

Ordinance No. 2024-09

AN ORDINANCE AMENDING LAND MANAGEMENT CODE SECTION 15-2.18-2 GENERAL COMMERCIAL DISTRICT USES, SECTION 15-2.18-3 GENERAL COMMERCIAL DISTRICT LOT AND SITE REQUIREMENTS, SECTION 15-2.20-4 FRONTAGE PROTECTION ZONE, SECTION 15-2.20-5 ENTRY CORRIDOR PROTECTION OVERLAY, SECTION 15-15-1 DEFINITIONS, AND ENACTING SECTION 15-4-24 PUBLIC TRANSIT AMENITY AREAS TO ALLOW PUBLIC TRANSIT AMENITIES TO BE CONSTRUCTED AND MAINTAINED IN SETBACKS

WHEREAS, Goal 3 of the Park City General Plan is to “encourage alternative modes of transportation on a regional and local scale to maintain our small town character;”

WHEREAS, Objective 3B of the General Plan states, “Prioritize efficient public transportation over widening of roads to maintain the *Small Town* experience of narrow roads, modest traffic, and Complete Streets;”

WHEREAS, Community Planning Strategy 3.11 is to improve access to, efficiency, and experience of public transit;

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 the Small Town experience;

WHEREAS, for over 45 years, Park City Transit has provided fare-free, safe, efficient, and reliable public transit for residents and visitors;

WHEREAS, the City received \$43,000,000 in various grants to install charging infrastructure and expand the electric bus fleet;

WHEREAS, the Transit Department plans to install an overhead electric bus charger at the western boundary of the Public Works Campus;

WHEREAS, the Transit Department will install charging stations at key locations through the transit system as services expand;

WHEREAS, the Land Management Code limits transit installations to the Frontage Protection Zone and does not establish transit equipment, infrastructure, or amenities as an Allowed Use in Zoning Districts encompassing major transit stops;

WHEREAS, these amendments define Public Transit Amenity Area, add Public Transit Amenities as an Allowed Use in certain Zoning Districts, and establish requirements to construct and maintain a Public Transit Amenity Area;

WHEREAS, on April 10, 2024, the Planning Commission conducted a duly noticed public hearing;

WHEREAS, on April 10, 2024, the Planning Commission forwarded a positive recommendation for City Council's consideration;

WHEREAS, on May 16, 2024, 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. Amending Municipal Code of Park City Title 15 Land Management Code

Section 15-2.18-2, Section 15-2.18-3, Section 15-2.20-4, Section 15-2.20-5, and Section 15-15-1, and enacting Section 15-4-24, as outlined in Attachment 1.

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

PASSED AND ADOPTED THIS 16th day of May 2024.

PARK CITY MUNICIPAL CORPORATION

DocuSigned by:



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Mayor Pro-Tem Tana Toly

Attest:

DocuSigned by:



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City Recorder

Approved as to form:

DocuSigned by:



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City Attorney's Office

ATTACHMENT 1

1 **15-2.18-2 Uses**

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

3 **A. ALLOWED USES.**

4 1. Secondary Living Quarters

5 2. Lockout Unit¹

6 3. Accessory Apartment²

7 4. Nightly Rental

8 5. Home Occupation

9 6. Child Care, In-Home Babysitting³

10 7. Child Care, Family³

11 8. Child Care, Family Group³

12 9. Child Care Center³

13 10. Accessory Building and Use

14 11. Conservation Activity

15 12. Agriculture

16 13. Plant and Nursery Stock production and sales

17 14. Bed and Breakfast Inn

18 15. Boarding House, Hostel

19 16. Hotel, Minor

20 17. Hotel, Major

21 18. Office, General

22 19. Office, Moderate Intensive

- 23 20. Office, Intensive
- 24 21. Office and Clinic, Medical and Veterinary Clinic
- 25 22. Financial Institution without a drive-up window
- 26 23. Commercial, Resort Support
- 27 24. Retail and Service Commercial, Minor
- 28 25. Retail and Service Commercial, Personal Improvement
- 29 26. Retail and Service Commercial, Major
- 30 27. Cafe or Deli
- 31 28. Restaurant, General
- 32 29. Hospital, Limited Care Facility
- 33 30. Parking Area or Structure with four (4) or fewer spaces
- 34 31. Parking Area or Structure with five (5) or more spaces
- 35 32. Food Truck Location¹⁰
- 36 33. Public Transit Amenity Area¹¹

37 **B. CONDITIONAL USES.**

- 38 1. Single Family Dwelling
- 39 2. Duplex Dwelling
- 40 3. Triplex Dwelling
- 41 4. Multi-Unit Dwelling
- 42 5. Group Care Facility
- 43 6. Public and Quasi-Public Institution, Church, and School
- 44 7. Essential Municipal Public Utility Use, Facility, Service, and Structure
- 45 8. Telecommunication Antenna⁴

- 46 9. Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter⁵
- 47 10. Timeshare Project and Conversion
- 48 11. Timeshare Sales Office, off-site within an enclosed Building
- 49 12. Private Residence Club Project and Conversion⁸
- 50 13. Financial Institution with a Drive-up Window⁶
- 51 14. Retail and Service Commercial with Outdoor Storage
- 52 15. Retail and Service Commercial, Auto Related
- 53 16. Transportation Service
- 54 17. Retail Drive-Up Window⁶
- 55 18. Service Station
- 56 19. Restaurant and Cafe, Outdoor Dining⁷
- 57 20. Restaurant, Drive-up Window⁶
- 58 21. Outdoor Event⁷
- 59 22. Bar
- 60 23. Sexually Oriented Businesses⁸
- 61 24. Hospital, General
- 62 25. Light Industrial Manufacturing and Assembly
- 63 26. Temporary Improvement⁷
- 64 27. Passenger Tramway and Ski Base Facility
- 65 28. Ski tow rope, ski lift, ski run, and ski bridge
- 66 29. Commercial Parking Lot or Structure
- 67 30. Recreation Facility, Public
- 68 31. Recreation Facility, Commercial

- 69 32. Recreation Facility, Private⁹
- 70 33. Indoor Entertainment Facility
- 71 34. Heliport
- 72 35. Temporary Sales Trailer in conjunction with an active Building permit for
- 73 the Site.⁸
- 74 36. Fences greater than six feet (6') in height from Final Grade⁷
- 75 37. Household Pet, Boarding⁷
- 76 38. Household Pet, Daycare⁷
- 77 39. Household Pet, Grooming⁷

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

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

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

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

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

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

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

86 ⁷Requires an Administrative Conditional Use permit.

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

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

89 ¹⁰The Planning Director or their designee shall, upon finding a Food Truck Location in
90 compliance with Municipal Code Section 4-5-6, issue the property owner a Food Truck
91 Location administrative approval letter.

92 ¹¹Requires an Administrative Permit, see Section 15-4-24 Public Transit Amenity Areas.

93 HISTORY

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

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

- 96 Amended by Ord. [06-76](#) on 11/9/2006
- 97 Amended by Ord. [14-57](#) on 11/20/2014
- 98 Amended by Ord. [2018-55](#) on 10/23/2018
- 99 Amended by Ord. [2020-45](#) on 10/1/2020
- 100 Amended by Ord. [2021-51](#) on 12/16/2021
- 101 Amended by Ord. [2022-08](#) on 4/28/2022
- 102 Amended by Ord. [2022-21](#) on 10/27/2022
- 103 Amended by Ord. [2023-16](#) on 4/27/2023
- 104 Amended by Ord. [2024-03](#) on 2/1/2024

105 **15-2.18-3 Lot And Site Requirements**

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

- 109 1. Fence, walls, and retaining walls not more than four feet (4') in height, or
110 as permitted in Section 15-4-2. On Corner Lots, Fences more than three
111 feet (3') in height are prohibited within twenty-five feet (25') of the
112 intersection at back of curb.
- 113 2. Uncovered steps leading to the Main Building; provided, the steps are not
114 more than four feet (4') in height from Final Grade, not including any
115 required handrails, and do not cause any danger or hazard to traffic by
116 obstructing the view of the Street or intersection.
- 117 3. Roof overhangs, eaves, and cornices projecting not more than three feet
118 (3') into the Front Setback.
- 119 4. Sidewalks, patios, and pathways.
- 120 5. Decks, porches, and Bay Windows not more than ten feet (10') wide,
121 projecting not more than three feet (3') into the Front Setback.
- 122 6. Driveways leading to a garage or Parking Area. No portion of a Front Yard,
123 except for driveways, allowed Parking Areas and sidewalks may be Hard-

124 Surfaced or graveled. See Section 15-3-3 General Parking Area and
125 Driveway Standards.

126 7. Circular driveways meeting all requirements stated in Section 15-3-4.

127 8. **Public Transit Amenity Area.**

128 . . .

129 **15-2.20-4 Lot And Site Requirements**

130 Lot and Site Requirements and Building Heights for all Development Activities and uses
131 within the Frontage Protection Zone must be consistent with the underlying Zoning
132 District and are subject to the following additional requirements:

133 A. Regardless of the zone Setback and Yard requirements, except as otherwise
134 provided herein, no Structure shall be allowed within thirty feet (30') of the
135 nearest highway Right-of-Way. An exception to this requirement shall be granted
136 for two (2) municipal identification signs, one within the Utah State Highway 224
137 entry corridor, and the other within the Utah State Highway 248 entry corridor,
138 provided that Park City Municipal Corporation is the Applicant and subject to
139 approval pursuant to Municipal Code Section 12-9-1(L).

140 B. All Construction Activity, including permanent signs, in the Setback Area between
141 thirty feet (30') and one hundred feet (100') from the nearest Right-of-Way line
142 requires a Conditional Use permit and is subject to all applicable review criteria
143 as stated in Section 15-1-10. Review of projects within the FPZ shall include
144 design review criteria as stated in LMC Chapter 15-5.

145 C. EXCEPTIONS. Minor remodels and facade improvements for existing Structures
146 within the FPZ, including free standing signs shall require an Administrative
147 Permit with approval by the Planning, Engineering, and Building Departments.
148 Construction of at Grade sidewalks, trails, public plazas, and temporary signs in
149 the FPZ Setback Area requires an Administrative Permit with approval by the
150 Planning, Engineering, and Building Departments.

151 D. Essential public facilities such as bus shelters, bus lanes, **Public Transit Amenity**
152 **Areas**, highways, directional signs, and utility installations within the FPZ ~~may~~
153 **shall** require an ~~administrative~~ **Administrative Permit or** Administrative Conditional
154 Use permit with approval by the Planning, Engineering, and Building
155 Departments. **Overhead electric bus charging infrastructure is prohibited.**

156 E. To minimize curb cuts, driveways, and Access to Park City's primary highways
157 and Streets, Access to Property in the FPZ shall be from existing City Streets
158 when possible, rather than direct highway Access. Common driveways between
159 adjoining projects shall be used when possible. Driveways must be placed where
160 they create the least interference with through traffic on highways.

161 F. The Planning Department shall review all proposals for pedestrian and bicycling
162 pathways and trails through the FPZ. Trails and sidewalks may occupy Setback
163 Areas. Open Space, preservation of view corridors, protection and enhancement
164 of Sensitive Lands such as wetlands and meadows, and buffer Areas shall be
165 considered in the review.

166 All Fences in the FPZ must be one of the following styles:

- 167 1. Wooden rail,
- 168 2. Architecturally Compatible solid wood and natural stone,
- 169 3. Stock Fences,
- 170 4. Various forms of steel Fencing as determined and approved by the
171 Planning Department, not including chain link Fencing.

172 HISTORY

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

174 *Amended by Ord. [01-25](#) on 6/12/2001*

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

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

177 **15-2.20-5 Entry Corridor Protection Overlay (EPCO)**

178

179 **E. SETBACKS.**

180 1. A Setback in the Entry Corridor Protection Overlay shall be established by the
181 Planning Department based upon a visual assessment of the Property. However,
182 in no case shall the Setback be less than one hundred feet (100') from the
183 nearest entry roadway Right-of-Way. In Areas where open meadow vistas are
184 considered important, the required Setback may be increased significantly. The
185 one hundred foot (100') standard is intended to be more appropriate for
186 Properties currently within the City limits. Upon annexation request, the
187 appropriate Setback will be determined based upon a Site specific visual
188 analysis.

189 2. Building Setbacks in the Entry Corridor Protection Overlay shall vary from
190 Structure to Structure with any one Lot or Development. Setbacks shall also vary
191 from those on adjoining roadway-oriented Property to avoid creating a walled
192 effect. Buildings shall be located in such a manner to enhance and frame
193 important views as determined in the visual assessment.

194 3. Agricultural or stock Fences shall be allowed in the Setback subject to approval
195 by the Planning Department. See Fencing, Section 15-2.20-5(H).

196 4. **Essential public facilities such as bus lanes and Public Transit Amenity Areas**
197 **shall require an Administrative Permit with approval by the Planning,**
198 **Engineering, and Building Departments. Overhead electric bus charging**
199 **infrastructure is prohibited.**

200

201 **15-4-24 Public Transit Amenity Areas**

202 Public Transit Amenity Areas are Allowed Use in the General Commercial Zoning
203 District.

204 A. ADMINISTRATIVE PERMIT REQUIRED. A Public Transit Amenity Area requires
205 an Administrative Permit approval by the Planning Director and City Engineer
206 prior to submittal for a Building Permit.

207 1. NOTICE. Staff shall mail courtesy notice pursuant to Sections 15-1-12 and
208 15-1-21.

209 B. APPLICATION. Applicants shall submit the following:

210 1. GENERAL DESCRIPTION. An overview of the proposed scope of work,
211 including construction timeline, materials, lighting, signs, landscaping, and
212 Structures.

213 2. SITE PLAN. The site plan shall be to scale not to exceed one inch to 100
214 feet, indicating in detail how the proposal will comply with the International
215 Building Code and this Section. The site plan shall:

216 i. Indicate the location of the Public Transit Amenity Area on the
217 Property and clearly show distances from all Property Lines and
218 Existing Structures.

219 ii. Identify elevation contours using United States Geological Survey
220 (USGS) measurements.

221 iii. Detail all encroachments into the Right-of-Way.

222 iv. Identify all existing Significant Vegetation within twenty feet (20') of
223 the proposed Public Transit Amenity Area.

224 v. Identify dedicated snow storage Areas.

225 C. REVIEW CRITERIA.

226 1. The Applicant shall provide written notice of the Property Owner's
227 permission.

228 2. The proposed Use shall not impede pedestrian circulation, emergency
229 Access, or any other public safety measure.

230 3. Trash and recycling shall be provided.

231 4. Trash and recycling shall be sufficiently screened from neighboring
232 properties and the Right-of-Way.

- 233 5. Signs shall comply with Municipal Code Title 12.
- 234 6. Lighting shall comply with Section 15-5-5(J).
- 235 7. Structures shall not exceed 20 feet in Height from Existing Grade.
- 236 8. Installations shall comply with Site Distance Triangle requirements with
- 237 review and approval by the Engineering Department.
- 238 9. The Planning Department shall determine the Limits of Disturbance and
- 239 shall require mitigation for loss of Significant Vegetation.

240 . . .

241 **15-15-1 Definitions**

242 PUBLIC TRANSIT AMENITY AREA. Structures, infrastructure, and equipment
243 necessary to operate public transit and public multi-modal transportation, including but
244 not limited to items of comfort, convenience, and safety that are available to the general
245 riding public, including bus pull-outs, bus shelters, bus electric charging equipment,
246 benches, signage, and bike racks.