

ORDINANCE NO. 2023-50

**AN ORDINANCE AMENDING THE LAND MANAGEMENT CODE RESIDENTIAL
MAXIMUM LOT SIZE FOR THE HISTORIC RESIDENTIAL LOW – DENSITY,
HISTORIC RESIDENTIAL-1, HISTORIC RESIDENTIAL-2 ZONING, AND HISTORIC
RESIDENTIAL MEDIUM ZONING DISTRICTS**

WHEREAS, Park City has over 400 registered historic sites, two National Historic Districts, and six Historic Zoning Districts;

WHEREAS, Goal 15 in the Park City General Plan is to “[p]reseve the integrity, mass, scale, compatibility and historic fabric of the nationally and locally designated historic resources and districts for future generations;”

WHEREAS, the General Plan states “[w]hile the uses within these districts may evolve over time, the built environment of the local historic districts should stay true to its architectural roots, specifically relative to the integrity, mass, scale and historic fabric of the mining boom era (1872-1929);”

WHEREAS, Historically, lots in Park City’s Old Town were platted 25 feet in width and 75 feet in depth;

WHEREAS, to mitigate infill development on larger lots, the Land Management Code establishes Maximum Building Footprint regulations in the Historic Residential – 1, Historic Residential – 2, and Historic Residential Low – Density Zoning Districts that proportionally reduce the building footprint as lot size increases;

WHEREAS, the Land Management Code establishes minimum lot sizes but does not establish maximum lot sizes for residential Historic Districts;

WHEREAS, the Planning Commission requested Lot Combination land use regulations be prioritized for evaluation and updates;

WHEREAS, the Land Management Code implements the goals and policies of the General Plan in part to promote the health, safety, and welfare of the present and future inhabitants, to protect and enhance the vitality of the City’s resort-based economy, and to protect or promote moderate income housing;

WHEREAS, on May 24, 2023, August 23, 2023, and September 27, 2023, the Planning Commission conducted a duly noticed public hearing;

WHEREAS, on September 27, 2023 the Planning Commission forwarded a positive recommendation for City Council’s consideration;

WHEREAS, on October 26, 2023, the City Council conducted a duly noticed 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 LAND MANAGEMENT CODE TITLE 15. Municipal Code of Park City Title 15 Land Management Code Sections 15-2.1-3 Historic Residential Low – Density Lot and Site Requirements, 15-2.1-4 Historic Residential Low – Density Existing Historic Buildings and/or Structures, 15-2.2-1 Historic Residential – 1 Purpose, 15-2.2-3 Historic Residential – 1 Lot and Site Requirements, 15-2.2-4 Historic Residential – 1 Existing Historic Buildings and/or Structures, 15-2.3-3 Historic Residential – 2 Lot and Site Requirements, 15-2.3-4 Historic Residential – 2 Existing Historic Buildings and/or Structures, are amended as outlined in Attachment 1.

SECTION 2. EFFECTIVE DATE. This Ordinance shall be effective upon publication. PASSED AND ADOPTED THIS 26th day of October 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:
Mark Harrington
B7478B7734C7490...

City Attorney's Office

1 **Attachment 1**

2 **15-2.1-3 Lot And Site Requirements**

3 Except as may otherwise be provided in this Code, no Building Permit shall be issued
4 for a Lot unless such Lot has the Area, width, and depth as required, and Frontage on a
5 Street shown as a private or Public Street on the Streets Master Plan, or on a private
6 easement connecting the Lot to a Street shown on the Streets Master Plan.

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8 All Development activity must comply with the following minimum Lot and Site
9 requirements:

- 10 A. **LOT SIZE**. The minimum Lot Area is 3,750 square feet. The maximum Lot Area
11 for a Single-Family Dwelling is 5,625 square feet.
- 12 B. **LOT WIDTH (HRL DISTRICT)**. The minimum width of a Lot is thirty-five feet
13 (35'), measured fifteen feet (15') back from the Front Lot Line. In the case of
14 unusual Lot configurations, Lot width measurements shall be determined by the
15 Planning Director.
- 16 C. **BUILDING ENVELOPE (HRL DISTRICT)**. The Building Pad, Building Footprint,
17 and height restrictions define the maximum Building Envelope in which all
18 Development must occur, with exceptions as allowed by Section 15-2.1-3(D).
- 19 D. **BUILDING PAD (HRL DISTRICT)**. The Building Pad is the Lot Area minus
20 required Front, Rear and Side Setback Areas.
- 21 1. The Building Footprint must be within the Building Pad. The remainder of
22 the Building Pad must be open and free of any other Structure except:
- 23 a. Porches or decks, with or without roofs;
24 b. At Grade patios;
25 c. Upper level decks, with or without roofs;
26 d. Bay Windows;
27 e. Chimneys;
28 f. Sidewalks, pathways, and steps;
29 g. Screened hot tubs; and
30 h. Landscaping.
- 31 2. Exceptions to the Building Pad Area, excluding Bay Windows, are not
32 included in the Building Footprint calculations, and are subject to Planning
33 Department approval based on a determination that the proposed
34 exceptions result in a design that:
- 35 a. provides increased architectural interest consistent with the Design
36 Guidelines for Historic Districts and Historic Sites;
37 b. maintains the intent of this section to provide horizontal and vertical
38 Building articulation.
- 39 E. **BUILDING FOOTPRINT (HRL DISTRICT)**. The maximum Building Footprint of
40 any Structure shall be located on a Lot, or combination of Lots, not exceeding
41 18,750 square feet in Lot Area, shall be calculated according to the following
42 formula for Building Footprint. The maximum Building Footprint for any Structure
43 located on a Lot or combination of Lots, exceeding 18,750 square feet in Lot
44 Area, shall be 4,500 square feet; with an exemption allowance of 400 square feet
45 per dwelling unit for garage floor area. A Conditional Use Permit is required for
46 all Structures with a proposed footprint of greater than 3,500 square feet.

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Accessory Buildings listed on the Park City Historic Sites Inventory that are not expanded, enlarged or incorporated into the Main Building, shall not count in the total Building Footprint of the Lot.

$$\text{MAXIMUM FP} = (A/2) \times 0.9^{A/1875}$$

Where FP = maximum Building Footprint and A = Lot Area.

Example: 3,750 sq. ft. Lot: $(3,750/2) \times 0.9^{(3750/1875)} = 1,875 \times 0.81 = 1,519$ sq. ft.

[See the following Table 15-2.1. for a schedule equivalent of this formula for common Lot Sizes.

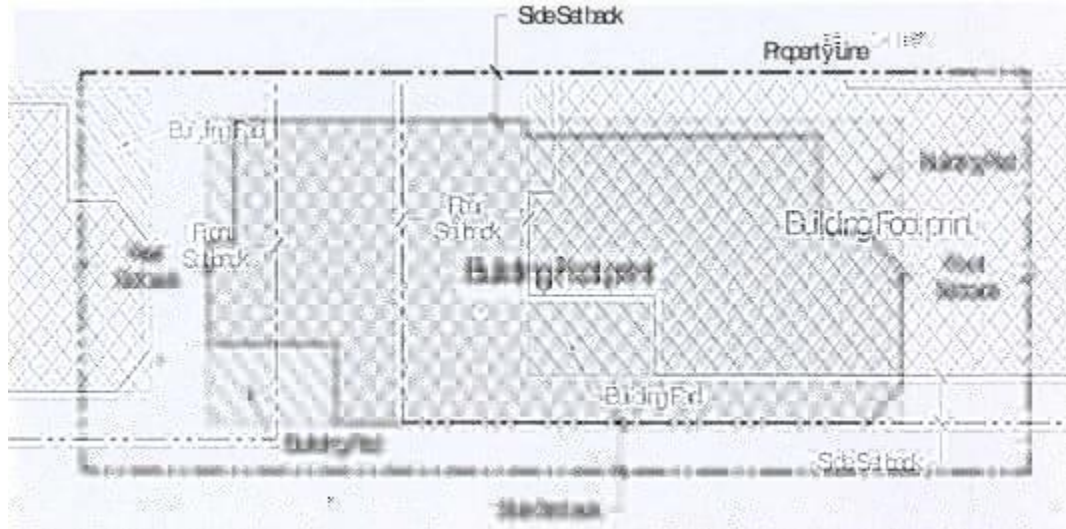
TABLE 15-2.1.

Lot Depth (ft.) **	Lot Width (ft.)	Lot Area Sq. Ft.	Max. Bldg. Footprint Sq. Ft.
75 ft.	37.5*	2,813	1,201
75 ft.	50.0	3,750	1,519
75 ft.	62.5	4,688	1,801
75 ft.	75.0	5,625	2,050
75 ft.	87.5	6,563	2,269
75 ft.	100.0	7,500	2,460
75 ft.	Greater than 100.0	Greater than 7,500	Per Formula

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* for existing 25' wide lots, Use HR-1 standards.

** for lots > 75' in depth use Footprint formula]



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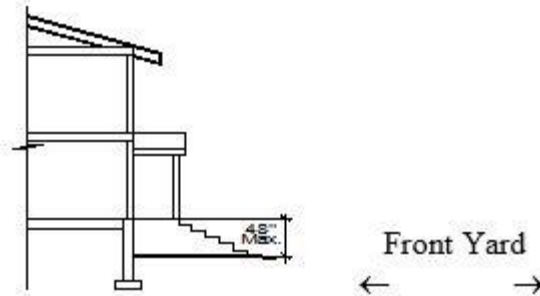
F. **FRONT AND REAR SETBACKS.** Front and Rear Setbacks are as follows:
TABLE 15-2.1a

Lot Depth	Minimum Front/Rear Setback	Total of Setback
Up to 75 ft., inclusive	10 ft. each	20 ft.
From 75 ft. to 100 ft.	12 ft./13 ft. (or vice versa)	25 ft.
Over 100 ft.	15 ft. each	30 ft.

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G. **FRONT SETBACK EXCEPTIONS.** The Front Setback must be open and free of any Structure except:

1. Fences, walls, and retaining walls not more than four feet (4') in height, or as permitted in Section 15-4-2 Fences and Retaining Walls. On Corner Lots, Fences more than three feet (3') in height are prohibited within twenty-five feet (25') of the intersection, at back of curb.
2. Uncovered steps leading to the Main Building, provided the steps are not more than four feet (4') in height from Final Grade, not including any required handrail, and do not cause any danger or hazard to traffic by obstructing the view of the Street or intersection.



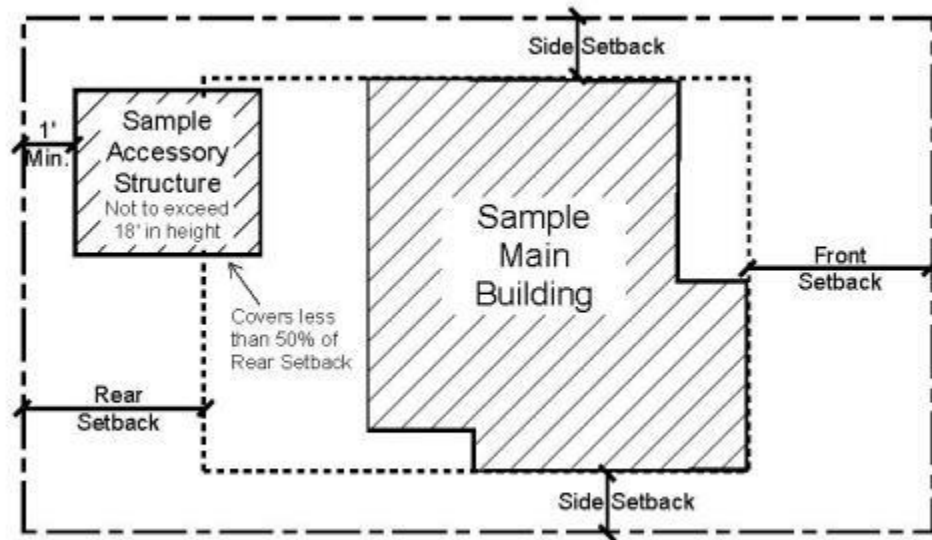
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3. Decks, porches, or Bay Windows not more than ten feet (10') wide and projecting not more than three feet (3') into the Front Setback.
4. Roof overhangs, eaves, or cornices projecting not more than three feet (3') into the Front Setback.
5. Sidewalks and pathways.
6. Driveways leading to either a garage or an approved Parking Area. No portion of a Front Yard, except for driveways, allowed Parking Areas and sidewalks, may be Hard-Surfaced or graveled.

H. **REAR SETBACK EXCEPTIONS.** The Rear Setback must be open and free of any Structure except:

1. Bay Windows not more than ten feet (10') wide and projecting not more than two feet (2') into the Rear Setback.
2. Chimneys not more than five feet (5') wide and projecting not more than two feet (2') into the Rear Setback.
3. Window wells not exceeding the minimum International Residential Code (IRC) or International Building Code (IBC) requirements for egress may extend not more than four feet (4') into the Rear Setback. Should egress

- 92 requirements be met within the building pad, no Rear Setback exception is
 93 permitted.
 94 4. Roof overhangs or eaves projecting not more than two feet (2') into the
 95 Rear Setback.
 96 5. Window sills, belt courses, cornices, trim, exterior siding, or other
 97 ornamental features projecting not more than six inches (6") beyond the
 98 main Structure to which they are attached.
 99 6. Detached Accessory Buildings not more than eighteen feet (18') in height,
 100 and including any free-standing Solar Energy Systems, located a
 101 minimum of five feet (5') behind the front facade of the Main Building, and
 102 maintaining a minimum Rear Setback of one foot (1'). Such Structure must
 103 not cover over fifty percent (50%) of the Rear Setback. See the following
 104 illustration:
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 107 7. A Hard-Surfaced Parking Area subject to the same location requirements
 108 as a Detached Accessory Building.
 109 8. Mechanical equipment (which must be screened), hot tubs, or similar
 110 Structures located at least three feet (3') from the Rear Lot Line.
 111 9. Fences, walls, and retaining walls as permitted in Section 15-4-2 Fences
 112 and Retaining Walls.
 113 10. Patios, decks, pathways, steps, or similar Structures not more than thirty
 114 inches (30") above Final Grade, not including any required handrail, and
 115 located at least one foot (1') from the Rear Lot Line.
 116 11. Pathways or Steps connecting to a City staircase or pathway.
 117 12. One (1) Shared Driveway leading to either a garage or an approved
 118 Parking Area. See Section 15-2.1-7 Parking Regulations for additional
 119 requirements.

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- I. **SIDE SETBACKS.** Side Setbacks are as follows:
TABLE 15-2.1b

Lot Width (ft.) up to:	Minimum Side Setback	Total of Setback
37.5*	3 ft. each side	6 ft.
50.0	5 ft. each side	10 ft.
62.5	5 ft. minimum	14 ft.
75.0	5 ft. minimum	18 ft.
87.5	10 ft. minimum	24 ft.
100.0	10 ft. minimum	24 ft.
Greater than 100.0	10 ft. minimum	30 ft.

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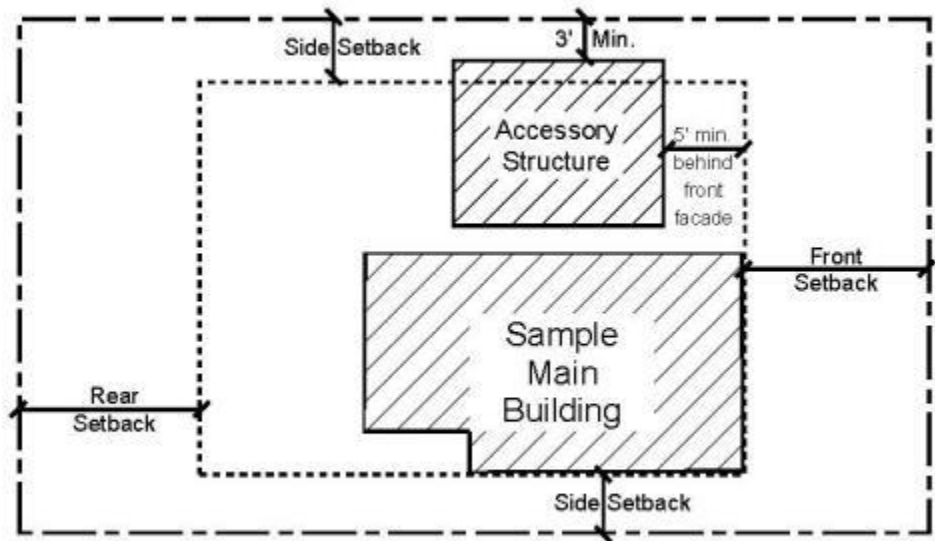
* for existing 25' wide lots, Use HR-1 standards.

On Corner Lots, the minimum Side Setback that faces a side Street or a platted Right-of-Way is five feet (5'). A three foot (3') Side Setback along the platted Right-of-Way may be approved by the City Engineer when the Lot Width is less than 37.5 feet; no Side Setback exceptions shall be utilized and the sight triangle shall be maintained when the Setback is three feet (3') along the Right-of-Way.

- J. **SIDE SETBACK EXCEPTIONS.** The Side Setback must be open and free of any Structure except:

1. Bay Windows not more than ten feet (10') wide and projecting not more than two feet (2') into the Side Setback.
2. Chimneys not more than five feet (5') wide and projecting not more than two feet (2') into the Side Setback.
3. Window wells not exceeding the minimum International Residential Code (IRC) or International Building Code (IBC) requirements for egress may extend not more than four feet (4') into the Side Setback. Only permitted on Lots with a minimum required Side Setback of five feet (5') or greater. Should egress requirements be met within the building pad, this Side Setback exception is not permitted.
4. Roof overhangs or eaves projecting not more than two feet (2') into the Side Setback on Lots with a minimum required Side Setback of five feet (5') or greater. A one foot (1') eave overhang is permitted on Lots with a Side Setback less than five feet (5').
5. Window sills, belt courses, trim, exterior siding, cornices, or other ornamental features projecting not more than six inches (6") beyond the main Structure to which they are attached.
6. Patios, decks, pathways, steps, or similar Structures not more than thirty inches (30") in height from Final Grade, not including any required handrail.

- 150 7. Fences, walls or retaining walls, as permitted in Section 15-4-2 Fences
- 151 and Retaining Walls.
- 152 8. One (1) private or Shared Driveway leading to a garage or an approved
- 153 Parking Area. See Section 15-2.1-7 Parking Regulations for additional
- 154 requirements.
- 155 9. Pathways or steps connecting to a City staircase or pathway.
- 156 10. Detached Accessory Buildings, not more than eighteen feet (18') in height,
- 157 and including any free-standing Solar Energy Systems, located a
- 158 minimum of five feet (5') behind the front Facade of the Main Building,
- 159 maintaining a minimum Side Setback of three feet (3'). See the following
- 160 illustration:



- 161 11. Mechanical equipment (which must be screened), hot tubs, or similar
- 162 Structures, located at least three feet (3') from the Side Lot Line.
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- 164 K. **SNOW RELEASE.** Site plans and Building designs must resolve snow release
- 165 issues to the satisfaction of the Chief Building Official.
- 166 L. **CLEAR VIEW OF INTERSECTION.** No visual obstruction in excess of two feet
- 167 (2') in height above road Grade shall be placed on any Corner Lot within the Site
- 168 Distance Triangle. A reasonable number of trees may be allowed, if pruned high
- 169 enough to permit automobile drivers an unobstructed view. This provision must
- 170 not require changes in the Natural Grade on the Site.

171 HISTORY

172 Adopted by Ord. [00-15](#) on 3/2/2000

173 Amended by Ord. [06-56](#) on 7/27/2006

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

175 Amended by Ord. [2018-27](#) on 5/31/2018

176 Amended by Ord. [2018-43](#) on 7/19/2018

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

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

179 **15-2.1-4 Existing Historic Buildings And/or Structures**

180 **Significant and Landmark Historic Sites that exceed the maximum Lot Area, and**

181 Historic Buildings and/or Structures that do not comply with Building Footprint, Building
182 Height, Building Setbacks, Off-Street parking, and driveway location standards are valid
183 Non-Complying Structures. Additions must comply with Building Setbacks, Building
184 Footprint, driveway location standards and Building Height. Additions to Historic
185 Buildings and/or Structures are exempt from Off-Street parking requirements provided
186 the addition does not create a Lockout Unit or Accessory Apartment. All Conditional
187 Uses proposed on the Site, excluding Development on a Steep Slope, shall comply with
188 parking requirements of Chapter 15-3.

189 A. **EXCEPTION.** In order to achieve new construction consistent with the Design
190 Guidelines for Historic Districts and Historic Sites, the Planning Commission may
191 grant an exception to the Building Setback and driveway location standards for
192 additions to Historic Buildings and/or Structures, including detached Garages:

- 193 1. Upon approval of a Conditional Use permit, and
- 194 2. When the scale of the addition and/or driveway is Compatible with the
195 Historic Building and/or Structure, and
- 196 3. When the addition complies with all other provisions of this Chapter, and
- 197 4. When the addition complies with the adopted Building and Fire Codes,
198 and
- 199 5. When the addition complies with the Design Guidelines for Historic
200 Districts and Historic Sites.

201 HISTORY

202 Adopted by Ord. [00-15](#) on 3/2/2000

203 Amended by Ord. [2016-44](#) on 9/15/2016

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

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

206 **15-2.2-1 Purpose**

207 The purpose of the Historic Residential HR-I District is to:

- 208 A. preserve present land Uses and character of the Historic residential Areas of
209 Park City;
- 210 B. encourage the preservation of Historic Buildings and/or Structures;
- 211 C. encourage construction of Historically Compatible Structures that contribute to
212 the character and scale of the Historic District and maintain existing residential
213 neighborhoods;
- 214 ~~D. [encourage single family Development on combinations of 25' x 75' Historic Lots;]~~
- 215 D. define Development parameters that are consistent with the General Plan
216 policies for the Historic core; and
- 217 E. establish Development review criteria for new Development on Steep Slopes
218 which mitigate impacts to mass and scale and the environment.

219 HISTORY

220 Adopted by Ord. [00-15](#) on 3/2/2000

221 Amended by Ord. [09-14](#) on 4/9/2009

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

223 **15-2.2-3 Lot And Site Requirements**

224 Except as may otherwise be provided in this Code, no Building Permit shall be issued
225 for a Lot unless such Lot has the Area, width, and depth as required, and Frontage on a
226 Street shown as a private or Public Street on the Streets Master Plan, or on a private
227 easement connecting the Lot to a Street shown on the Streets Master Plan.

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229 All Development activity must comply with the following minimum Lot and Site
230 requirements:

231 A. **LOT SIZE.** The minimum Lot Area is 1,875 square feet for a Single Family
232 Dwelling and the maximum Lot Area is 3,750 square feet. The minimum Lot Area
233 is [and] 3,750 square feet for a Duplex and the maximum Lot Area is 7,500
234 square feet. For properties platted as lots within the historic Park City Survey and
235 originally platted as 25 foot wide 75 foot deep with a lot size of 1,875 square feet,
236 the Planning Director may make a determination that the minimum Lot Size may
237 be reduced up to 20 square feet if subsequent surveys find that the final lot
238 dimensions are less than 25 feet by 75 feet. The Footprint shall be reduced in
239 accordance with the Lot Size and no variation to setbacks will be allowed.

240 B. **LOT WIDTH.**

241 The minimum width of a Lot is twenty five feet (25'), measured fifteen feet (15')
242 back from the Front Lot Line. In the case of unusual Lot configurations, Lot width
243 measurements shall be determined by the Planning Director.

244 C. **BUILDING ENVELOPE (HR-1 DISTRICT).** The Building Pad, Building Footprint
245 and height restrictions define the maximum Building envelope within which all
246 Development must occur, with exceptions as allowed by Section 15-2.2-3.

247 D. **BUILDING PAD (HR-1 DISTRICT).** The Building Pad is the Lot Area minus
248 required Front, Rear, and Side Setback Areas.

249 1. The Building Footprint must be within the Building Pad. The Building Pad
250 must be open and free of any other Structure except:

- 251 a. Porches or decks with or without roofs;
252 b. At Grade patios;
253 c. Upper level decks, with or without roofs;
254 d. Bay Windows;
255 e. Chimneys;
256 f. Sidewalks, pathways, and steps;
257 g. Screened hot tubs; and
258 h. Landscaping.

259 2. Exceptions to the Building Pad Area, excluding Bay Windows, are not
260 included in the Building Footprint calculations, and are subject to Planning
261 Director approval based on a determination that the proposed exceptions
262 result in a design that:

- 263 a. provides increased architectural interest consistent with the Design
264 Guidelines for Historic Districts and Historic Sites;
265 b. maintains the intent of this section to provide horizontal and vertical
266 Building articulation.

267 E. **BUILDING FOOTPRINT (HR-1 DISTRICT).** The maximum Building Footprint of
268 any Structure located on a Lot or combination of Lots, not exceeding 18,750

269 square feet in Lot Area, shall be calculated according to the following formula for
 270 Building Footprint. The maximum Building Footprint for any Structure located on
 271 a Lot or combination of Lots, exceeding 18,750 square feet in Lot Area, shall be
 272 4,500 square feet; with an exemption allowance of 400 square feet, per Dwelling
 273 Unit, for garage floor area. A Conditional Use permit is required for all Structures
 274 with a proposed footprint of greater than 3,500 square feet.

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 276 Accessory Buildings listed on the Park City Historic Sites Inventory that are not
 277 expanded, enlarged or incorporated into the Main Building, shall not count in the
 278 total Building Footprint of the Lot.

279 $MAXIMUM FP = (A/2) \times 0.9^{A/1875}$

280 Where FP = maximum Building Footprint and A= Lot Area.

281 Example: 3,750 sq. ft. lot: $(3,750/2) \times 0.9^{(3750/1875)} = 1,875 \times 0.81 = 1,519$ sq. ft.

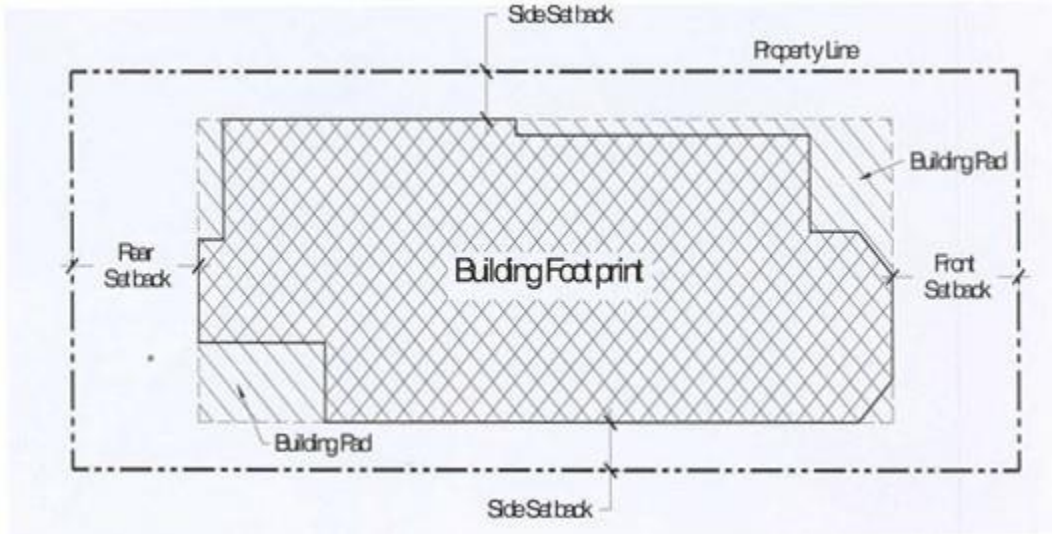
282 ~~[See the following Table 15-2.2. for a schedule equivalent of this formula for~~
 283 ~~common Lot Sizes.~~

284 ~~TABLE 15-2.2~~

Lot Depth (ft.)	Lot Width (ft.)	Lot Area Sq. Ft.	Max. Bldg. Footprint Sq. Ft.
75 ft.	25.0	1,875	844
75 ft.	37.5	2,813	1,201
75 ft.	50.0	3,750	1,519
75 ft.	62.5	4,688	1,801
75 ft.	75.0	5,625	2,050
75 ft.	87.5	6,563	2,269
75 ft.	100.0	7,500	2,460
75 ft.	Greater than 100.0	Greater than 75 ft.	Per Formula

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 286 ~~*For Lots > 75' in depth use footprint formula.]~~

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F. **FRONT AND REAR SETBACKS.** Front and Rear Setbacks are as follows:

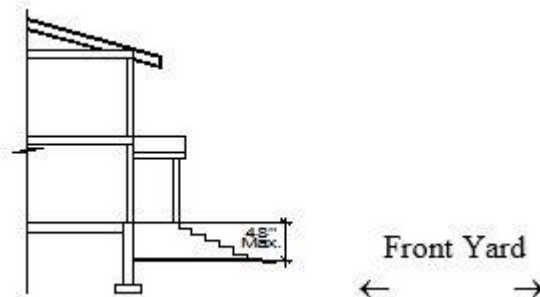
TABLE 15-2.2a

Lot Depth	Minimum Front/Rear Setback	Total of Setbacks
Up to 75 ft., inclusive	10 ft. each	20 ft.
From 75 ft. to 100 ft.	12 ft./13 ft. (or vice versa)	25 ft.
Over 100 ft.	15 ft. each	30 ft.

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G. **FRONT SETBACK EXCEPTIONS.** The Front Setback must be open and free of any Structure except:

1. Fences, walls, and retaining walls not more than four feet (4') in height, or as permitted in Section 15-4-2, Fences and Retaining Walls. On Corner Lots, Fences more than three feet (3') in height are prohibited within twenty-five feet (25') of the intersection, at back of curb.
2. Uncovered steps leading to the Main Building; provided the steps are not more than four feet (4') in height from Final Grade, not including any required handrail, and do not cause any danger or hazard to traffic by obstructing the view of the Street or intersection.



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- 303 3. Decks, porches, or Bay Windows not more than ten feet (10') wide and
- 304 projecting not more than three feet (3') into the Front Setback.
- 305 4. Roof overhangs, eaves or cornices projecting not more than three feet (3')
- 306 into the Front Setback.
- 307 5. Sidewalks and pathways.
- 308 6. Driveways leading to a Garage or approved Parking Area. No portion of a
- 309 Front Yard, except for patios, driveways, allowed Parking Areas and
- 310 sidewalks, may be Hard-Surfaced or graveled.

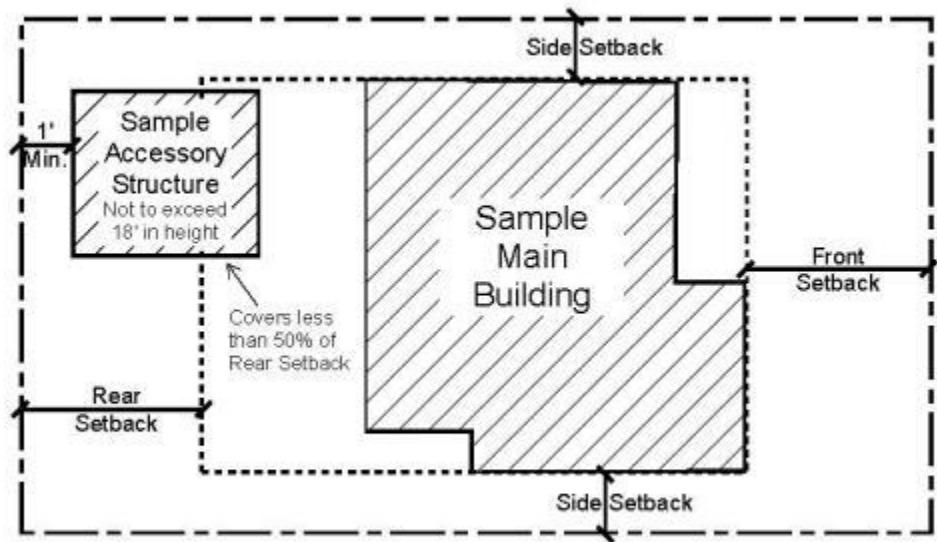
311 H. **REAR SETBACK EXCEPTIONS.** The Rear Setback must be open and free of

312 any Structure except:

- 313 1. Bay Windows not more than ten feet (10') wide and projecting not more
- 314 than two feet (2') into the Rear Setback.
- 315 2. Chimneys not more than five feet (5') wide and projecting not more than
- 316 two feet (2') into the Rear Setback.
- 317 3. Window wells not exceeding the minimum International Residential Code
- 318 (IRC) or International Building Code (IBC) requirements for egress may
- 319 extend not more than four feet (4') into the Rear Setback. Should egress
- 320 requirements be met within the building pad, no Rear Setback exception is
- 321 permitted.
- 322 4. Roof overhangs or eaves projecting not more than two feet (2') into the
- 323 Rear Setback.
- 324 5. Window sills, belt courses, cornices, trim, exterior siding, or other
- 325 ornamental features projecting not more than six inches (6") beyond the
- 326 main Structure to which they are attached.
- 327 6. Detached Accessory Buildings, not more than eighteen feet (18') in height,
- 328 and including any free-standing Solar Energy Systems, located a
- 329 minimum of five feet (5') behind the front facade of the Main Building, and
- 330 maintaining a minimum Rear Setback of one foot (1'). Such Structure must
- 331 not cover over fifty percent (50%) of the Rear Setback. See the following

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illustration:



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7. A Hard-Surfaced Parking Area subject to the same location requirements as a Detached Accessory Building.
8. Mechanical equipment (which must be screened), hot tubs, or similar Structures located at least three feet (3') from the Rear Lot Line.
9. Fences, walls, and retaining walls as permitted in Section 15-4-2, Fences and Retaining Walls.
10. Patios, decks, pathways, steps, or similar Structures not more than thirty inches (30") above Final Grade, not including any required handrail, and located at least one foot (1') from the Rear Lot Line.
11. Pathways or steps connecting to a City staircase or pathway.
12. One (1) Shared Driveway leading to a garage or approved Parking Area.
 See Section 15-2.2-8 Parking Regulations for additional requirements.

I. **SIDE SETBACKS.** Side Setbacks are as follows:

TABLE 15-2.2b

Lot Width (ft.) up to:	Minimum Side Setback	Total of Setbacks
25.0	3 ft. each	6 ft.
37.5	3 ft. each	6 ft.
50.0	5 ft. each	10 ft.
62.5	5 ft. minimum	14 ft.
75.0	5 ft. minimum	18 ft.

87.5	10 ft. minimum	24 ft.
100.0	10 ft. minimum	24 ft.
Greater than 100.0	10 ft. minimum	30 ft.

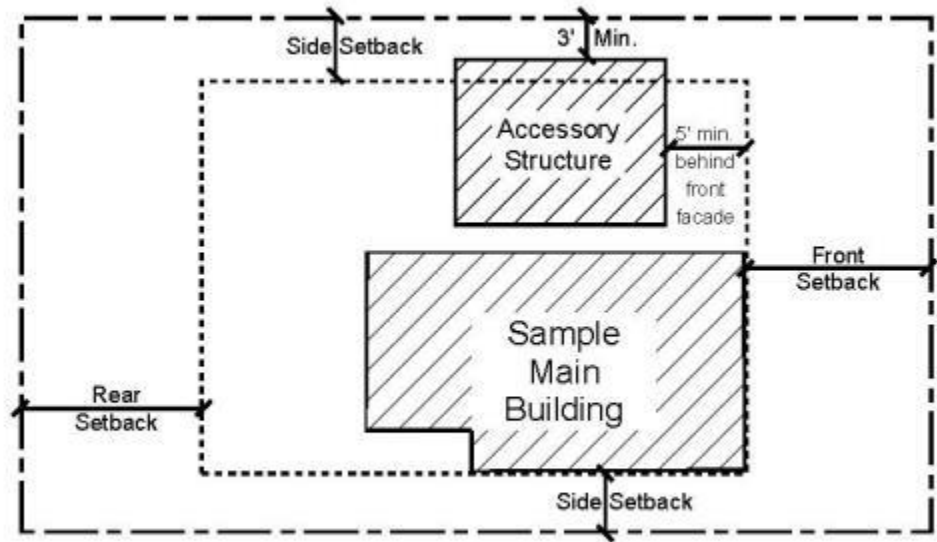
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1. On Corner Lots, the minimum Side Setback that faces a side Street or platted Right-of-Way is five feet (5'). A three foot (3') Side Setback along the platted Right-of-Way may be approved by the City Engineer when the Lot Width is less than 37.5 feet; no Side Setback exceptions shall be utilized and the sight triangle shall be maintained when the Setback is three feet (3') along the Right-of-Way.
2. A Side Setback between connected Structures is not required where Structures are designed with a common wall on a Property Line, each Structure is located on an individual Lot, the Lots are burdened with a party wall agreement in a form approved by the City Attorney and Chief Building Official, all applicable Building and Fire Code requirements are met, and the Use is an Allowed or Conditional Use in the Zoning District.
 - a. Exterior Side Setbacks shall be based on the required minimum Side Setback for each Lot; however the Planning Commission may consider increasing exterior Side Setbacks during Conditional Use Permit review to mitigate potential impacts on adjacent Property. Side Setback exceptions continue to apply.
 - b. Building Footprint shall be based on the total lot Area of the underlying Lots. The Planning Commission may consider decreasing Building Footprint during Conditional Use Permit review to mitigate potential impacts on adjacent Property.

J. **SIDE SETBACK EXCEPTIONS.** The Side Setback must be open and free of any Structure except:

1. Bay Windows not more than ten feet (10') wide, and projecting not more than two feet (2') into the Side Setback. Only permitted on Lots with a minimum required Side Setback of five feet (5') or greater.
2. Chimneys not more than five feet (5') wide projecting not more than two feet (2') into the Side Setback. Only permitted on Lots with a minimum required Side Setback of five feet (5') or greater.
3. Window wells not exceeding the minimum International Residential Code (IRC) or International Building Code (IBC) requirements for egress may extend not more than four feet (4') into the Side Setback. Only permitted on Lots with a minimum required Side Setback of five feet (5') or greater. Should egress requirements be met within the building pad, no Side Setback exception is permitted.
4. Roof overhangs or eaves projecting not more than two feet (2') into the Side Setback on Lots with a minimum required Side Setback of five feet (5') or greater. A one foot (1') roof or eave overhang is permitted on Lots with a Side Setback of less than five feet (5').

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5. Window sills, belt courses, trim, cornices, exterior siding, or other ornamental features projecting not more than six inches (6") beyond the main Structure to which they are attached.
 6. Patios, decks, pathways, steps, or similar Structures not more than thirty inches (30") in height above Final Grade, not including any required handrails.
 7. Fences, walls, and retaining walls as permitted in Section 15-4-2, Fences and Retaining Walls.
 8. One (1) private or Shared Driveway leading to a garage or approved Parking Area. See Section 15-2.2-8 Parking Regulations for additional requirements.
 9. Pathways or steps connecting to a City staircase or pathway.
 10. Detached Accessory Buildings, not more than eighteen feet (18') in height, and including any free-standing Solar Energy Systems, located a minimum of five feet (5') behind the Front facade of the Main Building, maintaining a minimum Side Setback of three feet (3'). See the following illustration:



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11. Mechanical equipment (which must be screened), hot tubs, or similar Structures located at least three feet (3') from the Side Lot Line.
- K. **SNOW RELEASE**. Site plans and Building designs must resolve snow release issues to the satisfaction of the Chief Building Official.
- L. **CLEAR VIEW OF INTERSECTION**. No visual obstruction in excess of two feet (2') in height above road Grade shall be placed on any Corner Lot within the Site Distance Triangle. A reasonable number of trees may be allowed, if pruned high enough to permit automobile drivers an unobstructed view. This provision must not require changes in the Natural Grade on the Site.

415 HISTORY

416 *Adopted by Ord. [00-15](#) on 3/2/2000*
417 *Amended by Ord. [06-56](#) on 7/27/2006*
418 *Amended by Ord. [09-10](#) on 3/5/2009*
419 *Amended by Ord. [15-35](#) on 10/12/2015*
420 *Amended by Ord. [2016-44](#) on 9/15/2016*
421 *Amended by Ord. [2018-27](#) on 5/31/2018*
422 *Amended by Ord. [2018-43](#) on 7/19/2018*
423 *Amended by Ord. [2019-07](#) on 1/29/2019*
424 *Amended by Ord. [2020-42](#) on 9/17/2020*
425 *Amended by Ord. [2022-16](#) on 5/26/2022*

426 **15-2.2-4 Existing Historic Buildings And/or Structures**

427 **Significant and Landmark Historic Sites that exceed the maximum Lot Area, and**
428 Historic Buildings and/or Structures that do not comply with Building Footprint, Building
429 Height, Building Setbacks, Off-Street parking, and driveway location standards are valid
430 Non-Complying Structures. Additions must comply with Building Setbacks, Building
431 Footprint, driveway location standards and Building Height. Additions to Historic
432 Buildings and/or Structures are exempt from Off-Street parking requirements provided
433 the addition does not create a Lockout Unit or Accessory Apartment. All Conditional
434 Uses proposed on the Site, excluding Development on a Steep Slope, shall comply with
435 parking requirements of Chapter 15-3.

436 A. **EXCEPTION.** In order to achieve new construction consistent with the Design
437 Guidelines for Historic Districts and Historic Sites, the Planning Commission may
438 grant an exception to the Building Setback and driveway location standards for
439 additions to Historic Buildings and/or Structures, including detached Garages:

- 440
- 441 1. Upon approval of a Conditional Use permit, and
- 442 2. When the scale of the addition and/or driveway is Compatible with the
443 Historic Building and/or Structure, and
- 444 3. When the addition complies with all other provisions of this Chapter, and
- 445 4. When the addition complies with the adopted Building and Fire Codes,
446 and
- 447 5. When the addition complies with the Design Guidelines for Historic
448 Districts and Historic Sites.

449 HISTORY

450 *Adopted by Ord. [00-15](#) on 3/2/2000*
451 *Amended by Ord. [06-56](#) on 7/27/2006*
452 *Amended by Ord. [07-25](#) on 4/19/2007*
453 *Amended by Ord. [2016-44](#) on 9/15/2016*
454 *Amended by Ord. [2020-42](#) on 9/17/2020*
455 *Amended by Ord. [2022-16](#) on 5/26/2022*

456 **15-2.3-3 Lot And Site Requirements**

457 Except as may otherwise be provided in this Code, no Building Permit shall be issued
458 for a Lot unless such Lot has Area, width, and depth as required, and Frontage on a
459 private or Public Street shown on the Streets Master Plan, or on a private easement
460 connecting the Lot to a Street shown on the Streets Master Plan.

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All Development activity must comply with the following minimum Lot and Site requirements:

- A. **LOT SIZE**. The minimum Lot Area is 1,875 square feet for a Single Family Dwelling and the maximum Lot Area is 3,750 square feet. The minimum Lot Area is [and] 3,750 square feet for a Duplex Dwelling and the maximum Lot Area is 7,500 square feet. For properties platted as lots within the historic Park City Survey and originally platted as 25 feet wide by 75 feet deep with a lot size of 1,875 square feet, the Planning Director may make a determination that the minimum Lot Size may be reduced up to 20 square feet if subsequent surveys find that the final lot dimensions are less than 25 feet by 75 feet. The Footprint shall be reduced in accordance with the Lot Size and no variation to setbacks will be allowed. The Minimum Lot Area for all other Uses shall be determined by the Planning Commission during the Conditional Use or Master Planned Development review process.
- B. **LOT WIDTH**. The minimum width of a Lot is twenty five feet (25'), measured fifteen feet (15') back from the Front Lot Line. In the case of unusual Lot configurations, Lot width measurements shall be determined by the Planning Director.
- C. **BUILDING ENVELOPE (HR-2 DISTRICT)**. The Building Pad, Building Footprint and height restrictions define the maximum Building Envelope within which all Development must occur with exceptions as allowed in Section 15-2.3-4.
- D. **BUILDING PAD (HR-2 DISTRICT)**. The Building Pad is the Lot Area minus required Front, Rear, and Side Setback Areas.
 1. The Building Footprint must be within the Building Pad. The remainder of the Building Pad must be open and free of any Structure except:
 - a. Porches or decks, with or without roofs;
 - b. At Grade patios;
 - c. Upper level decks, with or without roofs;
 - d. Bay Windows;
 - e. Chimneys;
 - f. Sidewalks, pathways, and steps;
 - g. Screened hot tubs; and
 - h. Landscaping.
 2. Exceptions to the Building Pad Area, excluding Bay Windows, are not included in the Building Footprint calculations, and are subject to Planning Director approval based on a determination that the proposed exceptions result in a design that:
 - a. provides increased architectural interest consistent with the Design Guidelines for Historic Districts and Historic Sites; and
 - b. maintains the intent of this section to provide horizontal and vertical Building articulation.
- E. **BUILDING FOOTPRINT (HR-2 DISTRICT)**.
 1. The maximum Building Footprint for any Structure located on a Lot, or combination of Lots, not exceeding 18,750 square feet in Lot Area, shall be calculated according to the following formula for Building Footprint. The

507 maximum Building Footprint for any Structure located on a Lot or
 508 combination of Lots, exceeding 18,750 square feet in Lot Area, shall be
 509 4,500 square feet; with an exemption allowance of 400 square feet per
 510 Dwelling Unit for garage floor area. A Conditional Use permit is required
 511 for all Structures with a proposed footprint greater than 3,500 square feet.

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 513 Accessory Buildings listed on the Park City Historic Sites Inventory that
 514 are not expanded, enlarged or incorporated into the Main Building, shall
 515 not count in the total Building Footprint of the Lot.

- 516 2. See Section 15-6-5 for maximum allowed Building footprint for Master
 517 Planned Developments within the HR-2 District.

518 $MAXIMUM FP = (A/2) \times 0.9^{A/1875}$

519 Where FP = maximum Building Footprint and A= Lot Area.

520 Example: 3,750 sq. ft. lot: $(3,750/2) \times 0.9^{(3750/1875)} = 1,875 \times 0.81 = 1,519$
 521 sq. ft.

522 ~~[See the following Table 15-2.3 for a schedule equivalent of this formula~~
 523 ~~for common Lot Sizes.~~

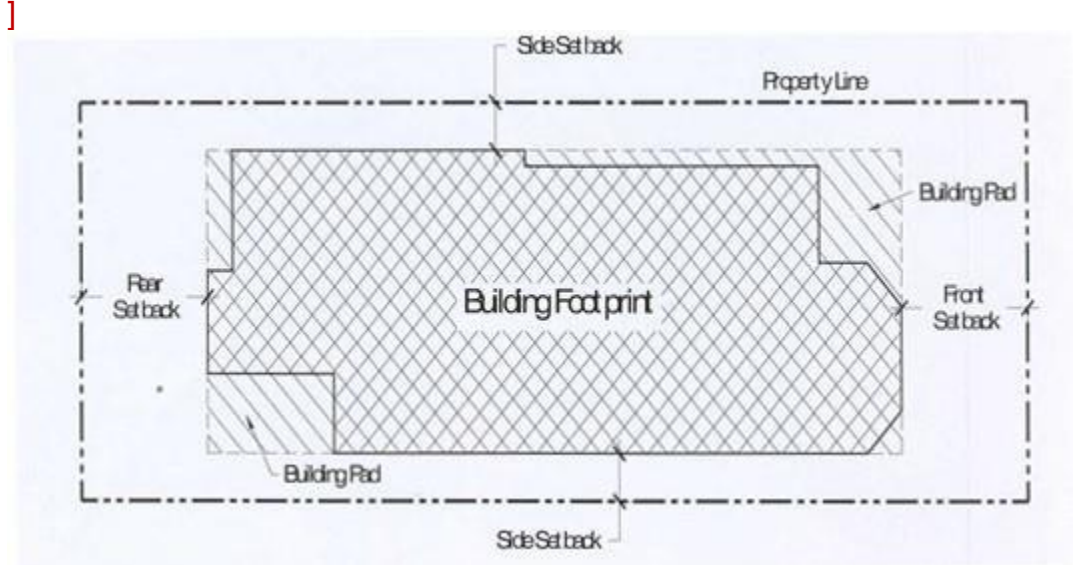
524 ~~TABLE 15-2.3.~~

525 ~~*For Lots > 75' in depth use footprint formula.~~

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Lot Depth (ft.)*	Lot Width (ft.)	Lot Area Sq. ft.	Max. Bldg. Footprint
75 ft.	25.0	1,875	844
75 ft.	37.5	2,813	1,201
75 ft.	50.0	3,750	1,519
75 ft.	62.5	4,688	1,801
75 ft.	75.0	5,625	2,050
75 ft.	87.5	6,563	2,270
75 ft.	100.0	7,500	2,460
75 ft.	Greater than 100.0	Greater than 7,500 ft.	Per formula

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TABLE 15-2.3.a

Lot Depth	Min. Front/Rear Setback	Total of Setbacks
Up to 75 ft., inclusive	10 ft.	20 ft.
From 75 ft. to 100 ft.	12 ft.	25 ft.
Over 100 ft.	15 ft.	30 ft.

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F. **FRONT AND REAR SETBACKS.** Front and Rear Setbacks are as follows:

TABLE 15-2.3a

Lot Depth	Min. Front/Rear Setback	Total of Setbacks
Up to 75 ft., inclusive	10 ft. each	20 ft.
From 75 ft. to 100 ft.	12 ft./13 ft. (or vice versa)	25 ft.
Over 100 ft.	15 ft. each	30 ft.

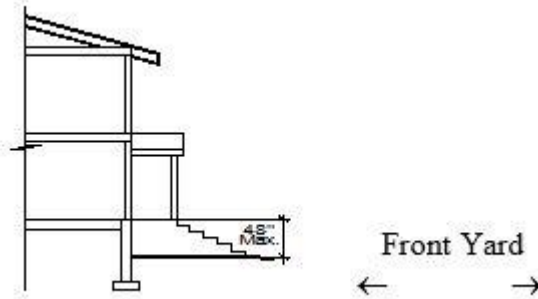
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G. **FRONT SETBACK EXCEPTIONS.** The Front Setback must be open and free of any Structure except:

1. Fences, walls, and retaining walls not more than four feet (4') in height or as permitted in Section 15-4-2, Fences and Retaining Walls. On Corner Lots, Fences more than three feet (3') in height are prohibited within twenty-five feet (25') of the intersection, at the back of curb.
2. Uncovered steps leading to the Main Building; provided, the steps are not more than four feet (4') in height from Final Grade, not including any required handrail, and do not cause any danger or hazard to traffic by

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obstructing the view of the Street or intersection.



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3. Decks, porches, or Bay Windows not more than ten feet (10') wide and projecting not more than three feet (3') into the Front Setback.

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4. Roof overhangs, eaves or cornices projecting not more than three feet (3') into the Front Setback.

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5. Sidewalks and pathways.

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6. Driveways leading to a Garage or approved Parking Area. No portion of a Front Yard except for driveways, allowed Parking Areas and sidewalks, may be Hard-Surfaced or graveled.

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7. Single car detached Garages approved as part of a Master Planned Development in Subzone A.

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H. **REAR SETBACK EXCEPTIONS.** The Rear Setback must be open and free of any Structure except:

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1. Bay Windows not more than ten feet (10') wide, and projecting not more than two feet (2') into the Rear Setback.

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2. Chimneys not more than five feet (5') wide and projecting not more than two feet (2') into the Rear Setback.

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3. Window wells not exceeding the minimum International Residential Code (IRC) or International Building Code (IBC) requirements for egress may extend not more than four feet (4') into the Rear Setback. Should egress requirements be met within the building pad, no rear Setback exception is permitted.

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4. Roof overhangs or eaves projecting not more than two feet (2') into the Rear Setback.

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5. Window sills, belt courses, cornices, trim, exterior siding, or other ornamental features projecting not more than six inches (6") beyond the main Structure to which they are attached.

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6. Detached Accessory Buildings not more than eighteen feet (18') in height, and including any free-standing Solar Energy Systems, located a minimum of five feet (5') behind the front facade of the Main Building, and maintaining a minimum Rear Setback of one foot (1'). Such Structure must not cover over fifty percent (50%) of the Rear Setback. See the following

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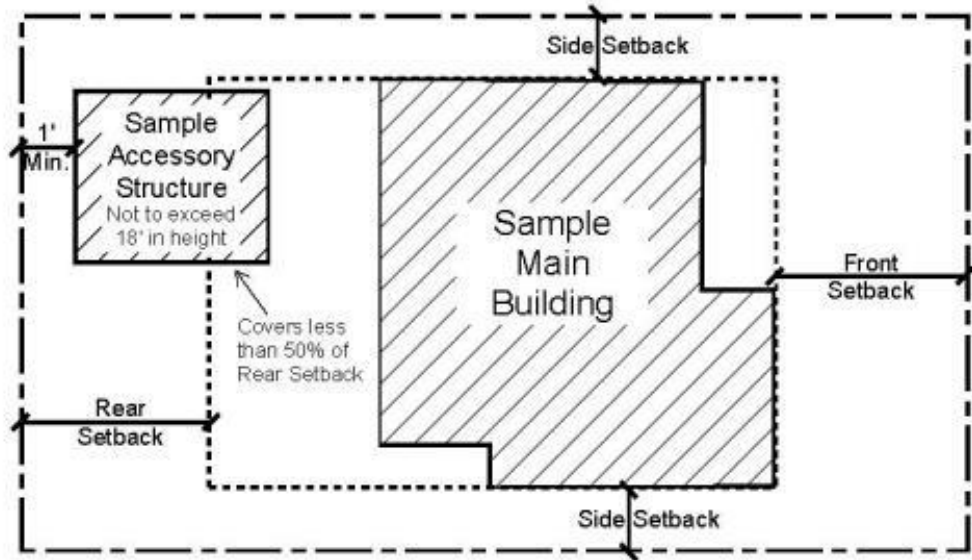
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illustration:



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- 7. A Hard-Surfaced Parking Area subject to the same location requirements as a detached Accessory Building.
- 8. Mechanical equipment (which must be screened), hot tubs, or similar Structures located at least three feet (3') from the Rear Lot Line.
- 9. Fences, walls, and retaining walls as permitted in Section 15-4-2 Fences and Retaining Walls.
- 10. Patios, decks, steps, pathways, or similar Structures not more than thirty inches (30") above Final Grade, not including any required handrail, and located at least one foot (1') from the Rear Lot Line.
- 11. Pathways or steps connecting to a City staircase or pathway.
- 12. One (1) Shared Driveway leading to a garage or approved Parking Area. See Section 15-2.3-12 Parking Regulations for additional requirements.

I. **SIDE SETBACKS.** The Side Setbacks are as follows:

TABLE 15-2.3b

Lot Width (ft.) up to:	Minimum Side Setback	Total of Setbacks
25.0	3 ft. each	6 ft.
37.5	3 ft. each	6 ft.
50.0	5 ft. each	10 ft.
62.5	5 ft.	14 ft.

75.0	5 ft.	18 ft.
87.5	10 ft.	24 ft.
100.0	10 ft.	24 ft.
Greater than 100.0	10 ft.	30 ft.

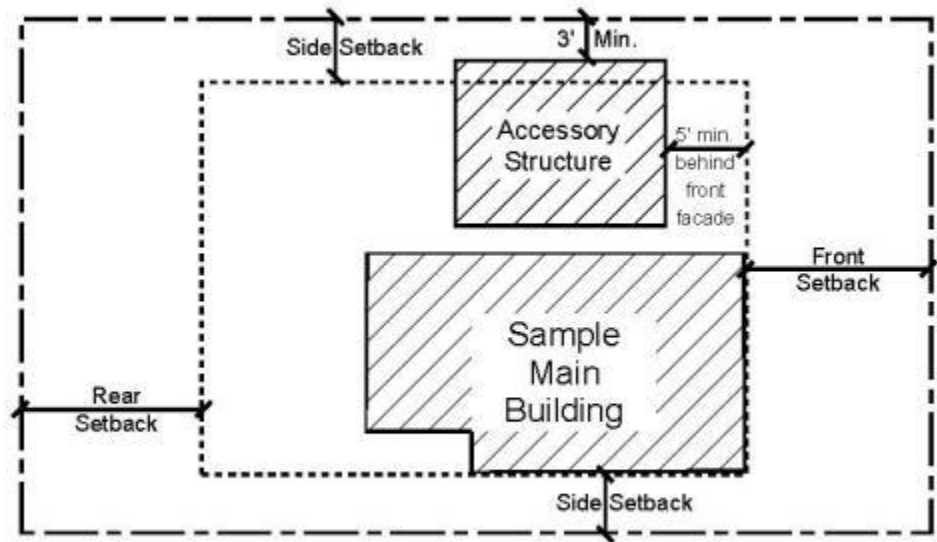
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1. On Corner Lots, the minimum Side Setback that faces a side Street or platted Right-of-Way is five feet (5'). A three foot (3') Side Setback along the platted Right-of-Way may be approved by the City Engineer when the Lot Width is less than 37.5 feet; no Side Setback exceptions shall be utilized and the sight triangle shall be maintained when the Setback is three feet (3') along the Right-of-Way.
2. A Side Setback between connected Structures is not required where Structures are designed with a common wall on a Property Line, each Structure is located on an individual Lot, the Lots are burdened with a party wall agreement in a form approved by the City Attorney and Chief Building Official, all applicable Building and Fire Code requirements are met, and the Use is an Allowed or Conditional Use in the Zoning District.
 - a. Exterior Side Setbacks shall be based on the required minimum Side Setback for each Lot; however the Planning Commission may consider increasing exterior Side Setbacks during Conditional Use Permit review to mitigate potential impacts on adjacent Property. Side Setback exceptions continue to apply.
 - b. Building Footprint shall be based on the total lot Area of the underlying Lots. The Planning Commission may consider decreasing Building Footprint during Conditional Use Permit review to mitigate potential impacts on adjacent Property.

J. **SIDE SETBACK EXCEPTIONS.** The Side Setback must be open and free of any Structure except:

1. Bay Windows not more than ten feet (10') wide, and projecting not more than two feet (2') into the Side Setback. Only permitted on Lots with a minimum required Side Setback of five feet (5') or greater.
2. Chimneys not more than five feet (5') wide and projecting not more than two feet (2') into the Side Setback. Only permitted on Lots with a minimum required Side Setback of five feet (5') or greater.
3. Window wells not exceeding the minimum International Residential Code (IRC) or International Building Code (IBC) requirements for egress may extend not more than four feet (4') into the Side Setback. Only permitted on Lots with a minimum required Side Setback of five feet (5') or greater. Should egress requirements be met within the building pad, no Rear Setback exception is permitted.
4. Roof overhangs or eaves projecting not more than two feet (2') into the Side Setback on Lots with a minimum required Side Setback of five feet

- 630 (5') or greater. A one foot (1') roof or eave overhang is permitted on Lots
 631 with a Side Setback of less than five feet (5').
- 632 5. Window sills, belt courses, trim, cornices, exterior siding, or other
 633 ornamental features projecting not more than six inches (6") beyond the
 634 main Structure to which they are attached.
- 635 6. Patios, decks, pathways, steps, or similar Structures not more than thirty
 636 inches (30") in height from Final Grade, not including any required
 637 handrail.
- 638 7. Fences, walls, and retaining walls as permitted in Section 15-4-2 Fences
 639 and Retaining Walls.
- 640 8. One (1) private or Shared Driveway leading to a garage or approved
 641 Parking Area. See Section 15-2.3-12 Parking Regulations for additional
 642 requirements.
- 643 9. Pathway or steps connecting to a City staircase or pathway.
- 644 10. Detached Accessory Buildings, not more than eighteen feet (18') in height,
 645 including any free-standing Solar Energy Systems, located a minimum of
 646 five feet (5') behind the front facade of the Main Building, maintaining a
 647 minimum Side Setback of three feet (3'). See the following illustration:



- 648 11. Mechanical equipment (which must be screened), hot tubs, or similar
 649 Structures located at least three feet (3') from the Side Lot Line.
- 650 K. **SNOW RELEASE**. Site plans and Building designs must resolve snow release
 651 issues to the satisfaction of the Chief Building Official.
- 652 L. **CLEAR VIEW OF INTERSECTION**. No visual obstruction in excess of two feet
 653 (2') in height above Road Grade shall be placed on any Corner Lot within the Site
 654 Distance Triangle. A reasonable number of trees may be allowed, if pruned high
 655 enough to permit automobile drivers an unobstructed view. This provision must
 656 not require changes in the Natural Grade on the Site.
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658 M. **MASTER PLANNED DEVELOPMENTS.** The Planning Commission may
659 increase or decrease Setbacks in Master Planned Developments in accordance
660 with Section 15-6-5; however the above Grade spacing between houses shall be
661 consistent with the spacing that would result from required Setbacks of the Zone
662 and shall be Compatible with the Historic character of the surrounding residential
663 neighborhood. The Planning Commission may increase or decrease Maximum
664 Building Footprint in Master Planned Developments in accordance with Section
665 15-6-5.

666 HISTORY

- 667 *Adopted by Ord. [00-51](#) on 9/21/2000*
- 668 *Amended by Ord. [06-56](#) on 7/27/2006*
- 669 *Amended by Ord. [09-10](#) on 3/5/2009*
- 670 *Amended by Ord. [10-14](#) on 4/15/2010*
- 671 *Amended by Ord. [15-35](#) on 10/12/2015*
- 672 *Amended by Ord. [2016-44](#) on 9/15/2016*
- 673 *Amended by Ord. [2018-27](#) on 5/31/2018*
- 674 *Amended by Ord. [2018-43](#) on 7/19/2018*
- 675 *Amended by Ord. [2019-07](#) on 1/29/2019*
- 676 *Amended by Ord. [2020-42](#) on 9/17/2020*

677 **15-2.3-4 Existing Historic Buildings And/or Structures**

678 **Significant and Landmark Historic Sites that exceed the maximum Lot Area, and**
679 Historic Buildings and/or Structures that do not comply with Building Footprint, Building
680 Height, Building Setbacks, Off-Street parking, and driveway location standards are valid
681 Non-Complying Structures. Additions must comply with Building Setbacks, Building
682 Footprint, driveway location standards and Building Height. Additions to Historic
683 Building and/or Structures are exempt from Off-Street parking requirements provided
684 the addition does not create a Lockout Unit or Accessory Apartment. All Conditional
685 Uses proposed on the Site, excluding Development on a Steep Slope, shall comply with
686 parking requirements of Chapter 15-3.

687 A. **EXCEPTION.** In order to achieve new construction consistent with the Design
688 Guidelines for Historic Districts and Historic Sites, the Planning Commission may
689 grant an exception to the Building Setbacks and driveway location standards for
690 additions to Historic Buildings and/or Structures, including detached single car
691 Garages:

- 692 1. Upon approval of a Conditional Use permit, and
- 693 2. When the scale of the addition, and/or driveway is Compatible with the
694 Historic Building and/or Structure, and
- 695 3. When the addition complies with all other provisions of this Chapter, and
- 696 4. When the addition complies with the adopted Building and Fire Codes;
697 and
- 698 5. When the addition complies with the Design Guidelines for Historic
699 Districts and Sites.

700 HISTORY

- 701 *Adopted by Ord. [00-51](#) on 9/21/2000*
- 702 *Amended by Ord. [2016-44](#) on 9/15/2016*
- 703 *Amended by Ord. [2020-42](#) on 9/17/2020*

704 **15-2.4-3 Lot And Site Requirements**

705 Except as may otherwise be provided in this Code, no Building permit shall be issued
 706 for a Lot unless such Lot has Area, width, and depth as required, and Frontage on a
 707 private or Public Street shown on the Streets Master Plan or on a private easement
 708 connecting the Lot to a Street shown on the Streets Master Plan.

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710 All Development activity must comply with the following minimum Lot and Site
 711 requirements:

712 A. **LOT SIZE.** Minimum Lot Areas for Residential Uses are as follows:

Single Family Dwelling	1,875 sq. ft.
Duplex Dwelling	3,750 sq. ft.
Triplex Dwelling	4,687 sq. ft.
Four-plex Dwelling	5,625 sq. ft.

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Maximum Lot Areas for Residential Uses are as follows:

Single Family Dwelling	3,750 sq. ft.
Duplex Dwelling	7,500 sq. ft.
Triplex Dwelling	11,250 sq. ft.
Four-plex Dwelling	15,000 sq. ft.

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B. **LOT AREA.** Minimum and maximum Lot Area for all other Uses shall be
 determined by the Planning Commission during the Conditional Use review.

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Developments consisting of more than four (4) Dwelling Units require a Lot Area
 at least equal to 5,625 square feet plus an additional 1,000 square feet per each
 additional Dwelling Unit over four (4) units. All Setback, height, parking, Open
 Space, and architectural requirements must be met. See Section 15-2.4-3,
 Conditional Use Permit Review.

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C. **LOT WIDTH.** The minimum width of a Lot is 37.50 feet, measured fifteen feet
 (15') from the Front Lot Line. Existing platted Lots of record, with a minimum
 width of at least twenty five feet (25'), are considered legal Lots in terms of Lot
 Width. In the case of unusual Lot configurations, Lot Width measures shall be
 determined by the Planning Director.

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D. **FRONT SETBACK.**

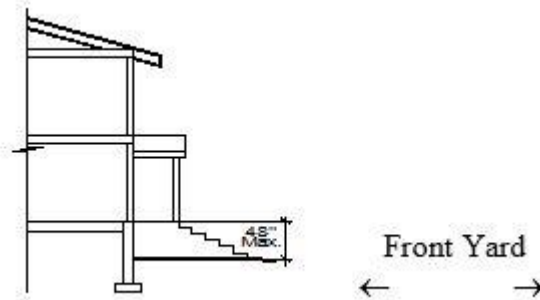
1. The minimum Front Setback for Single-Family, Duplex Dwellings, and
 Accessory Buildings is fifteen feet (15'). If the Lot depth is seventy five feet
 (75') or less, then the minimum Front Setback is ten feet (10').
2. New Front Facing Garages for Single Family and Duplex Dwellings must
 be at least twenty feet (20') from the Front Lot Line.

735 3. See Section 15-2.4-7 for special requirements for Triplexes and Multi-Unit
736 Dwellings.

737 E. **FRONT SETBACK EXCEPTIONS.** The Front Setback must be open and free of
738 any Structure except:

739 1. Fences, walls, and retaining walls not more than four feet (4') in height, or
740 as permitted in Section 15-4-2. On Corner Lots, Fences more than three
741 (3') in height are prohibited within twenty-five feet (25') of the intersection,
742 at back of curb.

743 2. Uncovered steps leading to the Main Building; provided the steps are not
744 more than four feet (4') in height from Final Grade, not including any
745 required handrail, and do not cause any danger or hazard to traffic by
746 obstructing the view of a Street or intersection.



747 3. Decks, porches, and Bay Windows, not more than ten feet (10') wide and
748 projecting not more than three feet (3') into the Front Setback.

749 4. Roof overhangs, eaves, and cornices projecting not more than three feet
751 (3') into the Front Setback.

752 5. Sidewalks, patios, and pathways.

753 6. Driveways leading to a garage or approved Parking Area. No portion of a
754 Front Yard except for approved driveways and patios, allowed Parking
755 Areas, and sidewalks may be Hard-Surfaced or graveled.

756 F. **REAR SETBACK.**

757 1. The minimum Rear Setback is ten feet (10') for all Main Buildings, and one
758 foot (1') for detached Accessory Buildings.

759 2. See Section 15-2.4-7, Special Requirements for Multi-Unit Dwellings.

760 G. **REAR SETBACK EXCEPTIONS.** The Rear Setback must be open and free of
761 any Structure except:

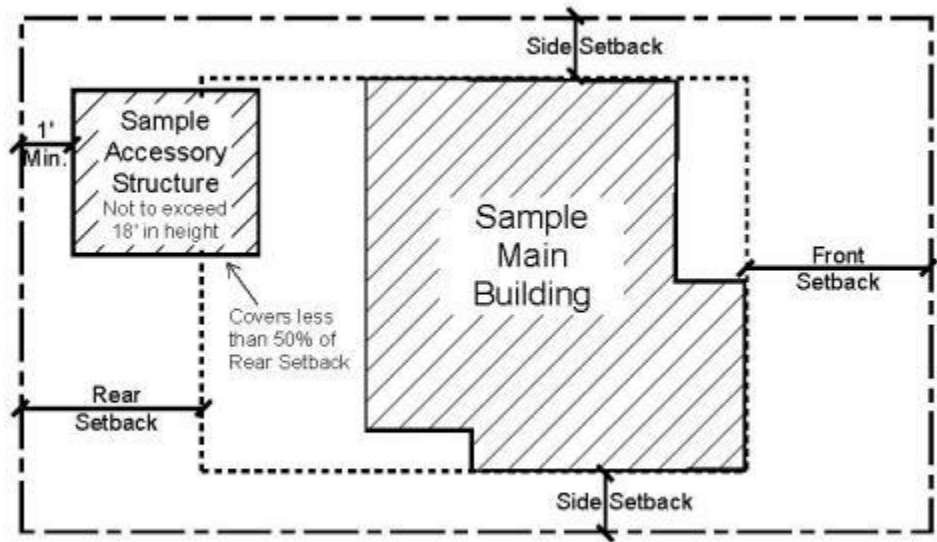
762 1. Bay Windows not more than ten feet (10') wide and projecting not more
763 than two feet (2') into the Rear Setback.

764 2. Chimneys not more than five feet (5') wide and projecting not more than
765 two feet (2') into the Rear Setback.

766 3. Window wells not exceeding the minimum International Residential Code
767 (IRC) or International Building Code (IBC) requirements for egress may
768 extend not more than four feet (4') into the Rear Setback.

769 4. Roof overhangs and eaves projecting not more than three feet (3') into the
770 Rear Setback.

- 771 5. Window sills, belt courses, cornices, trim, and other ornamental features
 772 projecting not more than six inches (6") beyond the main Structure to
 773 which they are attached.
 774 6. Detached Accessory Buildings, not more than eighteen feet (18') in height,
 775 and including any free-standing Solar Energy Systems, located a
 776 minimum of five feet (5') behind the front façade of the Main Building, and
 777 maintaining a minimum Rear Setback of one foot (1'). Such Structure must
 778 not cover over fifty percent (50%) of the Rear Setback. See the following
 779 illustration:



- 780 7. A Hard-Surfaced Parking Area subject to the same location requirements
 781 as a detached Accessory Building.
 782 8. Mechanical equipment (which must be screened), hot tubs, or similar
 783 Structures located at least three feet (3') from the Rear Lot Line.
 784 9. Fences, walls, and retaining walls not over six feet (6') in height, or as
 785 permitted in Section 15-4-2 Fences and Retaining Walls.
 786 10. Patios, decks, pathways, steps, and similar Structures not more than thirty
 787 inches (30") above Final Grade, not including any required handrail, and
 788 located at least one foot (1') from the Rear Lot Line.
 789 11. One (1) Shared Driveway leading to a garage or approved parking Area.
 790 See Section 15-2.4-11 Parking Regulations for additional requirements.

791 H. **SIDE SETBACK.**

- 792 1. The minimum Side Setback for any Single Family, Duplex Dwelling or
 793 Accessory Building is five feet (5').
 794 2. The minimum Side Setback for Lots twenty-five feet (25') wide or less is
 795 three feet (3').
 796 3. On Corner Lots, the minimum Side Setback that faces a side Street or
 797 platted Right-of-Way is ten feet (10') for both Main and Accessory
 798

799 Buildings. A three foot (3') Side Setback along the platted Right-of-Way
800 may be approved by the City Engineer when the Lot Width is less than
801 37.5 feet; no Side Setback exceptions shall be utilized and the sight
802 triangle shall be maintained when the Setback is three feet (3') along the
803 Right-of-Way.

804 4. A Side Setback between connected Structures is not required where
805 Structures are designed with a common wall on a Property Line, each
806 Structure is located on an individual Lot, the Lots are burdened with a
807 party wall agreement in a form approved by the City Attorney and Chief
808 Building Official, all applicable Building and Fire Code requirements are
809 met, and the Use is an Allowed or Conditional Use in the Zoning District.

810 a. Exterior Side Setbacks shall be based on the required minimum
811 Side Setback for each Lot; however the Planning Commission may
812 consider increasing exterior Side Setbacks during Conditional Use
813 Permit review to mitigate potential impacts on adjacent Property.
814 Side Setback exceptions continue to apply.

815 b. The longest dimension of a Building joined at the Property Line may
816 not exceed one hundred feet (100').

817 5. See Section 15-2.4-7 special requirements for Multi-Unit Dwellings.

818 I. **SIDE SETBACK EXCEPTIONS**. The Side Setback must be open and free of any
819 Structure except:

820 1. Bay Windows not more than ten feet (10') wide and projecting not more
821 than two feet (2') into the Side Setback. Only permitted on Lots with a Side
822 Setback of at least five feet (5') or greater.

823 2. Chimneys not more than five feet (5') wide and projecting not more than
824 two feet (2') into the Side Setback. Only permitted on Lots with a Side
825 Setback of at least five feet (5') or greater.

826 3. Window wells not exceeding the minimum International Residential Code
827 (IRC) or International Building Code (IBC) requirements for egress may
828 extend not more than four feet (4') into the Side Setback. Only permitted
829 on Lots with a minimum required Side Setback of five feet(5') or greater.
830 Should egress requirements be met within the building pad, no Rear
831 Setback exception is permitted.

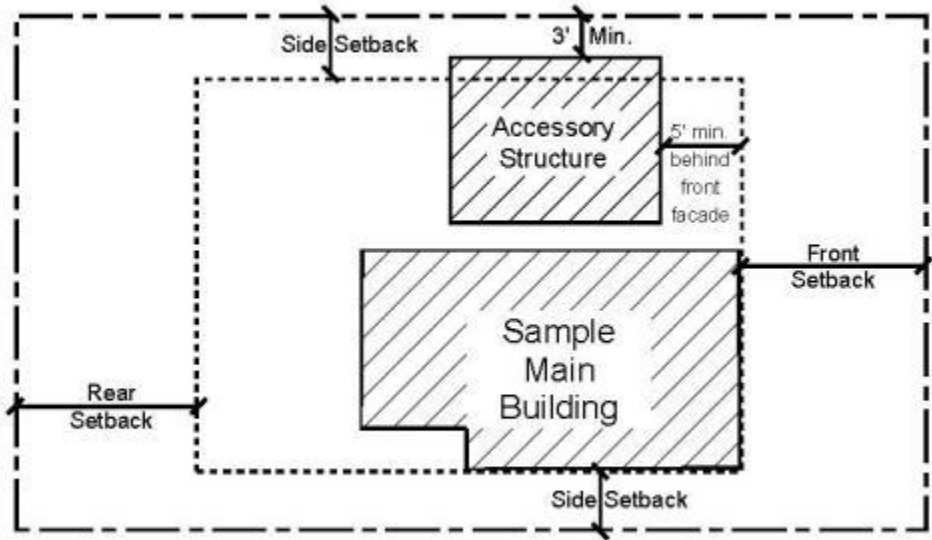
832 4. Roof overhangs and eaves projecting not more than two feet (2') into the
833 Side Setback. Only permitted on Lots with a Side Setback of at least five
834 feet (5') or greater.

835 5. Window sills, belt courses, cornices, trim, and other ornamental features
836 projecting not more than six inches (6") beyond the main Structure to
837 which they are attached.

838 6. Fences, walls and retaining walls as permitted in Section 15-4-2 Fences
839 and Retaining Walls.

840 7. Patios, decks, pathways, steps, and similar Structures not more than thirty
841 inches (30") in height above Final Grade, not including any required
842 handrail.

- 843 8. One (1) private or Shared Driveway leading to a garage or approved
- 844 Parking Area. See Section 15-2.4-11 Parking Regulations for additional
- 845 requirements.
- 846 9. Pathways and steps connecting to a City staircase or pathway.
- 847 10. Mechanical equipment (which must be screened), hot tubs, or similar
- 848 Structures located at least three feet (3') from the Side Lot Line.
- 849 11. Detached Accessory Buildings, not more than eighteen feet (18') in height,
- 850 and including any free-standing Solar Energy Systems, located at least
- 851 five feet (5') behind the front façade of the Main Building, maintaining a
- 852 minimum Side Setback of three feet (3'). See the following illustration:



- 853 J. **SNOW RELEASE.** Site plans and Building design must resolve snow release
- 854 issues to the satisfaction of the Chief Building Official.
- 855 K. **CLEAR VIEW OF INTERSECTION.** No visual obstruction in excess of two feet
- 856 (2') in height above road Grade shall be placed on any Corner Lot within the Site
- 857 Distance Triangle. A reasonable number of trees may be allowed, if pruned high
- 858 enough to permit automobile drivers an unobstructed view. This provision must
- 859 not require changes in the Natural Grade on the Site.

861 **HISTORY**

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

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

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

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

866 *Amended by Ord. [2016-44](#) on 9/15/2016*

867 *Amended by Ord. [2018-27](#) on 5/31/2018*

868 *Amended by Ord. [2018-43](#) on 7/19/2018*

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

870 **15-2.4-4 Existing Historic Buildings And/or Structures**

871 Significant and Landmark Historic Sites that exceed the maximum Lot Area, and
872 Historic Buildings and/or Structures that do not comply with Building Footprint, Building
873 Height, Building Setbacks, Off-Street parking, and driveway location standards are valid
874 Non-Complying Structures. Additions to Historic Buildings and/or Structures are exempt
875 from Off-Street parking requirements provided the addition does not create a Lockout
876 Unit or an Accessory Apartment. Additions must comply with Building Setbacks,
877 Building Footprint, driveway location standards and Building Height.

878 A. **EXCEPTION.** In order to achieve new construction consistent with the Historic
879 District Design Guidelines, the Planning Commission may grant an exception to
880 the Building Setback and driveway location standards for additions to Historic
881 Buildings and/or Structures, including detached Garages:

- 882 1. Upon approval of a Conditional Use permit, and
- 883 2. When the scale of the addition and/or driveway is Compatible with the
884 Historic Building and/or Structure, and
- 885 3. When the addition complies with all other provisions of this Chapter, and
- 886 4. When the addition complies with the adopted Building and Fire Codes,
887 and
- 888 5. When the addition complies with the Design Guidelines for Historic
889 Districts and Sites.

890 HISTORY

891 *Adopted by Ord. [00-51](#) on 9/21/2000*
892 *Amended by Ord. [06-69](#) on 10/19/2006*
893 *Amended by Ord. [13-42](#) on 10/17/2013*
894 *Amended by Ord. [2016-44](#) on 9/15/2016*
895 *Amended by Ord. [2020-42](#) on 9/17/2020*