2.21-3(A)(4), or other Vantage Points
200 designated by the Planning staff or Commission, Section 15-2.21-3(B)(1);

201 2. Building Areas in the Setback do not create excessive cut or fill Slopes;
202 minimal retaining walls to limit disturbance and meet Grade may be
203 required by the Planning Commission subject to Sections 15-2.21-4(B),
204 (C), and (E);

205 3. Limits of Disturbance around any Structure within the Setback shall be
206 limited to the minimal Area necessary to excavate and backfill the
207 foundation. Decks and patios in the area of the Very Steep Slope setback,
208 may not extend more than fifteen feet (15') beyond the foundation walls or
209 the minimal excavation/backfill Areas, whichever is greater;

210 4. No additional erosion, land subsidence, or avalanche hazard is created;

211 5. The Site plan results in an improved organization of units through
212 vegetation avoidance, minimization of changes to the viewshed from
213 public Areas, and reduction of Site disturbance;

214 6. The reduction in Setback results in a reduction in overall project Density or
215 Development massing as established by the Planning Staff's Site
216 Suitability Determination [7]; and

217 7. In no case shall additional disturbance be allowed beyond the maximum
218 area determined in the Site Development Suitability Determination (See
219 Section 15-2.21-2(C)).

220 B. **GRADED OR FILLED SLOPES**. The Applicant must avoid or, to the greatest
221 extent possible, minimize proposed cuts and fills. Cutting and filling to create

222 additional or larger Building Sites shall be kept to a minimum and shall be
223 avoided to the maximum extent feasible. Except for ski Slopes and trails
224 approved as part of the adopted Trails Master Plan, Graded or filled Slopes shall
225 be limited to a 3 to 1 Slope or less. All Graded Slopes shall be recontoured to the
226 natural, varied contour of surrounding terrain.

227 C. **BENCHING OR TERRACING**. Benching or terracing to provide additional or
228 larger Building Sites is prohibited.

229 D. **STREETS AND ROADS**. Streets and roads, proposed for Steep Slopes may not:

230 1. Cross Slopes of thirty percent (30%) or greater. A short run of not more
231 than one hundred feet (100') may be allowed to cross Slopes greater than
232 thirty percent (30%) if the Planning Director and the City Engineer
233 conclude that such Streets or roads will not have significant adverse
234 visual, environmental, or safety impacts.

235 2. Streets and roads proposed to cross Slopes greater than ten percent
236 (10%) are allowed, subject to the following:

237 a. Proof that such Street and/or road will be built with minimum
238 environmental damage and within acceptable public safety
239 parameters; and

240 b. Such Street and road design generally follows contour lines to
241 preserve the natural character of the land, and are Screened with
242 trees or vegetation.

243 3. Cutting and filling is minimized and appropriately re-vegetated.

244 E. **RETAINING WALLS**. The Use, design, and construction of all retaining walls is
245 subject to an Administrative Permit based upon assessment of visual impact,
246 Compatibility with surrounding terrain and vegetation, and safety.

247 F. **LANDSCAPING AND REVEGETATION**. An Applicant must commit to
248 landscaping or re-vegetating exposed Slopes. Topsoil from any disturbed portion
249 of a Steep Slope must be preserved and utilized in re-vegetation. Fill soil must be
250 of a quality to support plant growth.

251 G. **PRIVATE DEVELOPMENT DESIGN STANDARDS**. All Development on Steeps
252 Slopes shall comply with the design standards set forth in [LMG] Chapter 15-5.

253 H. **OPEN SPACE AND DENSITY ON DELINEATED PORTIONS OF SITES WITH**
254 **STEEP SLOPES GREATER THAN FIFTEEN PERCENT (15%) BUT LESS**
255 **THAN OR EQUAL TO FORTY PERCENT (40%)**. In addition to the specific

256 Development regulations set forth above, the following regulations apply:

257 1. **OPEN SPACE**. Seventy-five percent (75%) of the Steep Slope Area must
258 remain as Open Space.

259 2. **DEVELOPABLE LAND**. Twenty-five percent (25%) of the Steep Slope
260 Area may be Developed in accordance with the underlying zoning subject
261 to the following conditions:

262 a. **MAXIMUM DENSITY**. The maximum Density on Developable Land
263 within a Steep Slope Area is governed by the underlying zoning
264 and proof that the proposed Density will not have a significant
265 adverse visual or environmental affect on the community.

266 b. LOCATION OF DEVELOPABLE LAND. The Developable Land in a
267 Steep Slope Area is that Area with the least visual and
268 environmental impacts, as determined by the Sensitive Lands
269 Determination (See Section 15-2.21-2(C)), including the Visual
270 Assessment, and considering the visual impact from key Vantage
271 Points, potential for Screening location of natural drainage
272 channels, erosion potential, vegetation protection, Access, and
273 similar Site design criteria. Based upon such analysis, the Planning
274 Department may require the Applicant to Site the Developable Land
275 pursuant to one or more of the following techniques:

- 276 1. Clustered Development, or
- 277 2. dispersed Development, or
- 278 3. Transfer of Density to the least sensitive portions of the
279 Site.¹

280 c. DENSITY TRANSFER. Upon proof of a sensitive Site plan, the
281 Applicant may Transfer up to twenty-five percent (25%) of the
282 Densities from the Open Space portion of the Site to the
283 Developable Land.

284 d. SUITABILITY DETERMINATION. The Applicant must prove that
285 the Development will have no significant adverse impact on
286 adjacent Properties. The Planning Commission shall determine that
287 the Proposal complies with this ~~[chapter]~~ Chapter if the Applicant
288 proves:

- 289 1. The Density is Compatible with that of adjacent Properties.
- 290 2. The Architectural Detail, height, building materials, and other
- 291 design features of the Development are Compatible with
- 292 adjacent Properties.
- 293 3. The Applicant has adopted appropriate mitigation measures
- 294 such as landscaping, Screening, illumination standards, and
- 295 other design features to buffer the adjacent Properties from
- 296 the Developable Land.

297 I. **OPEN SPACE AND DENSITY ON VERY STEEP SLOPES.**

- 298 1. **REQUIRED OPEN SPACE.** One hundred percent (100%) of the Very
- 299 Steep Slope Area shall remain in open space. No vegetation within fifty
- 300 vertical feet (50') in elevation of the Very Steep Slope Area shall be
- 301 disturbed, except as permitted by the Planning Commission per Section
- 302 15-2.21-4.
- 303 2. **TRANSFER OF DENSITY.** Up to ten percent (10%) of the Densities
- 304 otherwise allowed in the zone may be transferred to Developable Land
- 305 subject to a Suitability Determination (See Section 15-2.21-4(H)(2)(d)).

306 J. **MASTER PLANNED DEVELOPMENT (MPD) TDR OPEN SPACE**

307 **REQUIREMENTS.** The Planning Commission at the time of Master Planned

308 Development or Subdivision review, may reduce the TDR Open Space

309 requirements upon a determination that:

- 310 1. the Sensitive Land ~~[open-space]~~ Open Space set aside is sufficient for the
- 311 Development,

- 312 2. sufficient neighborhood and TDR Open Space is set aside within the
313 Developable Land to serve residents of the Development, and
314 3. not less than twenty percent (20%) of the Developable Land is set aside
315 for TDR Open Space.

316 K. **DENSITY BONUSES**. In addition to the Density Transfers permitted pursuant to
317 this Section, the Planning Department may recommend that the Planning
318 Commission grant up to a twenty percent (20%) increase in Transferable
319 Densities if the Applicant:

- 320 1. offers to preserve [~~open space~~] Open Space to ensure the long-term
321 protection of a significant environmentally or visually sensitive Area in a
322 manner approved by the City; or
323 2. provides public Access as shown on the Trails Master Plan; or
324 3. restores degraded wetlands or environmental Areas on the Site or makes
325 other significant environmental improvements.

326 ¹Development shall be Sited to preserve the open meadow vistas.

327 HISTORY

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

329 *Amended by Ord. [05-40](#) on 7/7/2005*

330 *Amended by Ord. [07-81](#) on 12/6/2007*

331 **15-2.21-5 Sensitive Lands Regulations - Ridge Line Area Protection**

332 A. **INTENT**. The intent of these provisions is to ensure that Development near Ridge
333 Line Areas blends with the natural contour of these land forms. Significant Ridge
334 Line Areas should be retained in a natural state, and Development should be

335 sited in such a manner so as not to create a silhouette against the skyline or
336 mountain backdrop as viewed from designated Vantage Points.

337 B. **MINIMUM SETBACK**. No Structure or other appurtenant device, including
338 mechanical equipment may visually intrude on the Ridge Line Area from any of
339 the designated Vantage Points as depicted herein, or as identified by the
340 Planning Commission during review of an annexation or Master Planned
341 Development.

342 C. **OPEN SPACE AND DENSITY**. The following regulations apply to all Ridge Line
343 Areas in the Sensitive Overlay:

344 1. **OPEN SPACE**. One hundred percent (100%) of the Ridge Line Area shall
345 remain in open space.

346 2. **DENSITY TRANSFER**. The Planning Commission may Transfer up to
347 twenty-five percent (25%) of the Densities otherwise allowed in the Ridge
348 Line Area to Developable Land subject to a Suitability Determination. (See
349 Section 15-2.21-4(H)(2)(d)).

350 D. **DENSITY BONUSES**. In addition to the Density Transfers permitted pursuant to
351 this Section, at MPD or subdivision review~~[.The]~~, the Planning Department may
352 recommend that the Planning Commission grant up to a twenty percent (20%)
353 increase in Transferrable Densities if the Applicant:

354 1. offers to preserve open space to ensure the long-term protection of a
355 significant environmentally or visually sensitive Areas in a manner
356 approved by the City; or

357 2. provides public Access for trails, as shown on the Trails Master Plan; or

358 3. restores degraded wetlands or environmental Areas on the Site or makes
359 other significant environmental improvements.

360 HISTORY

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

362 *Amended by Ord. [07-81](#) on 12/6/2007*

363 **15-2.21-6 Sensitive Lands Regulations - Wetlands And Stream Protection**

364 A. **INTENT**. The following requirements and standards have been developed to
365 promote, preserve, and enhance wetlands and Stream Corridors and to protect
366 them from adverse effects and potentially irreversible impacts.

367 B. **JURISDICTION**. All Wetlands and Stream Corridors are regulated as provided
368 below.

369 C. **PROHIBITED ACTIVITIES**. No person shall disturb, remove, fill, dredge, clear,
370 destroy or alter any Area, including vegetation, surface disturbance within
371 wetlands and Stream Corridors and their respective Setbacks, except as may be
372 expressly allowed herein.

373 D. **BOUNDARY DELINEATIONS**. The Applicant must provide a wetlands
374 delineation by a qualified professional utilizing the methods of the *1987 Army*
375 *Corp of Engineers Manual for Identifying and Delineating Jurisdictional Wetlands*,
376 as amended. The boundary of stream corridors and wetlands shall be delineated
377 at the Ordinary High Water Mark as defined in [~~LMC Chapter 15-15~~] Section 15-
378 15-1.

379 E. **DETERMINATION OF WETLANDS, STREAMS AND IRRIGATION DITCHES**.

380 1. **WETLAND CRITERIA.** A wetland that meets the criteria of the *1987 Army*
381 *Corp of Engineers Manual for Identifying and Delineating Jurisdictional*
382 *Wetlands* is a Wetland.

383 2. **STREAM CORRIDOR.** All Stream Corridors which exist within the
384 property. Irrigation ditches are not Stream Corridors.

385 3. **IRRIGATION DITCHES.** An irrigation ditch that meets the Army Corps of
386 Engineers definition for waters of the United States must comply with the
387 regulations of stream corridors within this ~~section~~ Section.

388 F. **SETBACKS**. The following Setbacks are required:

389 1. Setbacks from wetlands shall extend a minimum of fifty feet (50') outward
390 from the delineated wetland Ordinary High Water Mark.

391 2. Setbacks from Stream Corridors shall extend a minimum of fifty feet (50')
392 outward from the Ordinary High Water Mark.

393 3. Setbacks from irrigation ditches that meet the Army Corps of Engineers
394 definition for waters of the United States shall extend a minimum of twenty
395 feet (20') from the Ordinary High Water Mark.

396 G. **RUNOFF CONTROL**. All projects adjacent to wetlands, Stream Corridors, or
397 irrigation ditches that meet the Army Corps of Engineers definition for waters of
398 the United States, must apply best management practices for both temporary
399 and permanent runoff control to minimize sediment and other contaminants.

400 H. **HABITAT RESTORATION PROJECTS**. The Planning Department may approve
401 wetland and Stream Corridor restoration and enhancement projects if the project
402 plan has been reviewed by a Qualified Professional, approved by the appropriate

403 state and federal agencies, and performed under the direct supervision of a
404 Qualified Professional.

405 HISTORY

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

407 *Amended by Ord. [07-81](#) on 12/6/2007*

408 **15-15-1 Definitions**

409

410 **VANTAGE POINTS**. A height of five feet (5') above a set reference marker in the
411 following designated Vantage Points within Park City that function to assist in analyzing
412 the visual impact of Development on ~~[hillsides and]~~ Steep Slopes:

- 413 1. ~~[Osguthorpe Barn]~~ McPolin Barn (3000 S.R. 224);
- 414 2. ~~[Treasure Mountain Middle School]~~ Park City School District Campus;
- 415 3. Intersection of Main Street and Heber Avenue;
- 416 4. Park City Ski Area Base;
- 417 5. Snow Park Lodge;
- 418 6. ~~[Park City Golf Course Clubhouse]~~ Intersection of Thaynes Canyon Drive and
419 S.R. 224/Park Avenue;
- 420 7. Park Meadows Golf Course Clubhouse;
- 421 8. ~~[State Road]~~ S.R. 248 at the turn-out one quarter mile west from ~~[U.S. Highway]~~
422 HWY 40;
- 423 9. ~~[State Road]~~ S.R. 224, one-half mile south of the intersection with ~~[Kilby Road]~~
424 Ute Boulevard;
- 425 10. ~~[Intersection of Thaynes Canyon Drive and State Road 224; and]~~

- 426 11. [~~Across valley view.~~]
- 427 12. The intersection of S.R. 224 and Holiday Ranch Loop Road
- 428 13. The intersection of Queen Esther Drive and Deer Valley Drive
- 429 14. City Hall (445 Marsac Avenue)
- 430 15. The roundabout at the Park City Hospital (900 Round Valley Drive)
- 431 16. The intersection of the Rail Trail and Richardson Flat Road
- 432 17. Additional Vantage Points established on a case-by-case basis for evaluation of
- 433 project impacts on designated Ridge Line Areas