



**PARK CITY HISTORIC PRESERVATION BOARD MEETING
SUMMIT COUNTY, UTAH
March 4, 2020**

PUBLIC NOTICE IS HEREBY GIVEN that the HISTORIC PRESERVATION BOARD of Park City, Utah will hold its Historic Preservation Board Meeting at the City Council Chambers, 445 Marsac Avenue, Park City, Utah 84060 for the purposes and at the times as described below on Wednesday, March 4, 2020.

MEETING CALLED TO ORDER AT 5:00 PM.

1.ROLL CALL

2.MINUTES APPROVAL

- 2.A. Consideration to Approve the Historic Preservation Board Meeting Minutes from February 5, 2020.
[HPB Minutes 02.05.2020 Pending Approval](#)

3.PUBLIC COMMUNICATIONS

4.STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

5.REGULAR AGENDA

- 5.A. 440 Main Street – Historic District Design Review
Historic Preservation Board Review for Material Deconstruction of a Landmark Historic Site –
The Applicant is Proposing to Rehabilitate the Landmark Historic Structure Following the Material Deconstruction of the Historic Main Street Façade and Non-historic Rear Façade.
PL-18-04052
A) Public Input B) Possible Action
[440 Main Street HDDR Staff Report](#)
[Exhibit A : HPB Checklist for Material Deconstruction](#)
[Exhibit C: Existing Conditions Survey and As Built Plans](#)
[Exhibit D: Proposed Plans](#)
[Exhibit E: Physical Conditions Report and Historic Preservation Plan](#)
[Exhibit F: Existing and Proposed Streetscape](#)
- 5.B. Land Management Code (LMC) Amendment – Amending the LMC to Remove the Requirement That Solar Energy Systems Shall be at Least One Foot (1') From the Eave of a Roof by Amending LMC 15-5-5(G)(3)(b). PL-20-04463.
(A) Public Hearing (B) Possible Recommendation to the Planning Commission on March

6.ADJOURN

A majority of HISTORIC PRESERVATION BOARD members may meet socially after the meeting. If so, the location will be announced by the HISTORIC PRESERVATION BOARD Chair Person. City business will not be conducted. Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the Planning Department at 435-615-5060 or planning@parkcity.org at least 24 hours prior to the meeting. Wireless internet service is available in the Marsac Building on Wednesdays and Thursdays from 4:00 p.m. to 9:00 p.m. Posted: See: www.parkcity.org

***Parking validations will be provided for meeting attendees that park in the China Bridge parking structure.**

PARK CITY MUNICIPAL CORPORATION
HISTORIC PRESERVATION BOARD
MINUTES OF FEBRUARY 5, 2019

BOARD MEMBERS IN ATTENDANCE: Douglas Stephens, Lola Beatlebrox, Puggy Holmgren, John Hutchings, Randy Scott, Tana Toly

EX OFFICIO: Bruce Erickson, Hannah Tyler, Caitlyn Barhorst, Mark Harrington

ROLL CALL

Chair Stephens called the meeting to order at 5:00 p.m. and noted that all Board Members were present except Jack Hodgkins, who was excused.

ADOPTION OF MINUTES

November 6, 2019

MOTION: Board Member Holmgren moved to APPROVE the minutes of November 6, 2019 as written. Board Member Beatlebrox seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC COMMUNICATIONS

There were no comments.

STAFF/BOARD COMMUNICATIONS AND DISCLOSURES

Planner Hannah Tyler provided a progress update on the Judge Mining and Smelting Building at the top of Daly. The contractor was sistering beams and patching the roof to protect the building through the winter. She anticipates a larger project for the Judge Building next Summer or Fall. Director Erickson noted that some of the roof structural members were being replaced to make the roof more stable.

Board Member Beatlebrox wanted to know who was performing the work. Director Erickson replied that the work was being funded by the Empire Pass Master Owners Association. Black Hawk is the contractor doing the work.

Director Erickson reported that the Grant Program was conceptualized with the City Council a few weeks ago and the Council made some changes. He stated that the City Council has raised the visibility of Historic Preservation again. Director Erickson Planner Tyler and Planner Barhorst were putting together a potential tour for a management team retreat to show what has been done in the Historic District. At a minimum they plan to do a Google Earth flyover, engage in conversation about the adaptive reuse of the Library Building, the Marsac Building, and provide information regarding windows. They may also include one

or two houses. Director Erickson stated that the numbers in the presentation this evening will show positive steps that the City Council has taken. Director Erickson clarified that in terms of priorities, the City Council changed the way they were dealing with historic preservation as a high priority resource. In addition, some of the agreements were not working like they were intended. The City Council believes that putting more attention to historic preservation is the right thing to do. Director Erickson noted that the City Council is very pleased with what the Historic Preservation Planners have done with historic preservation.

Board Member Hutchings stated that he would be recusing himself from the LMC Amendments on the agenda. He owns a historic home at 943 Park Avenue and a few weeks ago he approached the Planning Department to replace the windows and doors in the house. The process is directly affected by the LMC Amendment before the Board this evening.

City Attorney Harrington noted that the first issue was that Mr. Hutchings was recusing from the material deconstruction item on the agenda. The second issue is that Board Member Hutchings also raised the question of whether HPB members may apply in the future for the new Grant Program. Mr. Harrington stated that the Staff was unaware of whether any sitting members had applied for grants while on the Board in the past.

Mr. Harrington commented on a number of ways to approach the issue. The City has a Procurement Ethics section which prohibits contracts the Board has participated in or have the power to administer. Mr. Harrington believed there was a gray area. As a group, the Board can spend time having that discussion since this is a re-initiation of the program and funding issues. If the Board is not interested in having that discussion, Mr. Harrington did not believe the broad policy needs to require a recusal of a Board member from the public process. He thought it could be handled through disclosure and future abstention from deliberation on the grant recommendation. However, he cautioned against having a perception problem and a pragmatic problem in terms of who makes the recommendations to the City Council. The first part of the discussion, which is whether to allow a Board member to participate, might be germane. If the Board wants Board members to participate in the discussion, the Staff can come up with a mechanism to do that. Mr. Harrington thought it was appropriate to do it openly and transparent. The balancing challenge of a small town is not punishing people for volunteering to serve, and at the same time avoiding the perception of giving yourself an advantage. Mr. Harrington noted that in the Public Contract section regarding large contracts, the language requires an exception of a publicly announced bidding process with sealed bids. The Staff could mirror that process in an effort to shield the appearance of bias in the process if the Board directs them to do so.

Chair Stephens noted that Board Member Hutchinson would recuse himself from the Material Deconstruction item. Regarding the Grant Program, Chair Stephens thought City Attorney Harrington had raised good point; however, since this was the beginning of the process, he was hesitant to get bogged down in discussing Board member participation versus recusal this evening. He preferred to wait until the Grant Program is finalized and then ask the Staff to come back with an official mechanism to address the issue for discussion.

Chair Stephens stated that Board Member Hutchings should participate in the Grant Program item on the agenda this evening because there was no actual program at this point.

REGULAR AGENDA

5.A. Land Management Code (LMC) Amendments - Regarding Historic Preservation in LMC 15-11-12.5 Historic Preservation Board Review for Material Deconstruction. (Application PL-20-04447)

Board Member Hutchings recused himself and left the room.

Director Erickson reported that the City Council asked a task force to put together a review of procedures inside Community Development. The Planning Department was asked to relook at the program for Land Management Code changes for non-historic changes to windows and doors; and whether the process can be expedited through the Planning Department. Director Erickson noted that the City Council had been brief on this LMC change. The Staff was also aware of the HPB's commentary on the matter.

Planner Barhorst stated that the goal of the proposed LMC Amendment is to streamline the application and review process that parallels the grant program review categories. This amendment was reviewed a few months ago and was back again with more direction from the City Council and looking at the District as a whole. Planner Barhorst stated that the amendment would change the material deconstruction review to keep more repair/routine maintenance at the Staff level, and for permit removal of materials to remain with the HPB.

The Staff recommended that the Planning Director conduct a review for a) routine maintenance, such as windows, doors, re-roof, chimneys, siding; and b) removing or replacing non-historic features. The material deconstruction would be reviewed against the updated Historic District Design Guidelines. Planner Barhorst provided examples of situations that could be reviewed administratively.

Planner Barhorst stated that the HPB would still review the removal of historic materials to accommodate new additions, new construction, or structural

upgrades, or anything that would change the character or integrity of the site. The Staff did not find that replacing a vinyl window with a wood window would negatively impact the character or integrity. For that reason, the technical staff should be able to approve that using the Design Guidelines as the basis for review.

Planner Barhorst clarified that if a standard application would come before the HPB, it would be for the back portion of the historic house or an addition, or any dramatic site changes such as a basement that would alter the character. If the application also includes something minor such as re-roofing the house, the Planning Director would be able to approve that section to simplify the process.

Board Member Toly referred to chimney and foundation repairs on page 17 of the Staff report and asked if it meant foundation repairs where the chimney is located or foundation in general. Planner Barhorst apologized for the error and noted that foundations should be its own category. Board Member Beatlebrox pointed out that foundation was listed correctly in the redline on page 20 of the Staff report.

Planner Barhorst stated that foundation repair would be for a house that has never had a foundation and the owner wants to construct a foundation. Depending on the type of foundation and what is involved it could be approved administratively. However, if adding the foundation requires lifting the house that would need to be approved by the HPB.

Chair Stephens referred to the redlines on page 20 of the Staff report and the language, "replacement or repair of the following" and lists out the items. He asked if the list would be for non-historic additions or features. Planner Barhorst answered yes.

Chair Stephens liked the direction this was going. He is on the task force and one of the issues was the timeline to get smaller items approved. A bigger issue was not having the certainty of knowing the process.

Chair Stephens cited an example of a non-historic door on a historic part of the home. If someone wants to remove the non-historic door they would not need to repair or replace it. Planner Tyler asked if Chair Stephens was suggesting that someone might want to remove the door and board it up to make a wall. Chair Stephens answered yes and asked if that scenario would come back to the HPB. Planner Tyler believed it would come back to the HPB because it would be changing the wall plane. Replacing a door or window with glass and wood could be done at the Staff level. Chair Stephens did not understand why it would go back to the HPB to change a non-historic opening to a wall if the opening was never historic. Planner Tyler replied that restoring the historic façade would remain at the Staff level. Chair Stephens did not think that was clear in

paragraph B on page 20. Based on the language, the window or door needs to be repaired or replaced. Planner Barhorst thought another example could be a non-historic gable over porches. If those are determined non-historic, they could be removed or replaced. The Staff offered to revise the language to better reflect the intent.

Board Member Toly asked for clarification and examples of historic site features. Planner Barhorst stated that retaining walls or crumbling steps on a front port can be historic because the concrete is historic. An owner typically wants to build the feature to Code so it can be used safely. That type of site feature review would continue to go to the HPB. Ms. Toly asked if that would apply to exterior and interior features. Planner Barhorst replied that it would be the exterior.

Board Member Beatebrox recalled from the original discussion that one of the Board members was concerned about the replacement of a historic door or window because there are many replacement options. She wanted to know how the current list addresses that previous issue.

Planner Tyler stated that when revising the Design Guidelines, the HPB established clear criteria for replacement, including review by a third-party window expert. She thought that could remain at the Staff level because it is a general repair. At the Staff level the neighbors would be noticed and the item would go through a full design review using the Design Guidelines and a third-party review. The owner would then be eligible for a Staff level grant to expedite the process and begin work on the historic home.

Planner Barhorst read from the specific Guidelines, "When historic windows are present, replacement windows shall be allowed only when it can be shown that the historic windows are no longer safe, energy efficient, and serviceable; and the historic windows cannot be made safe, energy efficient, and serviceable under repair. Replacement windows shall exactly match the historic window in size, dimensions, and patterns that profile the material". Planner Barhorst emphasized that the Staff must follow the Design Guidelines for these approvals that require full detailed replacements. It needs to be proven by a third-party window preservation consultant that the window cannot be repaired.

Chair Stephens summarized that the Design Guidelines are part of the LMC and the Staff would review these applications based on the Design Guidelines that were approved by the City Council.

Chair Stephens opened the public hearing.

Craig Elliott, an Architect and Principle at Elliott Work Group Architecture, stated that he was also on the Park City Processing and Task Force. Mr. Elliott thought the changes being proposed were relatively minor in substance, but they were

significant to the people involved with the projects. The timing and uncertainty in the process is a primary issue the architects need to deal with. Mr. Elliott noted that contractors spoke specifically about issues of being asked to perform tasks that they were not comfortable doing for construction. For example, repairing a historic window that was rotten in all four corners because the wood cannot be repaired. They could add Bondo and steel pieces, but the window will never perform the way it needs to perform. Mr. Elliott remarked that those types of things are very critical in the overall process. If they leave the minor adjustments to the Staff who are trained to do these reviews, it could be handled through the process of the Historic District Design Review and allow the owners to move forward with the process. Mr. Elliott stated that a question he is repeatedly asked by owners is how long the process will take. He can tell them the steps they need to go through, but he cannot say how long it will take. Mr. Elliott believed the proposed changes were well thought out and consistent with what the Task Force had wanted. He remarked that if the overall changes are adopted, they would see an improvement of the overall aspects of how the City deals with these issues. They would also see additional benefits to the City and the historic buildings that are preserved.

Ruth Meintsma, a resident at 305 Woodside, favored what was being proposed, but she thought the language might be confusing. On Item 1 (a)(i) of the redlines, she thought it should say "routine maintenance of historic features", because that is different than (b) non-historic features. Ms. Meintsma used examples to explain her comment. She offered to clean up the language for the Staff if the HPB thought she was on the right track to eliminate the confusion. Ms. Meintsma asked about the Task Force because she had no idea that a task force had been meeting.

Director Erickson explained that the City Council recognized there were process issues with Community Development and people were not getting the right answer. If the Project Planner changes mid-process, the owner would get two different answers. Director Erickson stated that the City Council created a Blue Ribbon Task Force with architects, designers, builders, and residents to have a conversation about a better process. The Task Force has been meeting and their last meeting was supposed to be last night.

Ms. Meintsma asked if the Task Force meetings were publicly noticed. Director Erickson did not believe the meetings were noticed because the Task Force is not an elected official group or an appointed body. It is simply a Blue Ribbon Committee that was started a couple months earlier. Chair Stephens clarified that the Committee was created to look at the process. He noted that the idea came up when the LMC changes were being implemented and the City Council has trouble adopting the changes due to several issues. The Council wanted feedback and input on specific policies. Ms. Meintsma thought it made sense to bring the architects and residents together. She was not opposed to the Task

Force but asked if there was a way for her to be informed of the meetings or the results of the meetings. Director Erickson suggested that Ms. Meintsma contact Michelle Downard for that information. Ms. Downard was the Task Force Coordinator. Chair Stephen stated that Ms. Downard has been sharing a lot of good information with the Task Force members. He thought that information would be helpful to Ms. Meintsma and he encouraged her to contact Ms. Downard. Chair Stephens noted that the Task Force went beyond the Historic District. They also dealt with issues related to the permitting process and the Design Review process.

Chair Stephens closed the public hearing.

Chair Stephens thought good comments were made to help the Staff clarify the difference between historic features on a home and non-historic features.

MOTION: Board Member Scott moved to forward a POSITIVE recommendation to the Planning Commission and the City Council on the Land Management Code Amendments 15-11-12.5 Historic Preservation Board Review for Material Deconstruction, as outlined in the draft ordinance and as amended. Board Member Holmgren seconded the motion.

VOTE: The motion passed unanimously. Board Member Hutchings was recused.

Board Member Hutchings returned to the meeting.

5.B. Historic Grant Program Review

Planner Barhorst stated that the objective this evening was to review the proposed amendments to the Historic Grant Program. This was presented to the City Council on January 30th and the feedback from the City Council was incorporated into the presentation this evening. Planner Barhorst was looking for feedback and recommendations to adopt the Grant Program from the HPB to the City Council on March 5th so the program can begin.

Planner Barhorst stated that the proposed mission statement was missing from the last program. With the City Council recommendation, the mission statement was edited to say, "The Park City Historic District Grant Program is designed to financially incentivize rehabilitation, relocation, an restoration of historic structures and sites in order to support a community that honors its past and encourages historic preservation". She noted that the original language included "Designated on the City's Historic Sites Inventory", but that language was removed because it was too limiting and excluded other projects that might be eligible for the grant. The Staff still needed to work through the actual language for eligibility. Director Erickson noted that the City Council was concerned about

some of the historic walls that were not specifically listed on the HSI; as well as mining structures that may not be listed. The definition was broadened to include historic structures that are not on the Historic Sites Inventory.

Planner Barhorst stated that there are three funding sources: The Main Street Redevelopment Agency; the Lower Park Avenue; and the General Fund. She presented a map and noted that the sites located within the Lower Park Avenue RDA and the Main Street RDA are qualified for those funds and for the General Fund. Sites that are not located in either of the RDA maps only qualify for the General Fund. With those numbers in place, they have been working through the program in terms of the amount of grants available. This evening, the HPB would discuss the repair funds and the competitive funds. Per City Council direction, \$15,000 is set aside each fiscal year for repair funds. Those grants can be awarded up to \$15,000. Each funding source has a total amount of \$15,000 available for repair.

Director Erickson noted that the City Council increased the amount for each fund from \$5,000 to \$15,000. The City Council can also adjust the General Fund budget each year if they choose. They can also choose to adjust the allocations inside the RDAs. Director Erickson stated that for the General Fund, the Staff had suggested competing on an annual basis under the budget so that every project competes with the City Council for budget. They would compete in that process to add money into the General Fund as the Grant Program moves forward. Director Erickson stated that they were entering into a fairly aggressive mode on funding. The City Council can decide at any time to open the budget and make adjustments.

Director Erickson stated that the grant program that was not working well did not have General Fund expenditures. It only had RDA expenditures. The City Council added one additional line item for funding the program.

Chair Stephens asked if the City Council could increase the RDA funding at will. Director Erickson replied that the Council can adjust the RDA Programs as the Redevelopment Agency.

Planner Barhorst noted that the Program is a 50% match in grant. The applicant in either category needs to provide funds up to the matching amount. Planner Barhorst commented on the disbursement amounts. The Staff recommended that any competitive grant that is funded up to \$25,000 can be awarded by the Historic Preservation Board based on the evaluation criteria. Any grant over \$25,000 would require City Council review with a recommendation from the HPB. Planner Barhorst stated that the numbers parallel what is available in each budget.

Planner Barhorst noted that Category A is for repairs awarded administratively by Staff, which mirrors the discussion regarding material deconstruction. The grant is awarded for the definition of either emergency repair work or ordinary repairs and maintenance. For example, a lot of historic roofs are old and need to be repaired. Those types of things would come under the repair category and be reviewed on a case by case basis until the funds are spent for the fiscal year. Per City Council direction, the funds for Category A would be increased to \$15,000 for each funding source rather than \$5,000.

Planner Barhorst stated that Category B, Competitive Funds, is an annual application that is awarded by the HPB or the City Council depending on the funding amount of approximately \$25,000. These grants would be awarded per the definition of either preservation, rehabilitation and/or restoration. The intent is to encourage preservation goals and support projects that benefit the community under specific guidelines.

Board Member Holmgren noted that the language on page 39 shows repairs not to exceed \$5,000. Planner Barhorst replied that it was only on a draft and that amount was increased.

Board Member Toly asked about timing for the annual application. Planner Barhorst stated that with specific goals in mind, each fiscal year the HPB would decide the annual goal, which will give more points towards the applicant and the evaluation. For example, if a project includes the selected goal, that applicant would get more points in their evaluation. However, that does not mean the applicant is immediately granted funds. It is a way to focus on the goals, which would include mine sites, historic accessory buildings, historic wood window restoration, and sustainability upgrades to efficiency and building systems.

Board Member Beatlebrox noted that the list ends with etcetera and she wanted to know what that meant. Planner Barhorst stated the list compiled by Staff were examples of possible annual goals. The HPB has the ability to choose a goal for the year and it might be something not on the list. Planner Barhorst remarked that the goal would be to do a social media push with community engagement to inform people what the specific goal is for the year and to encourage people to apply for grant consideration. The Staff was trying to find ways to create awareness for the types of historic projects and structures in town, and to focus on the specific goal for that year. This approach would give the HPB ownership over what they would like to see granted in that particular year.

Board Member Beatlebrox wanted to know when the HPB would set the goal for this year. Director Erickson clarified that Planners Barhorst and Tyler would determine a policy to make sure preservation is being done correctly. It is designed to preserve the historic houses, mine sites, accessory buildings or

whatever the goal is for the year. The process will be a more surgical, clear and precise grant program.

Planner Barhorst presented a slide showing the Staff review of other grant programs and how grants are reviewed through a more narrative based evaluation. It focuses on how the applicant proposes to improve the historic character of the site and the District. The applicant will argue how their project is a benefit for the grant money.

Planner Barhorst stated that she was not part of the last meeting in January last year; however, at that meeting the HPB discussed that funds of no more than \$5,000 would require a five-year lien. If the property was sold within five years, the applicant would be responsible for repaying the grant amount to the City. Disbursement amounts up to \$20,000 would require a five-year lien. Anything over \$20,000 would require a preservation easement. Planner Barhorst stated that after reading through the minutes and trying to evaluate the meaning of a lien versus a preservation easement, as well as the goals for the grant program, the Staff recommended eliminating the five-year lien requirement entirely and require a preservation easement for grants of \$25,000+. If an applicant volunteers a preservation easement as part of the project, they will get additional points in the evaluation because it would be an in-perpetuity covenant on the site, which would allow continued preservation of the structure.

Planner Barhorst noted that in addition to the five-year lien, they also eliminated the ownership requirements because ownership does not mean preservation. If the structure is being preserved to the highest standards and best practices, that is the important factor. Money is not given to a project based on ownership.

Board Member Hutchings understood that the grant recipient is the owner of the property, but it does not need to be their primary residence. Planner Barhorst answered yes.

Planner Barhorst reported that the Planning Department will be sending out direct mail postcards to all the historic property owners in an outreach effort.

Planner Barhorst noted that the fiscal year ends June 30th. Funds are still available and the Staff was proposing to open the grant program to applications for projects that would be completed before the end of the fiscal year or ones that have already been completed within this fiscal year. She noted that several eligible repair category projects have already submitted grant applications. Those would be granted up to a maximum of \$15,000 matching and awarded by the Staff. Planner Barhorst pointed out that an HDDR is required. The timeline would be after the March 5, 2020 adoption of the Grant Program by the City Council. The following Monday they would open up applications. She has been

working with the Community Engagement Department on how to get the word out for this immediate fiscal year.

Board Member Toly asked if any funds not awarded within a fiscal year would roll over to the next year. Planner Barhorst answered no. She has been working on a way to structure the program with a timeline that disburses the money within the fiscal year it was awarded. The goal is to use all the funds every year if possible. Planner Barhorst stated that a standard timeline for completing a project is 20 months.

Chair Stephens noted that 20 months to complete a project exceeds the 12 month fiscal year cycle. If the funds are encumbered, he wanted to know how they get to a 20-month cycle. The Staff outlined the timeline. The HPB announces the goal in April. Applications are opened May 1st and closed on August 1st. The Staff takes a month or two to compile the applications and form a review committee for scoring the applications. The HPB would review the applications in October. If any applications for projects exceed \$25,000, they would go to the City Council for consent. By November the applicant is notified that they have been selected. At that point, the applicant has a full calendar year plus eight months to complete the work.

Planner Barhorst clarified that some of the work will be completed outside of the fiscal year; however, the money will not be awarded until they are within that fiscal year and the project will be completed within the next fiscal year. Chair Stephens understood that a project could be awarded a project out of the next fiscal year's fund. Planner Barhorst answered yes; and an applicant can begin working on the project as soon as they receive the grant. She noted that applicants are given 24 months to complete a project before the City starts acting on the financial guarantee. The Staff believes the grant process meters the financial guarantee requirements.

Chair Stephens stated that one of the early problems in the Historic District Grant Program was that the Finance Department had no idea how much was in the grant program. Money was being spent two years after it was awarded and it was not being encumbered. He believed the grant program as proposed addresses that issue.

Board Member Beatlebrox questioned why it takes three months from the time the applications are closed on August 1st to make a decision. Planner Barhorst remarked that the timelines given were the maximum. If the applications close on August 1st and the HPB wants to see the applications the following month, that could be done. Chair Stephens thought that would be fairer to the applicant as they try to understand their own financing needs. He thought it was reasonable to have a quicker timeline once the application process is closed.

Planner Barhorst noted that the Staff reports are due three weeks in advance of a meeting. If the applications close on August 1st, the Staff report would be due on August 7th. The Staff would only have six days to review applications that could be worth a total of \$57,000. She suggested scheduling a special grant meeting on the third Wednesday in September every year to give the Staff enough time to adequately review each application. The Staff would like the review committee to have different people to avoid bias and inconsistencies.

The Board favored the idea of a special grant meeting every September.

Board Member Toly asked if they should think about allocating a percentage of funds for residential and a percentage for commercial. Planner Barhorst stated that if an equal number of residential and commercial applications are submitted and they all equal out in scoring, the Staff and HPB would need to make a decision. Scoring is the primary test of an application. Chair Stephens thought the preservation goal would also drive the decision. He stated that historically there have been very few grant applications for historic buildings on Main Street.

Board Member Scott clarified that funds were currently available and that applications were submitted. Planner Barhorst replied that funds are available and there are qualified applications that could be submitted that already have HDDR approval of projects completed from July 1, 2019 until now. Mr. Scott understood that the funds are “use it or lose it” and the process needs to be completed by June 30th. Planner Barhorst clarified that the money needs to be in the applicant’s hands by June 30th.

Planner Tyler commented on the timeline to push through grant projects this year once the program is approved by the City Council in March. She clarified that the HPB would not review any of the grant projects for this year because they would all be under the \$15,000 threshold established by City and they would be for repairs only.

Board Member Hutchinson referred to an earlier comment that certain projects would not require an HDDR. Planner Tyler stated that under the Historic District Design Review section of the LMC, if an applicant is eligible to get a waiver letter, which could be given for a simple window replacement, it still falls within that category and the project would technically get HDDR approval in the form of a waiver letter.

Planner Barhorst remarked that the bigger issue is the competitive grant timeline and review process. The goal will be chosen in April. Applications open in May and close August 1st. The applications the HPB will review for competitive grants in the middle of September 2020 will be for fiscal year 2022 because the fiscal years overlap in the middle of the year.

Chair Stephens referred to page 7 of the Staff report, Eligible and Ineligible Work. Planner Barhorst stated that the list parallels the tax credit program from the State and how they are funding projects. The eligible work includes interior/exterior repair, rehabilitation, restoration, and preservation. Depending on the conditions and the project scope, it could be repointing masonry, exterior paint, repairing windows, etc.

Board Member Holmgren asked why they were allowing interior work. Planner Barhorst replied that it would be part of the sustainability portion. It could be insulation upgrades, along with storm windows and other items. She stated that preservation and sustainability are closely knit and they are working towards that goal. Planner Barhorst clarified that things such as interior paint and finishes are not eligible items. Board Member Holmgren thought the distinction needed to be more specific.

Board Member Holmgren stated that exterior paint was disallowed when the HPB first came into existence. She wanted to know when painting the exterior became an eligible expense. Planner Barhorst stated that some structures have the original historic siding that needs to be painted every two or three years to preserve it. Board Member Holmgren thought exterior painting was part of ongoing maintenance. Planner Tyler clarified that the City wants to support ongoing maintenance and noted that a re-roof is technical maintenance. The Staff finds that it is in the best interest of historic materials to maintain the paint. For some of these houses, the owners might not have the money to repaint the house. The goal is to make sure they mirror the Historic Preservation Standards of the National Park Service. The Staff believes it also aligns with ordinary maintenance which is funded through the Grant Program.

Board Member Beatlebrox mentioned the poor condition of the exterior paint on the Centennial building and how the peeling paint makes the entire structure look bad. She asked if there was any outreach beyond the social media campaign to target specific historic buildings of concern. Planner Barhorst did not believe the City could target specific structures, but they will be sending out a direct mailing to the owners of all historic structures on the Historic Sites Inventory.

Chair Stephens agreed with Board Member Holmgren on the maintenance issues. When someone purchases a \$2 million historic house, he questioned why the City would pay to repaint the house every two or three years. He was unsure whether the policy would encourage good quality exterior paint. Chair Stephens did not think the best approach to preserving historic siding was to keep adding more paint because the best job was not done in the beginning. He believed the same applied to re-roofing. Chair Stephens pointed out that there are certain operating costs associated with owning a house regardless of whether or not it is historic. He recognized that there are instances where it

might make sense to help an owner who is unable to maintain the exterior, but he was not sure that should come under the grant program.

For painting and re-roofing, Director Erickson suggested finessing the evaluation criteria. He stated that many of the potential grant requests are from the senior community as opposed to the higher wealth community. Director Erickson thought they should keep in both the eligible and ineligible work; but look at the evaluation criteria to see if there is a way to filter it out.

Planner Tyler pointed out that the grant program is not based on income for various reasons. However, the HPB has the discretion to decide whether or not to grant funds. She thought the Staff could tighten up the eligibility without pointing out seniors versus younger people, etc. They could also clarify that exterior painting must be proven necessary and not just to change the color. The HPB can evaluate the request and decide whether it should receive a grant.

Chair Stephens agreed that the scorecard is the best way to handle applications. Planner Barhorst stated that the application will be set up to help applicants understand the difference between preservation, rehabilitation and restoration. Applicants will be required to write a narrative showing how the project fits into one or all of those categories. The intent is to make the program as flexible as possible and not limit any potential projects. Chair Stephens commended the Staff on doing a great job. He thought this was the closest they have ever come to having a successful grant program that would not be abused.

Chair Stephens noted that grants are funded with taxpayer money and putting up signs allows the public to see their tax dollars at work. He understood the position of sustainability, but he was concerned that someone could put in a boiler to heat their driveway when the intent of the grant was to put in a new boiler for heating efficiency. Chair Stephens remarked that in terms of preservation, he was unsure that mechanical upgrades aligned with the purpose of the grant program. Adding new insulation was another example unless it ties back to preservation. Board Member Holmgren shared Chair Stephens concern.

Board Member Hutchings thought it goes back to the original point that there is a cost of home ownership and there is a cost of owning a historic house in Park City. The City put additional restrictions on historic houses to maintain the character of Park City and he looks at the grant program as offsetting those costs. For example, if someone owns a historic home, they are not allowed to remove the siding and it must be preserved. If the taxpayer enjoys the siding because it is historic, they should help maintain it through grant funds. The same applies to wood windows. Mr. Hutchings stated that on the other side of the argument, air conditioning units are not a necessity and it is not required.

Board Member Holmgren asked if the City would have a list of eligible sustainability items. Planner Tyler noted that the City Council had that discussion. It would be good to have a list but if someone puts in something like insulation, they want to make sure it is tied to preservation, restoration, or renovation. When the Staff writes the criteria, they need to be clear that everything is tied to the ultimate goal of preservation. Planner Tyler pointed out that some of the historic structures are still wood burning. In some cases, it is in the best interest of the historic structure to allow mechanical upgrades to bring it up to Code.

Chair Stephens suggested that a way to be clearer is to be more general. There is already a list of specific items that are clear and avoids confusion. However, because each home in the historic district is different and has its own needs, he thought they should have criteria that gives the Staff and the property owner the ability to say, "or anything else that helps to preserve this historic house". Chair Stephens remarked that insulation would not qualify, but insulation that is also a vapor barrier would qualify. It would leave it up to the Staff and the property owner to determine the best preservation for the historic home. Chair Stephens agreed that upgrading wiring to Code should be a priority and eligible for the grant program.

Board Member Scott liked the points Planner Tyler raised. He suggested identifying the spirit of the grant program in the introduction so everyone knows that their request needs to be connected to the spirit of the program.

Chair Stephens believed the scorecard would help address the issues discussed this evening.

Director Erickson believed the criteria is established in a way to prevent some of the things raised as concerns. He noted that even emergency repairs have definitions of eligible repairs. Director Erickson stated that grant applications are reviewed against the annual goal determined by the HPB, and reviewed against restoration, repair, and preservation. Director Erickson remarked that the intent is to keep the process as socially equitable as possible without it being exploited or gamed.

Board Member Holmgren asked what items are ineligible. Planner Barhorst stated that there was a list of eligible/ineligible criteria in the edition the Board saw last year. She noted that they could either add the ineligible items back in or just focus on making eligible work clearer. Ms. Holmgren thought it would be helpful for applicants to know the ineligible items.

Chair Stephens thought Director Erickson made a good point in saying that these are improvements eligible for preservation. Planner Barhorst thought they could tie the eligibility description into definitely being for preservation, restoration, or

rehabilitation of the structure, which needs to be explained in the application. Planner Tyler thought they should tie the mechanical specifically to upgrades to historic systems.

Planner Toly referred to the map with stars and circles and asked about noticing. Planner Barhorst replied that everyone within the two maps would be noticed about the grant program.

Chair Stephens opened the public hearing.

Ruth Meintsma, a resident at 305 Woodside, was excited about the new grant program. She thought the phrase in the evaluation criteria asking whether the grant money will allow work to be completed that may not otherwise be done might help a lot with some of the issues regarding paint and HVAC. Under the same heading, "does the project proposed follow Secretary of the Interior Standard for rehabilitation", she noted that Park City only uses the interior standards for guidelines to create its own criteria. Ms. Meintsma stated that following the Secretary of Interior Standards for rehabilitation, an applicant could move to the inside of the structure if they choose. She noted that historic houses look nice from the outside but on the inside everything is modern. Ms. Meintsma thought it would be an advantage to have a truly historic home by following the Secretary of Interior Standards. In addition, following the Standards could possibly make the home eligible for the National Register. Ms. Meintsma noted that the score card rates 0-10 points. She suggested changing it to 0-15 points because if an applicant voluntarily recreates the historic interior, they should get extra points if the home qualifies for the National Register.

Ms. Meintsma read from the last heading under the evaluation criteria, "Demonstrate community interest and support via letters submitted to the application". She favored that criteria because it makes the applicant connect with the town. If it is more inclusive it helps with the outreach.

Ms. Meintsma stated that she was initially concerned with the General Fund. The last time the HPB was reviewing a grant she kept the information and listed all the addresses. There were 113 historic sites and 47 Landmark sites in the General Fund areas.

Board Member Beatlebrox assumed the Secretary of the Interior Standards for rehabilitation would be included in the grant materials. Planner Tyler replied that it was part of the evaluation criteria. However, they need to clarify that the standards will be measured for the exterior only. Planner Tyler pointed out that HVAC and boilers are separate. When they talk about the Secretary of the Interior Standards, those are standards for siding, windows, other items.

Chair Stephens closed the public hearing.

Board Member Scott noted that the owner of 1040 Woodside had a collapsed shed on the property and the HPB approved a material reconstruction. In reading through the grant program, he thought this owner would be perfect for a grant but he could not see where this property would actually qualify in terms of what is or is not allowed. He pointed out that reconstruction was not a criteria. Planner Barhorst replied that reconstruction is included but the word was missing from the criteria. It would be listed under the competitive grant for reconstruction.

Chair Stephens noted that the HPB would be forwarding a recommendation to the City Council. He asked if the scorecard would go to the City Council with the recommendation or whether the Board would have an opportunity to relook at the scorecard again. Planner Tyler stated that when they make this program public on March 9th, the score card should be included because the applicant will want to know how they will be evaluated. She asked if the Board was prepared to give input on the scorecard this evening in order to keep on schedule.

Chair Stephens assumed this would be an ongoing process for the first two years and there will be opportunities to fine tune the program. He asked if the Staff and the HPB would be able to fine tune it without involving the City Council. Director Erickson replied that it is structured for the HPB to fine tune the program once the City Council approves the procedure. Director Erickson preferred to move forward with the grant program for 2020 to use the available funds, with the opportunity to fine tune it in August once everyone has gone through the process.

Planner Tyler clarified that the repair funds for this fiscal year will not use the scorecard because the card is for the competitive grants. The HPB will have the opportunity to discuss the scorecard in March.

Board Member Beatlebrox requested that the Staff also review the Secretary of Interior Standards for rehabilitation and update the Board at the next meeting.

The Board commended the Staff on their efforts in writing the Grant Program.

Board Member Toly understood that the application is per property. However, if someone owns more than one home and would like to do a project, she asked if they would submit multiple applications or if it is one application per person. Planner Tyler replied that it is per property.

MOTION: Board Member Holmgren moved to forward a POSITIVE recommendation to the City Council for the proposed Grant Program. Board Member Scott seconded the motion.

VOTE: The motion passed unanimously.

Director Erickson informed the Board that their comments this evening would be reflected when the City Council reviews the document.

The Meeting adjourned at 6:45 p.m.

Approved by _____
Douglas Stephens, Chair
Historic Preservation Board

PENDING APPROVAL



Planning Department

Historic Preservation Board Staff Report

Author: Laura Kuhrmeyer, Planner I
Subject: Material Deconstruction
Address: 440 Main Street
Designation: Landmark Historic Site
Project Number: PL-18-04052
Date: March 4, 2020
Type of Item: Administrative – Material Deconstruction

Summary Recommendation

Staff recommends the Historic Preservation Board review and discuss the application, conduct a public hearing, and consider approving the Material Deconstruction at 440 Main Street pursuant to the included Findings of Fact, Conclusions of Law, and Conditions of Approval. This site is designated as Landmark on the City's Historic Sites Inventory (HSI).

Topic

Address: 440 Main Street
Designation: Landmark Historic Site
Applicant: 440 Main LLC, represented by Jonathan DeGray
Proposal: The applicant is proposing to rehabilitate the Landmark Historic Structure following the Material Deconstruction of the front entryway of the Historic Main Street façade and non-historic rear façade.

Background

The property located at 440 Main Street and is designated as Landmark on the City's Historic Sites Inventory (HSI) (See [Historic Site Form](#)). The subject property is located in the Historic Commercial Business (HCB) Zoning District.

On April 23, 2019, the Planning Department received a complete Plat Amendment Application to combine Lot 11 of Block 23 with two (2) metes and bounds parcels into one (1) legal lot of record. On [July 11, 2019](#), the City Council approved the Plat Amendment ([Ordinance 2019-39](#)). The 440 Main Street Plat Amendment was recorded on October 2, 2019 (Entry No 1118959).

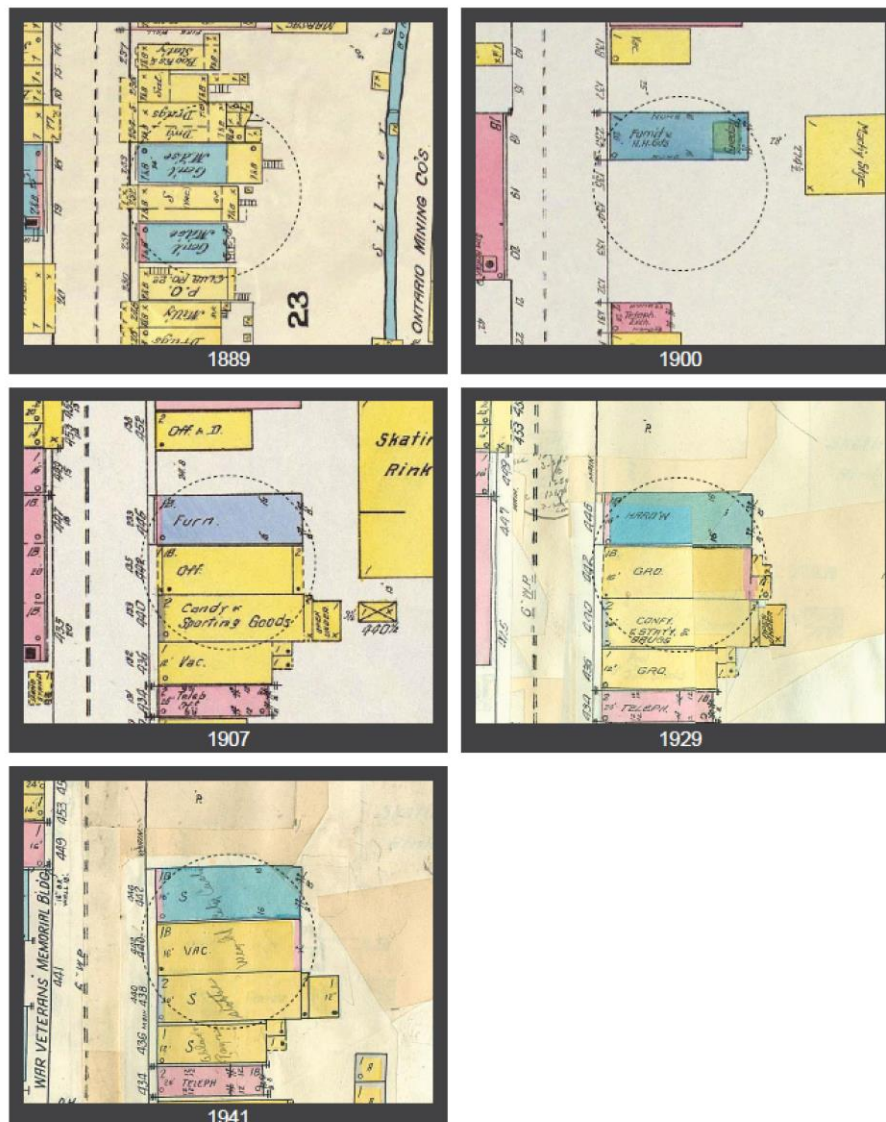
The complete Historic District Design Review (HDDR) application for the property at 440 Main Street was submitted on August 29, 2019. Staff worked with the Applicant to bring the design into compliance with the Design Guidelines prior to bringing the project forward for HPB review for Material Deconstruction. The HDDR application has not yet been approved, as it is dependent on Historic Preservation Board's (HPB) Review for Material Deconstruction of portions of the Landmark Historic Site.

History of Development on this Site

Development on this property was in Park City's designated Mature Mining Era (1894-1930). The current building was constructed circa 1900. However, a previous building first appears on the Sanborn Fire Insurance Map in 1889. In 1882, the lot was purchased by Edward and Joseph Theriot. They built a one-story building with a basement (see 1889 Sanborn Map), which housed two businesses and had a canopy over its Main Street façade. In 1891, the building was torn down by First National Bank to construct a new Park City branch. The new bank building was completed in 1891.

Unfortunately, that building was a casualty of the Great Fire of June 21, 1898. Reconstruction, which resulted in the current building, was not completed until 1902. In 1905, the building was bought by the City Attorney and turned into a law office. The building was turned into a restaurant in 1910 by Joe Julian. The building has housed various businesses and restaurants since.

Figure 1 Sanborn Fire Insurance Map Series



In 1988, an addition was constructed on the rear (Swede Alley) side of the building, adding approximately 1,241 square feet to the Building Footprint. Based on our records, the building was reroofed in 1999 and 2001.

In 2011, Shane Barber applied for and received a Historic District Grant in the amount of \$7,660. The scope of work included removing the siding and trim below the window sill on the Main Street side and replace with like material and repainting the building front. Based on our records, it appears the work was not completed and the grant expired.

In 2015, Jennifer Barber applied for a Historic District Grant, which went to the Historic Preservation Board (HPB) on [April 1, 2015](#) and was continued. However, the application was withdrawn on March 26, 2015, before returning to HPB. A Historic District Design Review was approved in March 2015 and the scope of work included: reframed the wall where necessary, installing new insulated glass windows, and replacing wood paneled kick-plate in kind. The scope also included removing the bump-out at the base of the storefront, beneath the glass windows and returning the flat appearance of the façade. The primary façade components (window/door configurations, wall planes, recesses, steps, and entryways) were retained in the original location. Staff has included a photograph from 2015 (Figure 2) and the approved elevations from 2015 (Figure 3). As shown in Figure 4, the storefront approved in 2015 appears to be the same storefront that exists today.

Figure 2 Photo of 440 Main Street circ. 2015



Figure 3 *Approved Storefront Elevation circ. 2015*

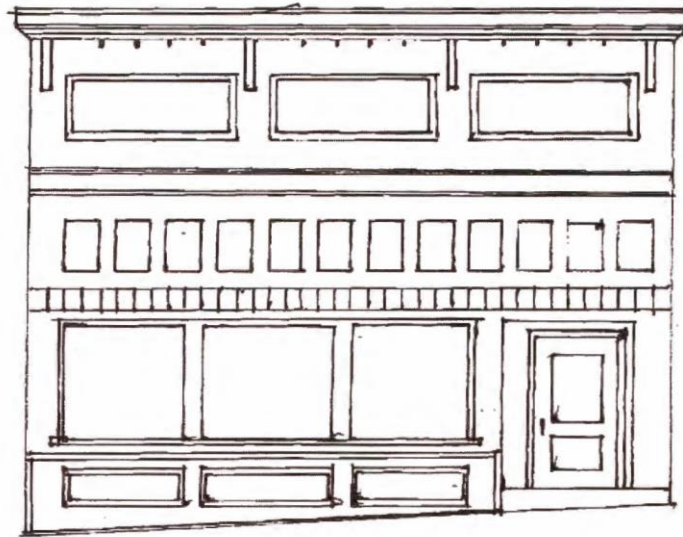
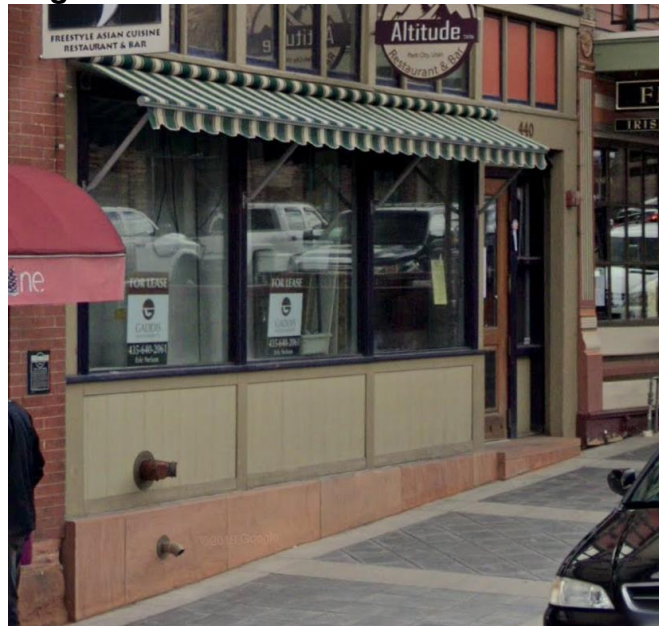


Figure 4 *Photo of 440 Main Street circ. 2019*



Analysis:

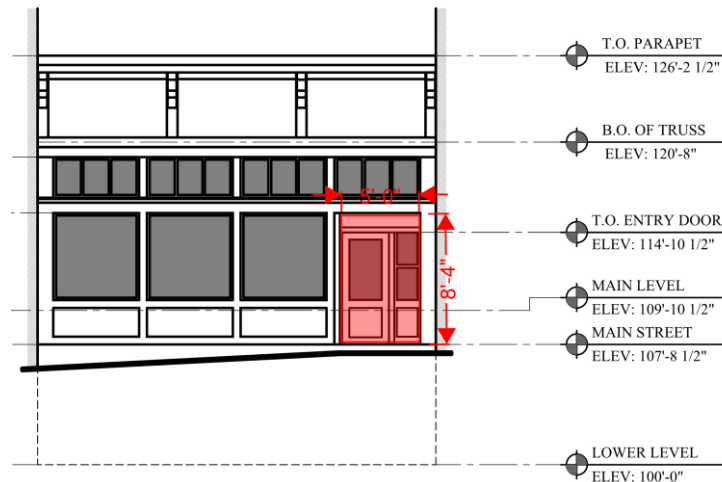
The Historic Structure has received various alterations during and outside of the Historic period. The building has undergone many interior remodels, but overall, the building has retained its historical appearance. The applicant is proposing to: modify the storefront (west – Main Street) Historic façade to include a recessed entryway; remove paneling that covers the historic window openings above the storefront door; and modify the rear (east – Swede Allery) non-historic façade to allow for a more commercial entrance. Staff is recommending approval of all proposed Material Deconstruction.

1. EXTERIOR WALLS

The Historic Main Street elevation is to remain with the exception of a modified front door area. The non-historic Swede Alley façade is proposed to be remodeled into a commercial storefront entrance.

On the Main Street façade, approximately 41.65 square feet of the front entry will be impacted.

Figure 5 *Portion of the Existing Main Street Elevation to be impacted*



While there is little photographic evidence of the original Historic storefront, the photograph below (Figure 5) shows a recessed entryway was present in the 1930s.

Figure 6 *Photograph circ. 1930s*



Figure 6 circ. 1940s Tax photograph



The above 1940s tax photograph shows the front façade, but the shadows make it difficult to determine what the front entryway looked like at that time. Staff finds the proposed front door alteration is consistent with the Design Guidelines. Per LMC §15-13-3(B)(2)(d)(5), if historic recessed entry has been lost during a previous renovation, reconstruction should be considered. Further, per LMC §15-13-3(B)(2)(d)(8), if no evidence of the historic door appearance is available, new doors should be similar in materials and configuration to historic doors on commercial buildings of similar period. Additionally, it would move the front door back so that it does not open onto the Main Street public sidewalk.

Figure 5 Existing Photo and Floor Plan of the Main Street Façade

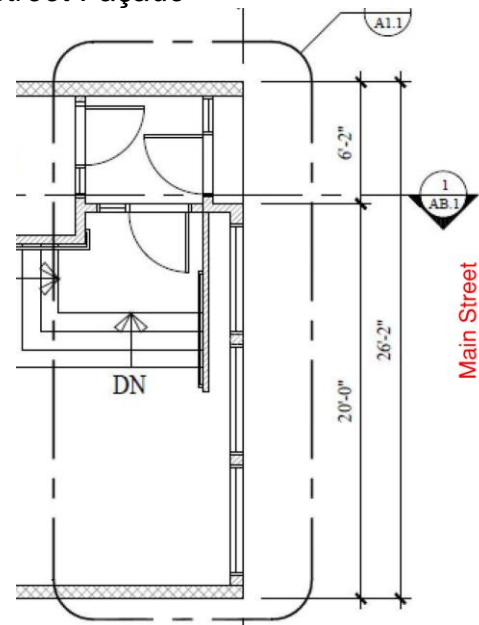
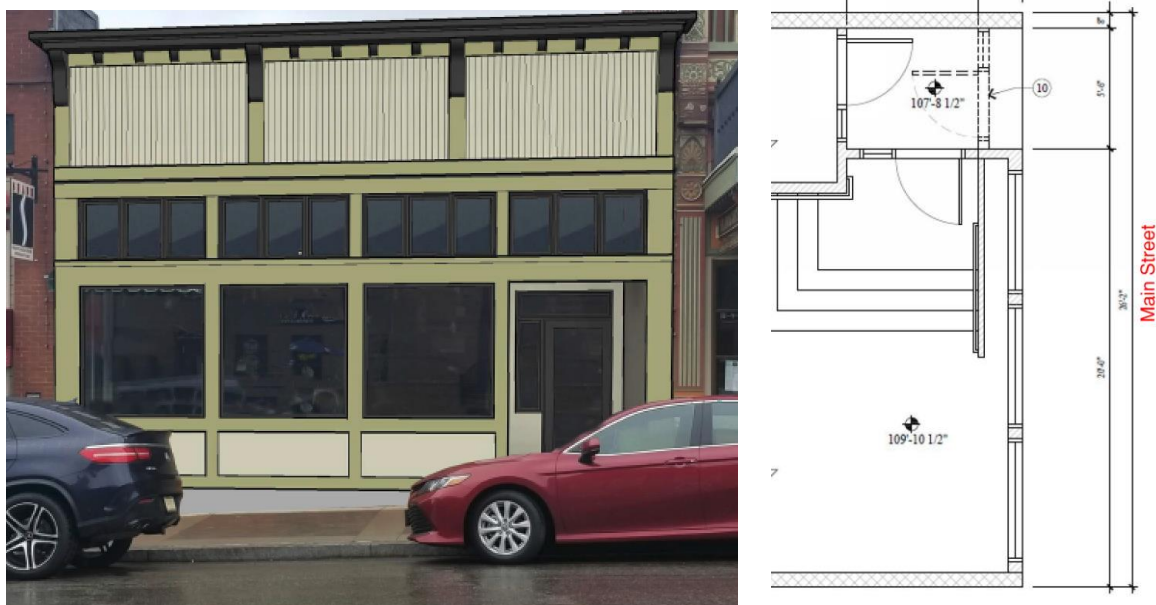
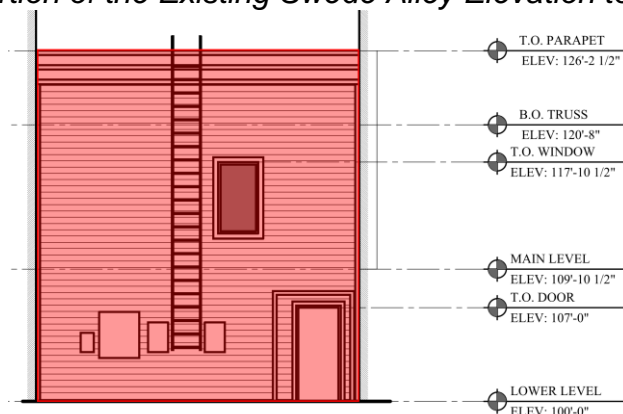


Figure 6 Proposed Rendering and Floor Plan of Main Street Façade



The Swede Alley, rear façade is non-historic and will be completely remodeled. The proposed commercial entry would be consistent with the Park City General Plan (Goal 16, City Implementation Strategies 16.11) by improving Swede Alley as a secondary retail location.

Figure 7 Portion of the Existing Swede Alley Elevation to be impacted



Staff finds the proposed exterior changes will not damage or destroy the exterior architectural features of the subject property which are compatible with the character of the Historic Structure.

2. DOORS

There are no remaining Historic doors on the Site. The door on the storefront (Historic) façade is proposed to be replaced with a new door of Historic style. To ensure an appropriate replacement door type is used, Staff has added the following Conditions of Approval:

#5 All windows and doors shall be compliant with Design Guidelines for Historic Commercial Sites.

3. WINDOWS

There are no proposed changes to windows on the Historic, Main Street façade. The single window on the rear, Swede Alley, non-historic façade will be removed and replaced with larger windows. All windows shall comply with Design Guidelines for Historic Commercial Sites. To ensure an appropriate replacement window type is used, Staff has added the following Conditions of Approval:

#5 All windows and doors shall be compliant with Design Guidelines for Historic Commercial Sites.

#6 All windows on the non-historic addition will be aluminum-clad wood or wood material. No vinyl or aluminum windows are permitted.

Analysis: Historic Preservation Board Material Deconstruction Review Checklist (Exhibit A):

Criterion 1: The proposed work is not Routine Maintenance.

Criterion 2: The proposed Material Deconstruction is required for renovation of the building.

Criterion 3: The proposed work does not damage or destroy the exterior architectural features.

Criterion 4: The proposed work mitigates any impacts that will occur to the visual character of the neighborhood; Historical significance of the Structure; architectural integrity of the Structure; and structural stability. All proposed Material Deconstruction complies with applicable Design Guidelines.

Criterion 5: The proposed work will not compromise the historical importance of other structures on the property and on adjacent properties.

Criterion 6: All additions to the Structure have been found to be non-contributory to the historic integrity or historical significance of the structure or site.

Process

The Historic Preservation Board (HPB) will hear testimony from the applicant and the public and will review the Application for compliance with the following sections of the Land Management Code (LMC):

[LMC §15-11-12.5 Historic Preservation Board Review for Material Deconstruction](#)
[LMC §15-13-3 Design Guidelines for Historic Commercial Sites](#)

The HPB shall forward a copy of its written findings to the Owner and/or Applicant.

The Applicant or any party participating in the hearing may appeal the Historic Preservation Board decision to the Board of Adjustment or City Council. Appeal requests shall be submitted to the Planning Department thirty (30) days of the Historic Preservation Board decision. The appellant has the burden of proving that the land use authority erred. The appeal authority shall review factual matters de novo, without

deference to the land use authority's determination of factual matters. The appeal authority shall determine the correctness of the land use authority's interpretation and application of the plain meaning of the land use regulations, and interpret and apply a land use regulation to favor a land use application unless the land use regulation plainly restricts the land use application.

Notice

The complete application notice mailing was sent on August 29, 2019 notifying of the first public hearing on September 12, 2019. On February 15, 2020, Legal Notice of this public hearing was published in the Park Record. Staff sent a mailing notice of this public hearing to property owners within 100 feet and posted the property on February 19, 2020.

Recommendation

Staff recommends the Historic Preservation Board review and discuss the application, conduct a public hearing, and consider approving the Material Deconstruction at 440 Main Street pursuant to the following findings of fact, conclusions of law, and conditions of approval. This site is designated as Landmark on the City's Historic Sites Inventory (HSI).

Findings of Fact

1. The property is located at 440 Main Street. The Legal Description is Lot A 440 Main Street Plat Amendment.
2. On July 11, 2019, the Park City Council approved Ordinance 2019-39, approving the 440 Main Street Plat Amendment; it was recorded on October 2, 2019. The Conditions of Approval of this plat amendment continue to apply.
3. On August 29, 2019, the Planning Department received a complete Historic District Design Review (HDDR) for the remodel of an existing Historic Commercial Structure at 440 Main Street.
4. A public hearing was held for the HDDR application on September 12, 2019.
5. The property is located in the Historic Commercial Business (HCB) zoning district and is subject to all requirements of the Park City Land Management Code (LMC) and all the guidelines of the Historic District Design Guidelines.
6. This site is listed as Landmark on the Historic Sites Inventory (HSI).
7. The current building was constructed circa 1900. However, a previous building first appears on the Sanborn Fire Insurance Map in 1889.
8. In 1882, the lot was purchased by Edward and Joseph Theriot, who built a one-story building with a basement (see 1889 Sanborn Map), which housed two businesses and had a canopy over its Main Street façade.
9. In 1891, the building was torn down by First National Bank to construct a new Park City branch. The new bank building was completed in 1891.
10. The building was a casualty of the Great Fire of June 21, 1898. Reconstruction was not completed until 1902.
11. In 1905, the building was bought by the City Attorney and turned into a law office.
12. The building was turned into a restaurant in 1910 by Joe Julian. The building has housed various businesses and restaurants since.

13. In 1988, an addition was constructed on the rear (Swede Alley) side of the building, adding approximately 1,241 square feet to the footprint.
14. Based on our records, the building was reroofed in 1999 and 2001.
15. In 2011, Shane Barber applied for and received a Historic District Grant in the amount of \$7,660. The scope of work included removing the siding and trim below the window sill on the Main Street side and replace with like material and repainting the building front. Based on our records, it appears the work was not completed and the grant expired.
16. In 2015, Jennifer Barber applied for a Historic District Grant, but the application was withdrawn on March 26, 2015. A Historic District Design Review was approved in March 2015 and the scope of work included: reframing the front wall where needed, installing new insulated glass windows, and replacing wood paneled kick-plate in kind. The scope also included removing the bump-out at the base of the storefront, beneath the glass windows and returning the flat appearance of the façade. The primary façade components (window/door configurations, wall planes, recesses, steps, and entryways) were retained in the original location.
17. The Historic Structure has received various alterations during and outside of the Historic period. The building has also undergone many interior remodels, but overall, the building has retained its historical appearance.
18. The applicant is proposing to: modify the storefront (west – Main Street) Historic façade to include a recessed entryway; remove paneling that covers the historic window openings above the storefront door; and modify the rear (east – Swede Alley) non-historic façade to allow for a more commercial entrance.
19. The proposed scope of work mitigates any impact that will occur to the Historic significance of the Site.
20. The Historic Main Street elevation is to remain with the exception of a modified front door area and approximately 41.65 square feet will be impacted. While there is little photographic evidence of the original Historic storefront, the photograph below (Figure 5) shows a recessed entryway was present in the 1930s. The 1940s tax photograph shows the front façade, but the shadows make it difficult to determine what the front entryway looked like at that time.
21. Staff finds the proposed front door alteration is consistent with the Design Guidelines. Per LMC §15-13-3(B)(2)(d)(5), if historic recessed entry has been lost during a previous renovation, reconstruction should be considered. Further, per LMC §15-13-3(B)(2)(d)(8), if no evidence of the historic door appearance is available, new doors should be similar in materials and configuration to historic doors on commercial buildings of similar period. Additionally, the proposed design would move the front door back so that it does not open onto the Main Street public sidewalk.
22. The Swede Alley, rear façade is non-historic and will be completely remodeled. The proposed commercial entry would be consistent with the Park City General Plan (Goal 16, City Implementation Strategies 16.11) by improving Swede Alley as a secondary retail location.
23. Staff finds the proposed exterior changes will not damage or destroy the exterior architectural features of the subject property which are compatible with the character of the Historic Structure.

24. There are no existing Historic doors or windows. All doors and windows have been replacement at a time outside the Historic period. The Physical Conditions Report notes there are no Historic doors remaining. A new door, consistent with the style and dimensions, will be installed on the storefront façade, to be approved by the Historic Preservation Planner prior to installation. As the Physical Conditions report notes, there are proposed changes to the windows on the storefront façade. The only window changes are on the rear, non-historic façade.
25. The HPB found compliance, as conditioned, with the LMC §15-13-3. Specifically,
- A. The proposal complies with LMC §15-13-3(A) Universal Design Guidelines:
 - 1) The site shall be used as it was historically.
 - 2) The changes to the site or building that have acquired historic significance in their own right shall be retained and preserved.
 - 3) The historic exterior features of the building shall be retained and preserved.
 - 4) Distinctive materials, components, finishes, construction techniques, and examples of craftsmanship shall be retained and preserved.
 - 5) Universal Design Guideline #5 is not applicable as no historic materials are being affected.
 - 6) Non-historic alterations that have been made to elements of a property, such as window replacements, eave enclosures, or porch element substitutions that are in place prior to the adoption of these Design Guidelines may be maintained. However, if additional alterations to these elements are proposed, the elements must be brought into compliance with these Design Guidelines.
 - 7) The Applicant is not proposing to introduce architectural elements or details that visually modify or alter the original building design without evidence of such elements existing historically. No photographic evidence is present of the circ. 1940s modifications; however, staff finds the proposed front façade modification of the entrance door location is consistent with what would have been seen historically.
 - 8) Chemical or physical treatments, if appropriate, shall be undertaken using recognized preservation methods. Treatments that cause damage to historic material shall not be used. Treatments that sustain and protect the historic building and its occupants, but do not alter appearance, are encouraged.
 - 9) New construction, such as additions, exterior alterations, repairs, upgrades, etc. shall not destroy historic materials, features, and spatial relationships that characterize the historic site or historic building.
 - 10) Universal Design Guideline #10 is not applicable as no new construction is proposed.
 - 11) The proposed project must not cause the building, site or Historic District to be removed from the National Register of Historic Places.
 - B. The proposal complies with Specific Design Guidelines for Historic Commercial Sites LMC §15-13-3(B)(1) Site Design:

- a. **Building Setback and Orientation.** The Applicant has not proposed any changes to the existing setbacks of the building. While the original main entry may have been altered in the past, the Applicant proposes to re-introduce a recessed entryway, which is more consistent with what was seen historically.
 - b. **Topography and Grading.** The Applicant has not proposed any changes to topography or grading.
 - c. **Landscaping and Vegetation.** The Applicant has not proposed any changes to landscaping or vegetation.
 - d. **Sidewalks, Plazas, and Other Street Improvements.** The Applicant has not proposed any changes to sidewalks, plazas, or other street improvements.
 - e. **Parking and Driveways.** The Applicant has not proposed any changes to parking or driveways.
- C. The proposal complies with Specific Design Guidelines for Historic Commercial Sites LMC §15-13-3(B)(2) Primary Structures:
- a. **Foundation.** The Applicant has not proposed any changes to foundation.
 - b. **Exterior Walls.** The Applicant proposes to modify the Main Street façade to include a recessed front entryway. This is consistent with what was seen historically and a portion of a recessed entry can be seen in the circ. 1930s photograph.. The Applicant also proposes to create a commercial entrance on the rear non-historic façade.
 - c. **Roofs.** The Applicant has not proposed any changes to roofs.
 - d. **Storefronts.** While little documentary evidence shows the historic recessed entry on the storefront, the Applicant is proposing an entryway that is similar to ones seen on other commercial buildings from a similar period. The Applicant is not proposing any changes to the window configuration on the storefront.
 - e. **Doors (Not Included in Storefronts).** There are no historic doors on the rear façade, as it is a non-historic addition. The proposed doors, as conditioned, will be similar to those found historically in Park City and will be similar in size, location, and type to those on the Historic structure.
 - f. **Windows (Not Included in Storefronts).** There are no historic windows on the rear façade. The proposed windows, as conditioned will be similar in location, size, scale, type, and glazing patten to those seen on the Historic structure.
 - g. **Gutters.** The Applicant has not proposed any changes to gutters.
 - h. **Historic Balconies/Porticos.** There are no historic balconies or porticos.
 - i. **Decks, Fire Escapes, and Exterior Staircases.** There are no historic decks, fire escapes, or exterior staircases.
 - j. **Chimneys and Stovepipes.** There are no historic chimneys or stovepipes.
 - k. **Architectural Features.** There are no proposed changes to the architectural features (eaves, brackets, cornices, moldings, trim

work, decorative shingles) on the Main Street façade. The Applicant proposes to add corbel detailing on the rear façade.

- D. Specific Design Guidelines for Historic Commercial Sites LMC §15-13-3(B)(3) Mechanical Equipment, Communications, and Service Areas is not applicable as there are no proposed changes to these items.
- E. Specific Design Guidelines for Historic Commercial Sites LMC §15-13-3(B)(4) Additions to Primary Structures is not applicable as there are no proposed additions at this time.

26. The HPB made the following findings with respect to Material Deconstruction Review Checklist Criterion:

- A. Criterion 1: The proposed work is not Routine Maintenance.
- B. Criterion 2: The proposed Material Deconstruction is required for renovation of the building.
- C. Criterion 3: The proposed work does not damage or destroy the exterior architectural features.
- D. Criterion 4: The proposed work mitigates any impacts that will occur to the visual character of the neighborhood; Historical significance of the Structure; architectural integrity of the Structure; and structural stability. All proposed Material Deconstruction complies with applicable Design Guidelines.
- E. Criterion 5: The proposed work will not compromise the historical importance of other structures on the property and on adjacent properties.
- F. Criterion 6: All additions to the Structure have been found to be non-contributory to the historic integrity or historical significance of the structure or site.

Conclusions of Law

- 1. The proposal complies with the Land Management Code (LMC) requirements pursuant to 15-2.6 Historic Commercial Business (HCB) District.
- 2. The proposal complies with the Land Management Code (LMC) requirements pursuant to 15-13-3 Design Guidelines for Historic Commercial Sites.
- 3. The proposal meets the criteria for Material Deconstruction pursuant to LMC §15-11-12.5 Historic Preservation Board Review for Material Deconstruction.

Conditions of Approval

- 1. Final building plans and construction details shall reflect substantial compliance with the HDDR proposal submitted on January 22, 2020. Any changes, modifications, or deviations from the approved design that have not been approved by the Planning and Building Departments may result in a stop work order.
- 2. The applicant is responsible for notifying the Planning and Building Departments if changes are made.
- 3. Any changes, modifications, or deviations from the approved scope of work shall be submitted in writing for review and approval/denial in accordance with the applicable standards by the Planning Director or his/her designee prior to construction.
- 4. Should any Historic material be discovered while deconstructing the storefront, the Physical Conditions Report and Preservation Plan shall be amended to document the condition of the storefront materials and provide an updated scope of work to the satisfaction of the Historic Preservation Planner.

5. All windows and doors shall be compliant with Design Guidelines for Historic Commercial Sites.
6. All windows on the non-historic addition will be aluminum-clad wood or wood material. No vinyl or aluminum windows are permitted.

Exhibits

Exhibit A: HPB Checklist for Material Deconstruction

Exhibit B: [Historic Sites Inventory Form](#)

Exhibit C: Existing Conditions Survey & As Built Plans

Exhibit D: Proposed Plans

Exhibit E: Physical Conditions Report + Historic Preservation Plan

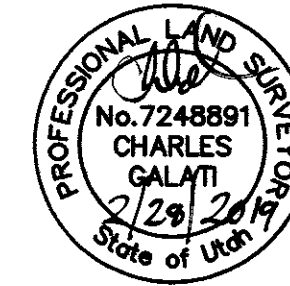
Exhibit F: Existing and Proposed Streetscape

Exhibit A – HPB Checklist for Material Deconstruction

Historic Preservation Board Material Deconstruction Review Checklist:

1. Routine Maintenance (including repair or replacement where there is no change in the design, materials, or general appearance of the elements of the structure or grounds) does not require Historic Preservation Board Review (HPBR).
2. The material deconstruction is required for the renovation, restoration, or rehabilitation of the building, structure, or object.
3. Proposed exterior changes shall not damage or destroy the exterior architectural features of the subject property which are compatible with the character of the historic site and are not included in the proposed scope of work.
4. The proposed scope of work mitigates any impacts that will occur to the visual character of the neighborhood where material deconstruction is proposed to occur; any impacts that will occur to the historical significance of the buildings, structures, or objects located on the property; any impact that will occur to the architectural integrity of the buildings, structures, or objects located on the property; and any impact that will compromise the structural stability of the historic building.
5. The proposed scope of work mitigates to the greatest extent practical any impact to the historical importance of other structures located on the property and on adjacent parcels.
6. Any addition to a Historic Building, Site, or Structure has been found to be non-contributory to the historic integrity or historical significance of the structure or site.

440 MAIN STREET
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
LOTS 11 & A PORTION OF LOT 10, BLOCK 23 PARK CITY AMENDED SURVEY
RECORD OF SURVEY
SUMMIT COUNTY, UTAH



SURVEYOR'S CERTIFICATE

I, Charles Galati, certify that I am a Professional Land Surveyor and that I hold License No. 7248891, as prescribed by the laws of the State of Utah. I further certify that under my direct supervision a survey has been performed on the hereon described property and that to the best of my knowledge this plat is a correct representation of said survey.

LEGAL DESCRIPTION

PARCEL 1:

All of Lot 11, Block 23, PARK CITY SURVEY, AMENDED, according to the official plat, thereof, on file and of record in the office of the Summit County Recorder, Summit County, Utah.

PARCEL 2:

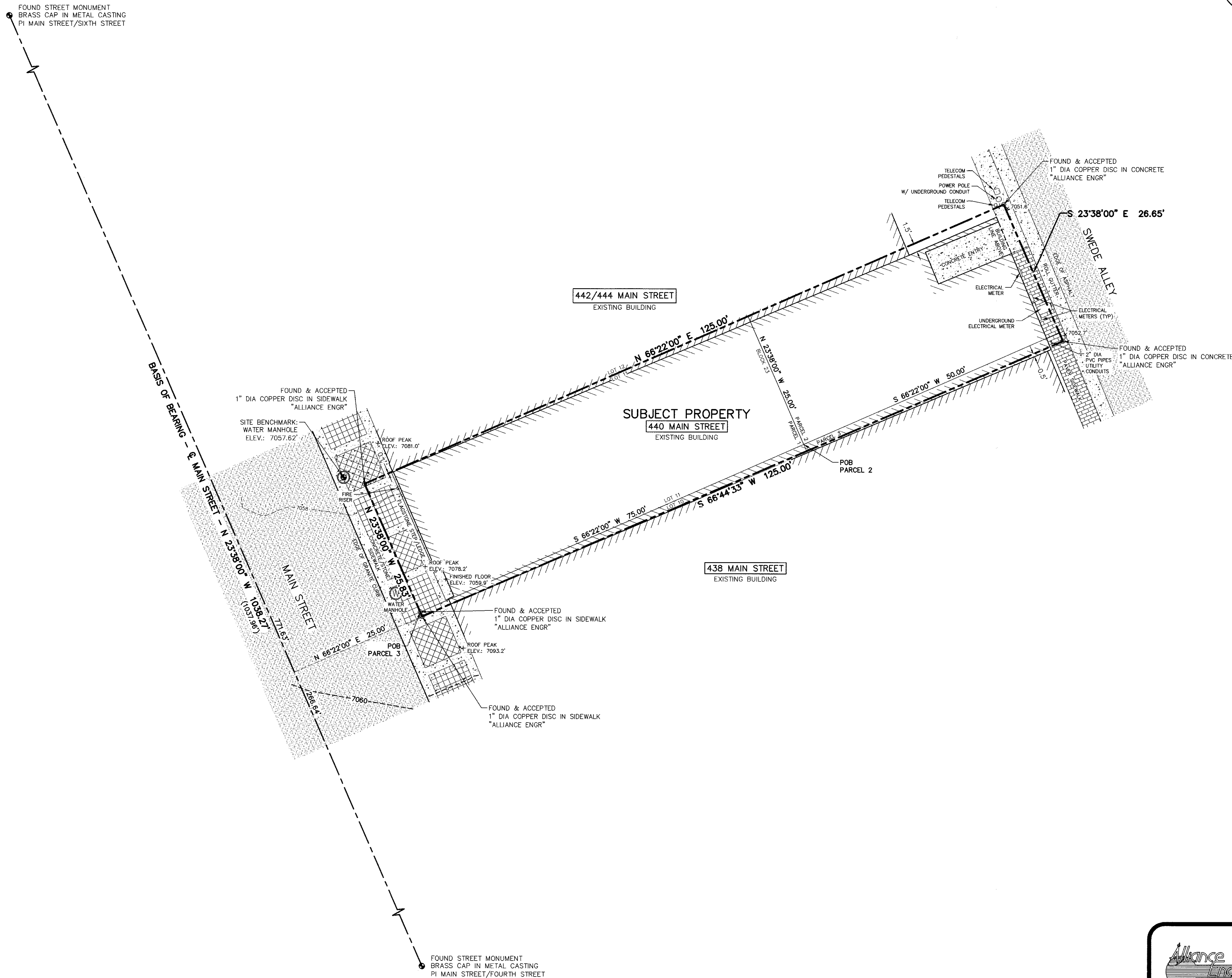
Beginning at the Southeast corner of Lot 11, Block 23, PARK CITY SURVEY, AMENDED, and running thence along the Easterly line of said Block 23 North 23°38' West 25.00 feet to the Northeast corner of Lot 11; thence leaving said block line and running North 66°22' East 50.00 feet to a point on Swede Alley as currently constructed; thence South 23°38' East along Swede Alley 25.00 feet; thence South 66°22' West 50.00 feet to the point of beginning.

PARCEL 3:

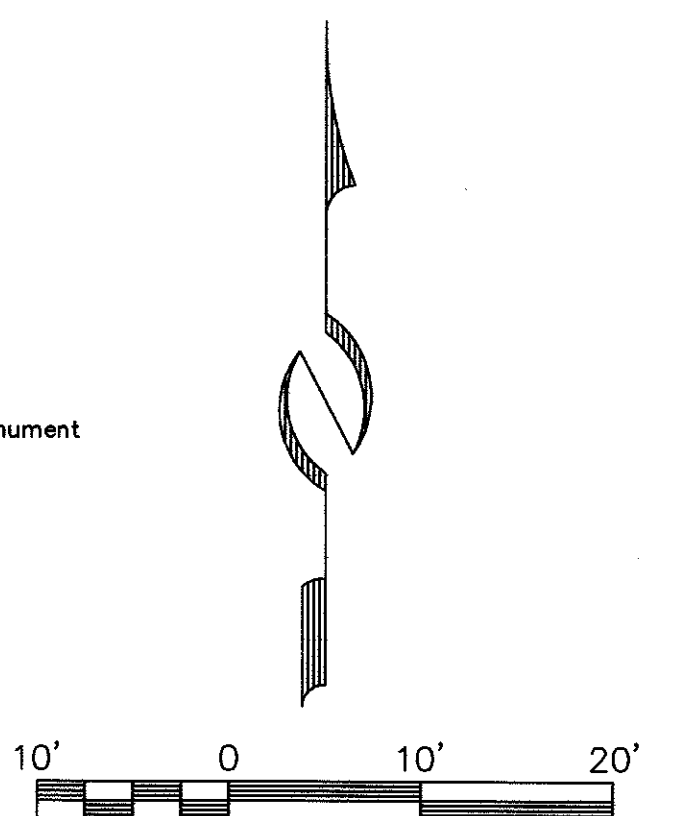
Beginning at the Southwest corner of Lot 11, Block 23, PARK CITY SURVEY, AMENDED, and running thence along the Southerly line of said Lot 11 North 66°22' East 75.00 feet to the Southeast corner of said Lot 11, said point also being on the East line of said Block 23; thence leaving said Block line and running North 66°22' East 50.00 feet to a point on Swede Alley as currently constructed; thence South 23°38' East 1.65 feet; thence South 66°44'33" West 125.00 feet; thence North 23°18' West .83 feet to the point of beginning.

NOTES

1. Basis of Bearing for this survey is between the found street monuments as shown on this plat.
2. Site Benchmark: Water Manhole, Elevation= 7057.62' as shown.
3. Field work for this survey was completed February 1, 2019, and is in compliance with generally accepted industry standards for accuracy.
4. The purpose of this survey was to perform a Boundary, Existing Conditions and Topography survey for the possibility of future improvements to the property.
5. A title report was not provided to the surveyor and only easements and setbacks per subdivision plat were located as part of this survey. The owner of the property should be aware of any items affecting the property that may appear in a title insurance report. The surveyor found no obvious evidence of easements, encroachments or encumbrances on the property surveyed except as shown hereon.
6. County tax maps, recorded deeds, Fab Main Street Plat Amendment (Entry No. 1083960), Record of Survey's S-8870, S-9226, S-9323, (all aforementioned documents on file and of record in the Summit County Recorder's Office), and physical evidence found in the field were used to determine the boundary as shown on this plat.
7. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
8. Property corners were found as shown.
9. Snow coverage at the time of the survey was approximately 0-12". As a result, monuments, improvements, and/or conditions may exist which are not shown on this survey.
10. Measured bearings and distances, when different from record are shown in parenthesis ().

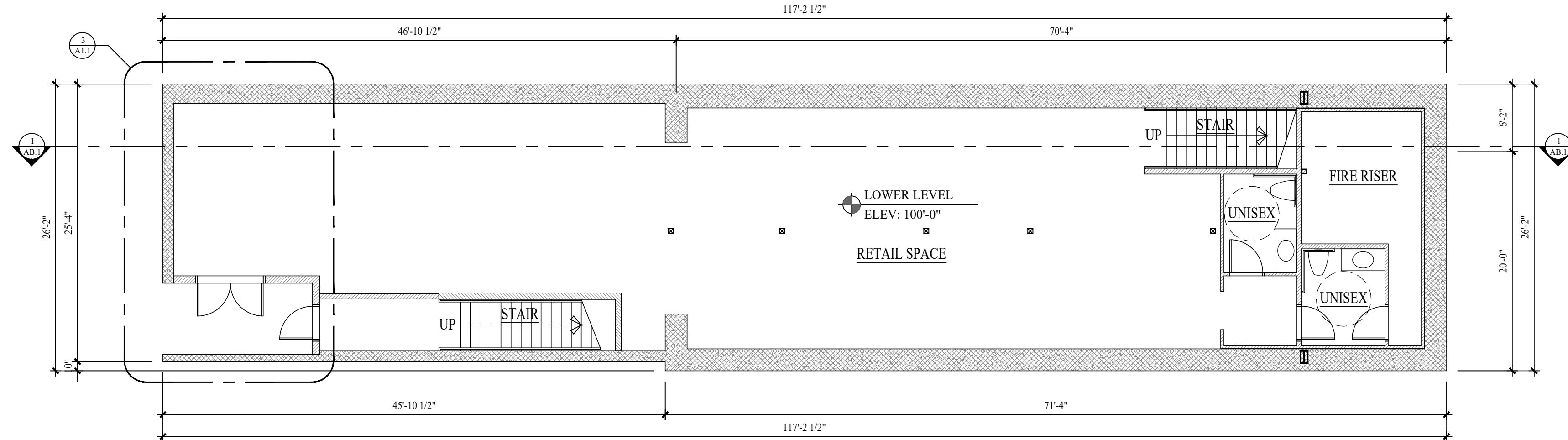
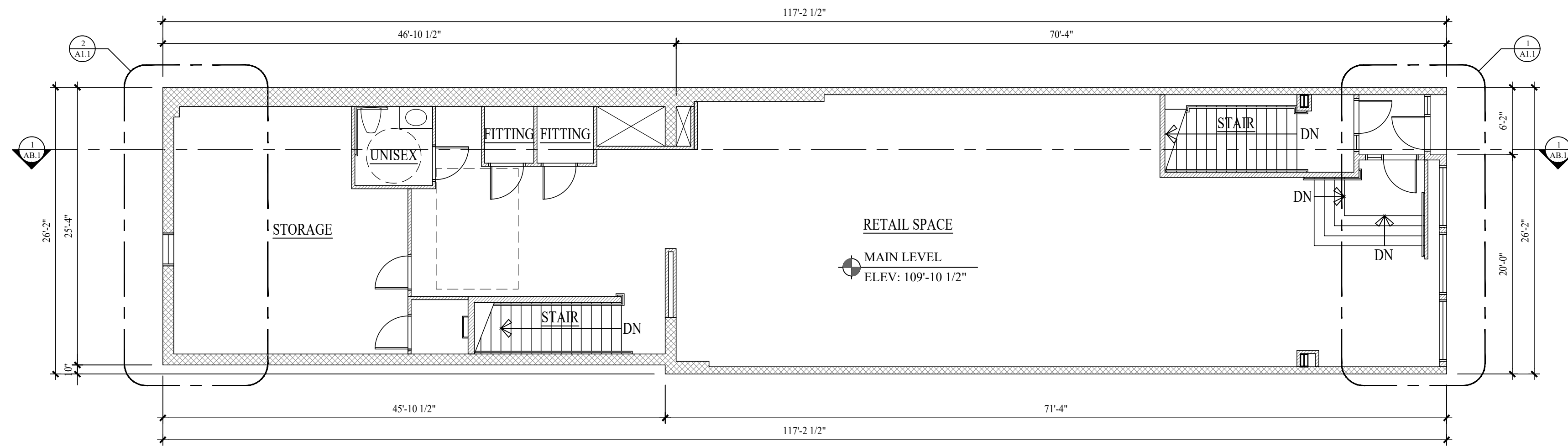
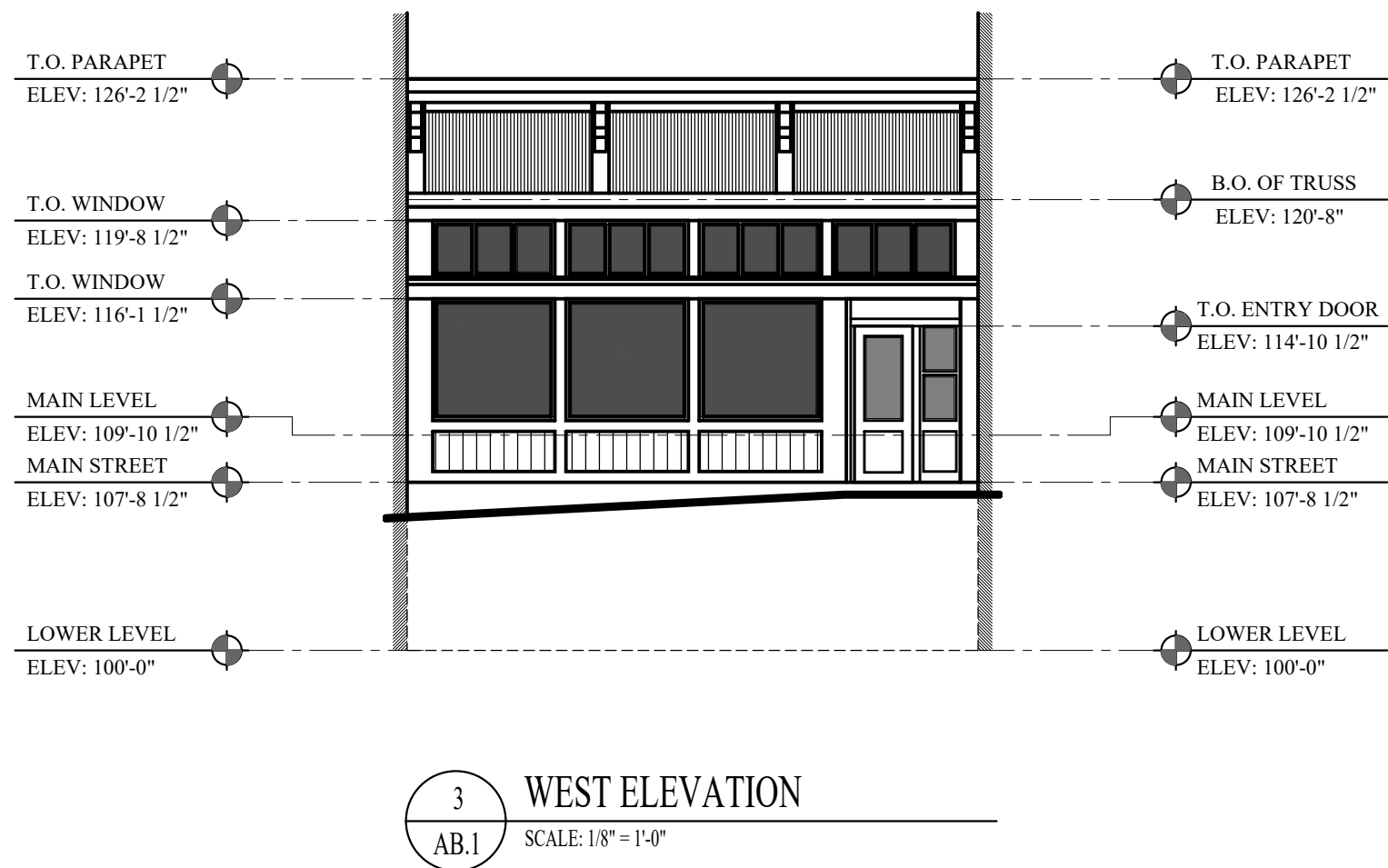
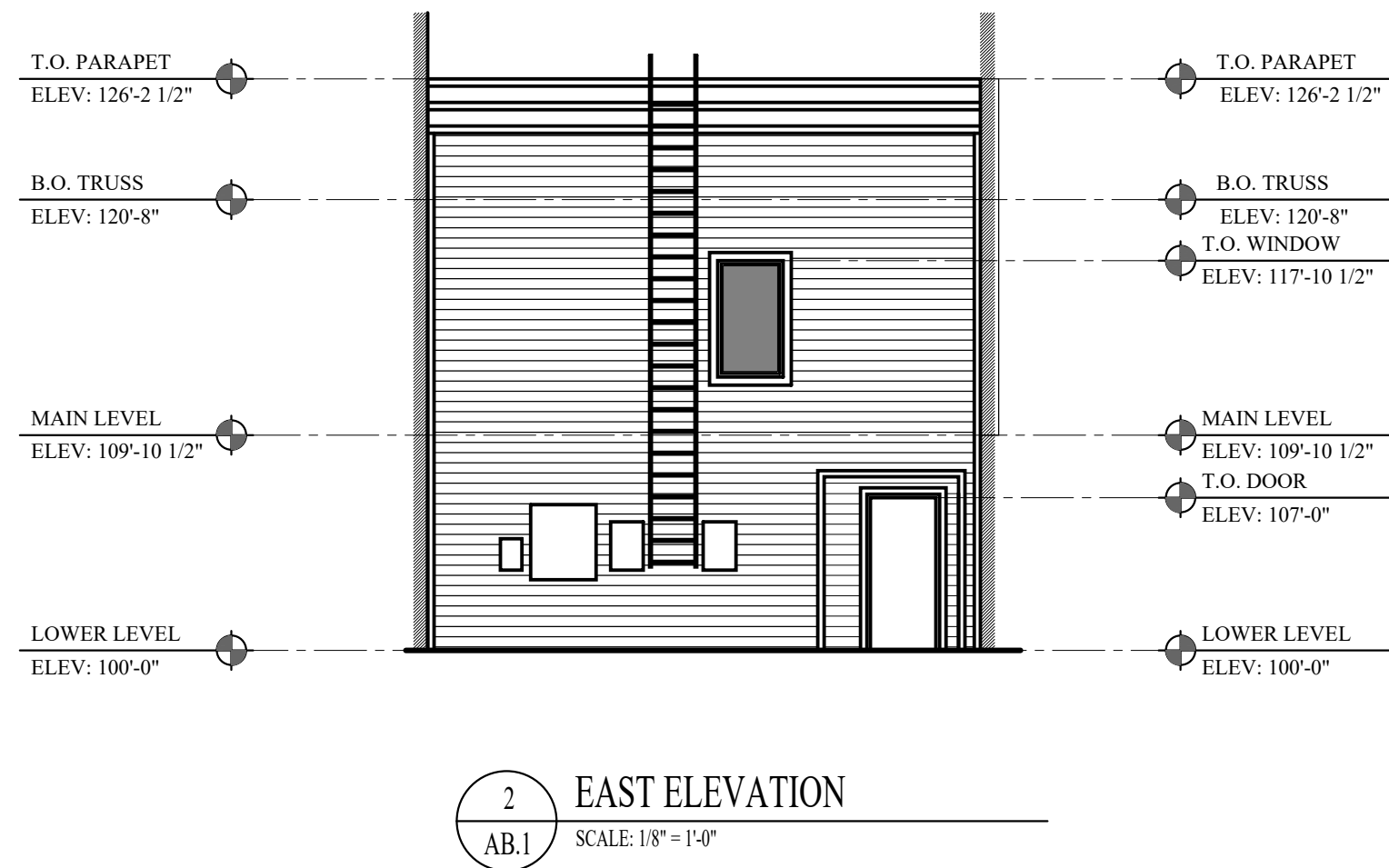
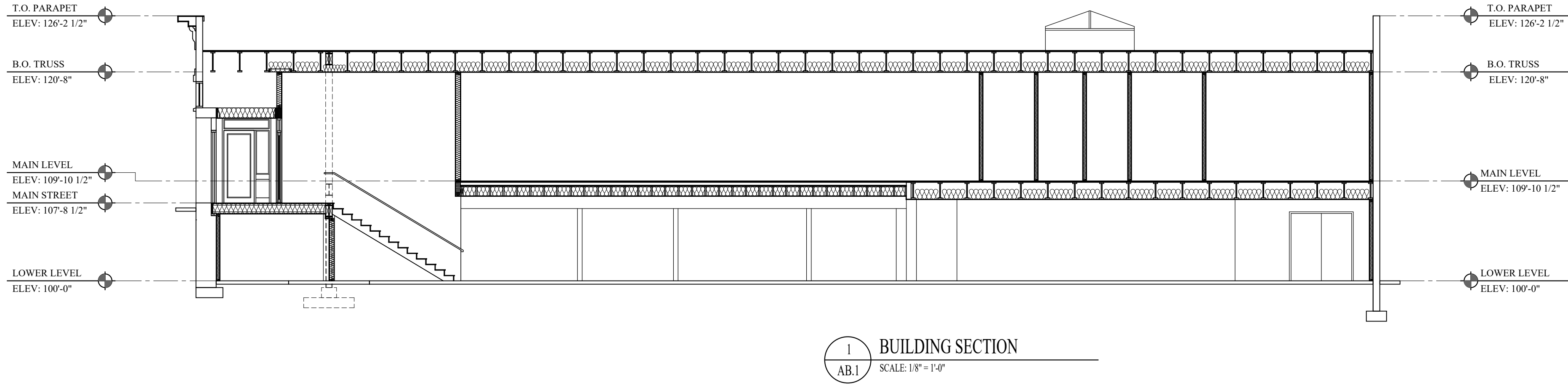


LEGEND
○ Found Monument
(As-Noted)
● Found Street Monument
(As-Noted)



 (435) 649-9467 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664	STAFF: CHARLES GALATI DUSTIN CARRISH CHIP TOMSUDEN TOM LUND DATE: 2/28/19	EXISTING CONDITIONS & TOPOGRAPHIC MAP 440 MAIN STREET, PARK CITY FOR: JEFFREY MCKIBBEN JOB NO.: 14-1-19 FILE: X:\ParkCitySurvey\dwg\sr\sr\sr\2019\140119-440 Main St\140119-ros.dwg	SHEET 1 OF 1

THE GRAPHIC MATERIAL AND DESIGN ON THIS SHEET ARE INSTRUMENTS OF SERVICE AND REMAIN AT ALL TIMES THE PROPERTY OF JONATHAN DEGRAY - ARCHITECT P.C. REPRODUCTION OR REUSE OF THE MATERIAL AND DESIGN CONTAINED HEREIN IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF JONATHAN DEGRAY - ARCHITECT P.C. VIOLATORS WILL BE PROSECUTED TO THE FULLEST EXTENT OF THE LAW.
JONATHAN DEGRAY - ARCHITECT P.C. ALL RIGHTS RESERVED



WALL LEGEND

- EXISTING 2x FRAMED WALL
- EXISTING CONCRETE / MASONRY WALL F.V.
- (E) 2x FRAMED / MASONRY WALL F.V.
- (E) INDICATES EXISTING

ALL DIMENSIONS ARE APPROXIMATE AND ARE TO BE FIELD VERIFIED PRIOR TO ANY CONSTRUCTION

KEY NOTES

Jonathan DeGray
A r c h i t e c t

P.O. Box 1674, 614 Main Street, Suite 302, Park City, Utah 84060
Tel. 435-648-7263, E-mail: degrayarch@westoffice.net

440 MAIN STREET BUILDING
HISTORIC DISTRICT DESIGN REVIEW

440 MAIN STREET, PARK CITY, UTAH 84060

AS-BUILT FLOOR PLANS
ELEVATIONS
BUILDING SECTION

REVISIONS:

DATE:
JANUARY 08, 2020

PROJECT NUMBER:
1901-01a

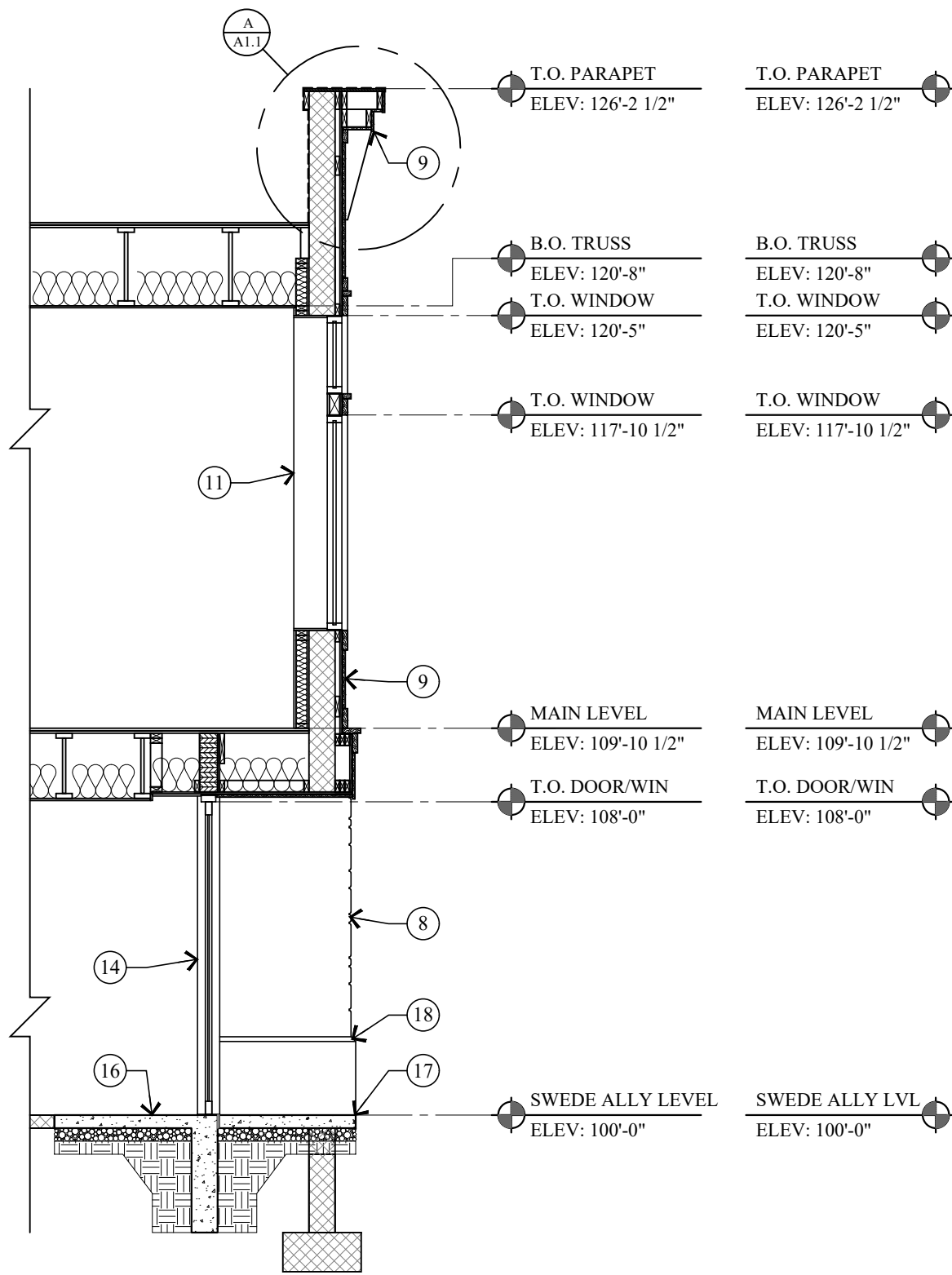
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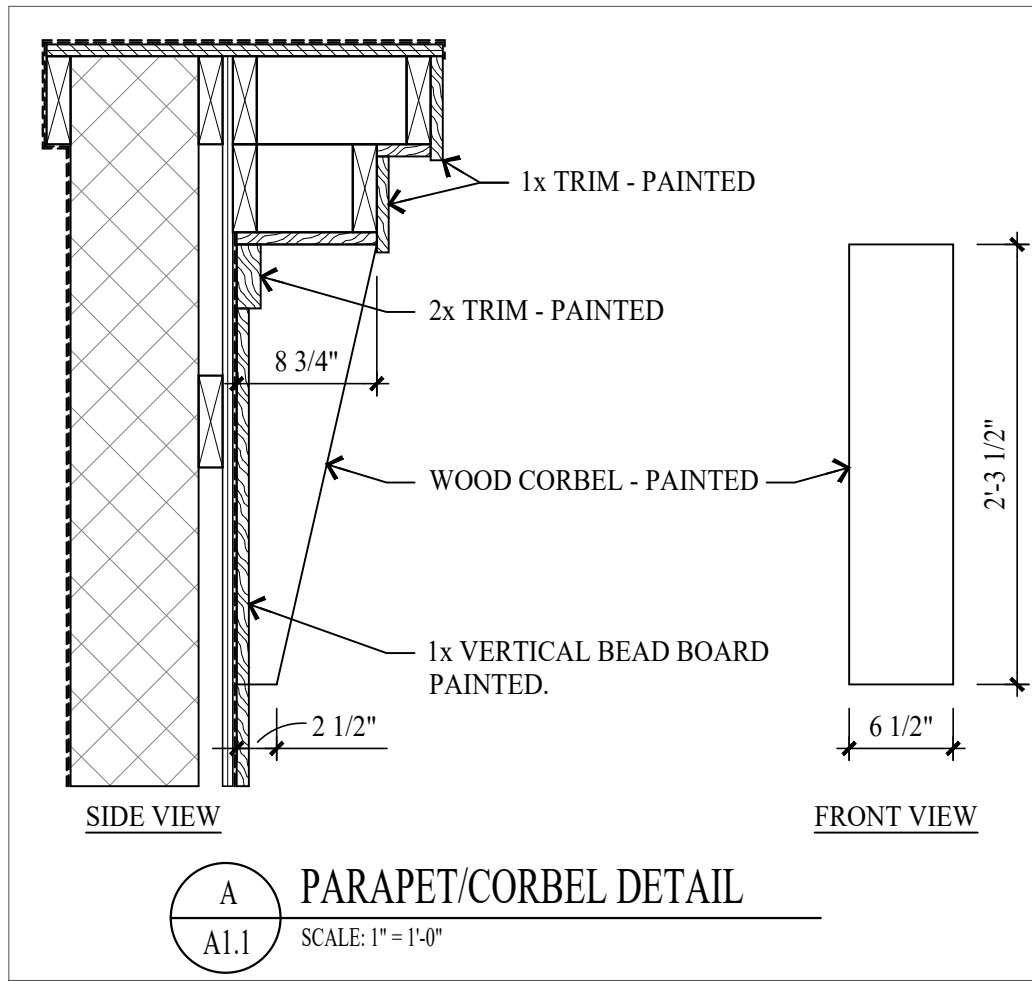
37

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JONATHAN DEGRAY - ARCHITECT P.C. ALL RIGHTS RESERVED

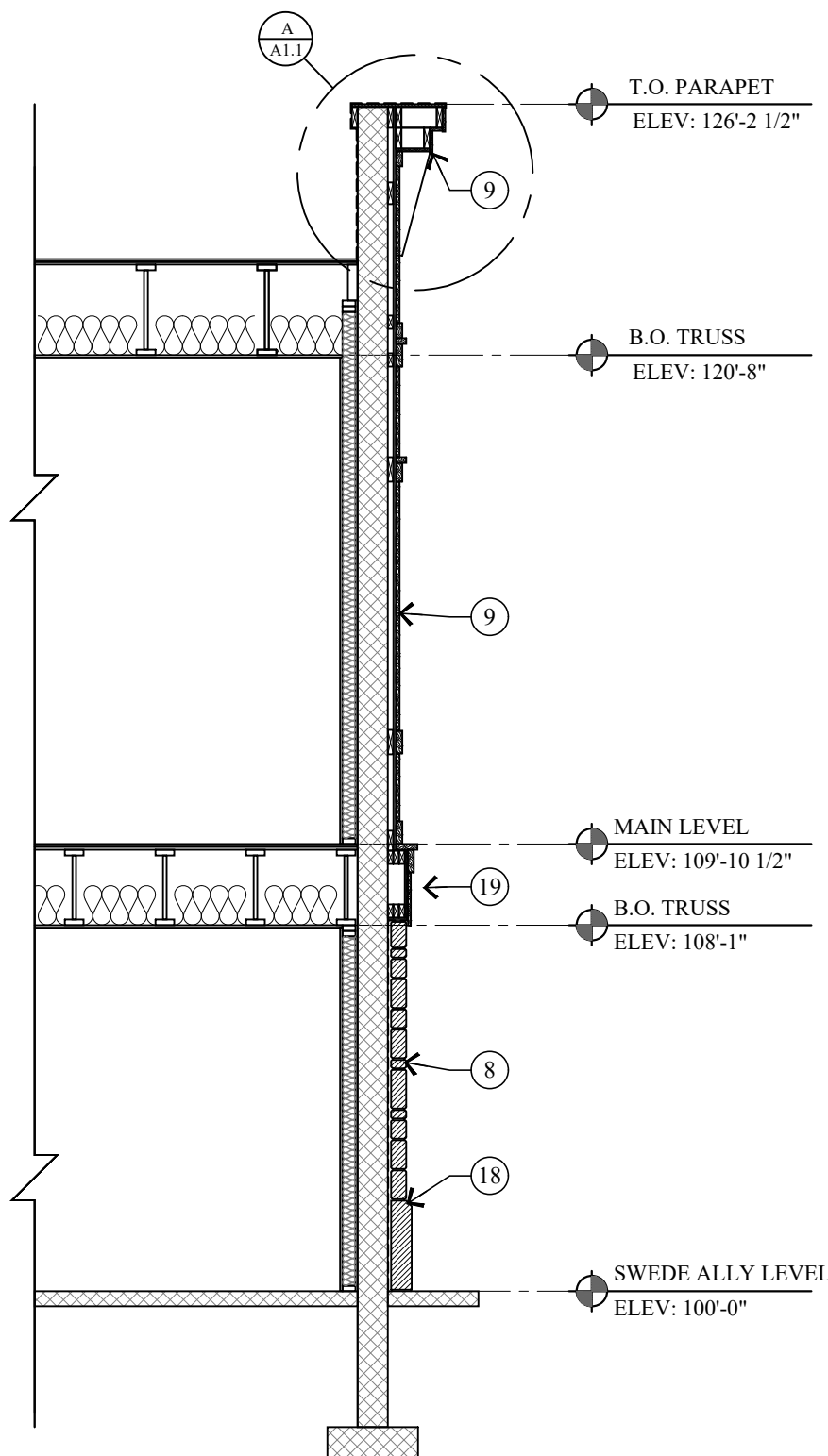
6 WALL SECTION @ SWEDE ALLY ENTRY
SCALE: 1/4" = 1'-0"



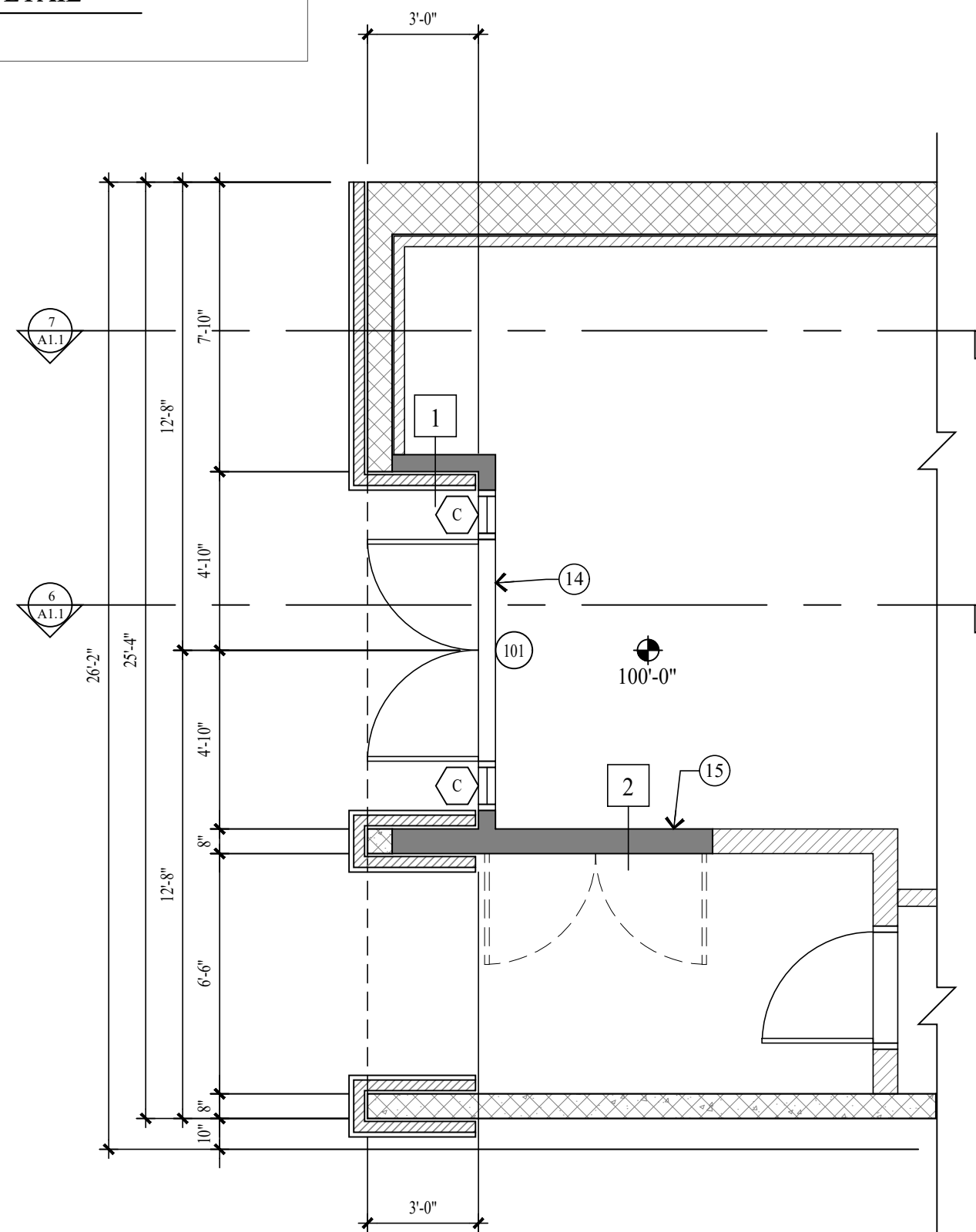
5 SWEDE ALLY (EAST) ELEVATION
SCALE: 1/4" = 1'-0"



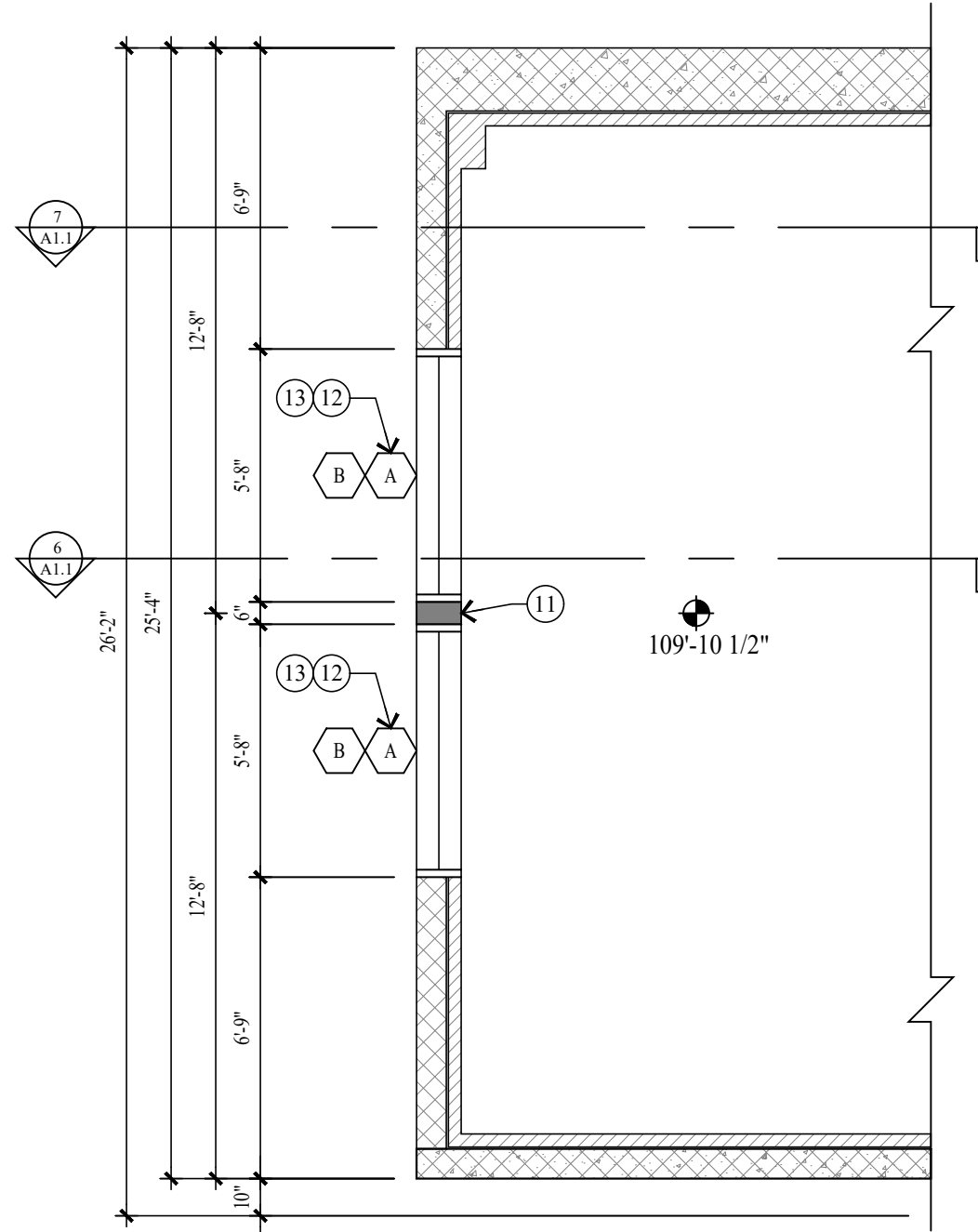
7 WALL SECTION @ SWEDE ALLY
SCALE: 1/4" = 1'-0"



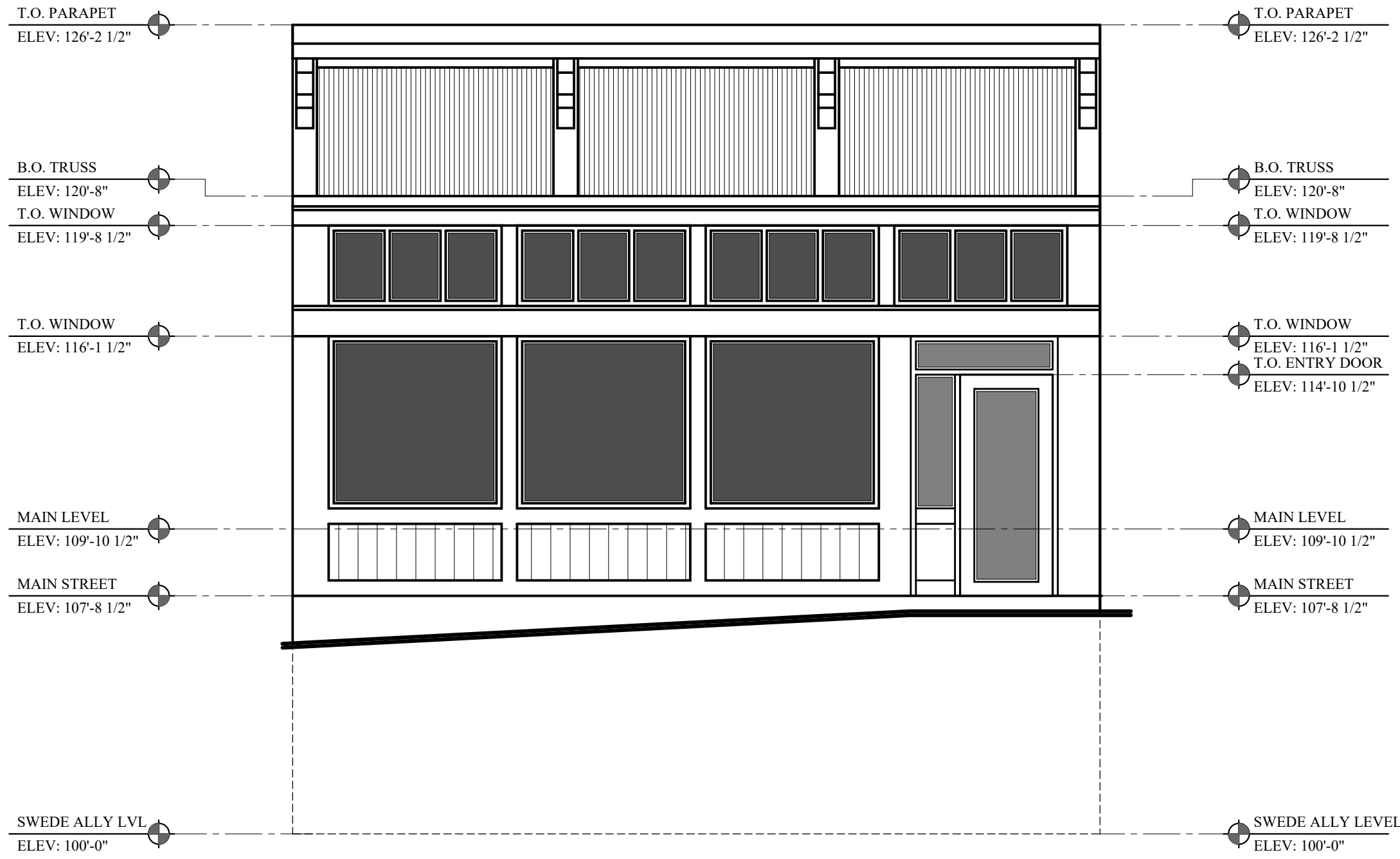
3 SWEDE ALLY LEVEL PLAN - EAST
SCALE: 1/4" = 1'-0"



2 MAIN STREET LEVEL PLAN - EAST
SCALE: 1/4" = 1'-0"



4 MAIN STREET (WEST) ELEVATION
SCALE: 1/4" = 1'-0"



WALL LEGEND

- EXISTING 2x FRAMED WALL
- EXISTING CONCRETE / MASONRY WALL F.V.
- (E) 2x FRAMED / MASONRY WALL F.V.
- EXISTING WALL TO BE REMOVED
- NEW FRAMED WALL
- (E) INDICATES EXISTING
- (N) INDICATES NEW

GENERAL NOTES

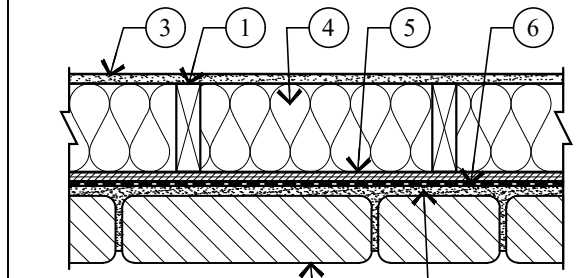
- ALL DIMENSIONS ARE APPROXIMATE AND ARE TO BE FIELD VERIFIED PRIOR TO ANY CONSTRUCTION
- EXTERIOR WALLS TO BE 2x6 FRAMING W/ BIB INSULATION R-23 - TYP. ALL INTERIOR WALLS TO BE 2x4 FRAMING U.N.O. W/ BIB INSULATION R-15 - TYP. ALL INTERIOR PLUMBING AND BEARING WALLS TO BE 2x6 FRAMING U.N.O. W/ BIB INSULATION R-23 - TYP. ALL FLOOR JOIST TO BE 2x12 & 30" DEEP TRUSS FRAMING U.N.O. W/ BIB INSULATION R-49 - TYP. ROOF JOIST TO BE 24" TRUSS FRAMING U.N.O. W/ BIB INSULATION R-49 - TYP.

KEY NOTES

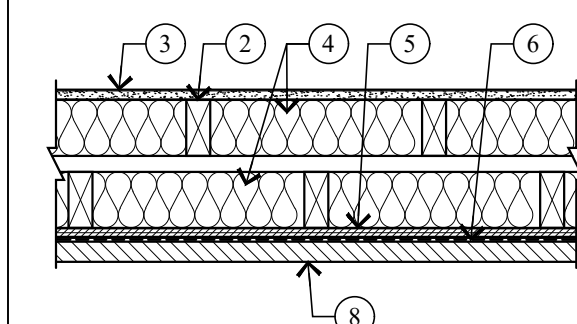
- 2x6 STUDS @ 16" O.C.
- 2x4 STUDS @ 16" O.C.
- 5/8" TYPE X GYPSUM BOARD.
- INSULATION - SEE GENERAL NOTE 2 ABOVE.
- 5/8" EXTERIOR PLYWOOD.
- AIR/VAPOR BARRIER OR "TYVEK COMMERCIAL WRAP".
- 1" AIR SPACE.
- 4" STONE VENEER.
- EXTERIOR SIDING/TRIM TO MATCH EXISTING MAIN STREET EXTERIOR TRIM AND FINISHES.
- REMOVE EXISTING ENTRY DOOR, WINDOWS AND WALL. REPAIR AS NEEDED.
- FRAME IN NEW 11'-10" WIDE x 8'-0 1/2" HIGH WINDOW OPENING. REPAIR WALL AND CEILING AS NEEDED.
- WINDOW "A" 5'-8" x 5'-6" PICTURE, ULTRA THERMAL ALUMINUM STOREFRONT. KAWNEER 451UT OR EQUAL.
- WINDOW "B" 5'-8" x 2'-0" PICTURE, ULTRA THERMAL ALUMINUM STOREFRONT. KAWNEER 451UT OR EQUAL.
- WINDOW "C" AND DOOR "101", ULTRA THERMAL ALUMINUM STOREFRONT. KAWNEER 451UT OR EQUAL. ROUGH OPENING 8'-8" WIDE x 8'-3" HIGH.
- REMOVE EXISTING DOUBLE DOOR AND FRAME. FRAME IN NEW WALL, MATCH EXISTING FINISHES.
- REINFORCED CONCRETE TURNED DOWN SLAB SEE STRUCTURAL.
- 4" CONCRETE SLAB ON 4" GRAVEL BASE.
- CUT STONE BASE.
- EXTERIOR TRIM.

WALL TYPES

NOTE: ALL INTERIOR FINISH TO BE CLASS A PER IBC 803.1.1 AND ASTM E84



1 WALL TYPE
SCALE: 1" = 1'-0"



2 WALL TYPE
SCALE: 1" = 1'-0"

PROJECT DESCRIPTION:

440 MAIN STREET BUILDING
HISTORIC DISTRICT DESIGN REVIEW

440 MAIN STREET, PARK CITY, UTAH 84060

SHEET DESCRIPTION:

REVISIONS:

DATE:
JANUARY 16, 2020

PROJECT NUMBER:
1901-01a

SHEET NUMBER:

A1.1 38

Jonathan DeGray
A r c h i t e c t

P.O. Box 1674, 614 Main Street, Suite 302, Park City, Utah 84060
Tel. 435-649-7263, E-mail: degrayarch@gwstoffice.net



PHYSICAL CONDITIONS REPORT

For Use with the *Historic District Design Review (HDDR)* Application

For Official Use Only

PLANNER: _____ APPLICATION #: _____
DATE RECEIVED: _____

PROJECT INFORMATION

NAME: JEFF MCKIBBEN, 440 MAIN LLC
ADDRESS: 440 MAIN ST.

TAX ID: PC. 295 A, PC. 295 B OR
SUBDIVISION: _____ OR
SURVEY: _____ LOT #: _____ BLOCK #: _____
HISTORIC DESIGNATION: ☒ LANDMARK ☐ SIGNIFICANT ☐ NOT HISTORIC

APPLICANT INFORMATION

NAME: JEFF MCKIBBEN, 440 MAIN LLC
MAILING ADDRESS: 49 EAST 21ST ST #76
NY NY 10010

PHONE #: () - FAX #: () -
EMAIL: jsmckibben@mac.com

APPLICANT'S REPRESENTATIVE INFORMATION

NAME: JONATHAN DEGRAY
PHONE #: 435) 649 - 7263
EMAIL: degrayarch@gwestoffice.net

If you have questions regarding the requirements on this application or process please contact a member of the Park City Planning Staff at (435) 615-5060 or visit us online at www.parkcity.org. Updated 10/2014.

ACKNOWLEDGMENT OF RESPONSIBILITY

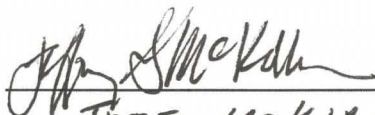
This is to certify that I am making an application for the described action by the City and that I am responsible for complying with all City requirements with regard to this request. This application should be processed in my name and I am a party whom the City should contact regarding any matter pertaining to this application.

I have read and understood the instructions supplied by Park City for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge. I understand that my application is not deemed complete until a Project Planner has reviewed the application and has notified me that it has been deemed complete.

I will keep myself informed of the deadlines for submission of material and the progress of this application. I understand that a staff report will be made available for my review three days prior to any public hearings or public meetings. This report will be on file and available at the Planning Department in the Marsac Building.

I further understand that additional fees may be charged for the City's review of the proposal. Any additional analysis required would be processed through the City's consultants with an estimate of time/expense provided prior to an authorization with the study.

Signature of Applicant:



Name of Applicant:

JEFF MCKIBBEN

Mailing

49 EAST 21ST ST #7B

Address:

NY NY 10010

Phone #:

() -

Fax #: () -

Email:

jsmckibben@mac.com

Type of Application:

AFFIRMATION OF SUFFICIENT INTEREST

I hereby affirm that I am the fee title owner of the below described property or that I have written authorization from the owner to pursue the described action. I further affirm that I am aware of the City policy that no application will be accepted nor work performed for properties that are tax delinquent.

Name of Owner:

JEFF MCKIBBEN

Mailing Address:

49 EAST 21ST ST #7B

NY NY 10010

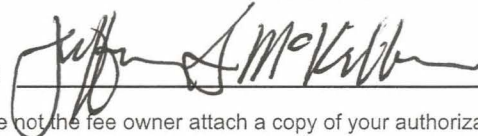
Street Address/ Legal

440 MAIN ST.

Description of Subject Property:

COMMERCIAL BUILDING

Signature:



Date:

8/7/19

1. If you are not the fee owner attach a copy of your authorization to pursue this action provided by the fee owner.
2. If a corporation is fee titleholder, attach copy of the resolution of the Board of Directors authorizing the action.
3. If a joint venture or partnership is the fee owner, attach a copy of agreement authorizing this action on behalf of the joint venture or partnership
4. If a Home Owner's Association is the applicant then the representative/president must attach a notarized letter stating they have notified the owners of the proposed application. A vote should be taken prior to the submittal and a statement of the outcome provided to the City along with the statement that the vote meets the requirements set forth in the CC&Rs.

Please note that this affirmation is not submitted in lieu of sufficient title evidence. You will be required to submit a title opinion, certificate of title, or title insurance policy showing your interest in the property prior to Final Action.

If you have questions regarding the requirements on this application or process please contact a member of the Park City Planning Staff at (435) 615-5060 or visit us online at www.parkcity.org. Updated 10/2014.

PHYSICAL CONDITIONS REPORT

Detailed Description of Existing Conditions. Use this page to describe all existing conditions. Number items consecutively to describe all conditions, including building exterior, additions, site work, landscaping, and new construction. Provide supplemental pages of descriptions as necessary for those items not specifically outlined below.

1. Site Design

This section should address landscape features such as stone retaining walls, hillside steps, and fencing. Existing landscaping and site grading as well as parking should also be documented. Use as many boxes as necessary to describe the physical features of the site. Supplemental pages should be used to describe additional elements and features.

Element/Feature: _____

This involves: ☐ An original part of the building

☐ A later addition

Estimated date of construction: _____

Describe existing feature:

Existing site is covered by the building. No modifications are proposed

Describe any deficiencies:

Existing Condition: ☐ Excellent

☒ Good

☐ Fair

☐ Poor

Photo Numbers: **001 & 002**

Illustration Numbers: _____

If you have questions regarding the requirements on this application or process please contact a member of the Park City Planning Staff at (435) 615-5060 or visit us online at www.parkcity.org. Updated 10/2014.

2. Structure

Use this section to describe the general structural system of the building including floor and ceiling systems as well as the roof structure. Supplemental pages should be used to describe additional elements and features.

Element/Feature: _____

This involves: ☐ An original part of the building
☐ A later addition

Estimated date of construction: _____

Describe existing feature:

The building has gone through a number of renovations and additions over the years. The scope of this project is limited to the modification of the front door area on the historic Main Street elevation and a remodel of the rear, none historic, elevation. No modifications of the structure are proposed on the Main Street elevation.

Describe any deficiencies:

Existing Condition: ☐ Excellent ☒ Good ☐ Fair ☐ Poor

Photo Numbers: _____ Illustration Numbers: _____

3. Roof

Use this section to describe the roofing system, flashing, drainage such as downspouts and gutters, skylights, chimneys, and other rooftop features. Supplemental pages should be used to describe additional elements and features.

Element/Feature: _____

This involves: ☐ An original part of the building
☐ A later addition

Estimated date of construction: _____

Describe existing feature:

Existing roof was rebuilt when the rear addition was added. It is contemporary open web truss joists. The roof itself was just recently replaced with a new membrane system.

Describe any deficiencies:

Existing Condition: ☒ Excellent ☐ Good ☐ Fair ☐ Poor

Photo Numbers: _____ Illustration Numbers: _____

4. Chimney

Use this section to describe any existing chimneys. One box should be devoted to each existing chimney. Supplemental pages should be used to describe additional elements and features.

Element/Feature: _____

This involves: ☐ An original part of the building
☐ A later addition

Estimated date of construction: _____

Describe existing feature:

None

Describe any deficiencies:

Existing Condition: ☐ Excellent ☐ Good ☐ Fair ☐ Poor

Photo Numbers: _____ Illustration Numbers: _____

5. Exterior Walls

Use this section to describe exterior wall construction, finishes, and masonry. Be sure to also document other exterior elements such as porches and porticoes separately. Must include descriptions of decorative elements such as corner boards, fascia board, and trim. Supplemental pages should be used to describe additional elements and features.

Element/Feature: _____

This involves: ☐ An original part of the building
☐ A later addition

Estimated date of construction: _____

Describe existing feature:

The historic Main Street elevation is to remain intact except for the modification of the front door area. The Swede Alley none historic wall is to be rebuilt per the HDDR

Describe any deficiencies:

Existing Condition: ☐ Excellent ☒ Good ☐ Fair ☐ Poor

Photo Numbers: _____ Illustration Numbers: _____

6. Foundation

Use this section to describe the foundation including its system, materials, perimeter foundation drainage, and other foundation-related features. Supplemental pages should be used to describe additional elements and features.

Element/Feature: _____

This involves: ☐ An original part of the building
☐ A later addition

Estimated date of construction: _____

Describe existing feature:

No change to the foundation is proposed

Describe any deficiencies:

Existing Condition: ☐ Excellent ☐ Good ☐ Fair ☐ Poor

Photo Numbers: _____ Illustration Numbers: _____

7. Porches

Use this section to describe the porches. Address decorative features including porch posts, brackets, railing, and floor and ceiling materials. Supplemental pages should be used to describe additional elements and features.

Element/Feature: _____

This involves: ☐ An original part of the building
☐ A later addition

Estimated date of construction: _____

Describe existing feature:

none

Describe any deficiencies:

Existing Condition: ☐ Excellent ☐ Good ☐ Fair ☐ Poor

Photo Numbers: _____ Illustration Numbers: _____

8. Mechanical System, Utility Systems, Service Equipment & Electrical

Use this section to describe items such as the existing HVAC system, ventilation, plumbing, electrical, and fire suppression systems. Supplemental pages should be used to describe additional elements and features.

Element/Feature: _____

This involves: ☐ An original part of the building

☐ A later addition

Estimated date of construction: _____

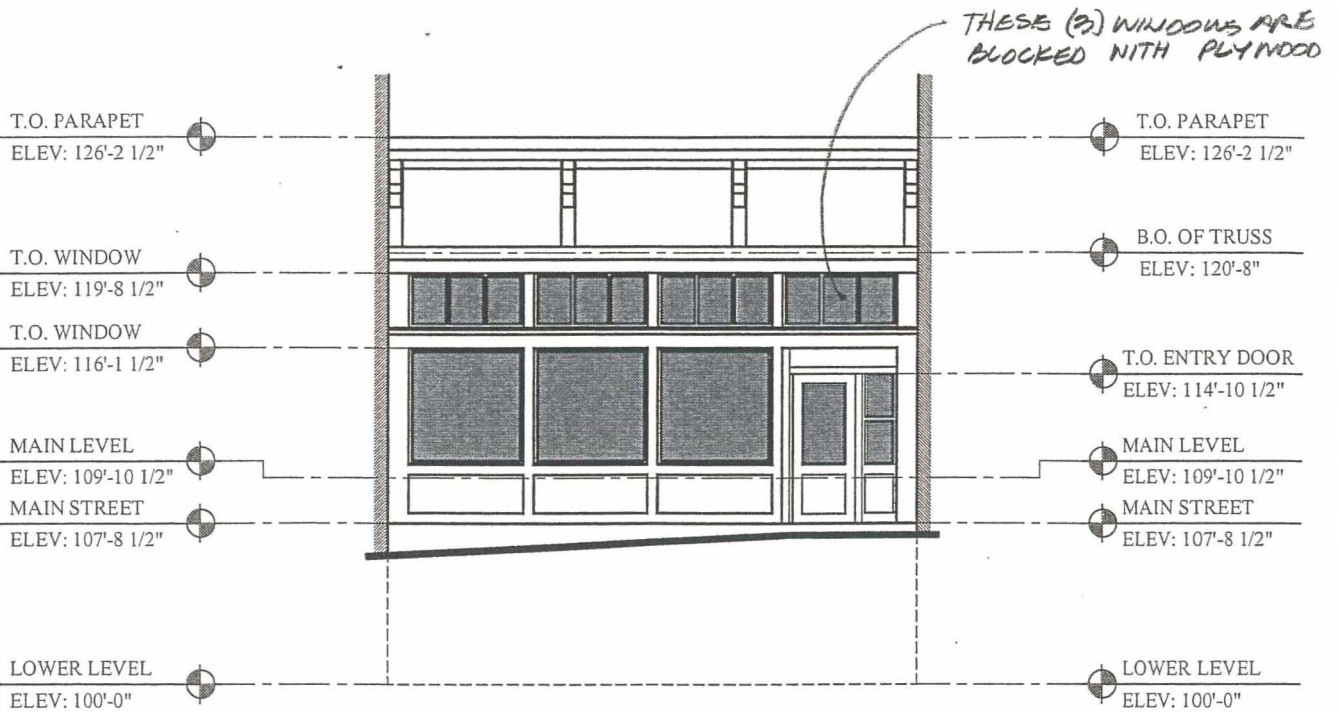
Describe existing feature:

Mechanical systems have been updated during a previous remodel. No changes are proposed.

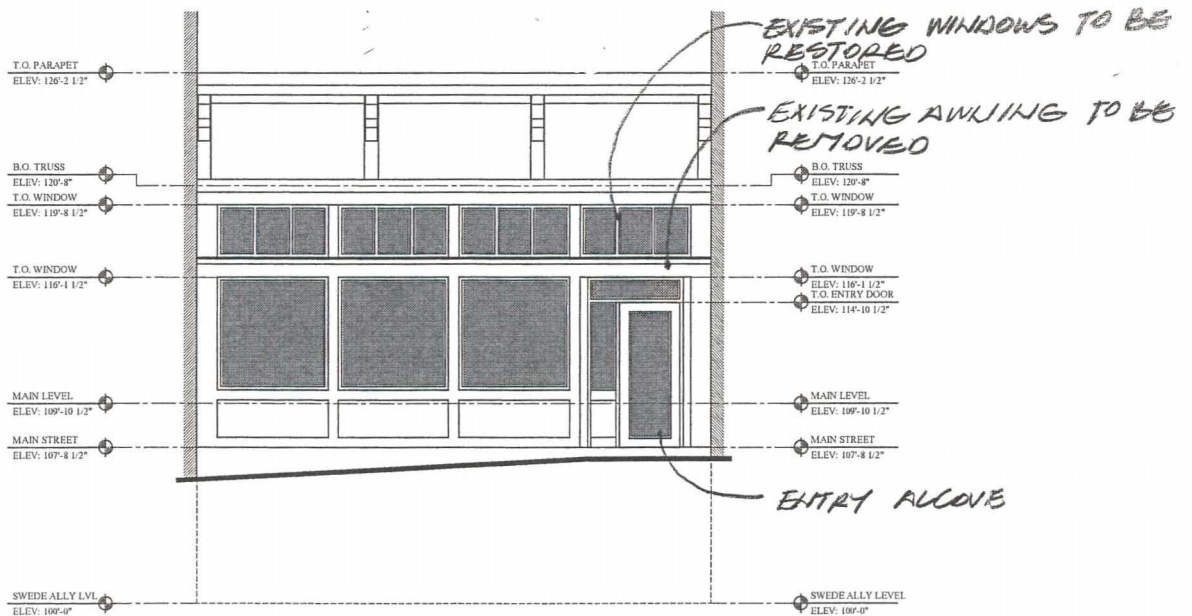
Describe any deficiencies:

Existing Condition: ☐ Excellent ☐ Good ☐ Fair ☐ Poor

Photo Numbers: _____ Illustration Numbers: _____



EXISTING



PROPOSED





PARK CITY MUNICIPAL CORPORATION
PLANNING DEPARTMENT
445 MARSAC AVE - PO BOX 1480
PARK CITY, UT 84060
(435) 615-5060



HISTORIC PRESERVATION PLAN

For Use with the *Historic District/Site Design Review Application*

For Official Use Only

PLANNER: _____ APPLICATION #: _____
DATE RECEIVED: _____
PLANNING DIRECTOR _____ CHIEF BUILDING OFFICIAL _____
APPROVAL DATE/INITIALS: _____ APPROVAL DATE/INITIALS: _____

PROJECT INFORMATION

☒ LANDMARK ☐ SIGNIFICANT DISTRICT: _____

NAME: JBFF MCKIBBEN, 440 MAIN LLC
ADDRESS: 440 MAIN ST

TAX ID: PC. 295A, PC. 295B OR

SUBDIVISION: _____ OR

SURVEY: _____ LOT #: _____ BLOCK #: _____

APPLICANT INFORMATION

NAME: JONATHAN DEGRAY
PHONE #: (435) 644-7263 FAX #: () -
EMAIL: degray.arch@westoffice.net

INSTRUCTIONS FOR HISTORIC PRESERVATION PLAN

The purpose of the HISTORIC PRESERVATION PLAN is to provide a detailed description of the proposed project, including the scope of work, methods/techniques being considered, and the potential impacts and/or benefits to Park City's historic resources. The Planning Department is authorized to require a Historic Preservation Plan as a condition of approving an application for a building project that affects a historic structure, site or object. The Planning Director and the Chief Building Official, or their designees, must approve the Historic Preservation Plan.

It is important to address the condition of each element, feature, or space of a historic site and/or structure as identified by the Physical Conditions Report.

Please note the following:

1. **Multiple Buildings and/or Structures.** For Historic District Design Reviews (HDDR) that include more than one (1) structure, please complete an individual Physical Conditions Report for each structure on the site.
2. **Scope of Work.** Summarize the impacts the proposed project will have on each of the elements/features identified by the Physical Conditions Report. If the project proposes a negative impact on any character-defining feature, explain why it is unavoidable and what measures are proposed to mitigate the adverse affects.
3. **Construction Issues.** Following the format of the Physical Condition Report, summarize the work being proposed for each feature. Provide reference to or excerpts from the Physical Condition Report if needed to supplement the work summaries. Address the treatments being considered and the methods and techniques being proposed.

According to the *Design Guidelines for Historic Districts and Historic Sites* the four treatments for historic sites include:

- **Preservation.** If you want to stabilize a building or structure, retain most or all of its historic fabric, and keep it looking the way it does now, you will be preserving it. Preservation is the first treatment to consider and it emphasizes conservation, maintenance and repair.
 - **Rehabilitation.** If you want to update a building for its current or a new use, you will be rehabilitating it. Rehabilitation, the second treatment, also emphasizes retention and repair of historic materials, though replacement is allowed because it is assumed that the condition of existing materials is poor.
 - **Restoration.** If you want to take a building back to an earlier time by removing later features, you will be restoring it. Restoration, the third treatment, centers on retaining materials from the most significant period in the property's history. Because changes in a site convey important information about the development history of that site and its structures, restoration is less common than the previous treatments.
 - **Reconstruction.** If you want to bring back a building that no longer exists or cannot be repaired, you will be reconstructing it. Reconstruction, the fourth treatment, is used to recreate a non-surviving building or one that exists now, but is extremely deteriorated and unsalvageable. Reconstruction is rarely recommended.
4. **Conditions Evaluation.** The scope of work for those features/elements identified as fair or poor in the Physical Conditions Report require a more comprehensive approach to its deteriorated condition. Please provide specific details outlining your scope of work.
 5. **References.** Specific conditions should be addressed using recognized preservation methods. It may be helpful to reference the National Park Service's Preservation Briefs in order to specify

recognized preservation methods for features/elements such as wood windows, porches, and masonry chimneys. These and other features are described in the Preservation Briefs, available online at: <http://www.nps.gov/tps/how-to-preserve/briefs.htm>.

Site Design

Use this section to describe the scope of work and preservation treatment for landscape features such as stone retaining walls, hillside steps, and fencing. Existing landscaping and site grading as well as parking should also be documented. Use supplemental pages if necessary.

Element/Feature: _____

This involves: ☐ Preservation ☐ Restoration
☐ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

None

Structure

Use this section to describe scope of work and preservation treatment for the general structural system of the building including floor and ceiling systems as well as the roof structure. Supplemental pages should be used to describe additional elements and features.

Element/Feature: _____

This involves: ☐ Preservation ☐ Restoration
☐ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

No change

Roof

Use this section to describe the proposed scope of work and preservation treatment for the roofing system, flashing, drainage such as downspouts and gutters, skylights, chimneys, and other rooftop features. Use supplemental pages if necessary.

Element/Feature: _____

This involves: ☐ Preservation ☐ Restoration
☐ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

none

Chimney

Use this section to describe the proposed scope of work and preservation treatment for any existing chimneys. One box should be devoted to each existing chimney. Supplemental pages should be used to describe additional elements and features.

Element/Feature: _____

This involves: ☐ Preservation ☐ Restoration
☐ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

N/A

Exterior Walls

Use this section to describe the proposed scope of work and preservation treatment for the exterior wall construction, finishes, and masonry. Please describe the scope of work for each individual exterior wall, use supplemental pages if necessary.

Element/Feature: _____

This involves: ☐ Preservation ☐ Restoration
☐ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

Modification to the historic Main Street entry door alcove is proposed
Remodel of the none historic Swede alley elevation is proposed.

Element/Feature: _____

This involves: ☐ Preservation ☐ Restoration
☐ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

Foundation

Use this section to describe the proposed scope of work and preservation treatment for the foundation including its system, materials, perimeter foundation drainage, and other foundation-related features. Use supplemental pages if necessary.

Element/Feature: _____

This involves: ☐ Preservation ☐ Restoration
☐ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

None

Porches

Use this section to describe the proposed scope of work and preservation treatment for all porches. Address decorative features including porch posts, brackets, railing, and floor and ceiling materials.

Element/Feature: _____

This involves: ☐ Preservation ☐ Restoration
☐ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

NONE

Doors

Use this section to describe the proposed scope of work and preservation treatment for all exterior doors, door openings, and door parts referenced in the Door Survey of the Physical Conditions Report. Please describe the scope of work for each individual exterior door, use supplemental pages if necessary.

Element/Feature: _____

This involves: ☐ Preservation ☐ Restoration
☐ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

None historic Main Street door to be removed

Element/Feature: _____

This involves: ☐ Preservation ☐ Restoration
☐ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

Windows

Use this section to describe the proposed scope of work and preservation treatment for all exterior windows, window openings, and windows parts referenced in the Door Survey of the Physical Conditions Report. Please describe the scope of work for each individual exterior window, use supplemental pages if necessary.

Element/Feature: _____

This involves: ☐ Preservation ☐ Restoration
☐ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

No changes to the Main Street windows are proposed
The single window on the Swede Alley elevation will be removed and replaced with new larger windows per the HDDR drawing set

Element/Feature: _____

This involves: ☐ Preservation ☐ Restoration
☐ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

Mechanical System, Utility Systems, Service Equipment & Electrical

Use this section to describe proposed scope of work and preservation treatment for items such as the existing HVAC system, ventilation, plumbing, electrical, and fire suppression systems. Supplemental pages should be used to describe additional elements and features. Use supplemental pages if necessary.

Element/Feature: _____

This involves: ☐ Preservation ☐ Restoration
☐ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

None

Additions

Use this section to describe the proposed scope of work for any additions. Describe the impact and the preservation treatment for any historic materials. Supplemental pages should be used to describe additional elements and features. Use supplemental pages if necessary.

Element/Feature: _____

This involves: ☐ Preservation ☐ Restoration
☐ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

NONE

4. PROJECT TEAM

List the individuals and firms involved in designing and executing the proposed work. Include the names and contact information for the architect, designer, preservation professional, contractor, subcontractors, specialized craftspeople, specialty fabricators, etc...

Provide a statement of competency for each individual and/or firm listed above. Include a list or description of relevant experience and/or specialized training or skills.

Will a licensed architect or qualified preservation professional be involved in the analysis and design alternatives chosen for the project? Yes or No. If yes, provide his/her name.

Will a licensed architect or other qualified professional be available during construction to ensure the project is executed according to the approved plans? Yes or No. If yes, provide his/her name.

5. SITE HISTORY

Provide a brief history of the site to augment information from the Historic Site Form. Include information about uses, owners, and dates of changes made (if known) to the site and/or buildings. Please list all sources such as permit records, current/past owner interviews, newspapers, etc. used in compiling the information.

6. FINANCIAL GUARANTEE

The Planning Department is authorized to require that the Applicant provide the City with a financial Guarantee to ensure compliance with the conditions and terms of the Historic Preservation Plan. (See Title 15, LMC Chapter 11-9) Describe how you will satisfy the financial guarantee requirements.

7. ACKNOWLEDGMENT OF RESPONSIBILITY

I have read and understand the instructions supplied by Park City for processing this form as part of the Historic District/Site Design Review application. The information I have provided is true and correct to the best of my knowledge.

Signature of Applicant: _____

Date: _____

Name of Applicant: _____



EXISTING FRONT STREETScape



PROPOSED FRONT STREETScape

Jonathan DeGray
Architect
P.O. Box 1674, 614 Main Street, Suite 202, Park City, Utah 84060
Tel: 435-646-7263, Email: degraj@jondeggray.com

440 MAIN
440 MAIN ST
PARK CITY, UTAH 84060

PROJECT DESCRIPTION:

BEFORE / AFTER IMAGES

SHEET DESCRIPTION:

REVISIONS:

DATE:

PROJECT NUMBER:

SHEET NUMBER:

AI-01



EXISTING REAR STREETScape



PROPOSED REAR STREETScape

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Jonathan DeGray
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Tel: 435-649-7263, E-mail: degrayarcht@qwestoffice.net

440 MAIN
440 MAIN ST
PARK CITY, UTAH 84060

PROJECT DESCRIPTION:

SHEET DESCRIPTION:

REVISIONS:

DATE:

PROJECT NUMBER:

SHEET NUMBER:

AI-02



Historic Preservation Board Staff Report

Subject: Land Management Code Amendments
Author: Liz Jackson, Planner
Department: PL-20-04463
Date: March 4, 2020
Type of Item: Legislative – Land Management Code Amendments for Solar Energy Systems

Summary Recommendation

Staff recommends that the Historic Preservation Board (HPB) review the proposed Land Management Code (LMC) Amendments to address pitched roof-mounted Solar Energy Systems in the Historic Districts (H-Zoning Districts) by amending [LMC 15-5-5](#) Architectural Design Guidelines, open a public hearing, and consider forwarding a positive recommendation to Planning Commission and City Council regarding said Amendments.

Executive Summary

Staff is proposing to amend the Land Management Code (LMC) to expand the allowed location area of roof-mounted Solar Energy Systems in the Historic Districts. These LMC amendments further the goals of the General Plan and Historic District Design Guidelines while also lessening the restrictions on Solar Energy Systems' roof locations. These amendments are for pitched roofs, and not flat roofs. The City has received feedback from the architecture, solar, and contractor industries requesting that staff review [LMC 15-5-5\(G\)\(3\)\(b\)\(3\)](#) which requires that rooftop Solar Energy Systems be located at least one foot (1') from the eave of the roof and consider removing said restriction from the LMC. Per [LMC 15-11-5](#), the Historic Preservation Board (HPB) may provide input to staff, the Planning Commission, and City Council on ordinances pertaining to the Historic Districts and Historic preservation.

Description

Proposal:	LMC amendments to better address Solar Energy Systems in the Historic Districts
Applicant:	Planning Department
Location:	Historic Zoning Districts [Historic Residential Low-Density (HRL); Historic Residential (HR-1); Historic Residential (HR-2); Historic Residential-Medium Density (HRM); Historic Recreation Commercial (HRC); Historic Commercial Business (HCB)]
Reason for Review:	LMC Amendments require Planning Commission review, public hearing, and recommendation plus City Council review, public hearing, and final action. Staff requests that HPB review the proposed Amendments, as they affect the

Historic Districts, and forward a positive recommendation to the Planning Commission.

Proposal

Planning staff and the Sustainability team are proposing the following changes to LMC 15-5-5 Architectural Design Guidelines in order to:

- Maintain the character defining features and historic character of the Historic Districts.
- Foster greater consistency and clarity in the LMC to encourage and promote the installation of building-mounted Solar Energy Systems by providing less restrictive location standards.

Background

The amendment to [LMC 15-5-5\(G\)](#), regarding Solar Energy Systems, was unanimously approved by the City Council on May 31, 2018 as Ordinance 2018-27 (see Exhibit B). See staff report from the May 31, 2018 City Council meeting linked [here](#) and minutes linked [here](#), beginning on page 12. The proposed LMC changes include review criteria for the Planning Director or designee to vary the design standards for Solar Energy Systems in order to increase efficiency ratings.

Based on the feedback received – staff has reviewed LMC 15-5-5(G). Staff has determined that there is no Fire or Building Code based reason to have the requirement of a minimum one foot (1') distance from edge of eave that currently exists in LMC 15-5-5(G)(3)(b)(3). The Design Review Team has reviewed the proposed LMC Amendment for consistency with the Design Guidelines for Historic Districts and Historic Sites.

Purpose

The Purpose of [LMC 15-5-5 Architectural Design Guidelines](#) is to foster good design within the constraints imposed by climate, land ownership patterns, and a Compatible architectural theme. The proposed LMC amendments further these goals while seeking to find a balance between visual impacts on the Historic Districts and encouraging sustainable energy solutions by allowing Solar Energy Systems.

Analysis

Staff, including the Planning Director, Chief Building Official, and Fire Marshal, reviewed this possibility of allowing the edges of rooftop Solar Energy Systems to have no distance requirement from the roof eave, and has found no evidence that the one foot (1') distance is necessary from a safety or design perspective. Although staff finds it important to minimize the visual impact of these systems within the Historic Districts, there is little to no concern that allowing the Solar Energy Systems to extend to the roof eave will have a negative impact on the streetscape, neighboring properties, or the Historic Districts. The Design Review Team has reviewed the proposed LMC Amendment for consistency with the Design Guidelines for Historic Districts and Historic Sites. Staff has included an update to the wording of LMC section 15-5-5(G)(3)(b)(3) that will read "Solar Energy Systems do not have a minimum distance requirement from

the eave of the roof” and the existing image depicting an example of the minimum distance requirements will be replaced with a clearer image in LMC 15-5-5(G)(3)(b)(4). See Exhibit A, Attachment A for these redlines. The Task Force participants also indicated that there was no concern from their professional experience, to allow Solar Energy Systems to extend to a roof eave’s edge.

Process

Amendments to the Land Management Code require Planning Commission recommendation and City Council adoption. City Council action may be appealed to a court of competent jurisdiction per [LMC 15-1-18](#).

Department Review

Planning, Sustainability, Building, Engineering, and Legal Departments have reviewed this report.

Notice

On February 13, 2020, legal notice of a public hearing was posted in the required public spaces, on the www.utah.gov public noticing website, and on the Park City website. On February 19, 2020, legal notice of a public hearing was published in the Park Record and posted in the required public spaces. Affected Entities were also mailed a public hearing notice on February 19, 2020. This is per [LMC 15-1-7](#).

Public Input

Public hearings are required to be conducted by the Planning Commission and City Council prior to adoption of LMC amendments. The public hearing for these amendments was properly and legally noticed as required by the LMC. No public input has been received as of the date of this report.

Summary Recommendations

Staff recommends that the Historic Preservation Board (HPB) review the proposed Land Management Code (LMC) Amendments to address pitched roof-mounted Solar Energy Systems in the Historic Districts (H-Zoning Districts) by amending LMC 15-5-5 Architectural Design Guidelines, open a public hearing, and consider forwarding a positive recommendation to Planning Commission and City Council regarding said Amendments.

Attachments

Exhibit A: Proposed Ordinance
Exhibit B: Ordinance 2018-27

Exhibit A – Proposed Ordinance

Draft Ordinance 2020-XX

AN ORDINANCE AMENDING THE LAND MANAGEMENT CODE OF PARK CITY, UTAH, CHAPTER 15-5-5 ARCHITECTURAL DESIGN GUIDELINES.

WHEREAS, the Land Management Code was adopted by the City Council of Park City, Utah to promote the health, safety and welfare of the residents, visitors, and property owners of Park City; and

WHEREAS, the Land Management Code implements the goals, objectives and policies of the Park City General Plan to maintain the quality of life and experiences for its residents and visitors; and to preserve the community's unique character and values; and

WHEREAS, the City reviews the Land Management Code and identifies necessary amendments to address planning and zoning issues that have come up in the past, and to address specific Land Management Code issues raised by the public, Staff, and the Commission, and to align the Code with the Council's goals and implementation of the General Plan; and

WHEREAS, the City's goals include preservation of Park City's character regarding Old Town improvements, historic preservation, sustainability, affordable housing, and protecting Park City's residential neighborhoods and commercial districts; and

WHEREAS, Park City was originally developed as a mining community and much of the City's unique cultural identity is based on the historic character of its mining era buildings; and

WHEREAS, these buildings are among the City's most important cultural, educational, and economic assets;

WHEREAS, February 20, 2020, legal notice of a public hearing was posted in the required public spaces, on the Utah public noticing website, and on the Park City website as required by the Land Management Code;

WHEREAS, February 22, 2020, legal notice was published in the Park Record as required by the Land Management Code; and

WHEREAS, the Planning Commission conducted a public hearing at the regularly scheduled meeting on March 11, 2020, and forwarded a recommendation to the City Council; and

WHEREAS, the City Council conducted a public hearing at its regularly scheduled meeting on March 26, 2020; and

WHEREAS, it is in the best interest of the residents of Park City, Utah to amend the Land Management Code to be consistent with the Park City General Plan and to be consistent with the values and identified goals of the Park City community and City Council to protect health and safety, maintain the quality of life for its residents, preserve and protect the residential neighborhoods, and preserve the community's unique character.

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

SECTION 1. AMENDMENTS TO TITLE 15 - Land Management Code Chapter 5 (General Provision and Procedures), Section 15-5-5. The recitals above are incorporated herein as findings of fact. Section 15-5-5 of the Land Management Code of Park City is hereby amended as redlined (see Attachment A).

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

PASSED AND ADOPTED this 26th day of March, 2020

PARK CITY MUNICIPAL CORPORATION

Andy Beerman, Mayor

Attest:

Michelle Kellogg, City Recorder

Approved as to form:

Mark Harrington, City Attorney

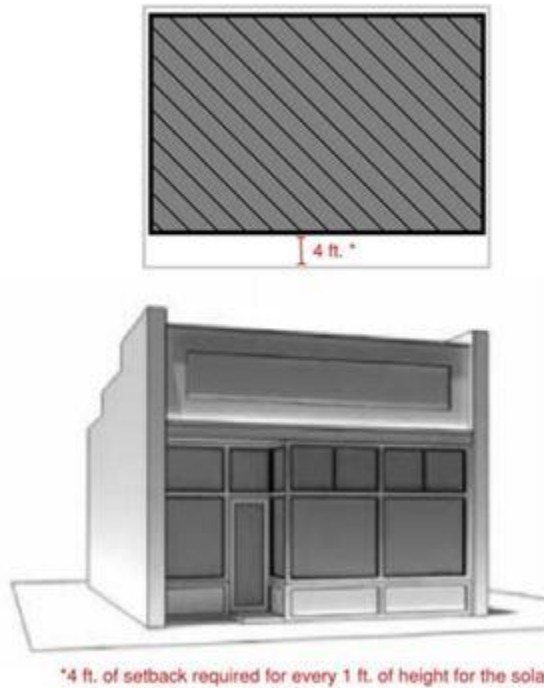
Attachment A – Redlined Section of LMC 15-5-5(G)(3)(b)(3) and LMC 15-5-5(G)(3)(b)(4) Solar Energy Systems

(...)

G. SOLAR ENERGY SYSTEMS. Any solar energy system shall be designed as follows:

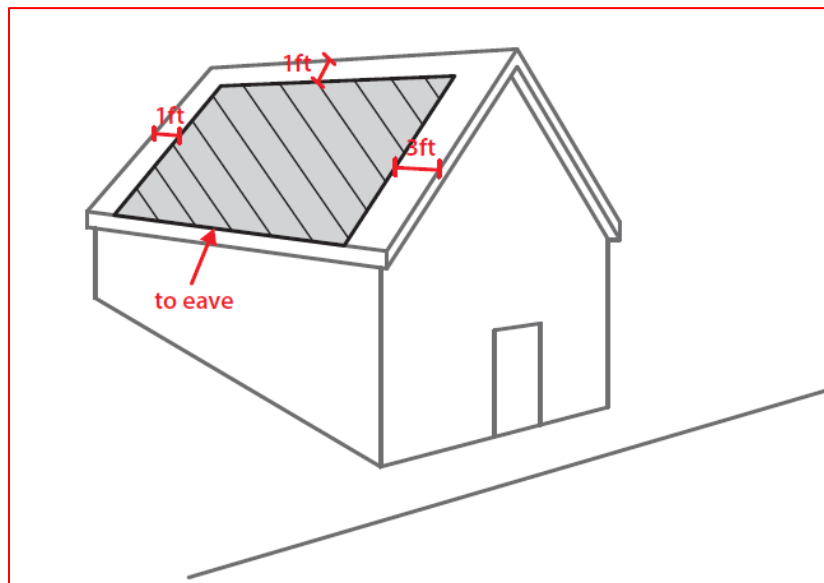
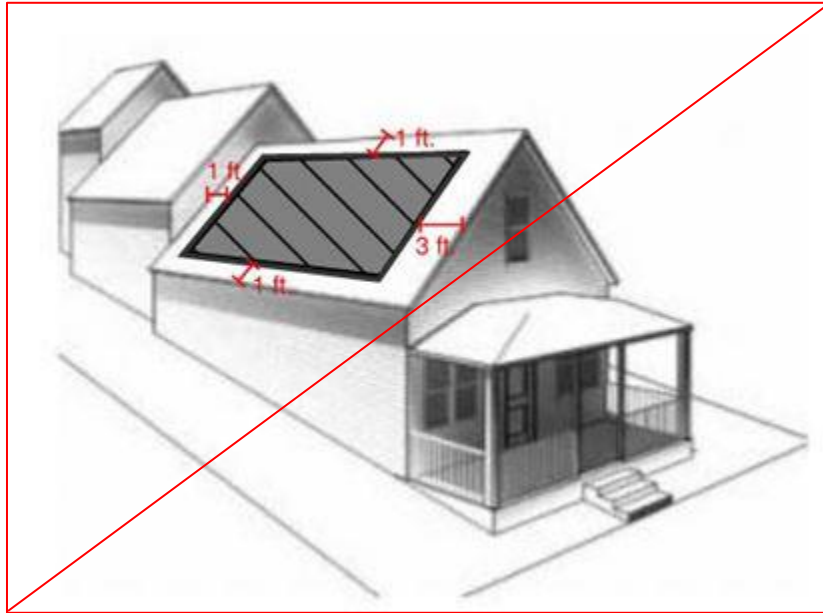
1. Solar Energy Systems shall be designed so as to be incorporated in the roof plan or architectural features of the structure to the best extent possible. Solar Energy Systems shall generally be mounted flush to the roof plane. In instances where due to the existing roof angle the panel needs to be angled from the roof plane for optimum solar gain, alternative designs may be considered upon review of a visual analysis and mitigation of visual impacts from surrounding properties.
2. Solar panels, solar devices, and Solar Energy Systems and mounting equipment shall use non-reflective finishes such as an anodized finish.
3. Solar energy systems in the Historic Districts are subject to the Design Guidelines for Historic Districts and Historic Sites and shall also meet the following:
 - a. On a Flat Roof, the Solar Energy System shall be mounted flush to the roof or on racks. When this is not possible, the Solar Energy System shall extend no more than five Feet (5') above the highest point of the roof. Solar Energy Systems shall be screened from view of the primary right-of-way by:
 1. An existing parapet along the street-facing facade that is as tall as the tallest part of the Solar Energy System; or
 2. Setting the Solar Energy System back from the edge of the roof facing the primary right-of-way at least four feet (4') for each one foot (1') of Solar Energy System height (including any necessary

racks).



- b. Solar Energy Systems are permitted on pitched roofs facing a rear or side lot line that is not visible from the right-of-way. The Solar Energy System shall be mounted flush on the pitched roof, with the system no more than one foot (1') from the surface of the roof at any point. Solar Energy Systems shall be screened from view of the primary right-of-way in the following ways:
1. The Solar Energy System shall be located at least one foot (1') from the ridgeline of the pitched roof.
 2. The Solar Energy System shall be located at least three feet (3') from the edge of the roof facing a right-of-way and one foot (1') from the edge of the roof facing the rear property line.
 3. ~~The Solar Energy Systems shall be located at least one foot (1') from the eave of the roof.~~ do not have a minimum distance requirement from the eave of the roof.

4. The Solar Energy System shall not alter the slope of the roof.



- c. Solar shingles and Propanel-type/standing seam integrated products may be appropriate on roof surfaces visible from the primary right-of-way in the Historic Districts when it can be shown that they are sized similar to conventional asphalt shingles or metal roofing. They shall be similar in color to roofing materials in the Historic Districts and shall possess an anti-reflective top coating, such as Tempered Glass Tefzel Glazing or titanium dioxide. All metal surfaces shall have a matte finish.
- d. Freestanding Solar Energy Systems shall meet all the setback requirements of an Accessory Building as outlined in the Historic zoning districts. They shall be installed in locations that minimize visibility from the public right-of-way. These systems shall be screened from the public right-

of-way with materials such as fencing or vegetation of suitable scale for the Historic District.

- e. Exceptions to the location and height of the Solar Energy System above the roof are subject to Planning Director approval based on a determination that:
 - 1. A professional experienced in energy-efficient construction has conducted an energy audit and the building has optimized its energy efficiency through other means; and
 - 2. The location of the Solar Energy System does not detract from the historic character of the site and/or the Historic District (by making the Solar Energy System a character-defining element of the building); and
 - 3. The application has demonstrated that the proposed plan will result in a net positive generation of 105% or greater.

(...)

AN ORDINANCE AMENDING THE LAND MANAGEMENT CODE OF PARK CITY, UTAH, CHAPTER 15-1-2 STATEMENT OF PURPOSE, 15-2.1 HISTORIC RESIDENTIAL-LOW DENSITY (HRL) DISTRICT, 15-2.2 HISTORIC RESIDENTIAL (HR-1) DISTRICT, 15-2.3 HISTORIC RESIDENTIAL (HR-2) DISTRICT, 15-2.4 HISTORIC RESIDENTIAL-MEDIUM DENSITY (HRM) DISTRICT, 15-2.5 HISTORIC RECREATION COMMERCIAL (HRC) DISTRICT, 15-2.6 HISTORIC COMMERCIAL BUSINESS (HCB) DISTRICT, AND 15-15 DEFINED TERMS RELATED TO THE PURPOSES, LOT AND SITE REQUIREMENTS, BUILDING HEIGHT FOR SOLAR ENERGY, AND DEFINITIONS FOR SOLAR ENERGY SYSTEMS

WHEREAS, the Land Management Code was adopted by the City Council of Park City, Utah to promote the health, safety and welfare of the residents, visitors, and property owners of Park City; and

WHEREAS, the Land Management Code implements the goals, objectives and policies of the Park City General Plan to maintain the quality of life and experiences for its residents and visitors; and to preserve the community's unique character and values; and

WHEREAS, the City reviews the Land Management Code and identifies necessary amendments to address planning and zoning issues that have come up in the past, and to address specific Land Management Code issues raised by the public, Staff, and the Commission, and to align the Code with the Council's goals and implementation of the General Plan; and

WHEREAS, the City's goals include preservation of Park City's character regarding Old Town improvements, historic preservation, sustainability, affordable housing, and protecting Park City's residential neighborhoods and commercial districts; and

WHEREAS, Park City was originally developed as a mining community and much of the City's unique cultural identity is based on the historic character of its mining era buildings; and

WHEREAS, these buildings are among the City's most important cultural, educational, and economic assets;

WHEREAS, April 7, 2018, legal notice was published in the Park Record as required by the Land Management Code; and

WHEREAS, the Planning Commission conducted a public hearing at the regularly scheduled meeting on April 25, 2018, and forwarded a recommendation to the City Council; and

WHEREAS, the City Council conducted a public hearing at its regularly scheduled meeting on May 31, 2018; and

WHEREAS, it is in the best interest of the residents of Park City, Utah to amend the Land Management Code to be consistent with the Park City General Plan and to be consistent with the values and identified goals of the Park City community and City Council to protect health and safety, maintain the quality of life for its residents, preserve and protect the residential neighborhoods, and preserve the community's unique character.

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

SECTION 1. AMENDMENTS TO TITLE 15 - Land Management Code Chapter 1 (General Provision and Procedures), Section 15-1-2. The recitals above are incorporated herein as findings of fact. Section 15-2-1 of the Land Management Code of Park City is hereby amended as redlined (see Attachment A).

SECTION 2. AMENDMENTS TO TITLE 15 - Land Management Code Chapter 2.1 (Historic Residential-Low Density), Sections 15-2.1-3(G), 15-2.1-3(I), and 15-2.1-5(D). The recitals above are incorporated herein as findings of fact. Sections 15-2.1-3(G), 15-2.1-3(I), and 15-2.1-5(D) of the Land Management Code of Park City are hereby amended as redlined (see Attachment B).

SECTION 3. AMENDMENTS TO TITLE 15 - Land Management Code Chapter 2.2 (Historic Residential-1), Sections 15-2.2-3(G), 15-2.2-3(I), and 15-2.2-5(D). The recitals above are incorporated herein as findings of fact. Sections 15-2.2-3(G), 15-2.2-3(I), and 15-2.2-5(D) of the Land Management Code of Park City are hereby amended as redlined (see Attachment C).

SECTION 4. AMENDMENTS TO TITLE 15 - Land Management Code Chapter 2.3 (Historic Residential-2), Sections 15-2.3-4(F), 15-2.3-4(H), and 15-2.3-6(D). The recitals above are incorporated herein as findings of fact. Sections 15-2.3-4(F), 15-2.3-4(H), and 15-2.3-6(D) of the Land Management Code of Park City are hereby amended as redlined (see Attachment D).

SECTION 5. AMENDMENTS TO TITLE 15 - Land Management Code Chapter 2.4 (Historic Residential Medium), Sections 15-2.4-4(F) and 15-2.4-7(A). The recitals above are incorporated herein as findings of fact. Sections 15-2.4-4(F) and 15-2.4-7(A) of the Land Management Code of Park City are hereby amended as redlined (see Attachment D).

SECTION 6. AMENDMENTS TO TITLE 15 - Land Management Code Chapter 2.5 (Historic Recreation Commercial), Sections 15-2.5-3(D), 15-2.5-3(F), and 15-2.5-5(A). The recitals above are incorporated herein as findings of fact. Sections 15-2.5-

3(D), 15-2.5-3(F), and 15-2.5-5(A) of the Land Management Code of Park City are hereby amended as redlined (see Attachment F).

SECTION 7. AMENDMENTS TO TITLE 15 - Land Management Code Chapter 2.6 (Historic Commercial Business), Section 15-2.6-5(F). The recitals above are incorporated herein as findings of fact. Section 15-2.6-5(F) of the Land Management Code of Park City is hereby amended as redlined (see Attachment G).

SECTION 8. AMENDMENTS TO TITLE 15 - Land Management Code Chapter 5 (Architectural Review), Section 15-5-5. The recitals above are incorporated herein as findings of fact. Section 15-5-5 of the Land Management Code of Park City is hereby amended as redlined (see Attachment H).

SECTION 9. AMENDMENTS TO TITLE 15 - Land Management Code Chapter 15 (Definitions), Section 15-5-5. The recitals above are incorporated herein as findings of fact. Section 15-5-5 of the Land Management Code of Park City is hereby amended as redlined (see Attachment I).

SECTION 8. EFFECTIVE DATE. This Ordinance shall be effective upon publication.

PASSED AND ADOPTED this 31st day of May, 2018

PARK CITY MUNICIPAL CORPORATION



Andy Beerman, Mayor

Attest:




Michelle Kellogg, City Recorder

Approved as to form:


Mark Harrington, City Attorney

Attachment A

15-1 GENERAL PROVISION AND PROCEDURES

15-1-2 STATEMENT OF PURPOSE

The LMC is designed, enacted, restated and reorganized to implement the goals and policies of the Park City General Plan, and for the following purposes:

- A. To promote the general health, safety and welfare of the present and future inhabitants, Businesses, and visitors of the City,
- B. To protect and enhance the vitality of the City's resort-based economy, the overall quality of life, the Historic character, and unique mountain town community,
- C. To protect and preserve peace and good order, comfort, convenience, and aesthetics of the City,
- D. To protect the tax base and to secure economy in governmental expenditures,
- E. To allow Development in a manner that encourages the preservation of **scenic vistas**, environmentally sensitive lands, Historic Structures, the integrity of Historic Districts, and the unique urban scale of original Park City,
- F. To provide for well-planned commercial and residential centers, safe and efficient traffic and pedestrian circulation, preservation of night skies and efficient delivery of municipal services,
- G. To prevent Development that adds to existing Geologic Hazards, erosion, flooding, degradation of air quality, wildfire danger or other conditions that create potential dangers to life and safety in the community or that detracts from the quality of life in the community,
- H. To protect and ensure access to sunlight for **Solar Energy devices Systems**, and
- I. To protect or promote moderate income housing.

It is the intention of the City in adopting this LMC to fully exercise all of the powers granted to the City by the provisions of the Title 10, Chapter 9a of the Utah Municipal Land Use Development and Management Act. Utah Code Annotated, 1991, as amended, and all other powers granted by statute or by common law for the necessary regulation of the Use and Development of land within the City.

Adopted by Ord. 00-25 on 3/30/2000

Amended by Ord. 06-22 on 4/27/2006

Attachment B

15-2.1 HISTORIC RESIDENTIAL-LOW DENSITY (HRL) DISTRICT

15-2.1-3 LOT AND SITE REQUIREMENTS

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

Minimum Lot and Site requirements are as follows:

- A. **LOT SIZE.** The minimum Lot Area is 3,750 square feet. The minimum width of a Lot is thirty-five feet (35'), 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
- B. **BUILDING ENVELOPE (HRL DISTRICT).** The Building Pad, Building Footprint, and height restrictions define the maximum Building Envelope in which all Development must occur, with exceptions as allowed by Section 15-2.1-3(C).
- C. **BUILDING PAD (HRL DISTRICT).** The Building Pad is the Lot Area minus required Front, Rear and Side Yard Areas.
 - 1. The Building Footprint must be within the Building Pad. The remainder of the Building Pad must be open and free of any other 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 Department approval based on a determination that the proposed exceptions result in a design that:
 - a. provides increased architectural interest consistent with the Historic District Design Guidelines;
 - b. maintains the intent of this section to provide horizontal and vertical Building articulation.
- D. **BUILDING FOOTPRINT (HRL DISTRICT).** The maximum Building Footprint of any Structure shall be 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, illustrated in Table 15-2.1. The maximum Building Footprint for any Structure located on a Lot or combination of Lots, exceeding

18,750 square feet in Lot Area, shall be 4,500 square feet; with an exemption allowance of 400 square feet per dwelling unit for garage floor area. A Conditional Use Permit is required for all Structures with a proposed footprint of greater than 3,500 square feet.

Accessory Buildings listed on the Park City Historic Structures 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: $(3,750/2) \times 0.9^{(3750/1875)} = 1,875 \times 0.81 = \underline{1,519 \text{ sq. ft.}}$

See the following Table 15-2.1. for a schedule equivalent of this formula.

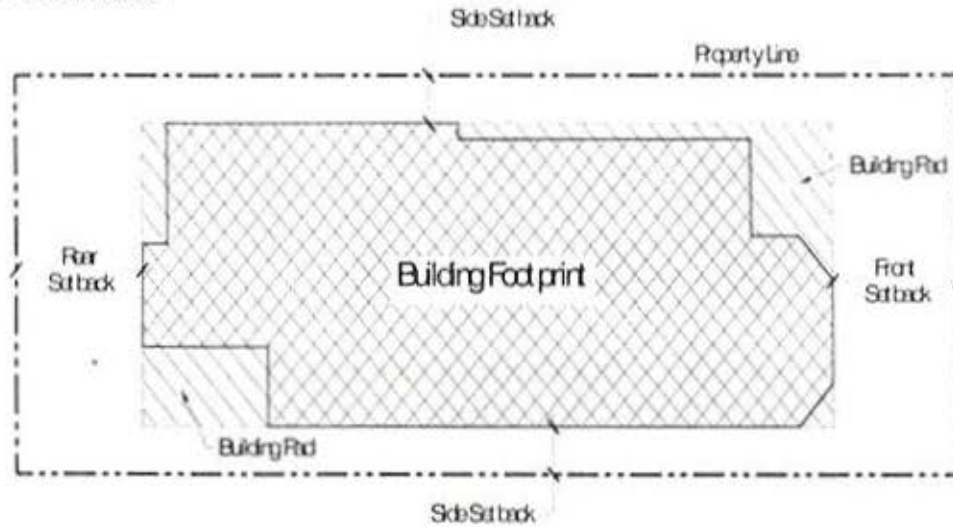
TABLE 15-2.1.

Lot Depth <= ft. **	Lot Width, ft. up to:	Side Yards Min. Total		Lot Area Sq. ft.	Bldg. Pad Sq. ft.	Max. Bldg. Footprint Sq. ft.
75 ft.	37.5*	3 ft.	6 ft.	2,813	1,733	1,201
75 ft.	50.0	5 ft.	10 ft.	3,750	2,200	1,519
75 ft.	62.5	5 ft.	14 ft.	4,688	2,668	1,801
75 ft.	75.0	5 ft.	18 ft.	5,625	3,135	2,050
75 ft.	87.5	10 ft.	24 ft.	6,563	3,493	2,269
75 ft.	100.0	10 ft.	24 ft.	7,500	4,180	2,460
75 ft.	Greater than 100.0	10 ft.	30 ft.	Greater than 7,500	Per Setbacks and Lot Area	Per Formula

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

** for lots > 75' in depth use Footprint formula and Table 15-2.1a for Front and

Rear Setbacks.



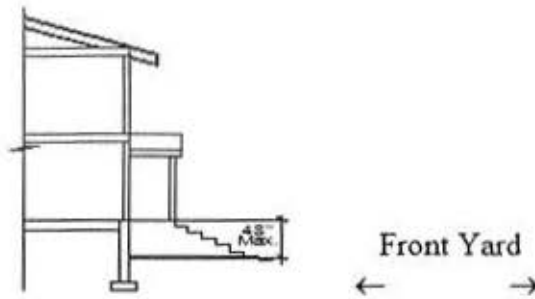
E. **FRONT AND REAR YARDS.** Front and Rear Yards are as follows: TABLE 15-2.1a

Lot Depth	Minimum Front/Rear Setback	Total of Setback
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.

F. **FRONT YARD EXCEPTIONS.** The Front Yard must be open and free of any Structure except:

1. Fences and walls not more than four feet (4') in height, or as permitted in Section 15-4-2 Fences and 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.

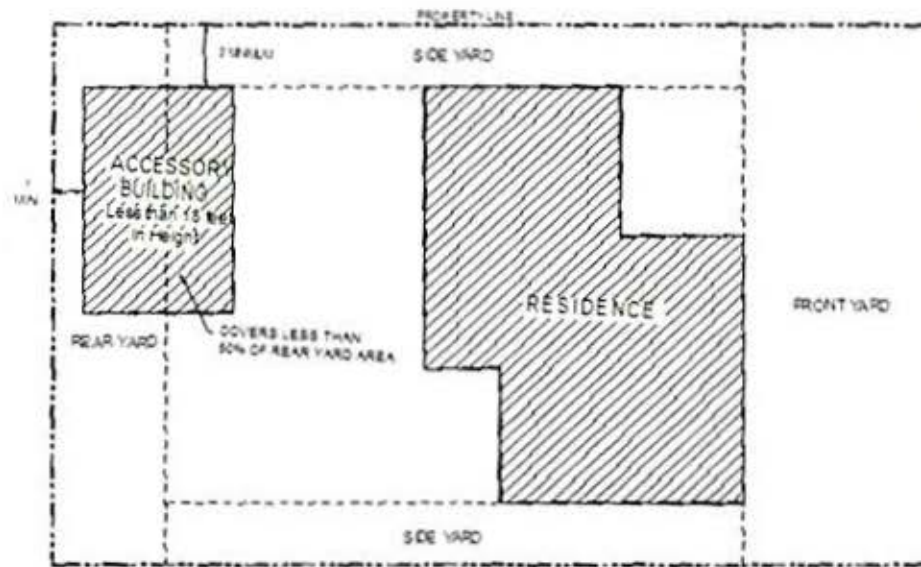


3. Decks, porches, or Bay Windows not more than ten feet (10') wide, projecting not more than three feet (3') into the Front Yard.
4. Roof overhangs, eaves, or cornices projecting not more than three feet (3') into the Front Yard.
5. Sidewalks and pathways.
6. Driveways leading to a garage or Parking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

G. REAR YARD EXCEPTIONS. The Rear Yard must be open and free of any Structure except:

1. Bay Windows not more than ten feet (10') wide, projecting not more than two feet (2') into the Rear Yard.
2. Chimneys not more than five feet (5') wide projecting not more than two feet (2') into the Rear Yard.
3. Window wells or light wells extending not more than four feet (4') into the Rear Yard.
4. Roof overhangs or eaves projecting not more than two feet (2') into the Rear Yard.
5. Window sills, belt courses, cornices, trim, exterior siding, or other ornamental features projecting not more than six inches (6") into the Rear Yard.
6. **A 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 Yard Setback of one foot (1'). Such Structure must not cover over fifty percent (50%) of the Rear Yard. See the following illustration:

7. See the following illustration:



8. Hard-Surfaced Parking Areas subject to the same location requirements as a Detached Accessory Building.
9. Mechanical equipment (which must be screened), hot tubs, or similar Structures located at least three feet (3') from the Rear Lot Line.
10. Fences or walls as permitted in Section 15-4-2 Fences and Walls.
11. Patios, decks, pathways, steps, or similar Structures not more than thirty inches (30") above Final Grade, located at least one foot (1') from the Rear Lot Line.
12. Pathways or Steps connecting to a City staircase or pathway.

H. SIDE YARDS.

1. The minimum Side Yard is three feet (3'), but increases for Lots greater than thirty seven and one-half feet (37.5') in Width, as per Table 15-2.1.above.
2. On Corner Lots, the minimum Side Yard that faces a side or platted Right-of-Way is five feet (5').

I. SIDE YARD EXCEPTIONS. The Side Yard must be open and free of any Structure except:

1. Bay Windows not more than ten feet (10') wide projecting not more than two feet (2') into the Side Yard.
2. Chimneys not more than five feet (5') wide projecting not more than two feet (2') into the Side Yard.
3. Window wells or light wells projecting not more than four feet (4') into the Side Yard.¹
4. Roof overhangs or eaves projecting not more than two feet (2') into the Side Yard. A one foot (1') eave overhang is permitted on Lots with a side Yard less than five feet (5').¹

5. Window sills, belt courses, trim, exterior siding, cornices, or other ornamental features projecting not more than six inches (6") into the Side Yard.
6. Patios, decks, pathways, steps, or similar Structures not more than thirty inches (30") in height from Final Grade.
7. Fences or walls, as permitted in Section 15-4-2 Fences and Walls.
8. A driveway leading to a garage or Parking Area.
9. Pathways or steps connecting to a City staircase or pathway.
10. A 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 Façade of the Main Building, maintaining a minimum Side Yard Setback of three feet (3').
11. Mechanical equipment (which must be screened), hot tubs, or similar Structures, located at least three feet (3') from the Side Lot Line.

- J. **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.

¹Applies only to Lots with a Side Yard of five feet (5') or greater.

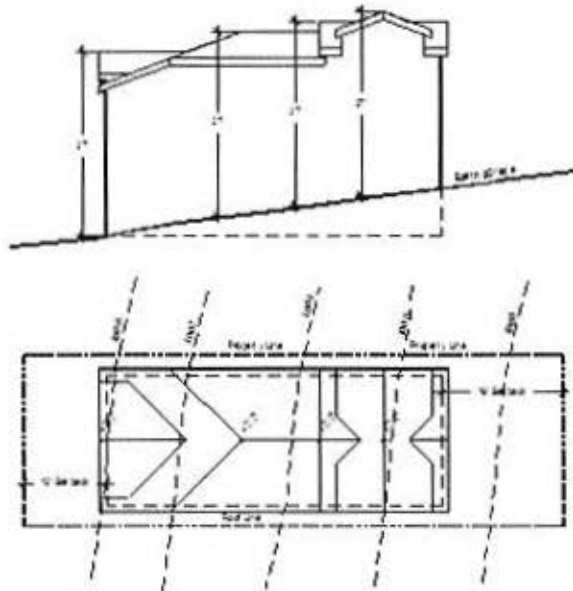
15-2.1-5 Building Height

No Structure shall be erected to a height greater than twenty-seven feet (27') from Existing Grade. This is the Zone Height. Final Grade must be within four vertical feet (4') of Existing Grade around the periphery of the Structure, except for the placement of approved window wells, emergency egress, and a garage entrance. The following height requirement must be met:

- A. A Structure shall have a maximum height of thirty five feet (35') measured from the lowest floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters.
- B. A ten foot (10') minimum horizontal step in the downhill façade is required unless the First Story is located completely under the finish grade on all sides of the Structure. The horizontal step shall take place at a maximum height of twenty three feet (23') from where the Building Footprint meets the lowest point of existing Grade. Architectural features, that provide articulation to the upper story façade setback, may encroach into the minimum ten foot (10') setback but shall be limited to no more than twenty five percent (25%) of the width of the building encroaching no more than four feet (4') into the setback, subject to compliance with the Design Guidelines for Historic Sites and Historic Districts.
- C. **ROOF PITCH.** The roof pitch of a Structure's Contributing Roof Form shall be between seven: twelve (7:12) and twelve: twelve (12:12) and shall occupy a

minimum horizontal distance of 20 feet measured from the primary façade to the rear of the building, as viewed from the primary public right-of-way. Secondary Roof Forms may be below the required 7:12 roof pitch and located on the primary façade (such as porches, bay window roofs, etc).

1. Secondary Roof Forms may be Rooftop Decks so long as they are not more than 23 feet in height above Finished Grade. This height includes any railings, parapets, stairs, and similar constructions on the Roof Deck.
2. The height of railings, parapets, stairs, and similar constructions on a Green Roof or Flat Roof are included in the calculation of Building Height. Decks, hot tubs, outdoor cooking areas, and seating areas are not permitted on Green Roofs. Green Roofs must be vegetated.
3. A Structure containing a flat roof shall have a maximum height of thirty-five feet (35') measured from the lowest floor plan to the highest wall top plate that supports the ceiling joists or roof rafters. The height of the Green Roof, including the parapets or similar features shall not exceed twenty four inches (24") above the highest top plate mentioned above. Any required railings for a Green Roof shall comply with Building Height.



4. Accessory Structures may be below the required seven: twelve (7:12) roof pitch.

D. BUILDING HEIGHT EXCEPTIONS. The following height exceptions apply:

1. Antennas, chimneys, flues, vents, or similar Structures, may extend up to five feet (5') above the highest point of the Building to comply with International Building Code (IBC) requirements.
2. Water towers, mechanical equipment, and Solar Energy Systems, and associated Screening, when Screened or enclosed, may extend up to five feet (5') above the height of the Building. See LMC 15-5-5(G)(7)(a).
3. **ELEVATOR ACCESS.** The Planning Director may allow additional height to allow for an elevator compliant with American Disability Act (ADA) standards. The Applicant must verify the following:

- a. The proposed height exception is only for the Area of the elevator. No increase in square footage of the Building is being achieved.
 - b. The proposed option is the only feasible option for the elevator on the Site.
 - c. The proposed elevator and floor plans comply with the American Disability Act (ADA) standards.
4. **GARAGE ON DOWNHILL LOT.** The Planning Commission may allow additional Building Height (see entire Section 15-2.1-5) on a downhill Lot to accommodate a single car wide garage in a Tandem Parking configuration; to accommodate circulation, such as stairs and/or an ADA elevator; and to accommodate a reasonably sized front entry area and front porch that provide a Compatible streetscape design. The depth of the garage may not exceed the minimum depth for internal Parking Space(s) as dimensioned within this Code, Section 15-3. The additional Building Height may not exceed thirty-five feet (35') from Existing Grade.

Attachment C

15-2.2 HISTORIC RESIDENTIAL (HR-1) DISTRICT

15-2.2-3 LOT AND SITE REQUIREMENTS

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

Minimum Lot and Site requirements are as follows:

- A. **LOT SIZE**. The minimum Lot Area is 1,875 square feet for a Single Family Dwelling and 3,750 square feet for a Duplex. 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.
- B. **BUILDING ENVELOPE (HR-1 DISTRICT)**. The Building Pad, Building Footprint and height restrictions define the maximum Building envelope within which all Development must occur, with exceptions as allowed by Section 15-2.2-3(C).
- C. **BUILDING PAD (HR-1 DISTRICT)**. The Building Pad is the Lot Area minus required Front, Rear, and Side Yard Areas.
 1. The Building Footprint must be within the Building Pad. The Building Pad must be open and free of any other 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 Historic District Design Guidelines;
 - b. maintains the intent of this section to provide horizontal and vertical Building articulation.

- D. **BUILDING FOOTPRINT (HR-1 DISTRICT).** The maximum Building Footprint of 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, illustrated in Table 15-2.2. The maximum Building Footprint for any Structure located on a Lot or combination of Lots, exceeding 18,750 square feet in Lot Area, shall be 4,500 square feet; with an exemption allowance of 400 square feet, per Dwelling Unit, for garage floor area. A Conditional Use permit is required for all Structures with a proposed footprint of greater than 3,500 square feet.

Accessory Buildings listed on the Park City Historic Structures 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.

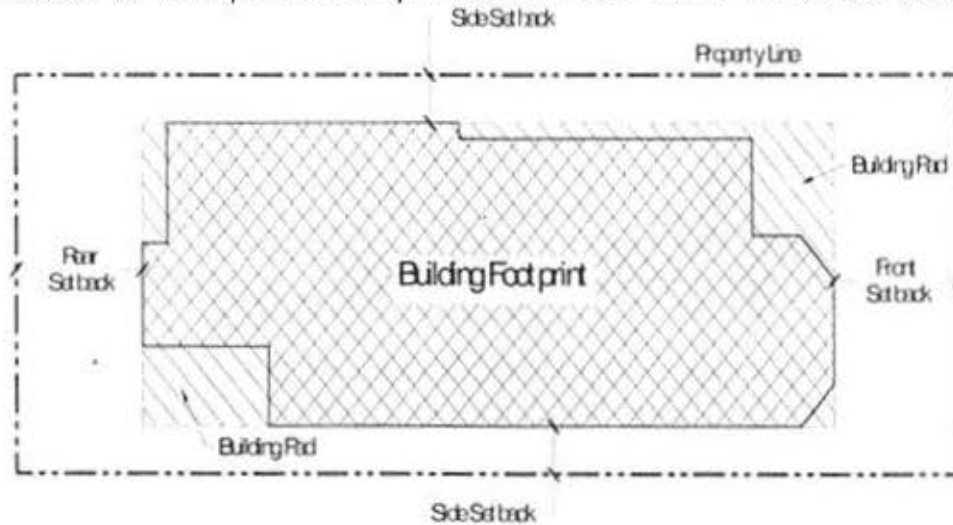
Example: 3,750 sq. ft. lot: $(3,750/2) \times 0.9^{(3750/1875)} = 1,875 \times 0.81 = \underline{1,519 \text{ sq. ft.}}$

See the following Table 15-2.2. for a schedule equivalent of this formula.

TABLE 15-2.2.

Lot Depth <= ft. *	Lot Width, ft. up to:	Side Yards Min. Total		Lot Area Sq. ft.	Bldg. Pad Sq. ft.	Max. Bldg. Footprint Sq. ft.
75 ft.	25.0	3 ft.	6 ft.	1,875	1,045	844
75 ft.	37.5	3 ft.	6 ft.	2,813	1,733	1,201
75 ft.	50.0	5 ft.	10 ft.	3,750	2,200	1,519
75 ft.	62.5	5 ft.	14 ft.	4,688	2,668	1,801
75 ft.	75.0	5 ft.	18 ft.	5,625	3,135	2,050
75 ft.	87.5	10 ft.	24 ft.	6,563	3,493	2,269
75 ft.	100.0	10 ft.	24 ft.	7,500	4,180	2,460
75 ft.	Greater than 100.0	10 ft.	30 ft.	Greater than 75 ft.	Per Setbacks and Lot Area	Per Formula

* for Lots > 75' in depth use footprint formula and Table 15-2.2a for front and rear



E. FRONT AND REAR YARDS. Front and Rear Yards are as follows:

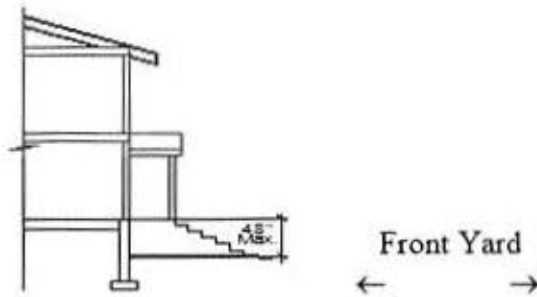
TABLE 15-2.2a

Lot Depth	Minimum 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.

F. FRONT YARD EXCEPTIONS. The Front Yard must be open and free of any Structure except:

1. Fences or walls not more than four feet (4') in height, or as permitted in Section 15-4-2, Fences and 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.



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

G. REAR YARD EXCEPTIONS. The Rear Yard 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 Yard.
2. Chimneys not more than five feet (5') wide projecting not more than two feet (2') into the Rear Yard.
3. Window wells or light wells extending not more than four feet (4') into the Rear Yard.
4. Roof overhangs or eaves projecting not more than two feet (2') into the Rear Yard.
5. Window sills, belt courses, cornices, trim, exterior siding, or other ornamental features projecting not more than six inches (6") into the Rear Yard.
6. A 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 Yard Setback of one foot (1'). Such Structure must not cover over fifty percent (50%) of the Rear Yard. See the following

illustration: See the following illustration:



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 or walls as permitted in Section 15-4-2, Fences and Walls.
10. Patios, decks, pathways, steps, or similar Structures not more than thirty inches (30") above Final Grade.
11. Pathways or steps connecting to a City staircase or pathway.

H. SIDE YARD.

1. The minimum Side Yard is three feet (3'), but increases for Lots greater than thirty seven and one-half feet (37.5') in Width, as per Table 15-2.2.above.
2. On Corner Lots, the minimum Side Yard that faces a side Street or platted Right-of-Way is five feet (5').
3. A Side Yard 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 Yards shall be based on the required minimum Side Yard for each Lot; however the Planning Commission may consider increasing exterior Side Yards during Conditional Use Permit review to mitigate potential impacts on adjacent Property. Side Yard 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.

I. **SIDE YARD EXCEPTIONS.** The Side Yard 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 Yard.¹
2. Chimneys not more than five feet (5') wide projecting not more than two feet (2') into the Side Yard.¹
3. Window wells or light wells projecting not more than four feet (4') into the Side Yard.¹
4. Roof overhangs or eaves projecting not more than two feet (2') into the Side Yard. A one foot (1') roof or eave overhang is permitted on Lots with a Side Yard of less than five feet (5').¹
5. Window sills, belt courses, trim, cornices, exterior siding, or other ornamental features projecting not more than six inches (6") into the Side Yard.
6. Patios, decks, pathways, steps, or similar Structures not more than thirty inches (30") in height above Final Grade.
7. Fences, walls, or retaining walls as permitted in Section 15-4-2, Fences and Walls.
8. Driveways leading to a garage or Parking Area.
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 Yard Setback of three feet (3').
11. Mechanical equipment (which must be screened), hot tubs, or similar Structures located at least three feet (3') from the Side Lot Line.

J. **SNOW RELEASE.** Site plans and Building designs must resolve snow release issues to the satisfaction of the Chief Building Official.

K. **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.

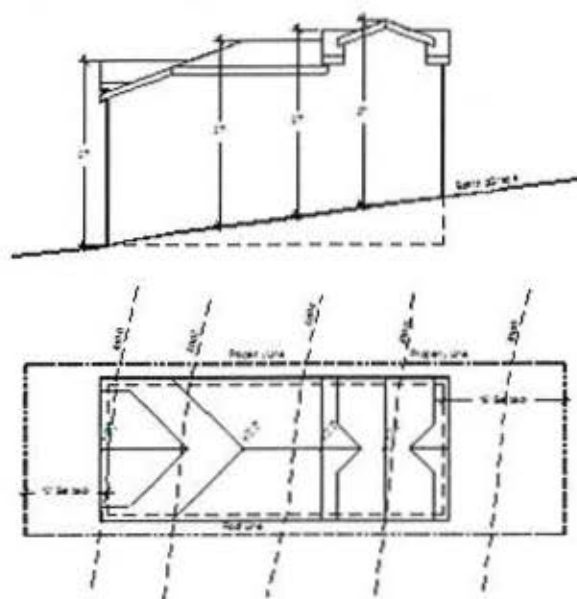
¹Applies only to Lots with a minimum Side Yard of five feet (5').

15-2.2-5 Building Height

No Structure shall be erected to a height greater than twenty-seven feet (27') from Existing Grade. This is the Zone Height. Final Grade must be within four vertical feet (4') of Existing Grade around the periphery of the Structure, except for the placement of approved window wells, emergency egress, and a garage entrance. The following height requirements must be met:

- A. A Structure shall have a maximum height of thirty five feet (35') measured from the lowest finish floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters.
- B. A ten foot (10') minimum horizontal step in the downhill façade is required unless the First Story is located completely under the finish Grade on all sides of the Structure. The horizontal step shall take place at a maximum height of twenty three feet (23') from where the Building Footprint meets the lowest point of existing Grade. Architectural features, that provide articulation to the upper story façade setback, may encroach into the minimum ten foot (10') setback but shall be limited to no more than twenty five percent (25%) of the width of the building encroaching no more than four feet (4') into the setback, subject to compliance with the Design Guidelines for Historic Sites and Historic Districts.
- C. **ROOF PITCH**. The roof pitch of a Structure's Contributing Roof Form shall be between seven: twelve (7:12) and twelve: twelve (12:12) and shall occupy a minimum horizontal distance of 20 feet measured from the primary façade to the rear of the building, as viewed from the primary public right-of-way. Secondary Roof Forms may be below the required 7:12 roof pitch and located on the primary façade (such as porches, bay window roofs, etc).
 - 1. Secondary Roof Forms may be Rooftop Decks so long as they are not more than 23 feet in height above Finished Grade. This height includes any railings, parapets, stairs, and similar constructions on the Roof Deck.
 - 2. The height of railings, parapets, stairs, and similar constructions on a Green Roof or Flat Roof are included in the calculation of Building Height. Decks, hot tubs, outdoor cooking areas, and seating areas are not permitted on Green Roofs. Green Roofs must be vegetated.
 - 3. A Structure containing a flat roof shall have a maximum height of thirty-five feet (35') measured from the lowest floor plan to the highest wall top plate that supports the ceiling joists or roof rafters. The height of the Green Roof, including the parapets or similar features shall not exceed twenty four inches (24") above the highest top plate mentioned above. Any

required railings for a Green Roof shall comply with Building Height.



4. Accessory Structures may be below the required seven: twelve (7:12) roof pitch.

D. BUILDING HEIGHT EXCEPTIONS. The following height exceptions apply:

1. Antennas, chimneys, flues, vents, or similar Structures, may extend up to five feet (5') above the highest point of the Building to comply with International Building Code (IBC) requirements.
2. Water towers, mechanical equipment, and Solar Energy Systems, and associated Screening, when Screened or enclosed, may extend up to five feet (5') above the height of the Building. See LMC 15-5-5(G)(7)(a).
3. **ELEVATOR ACCESS.** The Planning Director may allow additional height to allow for an elevator compliant with American Disability Act (ADA) standards. The Applicant must verify the following:
 - a. The proposed height exception is only for the Area of the elevator. No increase in square footage is being achieved.
 - b. The proposed option is the only feasible option for the elevator on the Site.
 - c. The proposed elevator and floor plans comply with the American Disability Act (ADA) standards.
4. **GARAGE ON DOWNHILL LOT.** The Planning Commission may allow additional Building Height (see entire Section 15-2.2-5) on a downhill Lot to accommodate a single car wide garage in a Tandem Parking configuration; to accommodate circulation, such as stairs and/or an ADA elevator; and to accommodate a reasonably sized front entry area and front porch that provide a Compatible streetscape design. The depth of the garage may not exceed the minimum depth for internal Parking Space(s)

as dimensioned within this Code, Section 15-3. The additional Building Height may not exceed thirty-five feet (35') from Existing Grade.

Attachment D

15-2.3 HISTORIC RESIDENTIAL (HR-2) DISTRICT

15-2.3-4 LOT AND SITE REQUIREMENTS

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

All Development must comply with the following:

- A. **LOT SIZE**. The minimum Lot Area is 1,875 square feet for a Single Family Dwelling and 3,750 square feet for a Duplex Dwelling. 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. 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.
- B. **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.
- C. **BUILDING PAD (HR-2 DISTRICT)**. The Building Pad is the Lot Area minus required Front, Rear, and Side Yard 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 Park City's Historic Districts and Historic Sites; and
 - b. maintains the intent of this section to provide horizontal and vertical Building articulation.

D. 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, illustrated in Table 15-2.3. The maximum Building Footprint for any Structure located on a Lot or combination of Lots, exceeding 18,750 square feet in Lot Area, shall be 4,500 square feet; with an exemption allowance of 400 square feet per Dwelling Unit for garage floor area. A Conditional Use permit is required for all Structures with a proposed footprint greater than 3,500 square feet.

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

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

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

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

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

See the following Table 15-2.3. for a schedule equivalent of this formula.

TABLE 15-2.3.

Lot Depth <= ft. *	Lot Width, ft. Up to:	Side Yards Min. Total, ft.		Lot Area Sq. ft.	Bldg. Pad Sq. ft.	Max Bldg. Footprint
75 ft.	25.0	3 ft.	6 ft.	1,875	1,045	844
75 ft.	37.5	3 ft.	6 ft.	2,813	1,733	1,201
75 ft.	50.0	5 ft.	10 ft.	3,750	2,200	1,519
75 ft.	62.5	5 ft.	14 ft.	4,688	2,668	1,801
75 ft.	75.0	5 ft.	18 ft.	5,625	3,135	2,050
75 ft.	87.5	10 ft.	24 ft.	6,563	3,493	2,270

75 ft.	100.0	10 ft.	24 ft.	7,500	4,180	2,460
75 ft.	Greater than 100.0	10 ft.	30 ft.	Greater than 7,500 ft.	Per Setbacks and Lot Area	Per formula

3. *for Lots > 75' in depth use footprint formula and Table 15-2.3a for Front and Rear Setbacks.

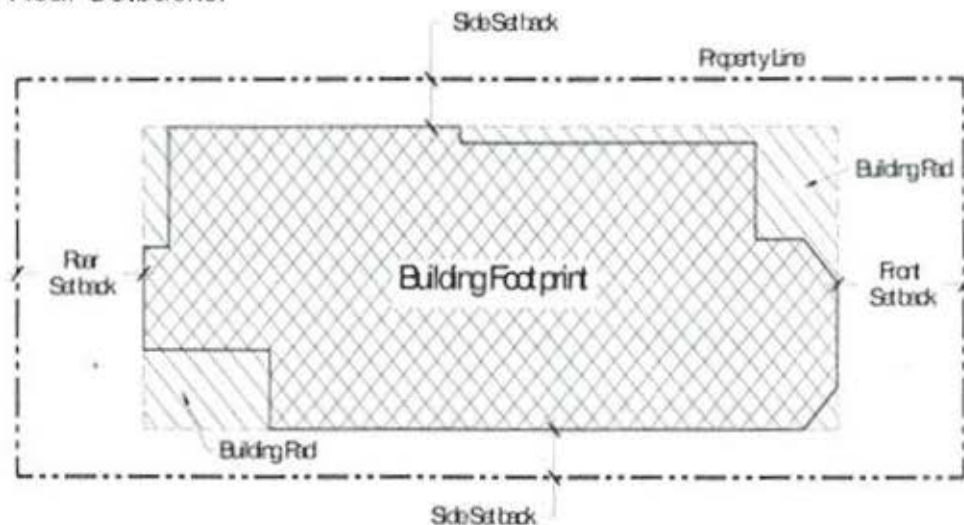


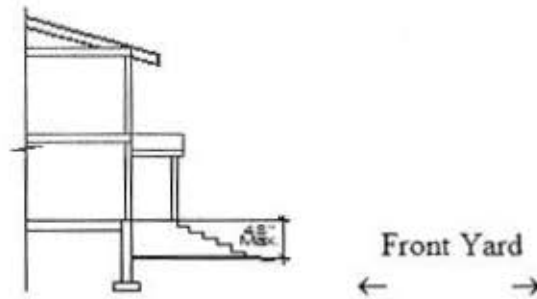
TABLE 15-2.3.a

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.

E. **FRONT YARD EXCEPTIONS.** The Front Yard must be open and free of any Structure except:

1. Fences or walls not more than four feet (4') in height or as permitted in Section 15-4-2, Fences and 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

obstructing the view of the Street or intersection.

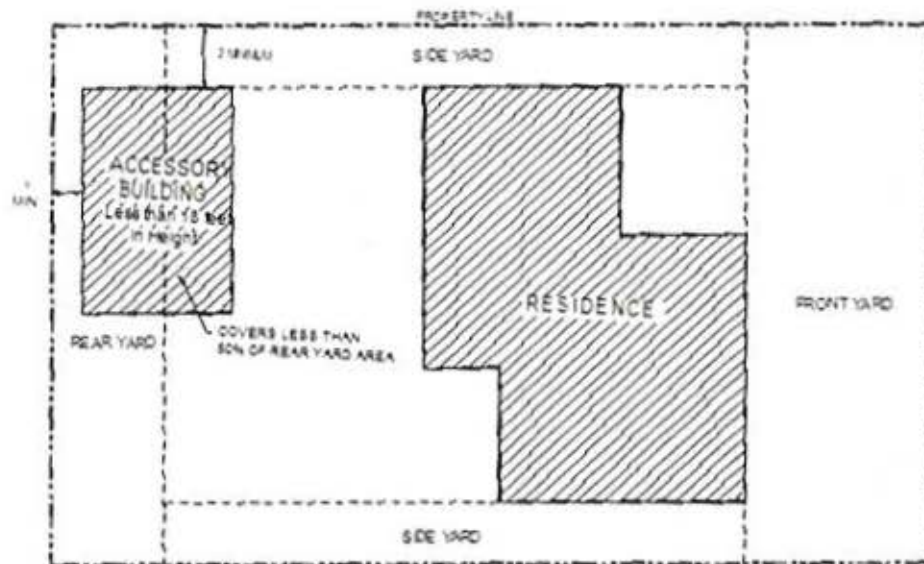


3. Decks, porches, or Bay Windows not more than ten feet (10') wide projecting not more than three feet (3') into the Front Yard.
4. Roof overhangs, eaves or cornices projecting not more than three feet (3') into the Front Yard.
5. Sidewalks and pathways.
6. Driveways leading to a Garage or Parking Area. No portion of a Front Yard except for driveways, allowed Parking Areas and sidewalks, may be Hard-Surfaced or graveled.
7. Single car detached Garages approved as part of a Master Planned Development in Subzone A.

F. **REAR YARD EXCEPTIONS.** The Rear Yard 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 Yard.
2. Chimneys not more than five feet (5') wide projecting not more than two feet (2') into the Rear Yard.
3. Window wells or light wells projecting not more than four feet (4') into the Rear Yard.
4. Roof overhangs or eaves projecting not more than two feet (2') into the Rear Yard.
5. Window sills, belt courses, cornices, trim, exterior siding, or other ornamental features projecting not more than six inches (6") into the Rear Yard.
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 Yard Setback of one foot (1'). Such Structure must not cover over fifty percent (50%) of the Rear Yard. See the

following illustration:



7. Hard-Surfaced Parking Areas 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 or walls not more than six feet (6') in height or as permitted in Section 15-4-2.
10. Patios, decks, steps, pathways, or similar Structures not more than thirty inches (30") above Final Grade.
11. Pathways or steps connecting to a City staircase or pathway.

G. SIDE YARD.

1. The minimum Side Yard is three feet (3'), but increases for Lots greater than thirty-seven and one-half feet (37.5') in width, as per Table 15-2.3 above.
2. On Corner Lots, the minimum Side Yard that faces a side Street or platted Right-of-Way is five feet (5').
3. A Side Yard 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 Yards shall be based on the required minimum Side Yard for each Lot; however the Planning Commission may consider increasing exterior Side Yards during Conditional Use Permit review to mitigate potential impacts on adjacent Property. Side Yard 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.

H. **SIDE YARD EXCEPTIONS.** The Side Yard 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 Yard.¹
2. Chimneys not more than five feet (5') wide projecting not more than two feet (2') into the Side Yard.¹
3. Window wells or light wells projecting not more than four feet (4') into the Side Yard.¹
4. Roof overhangs or eaves projecting not more than two feet (2') into the Side Yard. A one foot (1') roof or eave overhang is permitted on Lots with a Side Yard of less than five feet (5').¹
5. Window sills, belt courses, trim, cornices, exterior siding, or other ornamental features projecting not more than six inches (6") into the Side Yard.
6. Patios, decks, pathways, steps, or similar Structures not more than thirty inches (30") in height from Final Grade.
7. Fences or walls not more than six feet (6') in height or as permitted in Section 15-4-2.
8. Driveways leading to a garage or Parking Area.
9. Pathway or steps connecting to a City staircase or pathway.
10. Detached Accessory Buildings, not more than eighteen feet (18') in height, 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 Yard Setback of three feet (3').
11. Mechanical equipment (which must be screened), hot tubs, or similar Structures located at least three feet (3') from the Side Lot Line.

I. **SNOW RELEASE.** Site plans and Building designs must resolve snow release issues to the satisfaction of the Chief Building Official.

J. **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.

K. **MASTER PLANNED DEVELOPMENTS.** The Planning Commission may increase or decrease Setbacks in Master Planned Developments in accordance with Section 15-6-5 (C); however the above Grade spacing between houses shall be consistent with the spacing that would result from required Setbacks of the Zone and shall be Compatible with the historic character of the surrounding residential neighborhood. The Planning Commission may increase or decrease

Maximum Building Footprint in Master Planned Developments in accordance with Section 15-6-5 (B).

¹Applies only to Lots with a minimum Side Yard of five feet (5')

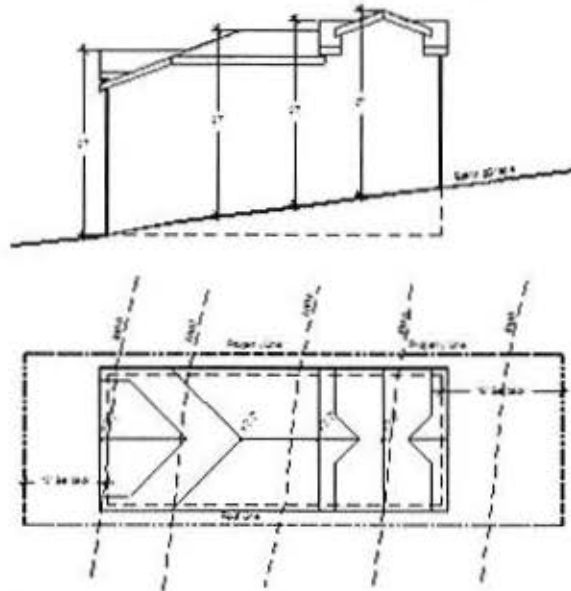
15-2.3-6 BUILDING HEIGHT

No Structure shall be erected to a height greater than twenty-seven feet (27') from Existing Grade. This is the Zone Height. Final Grade must be within four vertical feet (4') from Existing Grade around the periphery of the Structure, except for the placement of approved window wells, emergency egress, and a garage entrance. The Planning Commission may grant an exception to the Final Grade requirement as part of a Master Planned Development within Subzone A where Final Grade must accommodate zero lot line Setbacks. The following height requirements must be met:

- A. A Structure shall have a maximum height of thirty five feet (35') measured from the lowest finish floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters. The Planning Commission may grant an exception to this requirement as part of a Master Planned Development within Subzone A for the extension of below Grade subterranean HCB Commercial Uses.
- B. A ten foot (10') minimum horizontal step in the downhill façade is required unless the First Story is located completely under the finish Grade on all sides of the Structure. The Planning Commission may grant an exception to this requirement as part of a Master Planned Development within Subzone A consistent with MPD requirements of Section 15-6-5(F). The horizontal step shall take place at a maximum height of twenty three feet (23') from where Building Footprint meets the lowest point of existing Grade. Architectural features, that provide articulation to the upper story façade setback, may encroach into the minimum ten foot (10') setback but shall be limited to no more than twenty five percent (25%) of the width of the building encroaching no more than four feet (4') into the setback, subject to compliance with the Design Guidelines for Historic Sites and Historic Districts.
- C. **ROOF PITCH**. The roof pitch of a Structure's Contributing Roof Form shall be between seven: twelve (7:12) and twelve: twelve (12:12) and shall occupy a minimum horizontal distance of 20 feet measured from the primary façade to the rear of the building, as viewed from the primary public right-of-way. Secondary Roof Forms may be below the required 7:12 roof pitch and located on the primary façade (such as porches, bay window roofs, etc).
 - 1. Secondary Roof Forms may be Rooftop Decks so long as they are not more than 23 feet in height above Finished Grade. This height includes any railings, parapets, stairs, and similar constructions on the Roof Deck.
 - 2. The height of railings, parapets, stairs, and similar constructions on a Green Roof or Flat Roof are included in the calculation of Building

Height. Decks, hot tubs, outdoor cooking areas, and seating areas are not permitted on Green Roofs. Green Roofs must be vegetated.

3. A Structure containing a flat roof shall have a maximum height of thirty five feet (35') measured from the lowest floor plane to the highest wall top plate that supports the ceiling joists or roof rafters. The height of the Green Roof, including the parapets or similar features shall not exceed twenty four (24") above the highest top plate mentioned above. Any required railings for a Green Roof shall comply with Building Height.



4. Accessory Structures may be below the required seven: twelve (7:12) roof pitch.

D. BUILDING HEIGHT EXCEPTIONS. The following height exceptions apply:

1. An antenna, chimney, flue, vent, or similar Structure, may extend up to five feet (5') above the highest point of the Building to comply with International Building Code (IBC) requirements.
2. Water towers, mechanical equipment, and Solar Energy Systems, and associated Screening, when Screened or enclosed, may extend up to five feet (5') above the height of the Building. See LMC 15-5-5(G)(7)(a).
3. **ELEVATOR ACCESS.** The Planning Director may allow additional height to allow for an elevator compliant with American Disability Act (ADA) standards. The Applicant must verify the following:
 - a. The proposed height exception is only for the Area of the elevator. No increase in square footage of the Building is being achieved.
 - b. The proposed option is the only feasible option for the elevator on the Site.
 - c. The proposed elevator and floor plans comply with the American Disability Act (ADA) standards.
4. **GARAGE ON DOWNHILL LOT.** The Planning Commission may allow additional Building Height (see entire Section 15-2.3-6) on a downhill Lot to accommodate a single car wide garage in a Tandem configuration; to

accommodate circulation, such as stairs and/or an ADA elevator; and to accommodate a reasonably sized front entry area and front porch that provide a Compatible streetscape design. The depth of the garage may not exceed the minimum depth for internal Parking Space(s) as dimensioned within this Code, Section 15-3. The additional height may not exceed thirty-five feet (35') from existing Grade.

Attachment E

15-2.4 HISTORIC RESIDENTIAL-MEDIUM DENSITY (HRM) DISTRICT

15-2.4-4 LOT AND SITE REQUIREMENTS

Except as may otherwise be provided in this Code, no Building permit shall be issued for a Lot unless such Lot has Area, width, and depth as required, and Frontage on a private or Public Street shown on the Streets Master Plan or on a private easement connecting the Lot to a Street shown on the Streets Master Plan. All Development must comply with the following:

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.

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

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.

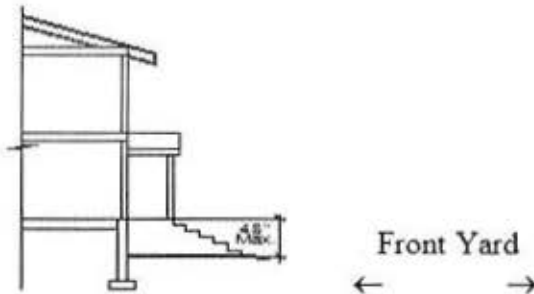
C. LOT WIDTH. The minimum width of a Lot is 37.50 feet, measured fifteen feet (15') from the Front Lot Line. Existing platted Lots of record, with a minimum width of at least twenty five feet (25'), are considered legal Lots in terms of Lot Width. In the case of unusual Lot configurations, Lot Width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

D. FRONT YARD.

1. The minimum Front Yard 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 Yard 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.
3. See Section 15-2.4-5 for special requirements for Triplexes and Multi-Unit Dwellings.

E. FRONT YARD EXCEPTIONS. The Front Yard 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. On Corner Lots, Fences more than three (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 a Street or intersection.



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

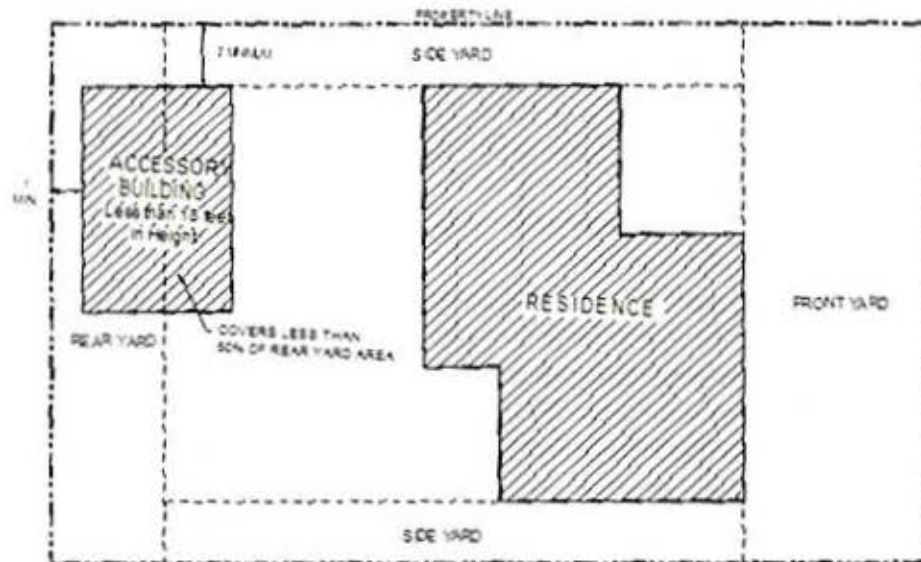
F. REAR YARD.

1. The minimum Rear Yard is ten feet (10') for all Main Buildings, and one foot (1') for detached Accessory Buildings.
2. See Section 15-2.4-5, Special Requirements for Multi-Unit Dwellings.

G. REAR YARD EXCEPTIONS. The Rear Yard must be open and free of any Structure except:

1. Bay Windows not more than ten feet (10') wide projecting not more than two feet (2') into the Rear Yard.
2. Chimneys not more than five feet (5') wide projecting not more than two feet (2') into the Rear Yard.
3. Window wells and light wells projecting not more than four feet (4') into the Rear Yard.
4. Roof overhangs and eaves projecting not more than three feet (3') into the Rear Yard.
5. Window sills, belt courses, cornices, trim, and other ornamental features projecting not more than six inches (6") beyond the window or main Structure to which they are attached.

6. A 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 façade of the Main Building, and maintaining a minimum Rear Yard Setback of one foot (1'). Such Structure must not cover over fifty percent (50%) of the Rear Yard. See the following illustration::



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 not over six feet (6') in height, or as permitted in Section 15-4-2.
10. Patios, decks, pathways, steps, and similar Structures not more than thirty inches (30") above Final Grade.

H. SIDE YARD.

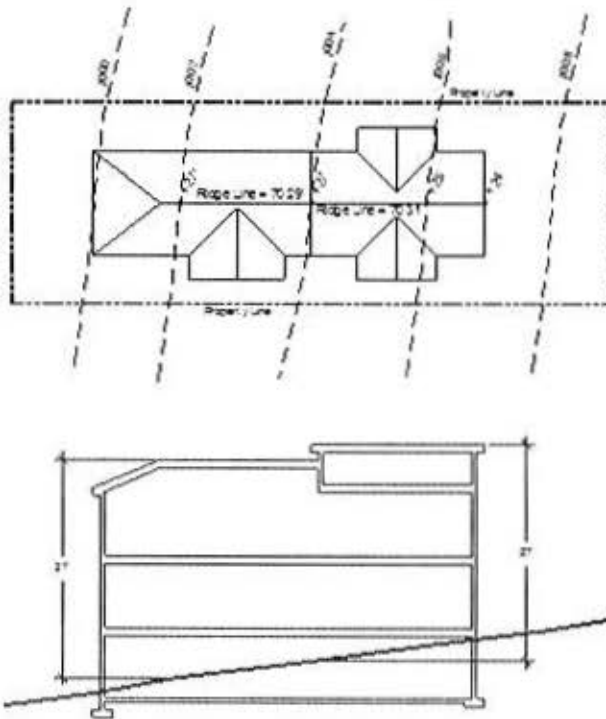
1. The minimum Side Yard for any Single Family, Duplex Dwelling or Accessory Building is five feet (5').
2. The minimum Side Yard for Lots twenty-five feet (25') wide or less is three feet (3').
3. A Side Yard between connected Structures is not required where Structures are designed with a common wall 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 Yards shall be based on the required minimum Side Yard for each Lot; however the Planning Commission may consider increasing exterior Side Yards during Conditional Use Permit review to mitigate potential impacts on adjacent Property. Side Yard exceptions continue to apply.
 - b. The longest dimension of a Building joined at the Property Line may not exceed one hundred feet (100').
 4. The minimum Side Yard for a detached Accessory Building, not greater than eighteen feet (18') in height, including any free-standing Solar Energy Systems, located at least five feet (5') behind the front facade of the Main Building, is three feet (3').
 5. On Corner Lots, the minimum Side Yard that faces a Street is ten feet (10') for both Main and Accessory Buildings.
 6. See Section 15-2.4-5 special requirements for Multi-Unit Dwellings.
- I. **SIDE YARD EXCEPTIONS.** The Side Yard must be open and free of any Structure except:
1. Bay Windows not more than ten feet (10') wide projecting not more than two feet (2') into the Side Yard.¹
 2. Chimneys not more than five feet (5') wide projecting not more than two feet (2') into the Side Yard.¹
 3. Window well and light wells projecting not more than four feet (4') into the Side Yard.¹
 4. Roof overhangs and eaves projecting not more than two feet (2') into the Side Yard.¹
 5. Window sills, belt courses, cornices, trim, and other ornamental features projecting not more than six inches (6") beyond the window or main Structure to which they are attached.
 6. Patios, decks, pathways, steps, and similar Structures not more than thirty inches (30") in height above Final Grade.
 7. Fences, walls and retaining walls not more than six feet (6') in height, or as permitted in Section 15-4-2.
 8. Driveways leading to a garage or approved Parking Area.
 9. Pathways and steps connecting to a City staircase or pathway.
 10. Mechanical equipment (which must be screened), hot tubs, or similar Structures located at least three feet (3') from the Side Lot Line.
- J. **SNOW RELEASE.** Site plans and Building design must resolve snow release issues to the satisfaction of the Chief Building Official.
- K. **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.

¹Applies only to Lots with a minimum Side Yard of five feet (5').

15-2.4-7 BUILDING HEIGHT

No Structure shall be erected to a height greater than twenty-seven feet (27') from Existing Grade. This is the Zone Height.



A. BUILDING HEIGHT EXCEPTIONS. The following height exceptions apply:

1. Antennas, chimney, flues, vents, and similar Structures may extend up to five feet (5') above the highest point of the Building to comply with International Building Code (IBC) requirements.
2. Water towers, mechanical equipment, and Solar Energy Systems, and associated Screening, when Screened or enclosed, may extend up to five feet (5') above the height of the Building. See LMC 15-5-5(G)(7)(a).
3. Church spires, bell towers, and like architectural features as allowed under the Historic District Design Guidelines, may extend up to fifty percent (50%) above the Zone Height, but may not contain Habitable Space above the Zone Height. Such exception requires approval by the Planning Director.
4. To accommodate a roof form consistent with the Design Guidelines for Park City's Historic Districts and Historic Sites, the Planning Director may grant additional Building Height provided that no more than twenty percent (20%) of the roof ridge line exceeds the Zone Height requirements.
5. Elevator Penthouses may extend up to eight feet (8') above the Zone Height.

Attachment F

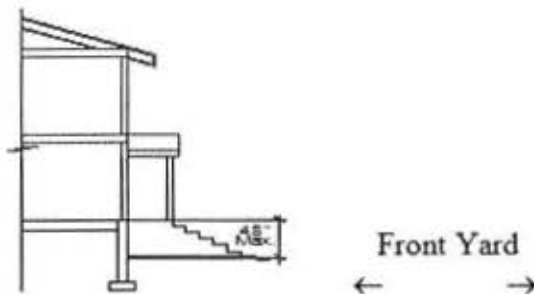
15-2.5 HISTORIC RECREATION COMMERCIAL (HRC) DISTRICT

15-2.5-3 Lot and Site Requirements

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

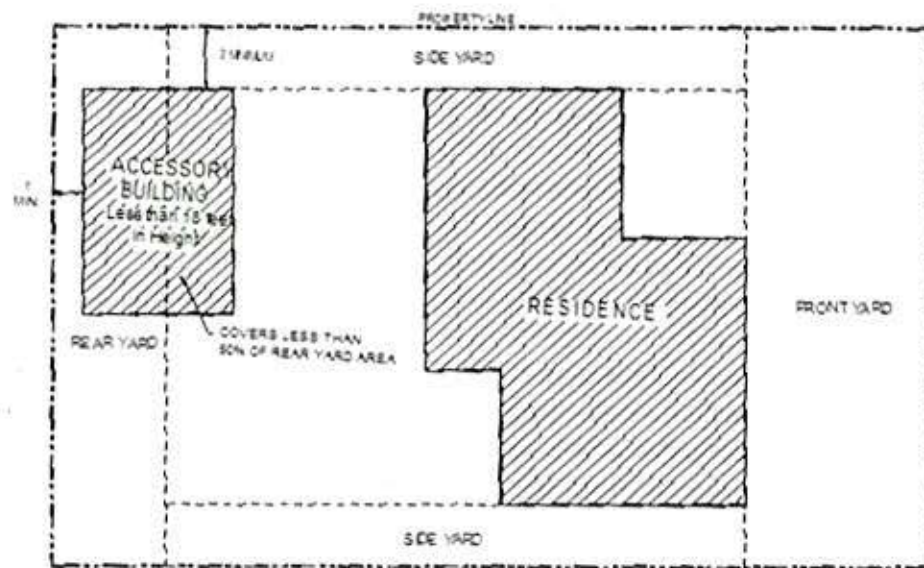
All Development activity must comply with the following minimum Lot and Site requirements:

- A. **FRONT YARD**. The minimum Front Yard is ten feet (10').
- B. **FRONT YARD EXCEPTIONS**. The Front Yard 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. 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 handrill, and do not cause danger or hazard to traffic by obstructing the view of the Street or intersection.



3. Decks, porches, and Bay Windows, not more than ten feet (10') wide, projecting not more than three feet (3') into the Front Yard.
 4. Roof overhangs, eaves, and cornices, projecting not more than three feet (3') into the Front Yard.
 5. Sidewalks, patios, and pathways.
 6. Driveways leading to a garage or Parking Area. No portion of a Front Yard, except for approved driveways, allowed Parking Areas, patios, and sidewalks may be Hard-Surfaced or graveled.
- C. **REAR YARD**. The minimum Rear Yard is ten feet (10').
- D. **REAR YARD EXCEPTIONS**. The Rear Yard must be open and free of any Structure except:

1. Bay Windows not more than ten feet (10') wide projecting not more than two feet (2') into the Rear Yard.
2. Chimneys not more than five feet (5') wide projecting not more than two feet (2') into the Rear Yard.
3. Window wells and light wells projecting not more than four feet (4') into the Rear Yard.
4. Roof overhangs and eaves projecting not more than two feet (2') into the Rear Yard.
5. Window sills, belt courses, cornices, trim, exterior siding, or other ornamental features projecting not more than six inches (6") beyond the window or main Structure to which it is attached.
6. **A Detached Accessory Building**, 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 Yard Setback of one foot (1'). Such Structure must not cover over fifty percent (50%) of the Rear Yard. See the following illustration:



7. Hard-Surfaced Parking Areas subject to the same location requirements as a detached Accessory Building.
8. Screened mechanical equipment, hot tubs, and similar Structures located at least five feet (5') from the Rear Lot Line.
9. Fences, walls, and retaining walls not more than six feet (6') in height, or as permitted in Section 15-4-2.
10. Patios, decks, steps, pathways, and similar Structures not more than thirty inches (30") above Final Grade, located at least five feet (5') from the Rear Lot Line.

E. SIDE YARD.

1. The minimum Side Yard is five feet (5').
2. On Corner Lots, the Side Yard that faces a Street is ten feet (10') for both main and accessory Structures.
3. A Side Yard 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 Yards shall be based on the minimum required Side Yard for each Lot; however the Planning Commission may consider increasing exterior Side Yards during Conditional Use Permit review to mitigate potential impacts on adjacent Property. Side Yard exceptions continue to apply.

F. SIDE YARD EXCEPTIONS. The Side Yard must be open and free of any Structure except:

1. Bay Windows, not more than ten feet (10') wide, projecting not more than two feet (2') into the Side Yard.
2. Chimneys not more than five feet (5') wide, projecting not more than two feet (2') into the Side Yard.
3. Window wells and light wells projecting not more than four feet (4') into the Side Yard.
4. Window sills, belt courses, cornices, trim, exterior siding, and other ornamental features, projecting not more than six inches (6") beyond the window or main Structure to which it is attached.
5. Roof overhangs and eaves projecting not more than two feet (2') into the Side Yard.
6. Patios, decks, pathways, steps, and similar Structures not more than thirty inches (30") in height from Final Grade, provided there is at least a one foot (1') Setback to the Side Lot Line.
7. Fences, walls and retaining walls not more than six feet (6'), or as permitted in Section 15-4-2.
8. Driveways leading to a garage or approved Parking Area.
9. Pathways and steps connecting to a City stairway or pathway.
10. **A 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 Yard Setback of three feet (3').
11. A covered arcade between projects provided that the highest point of the arcade is not more than fifteen feet (15') above the elevation of the walk.

G. FLOOR AREA RATIO. In all projects within the HRC Zone:

1. **STRUCTURES BUILT AFTER OCTOBER 1, 1985.** Except in the Heber Avenue Sub-Zone Area, non-residential Uses are subject to a Floor Area Ratio to restrict the scope of non-residential Use within the District. For Properties located east of Park Avenue, the Floor Area Ratio for non-

residential Uses is 1. For Properties located on the west side of Park Avenue, the Floor Area Ratio for non-residential Uses is 0.7.

2. **STRUCTURES BUILT PRIOR TO OCTOBER 1, 1985.** Structures existing as of October 1, 1985 are not subject to the Floor Area Ratio, and may be used in their entirety for non-residential Uses as provided in this ordinance.

H. **SNOW RELEASE.** Site plans and Building designs must resolve snow release issues to the satisfaction of the Chief Building Official.

I. **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.

J. **VERTICAL ZONING.** For HRC Zoned Storefront Property adjacent to Main Street, Heber Avenue, and Park Avenue, excluding those HRC Zoned Properties on the west side of Park Avenue and also excluding those HRC Zoned Properties with the following addresses: 702 Main Street, 710 Main Street, 738 Main Street (for the plaza side Storefronts), 780 Main Street, 804 Main Street (for the plaza side Storefronts), 875 Main Street, 890 Main Street, 900 Main Street, and 820 Park Avenue, new Construction and Construction adding Floor Area to a Building or Lot, shall have a minimum of seventy-five-percent (75%) of the width of the Building facade as Storefront Property.

K. **STOREFRONT ENHANCEMENT ZONING.** The maximum width of any Storefront Property Facade abutting Main Street or Heber Avenue shall be fifty-feet (50'). Storefront Property Facades in the Historic portion of structures listed on the Historic Sites Inventory which exceed fifty-feet (50') in width are valid Non-Complying Structures. A Storefront Property Facade shall have a storefront entrance door for pedestrian access.

If the Historic storefront entrance, located in the Historic portion of a structure listed on the Historic Sites Inventory, is more than eight feet (8') above the grade of the adjacent Main Street and/or Heber Avenue, then the First Story in the Historic portion of the Historic structure located adjacent to Main Street and/or Heber Avenue shall not be calculated in the maximum Storefront Property Facade width.

15-2.5-5 BUILDING HEIGHT

No Structure shall be erected to a height greater than thirty-two feet (32') from Existing Grade. This is the Zone Height.

A. **BUILDING HEIGHT EXCEPTIONS.** The following height exceptions apply:

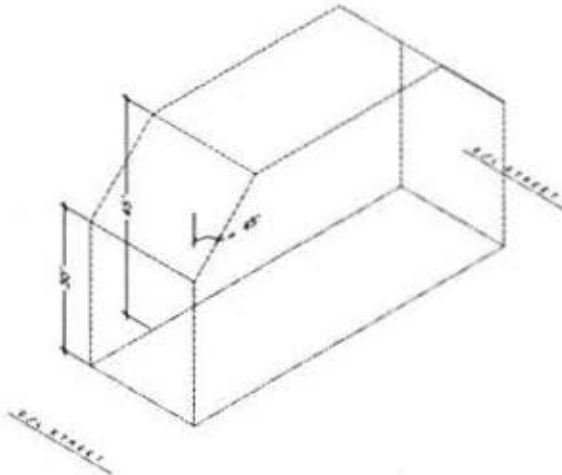
1. Gable, hip, and similar pitched roofs may extend up to five feet (5') above the Zone Height, if the roof pitch is 4:12 or greater.
2. Antennas, chimneys, flues, vents, and similar Structures, may extend up to five feet (5') above the highest point of the Building to comply with International Building Code (IBC) requirements.
3. Water towers, mechanical equipment, and Solar Energy Systems, and associated Screening, when Screened or enclosed, may extend up to five feet (5') above the height of the Building. See LMC 15-5-5(G)(7)(a).
4. Church spires, bell towers, and like architectural features subject to the Historic District Design Guidelines, may extend up to fifty percent (50%) above the Zone Height, but may not contain Habitable Space above the Zone Height. Such exception requires approval by the Planning Director.
5. An Elevator Penthouse may extend up to eight feet (8') above the Zone Height.
6. To accommodate a roof form consistent with the Historic District Design Guidelines, the Planning Director may grant additional Building Height provided that no more than twenty percent (20%) of the roof ridge line exceeds the height requirement and complies with height exception criteria in Section 15-2.2-6(B)(10).

Attachment G

15-2.6 HISTORIC COMMERCIAL BUSINESS (HCB) DISTRICT

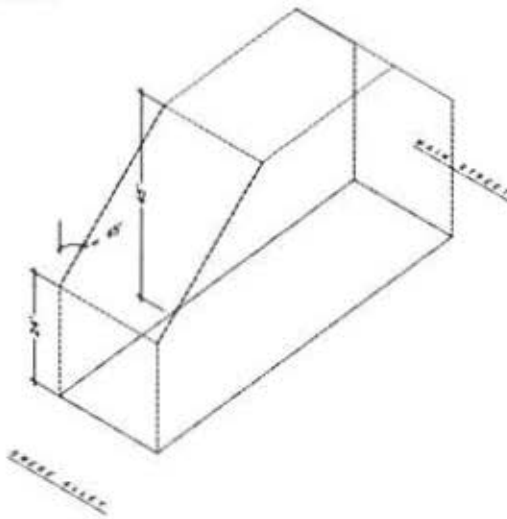
15-2.6-5 MAXIMUM BUILDING VOLUME AND HEIGHT

- A. The maximum Building volume for each Lot is defined by a plane that rises vertically at the Front Lot Line to a height of thirty feet (30') measured above the average Natural Grade and then proceeds at a forty-five degree (45°) angle toward the rear of the Property until it intersects with a point forty-five feet (45') above the Natural Grade and connects with the rear portion of the bulk plane.

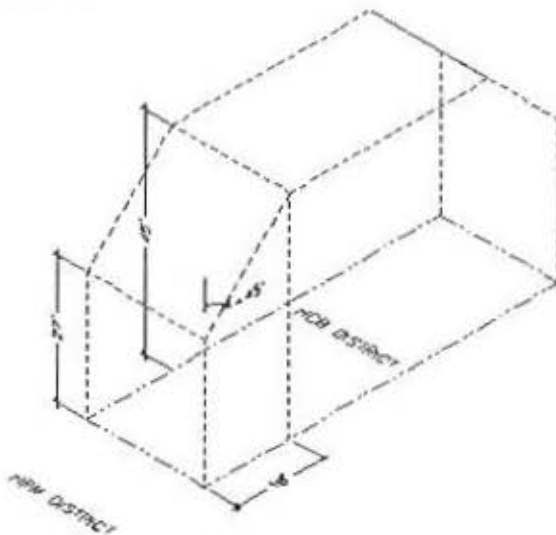


- B. The rear portion of the bulk plane for each Lot that does not abut Swede Alley is defined by the plane that rises vertically at the Rear Yard Property Line to a height of thirty feet (30') measured above the average Natural Grade and then proceeds at a forty-five degree (45°) angle toward the Front Lot Line until it intersects with a point forty-five feet (45') above the Natural Grade of the Building Site. No part of a Building shall be erected to a height greater than forty-five feet (45'), measured from Natural Grade at the Building Site. This provision must not be construed to encourage solid roofing to following the forty-five degree (45°) back plane.
- C. For Lots abutting Swede Alley, the rear portion of the bulk plane is defined by a plane that rises vertically at the Rear Yard Property Line to a height of twenty-four feet (24') measured above the average Natural Grade and then proceeds at a forty-five degree (45°) angle toward the Front Lot Line until it intersects with a point forty-five feet (45') above the Natural Grade. This provision must not be construed to encourage solid roofing to follow the forty-five degree (45°) back

plane.



- D. Wherever the HCB District abuts a residential Zoning District, the abutting portion of the bulk plane is defined by a plane that rises vertically at the abutting Lot Line to a height matching the maximum height of the abutting Zone, measured from Existing Grade, and then proceeds at a forty-five degree (45°) angle toward the opposite Lot Line until it intersects with a point forty-five feet (45') above Existing Grade.



- E. The Zone Height for the HCB District shall correspond to the maximum height of the Building plane as described in Section 15-2.6-5(A) through (D).

- F. **MAXIMUM BUILDING VOLUME AND BUILDING HEIGHT EXCEPTIONS.** The following exceptions apply:

1. A gable, hip, gambrel or similarly pitched roof may extend up to five feet (5') above the Zone Height.
2. Antennas, chimneys, flues, vents, and similar Structures may extend up to five feet (5') above the highest point of the Building to comply with International Building Code (IBC) requirements.

3. Water towers, mechanical equipment, and Solar Energy Systems, and associated Screening, when Screened or enclosed, may extend up to five feet (5') above the height of the Building. See LMC 15-5-5(G)(7)(a).
4. Church spires, bell towers, and like architectural features, subject to the Historic District Design Guidelines, may extend up to fifty percent (50%) above the Zone Height, but may not contain Habitable Space above the Zone Height. Such exception requires approval by the Planning Director.
5. Elevator Penthouses may extend up to eight feet (8') above the Zone Height.
6. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays, including Olympic way-finding towers, are permitted to a height of sixty-five feet (65').

Attachment H

15-5-5 ARCHITECTURAL REVIEW

- A. **PROHIBITED ARCHITECTURAL STYLES AND MOTIFS.** The following architectural styles and motifs are prohibited in Park City because these styles and motifs have a strong connection or association with other regions:
1. A-frame Structures;
 2. Geodesic dome Structures;
 3. Mediterranean motifs;
 4. Tudor or mock Tudor, half timbering;
 5. Swiss chalets;
 6. Highly ornate Victorian;
 7. Rustic frontier;
 8. Colonial;
 9. Nouveau-Chateau, French Provincial, Fairy Tale or Castle. Tower features and turrets may be allowed if roofs are not conical and if the roof line is integrated into the main Structure. Round exterior walls are permitted but not as semi-detached round rooms, i.e., a round room may not exceed 270 degrees;
 10. New Structures designed to imitate Historic Structures built in Park City or elsewhere, unless the project complies with the Historic District Architectural Guidelines.
 11. Exemption. The above provisions addressing Tudor, Victorian, and colonial styles and tower elements shall not apply in the Prospector Park Subdivision.
- B. **PROHIBITED SIDING MATERIALS.** The following siding, fascia, and soffit materials are prohibited because they have proved to be unsuitable for Use in Park City due to the extreme climate, or because their appearance is such that the values of adjoining or abutting Properties are adversely affected:
1. Thick shake shingles;
 2. Ceramic tiles;
 3. Slump bloc, weeping mortar;
 4. Plastic or vinyl siding;
 5. Used brick;
 6. Synthetic stone products such as simulated stone or brick, cultured stone or brick, pre-cast stone or concrete imbedded with stone fragments;
 7. Lava rock, clinkers;
 8. Asphalt siding;
 9. Plywood siding, except that plywood may be approved by the Planning Director if utilized as a base for board and batten siding;
 10. Aluminum siding is generally not considered an appropriate material. The Planning Director may, however, consider requests for the Use of aluminum siding. The design of the Structure shall be consistent with the Park City Design Guidelines. The Applicant will be required to bring a

sample of the type and color of siding to be approved by the Planning Director. When aluminum siding is approved by the Planning Director, it shall have a minimum thickness of .019 inches and shall be backed or insulated with a minimum of 3/8 inch fiberboard of polystyrene foam;

11. Exemption. Aluminum siding, including soffits and fascia, and synthetic stone products may be permitted upon approval by the Planning Director, on Structures when such Structures are located in Areas predominately developed with Structures utilizing the same type of materials, such as in Prospector Village, Park Meadows and Prospector Park Subdivisions. Existing Buildings with synthetic stone products and aluminum or vinyl siding may be re-sided or repaired using synthetic stone products and aluminum or vinyl siding with specific approval by the Planning Director. The Applicant is required to bring a sample of the material and description of the application method of the requested siding and/or synthetic stone to be approved by the Planning Director and an exhibit documenting siding materials found in the surrounding neighborhood.

- C. **DESIGN ORNAMENTATION.** Architectural design in Park City has historically been simple. Highly ornate Buildings are inconsistent with the architectural patterns of the community, and due to the close proximity of one Development to another, inconsistent ornamentation may become unsightly and detract from Property values.

To add architectural interest to Buildings, special ornamental siding materials may be used, provided that no more than twenty five percent (25%) of any facade of the Building is covered with ornamental siding. Examples of ornamental siding provided for information purposes only and not as a limitation, are as follows:

1. Fish scale cut shingles;
2. Half-timbered stucco;
3. Match-sticked wood or other inlays.

- D. **NUMBER OF EXTERIOR WALL MATERIALS.** Different exterior siding materials add interest to a Building, and to the community as a whole, however, the Use of too many exterior materials, like excessive ornamentation, detracts from the values of adjoining Properties. Exterior walls of any Building may be sided with up to three (3) different materials per Building, but no more than three (3) materials may appear on any one (1) wall, including ornamental siding. Trim shall not be counted as a siding material, but ornamentation is counted as a siding material. If trim covers more than ten percent (10%) of a side of the Building, it shall be counted as a siding material on that side.

- E. **ROOFING MATERIALS.** Because of the steep Grade changes within Park City, and the fact that residents and visitors are frequently in a position to look down

on the City from the adjoining mountains, the appearance of roofs in Park City is of more significance than in other communities. Some roof types do not perform well in Park City's harsh climate. In addition, the Area's dry climate creates a high potential for wild land fires which makes the Use of wood roofs unsafe in some Areas. For these reasons, the following roof types are prohibited in Park City:

1. Untreated aluminum or metal, except that copper may be used;
2. Reflective materials;
3. Brightly colored roofing such as bright red, blue, yellow, green or similar colors are highly visible. Exception: Green is allowed if it is determined that its hue, color, chroma and other attributes of color are similar to other earth tone colors currently approved in Park City. In no case shall the color be determined to be bright or highly reflective or towards the yellow tones of the color spectrum;
4. Wood shingles, including fire retardant, prohibited only in wild land interface zones. Wood roofs may be allowed on additions to existing Structures with wood roofs, only upon specific approval of the Chief Building Official. In addition, wood roofing may be allowed on later phases, which continue the specific design of existing projects and where the original phase has wood roofing.
Existing non-conforming Structures must comply with this section when the Structure's roof is replaced;
5. Except on Historic renovations or reconstructions with adequate documentation, roof ornamentation such as scroll work, finials, and bead-and-dowel work are prohibited.

F. **ROOF SHAPES.** The following roof shapes are prohibited in Park City as the dominant roof form because they either do not perform well in the harsh climate, or tend to detract from the value of adjoining Property. As minor roof elements, the following shapes may be allowed if approved by the Planning Director:

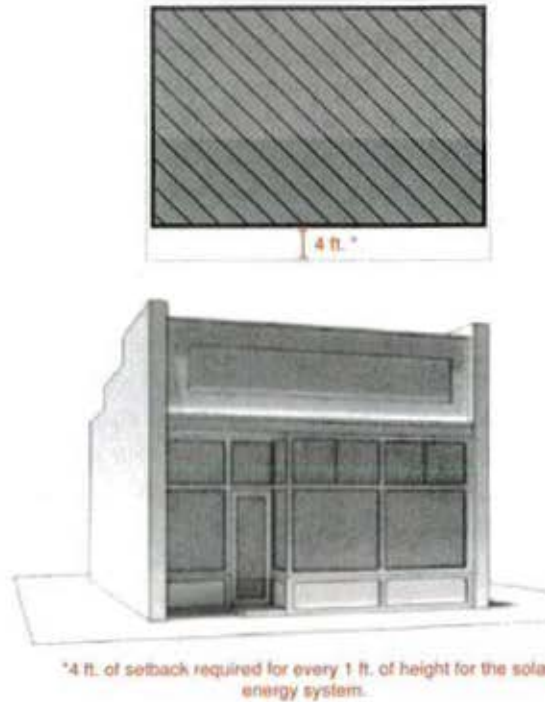
1. Mansard or fake mansard roofs;
2. Gambrel roofs;
3. Curvilinear roofs;
4. Domed roofs;
5. Geodesic domes;
6. Conical roofs, greater than 270 degrees around;
7. A-frame or modified A-frame roofs.

Mechanical equipment on roofs must be hidden with a visual barrier so it is not readily visible from nearby Properties.

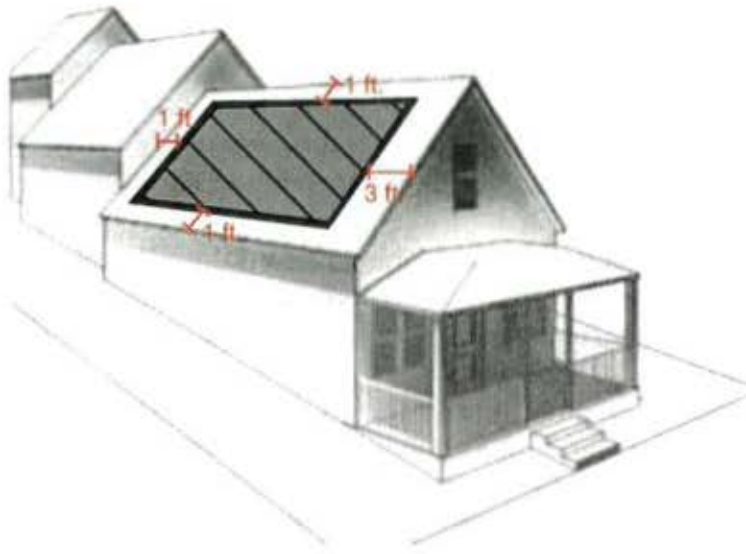
G. **SOLAR PANELS ENERGY SYSTEMS AND SKYLIGHTS.** Any solar ~~panel energy system or skylight, or other translucent roof material which allows the transmission of light from the interior of the Building to the exterior,~~ shall be designed as follows:

1. ~~Skylights shall be limited to no more than twenty-five percent (25%) of the total roof Area;~~

- ~~2. The skylight design shall facilitate the Use of natural light in to the Building and any light emitted or reflected from the skylight shall be shielded from adjacent Properties;~~
- ~~3. The skylight feature shall not be the highest point of the Structure; and~~
- ~~4. The skylight feature shall be designed to fit as flush as possible with the roof. Skylights shall generally extend no more than two feet (2') above the roof plane.~~
5. Solar ~~panels~~ Energy Systems shall be designed so as to be incorporated in the roof plan or architectural features of the structure to the best extent possible. Solar ~~panels~~ Energy Systems shall generally be mounted flush to the roof plane. In instances where due to the existing roof angle the panel needs to be angled from the roof plane for optimum solar gain, alternative designs may be considered upon review of a visual analysis and mitigation of visual impacts from surrounding properties.
6. Solar panels, solar devices, and Solar Energy Systems and mounting equipment shall use non-reflective finishes such as an anodized finish.
7. Skylights and Solar panels energy systems in the Historic Districts are subject to the Design Guidelines for Historic Districts and Historic Sites and shall also meet the following:
 - a. On a Flat Roof, the Solar Energy System shall be mounted flush to the roof or on racks. When this is not possible, the Solar Energy System shall extend no more than five feet (5') above the highest point of the roof. Solar Energy Systems shall be screened from view of the primary right-of-way by:
 - i. An existing parapet along the street-facing façade that is as tall as the tallest part of the Solar Energy System; or
 - ii. Setting the Solar Energy System back from the edge of the roof facing the primary right-of-way at least four feet (4') for each one foot (1') of Solar Energy System height (including any necessary racks).



- b. Solar Energy Systems are permitted on pitched roofs facing a rear or side lot line that is not visible from the right-of-way. The Solar Energy System shall be mounted flush on the pitched roof, with the system no more than one foot (1') from the surface of the roof at any point. Solar Energy Systems shall be screened from view of the primary right-of-way in the following ways:
- i. The Solar Energy System shall be located at least one foot (1') from the ridgeline of the pitched roof.
 - ii. The Solar Energy System shall be located at least three feet (3') from the edge of the roof facing a right-of-way and one foot (1') from the edge of the roof facing the rear property line.
 - iii. The Solar Energy System shall be located at least one foot (1') from the eave of the roof.
 - iv. The Solar Energy System shall not alter the slope of the roof.



- c. Solar shingles and Propanel-type/standing seam integrated products may be appropriate on roof surfaces visible from the primary right-of-way in the Historic Districts when it can be shown that they are sized similar to conventional asphalt shingles or metal roofing. They shall be similar in color to roofing materials in the Historic Districts and shall possess an anti-reflective top coating, such as Tempered Glass Tefzel Glazing or titanium dioxide. All metal surfaces shall have a matte finish.
- d. Freestanding Solar Energy Systems shall meet all the setback requirements of an Accessory Building as outlined in the Historic zoning districts. They shall be installed in locations that minimize visibility from the public right-of-way. These systems shall be screened from the public right-of-way with materials such as fencing or vegetation of suitable scale for the Historic District.
- e. Exceptions to the location and height of the Solar Energy System above the roof are subject to Planning Director approval based on a determination that:
 - i. A professional experienced in energy-efficient construction has conducted an energy audit and the building has optimized its energy efficiency through other means; and
 - ii. The location of the Solar Energy System does not detract from the historic character of the site and/or the Historic District (by making the Solar Energy System a character-defining element of the building); and
 - iii. The application has demonstrated that the proposed plan will result in a net positive generation of 105% or greater.

H. **SKYLIGHTS.** Any skylight, or other translucent roof material which allows the transmission of light from the interior of the Building to the exterior, shall be designed as follows:

1. Skylights shall be limited to no more than twenty-five percent (25%) of the total roof Area;
2. The skylight design shall facilitate the Use of natural light in to the Building and any light emitted or reflected from the skylight shall be shielded from adjacent Properties;
3. The skylight feature shall not be the highest point of the Structure; and
4. The skylight feature shall be designed to fit as flush as possible with the roof. Skylights shall generally extend no more than two feet (2') above the roof plane.
5. ~~Solar panels shall be designed so as to be incorporated in the roof plan or architectural features of the structure to the best extent possible. Solar panels shall generally be mounted flush to the roof plane. In instances where due to the existing roof angle the panel needs to be angled from the roof plane for optimum solar gain, alternative designs may be considered upon review of a visual analysis and mitigation of visual impacts from surrounding properties.~~
6. Skylights and solar panels in the Historic Districts are subject to the Design Guidelines for Historic Districts and Historic Sites.

I. **WINDOW TREATMENTS.** Windows other than rectangular windows may be used as accents and trim, but arched, rounded, or Bay Windows as the primary window treatment are prohibited. Untreated aluminum and untreated metal window frames are prohibited. Small pane colonial style windows are not allowed.

J. **LIGHTING.**

1. **PURPOSE.** The functional objectives in providing exterior Area lighting are to illuminate Areas necessary for safe, comfortable and energy efficient Use. The number of fixtures shall be limited to provide for safe entry and egress and for sign and Business identification. Illumination of new Building features for architectural enhancement is prohibited. Historic Structures may be illuminated under the terms prescribed in this Code.

With the exception of Americans with Disabilities Act lighting requirements, the minimum lighting standards generally applied and recommended by the Illuminating Engineering Society of North America (IES), are observed by this Code.

2. **CONFORMANCE WITH APPLICABLE CODES.** All outdoor electrically powered illuminating devices shall be installed in conformance with the provisions of this Code, the International Building Code, the Electrical Code, and the Sign Code under the appropriate permit and inspection. When discrepancies in these Codes exist, the most restrictive shall apply.

3. **APPROVED MATERIALS AND METHODS OF CONSTRUCTION OR INSTALLATION/OPERATION.** The provisions of this Code are not intended to prevent the Use of any design, material or method of installation or operation not specifically prescribed by this Code, provided any such alternate has been approved. The Chief Building Official may approve any such proposed alternate providing he/she finds that:
- a. The alternative provides approximate equivalence to the applicable specific requirement of this Code;
 - b. The alternative is otherwise satisfactory and complies with the intent of this Code; or
 - c. The alternate has been designed or approved by a registered professional engineer and the content and function promotes the intent of this Code.
4. **SUBMISSION OF PLANS AND EVIDENCE OF COMPLIANCE WITH CODE.**
- a. The Applicant for any permit required by any provisions of the laws of this jurisdiction in connection with proposed work involving outdoor lighting fixtures shall submit, as part of the Application for permit, evidence that the proposed lighting fixtures and Light Source will comply with this Code. The submission shall contain the following:
 1. Plans indicating the location on the premises, and the type of illumination devices, fixtures, lamps, supports, reflectors, and installation and electrical details;
 2. Description of illuminating devices, fixtures, lamps, supports, reflectors, and other devices. The description may include, but is not limited to, catalog cuts by manufacturers, and drawings, including section where required;
 3. Photometric data, such as that furnished by manufacturers or similar showing the angle of the cut off or light emission. A point by point light plan may also be required to determine the adequacy of lighting over the entire Site.
Additional information may be required elsewhere in the laws of this jurisdiction upon Application for the required permit.
 - b. Lamp or Fixture Substitution. On commercial Structures if any outdoor light fixture or the type of Light Source therein is proposed to be changed after the permit has been issued, a change request must be submitted to the Planning Department for approval. Adequate information to assure compliance with this Code must be provided and the request must be received prior to substitution.
5. **SHIELDING.** All non-exempt outdoor lighting fixtures shall have shielding as required by Table 1 of this Chapter below.
- a. Historic District Shielding and Fixture Exemption. Fixtures in the HR-L, HR-1, HR-2, HCB, HRM, and HRC Zoning Districts that replicate a Historic fixture shall be permitted to be installed without

partial shields with the approval of the Planning Director. All fixtures shall be filtered and refractors that direct the light downward shall be installed if the bulb is exposed.

Historic fixtures that are fifty (50) years or older and contribute to the architectural and cultural character of the Historic District, are exempt from these requirements.

Architectural features on Historic Structures may be illuminated with fully shielded fixtures.

6. **WATTAGE/FIXTURE AND LIGHT SOURCE REQUIREMENTS.** Wattage, fixture and Light Source requirements as outlined in the following Table 1 apply to all zones throughout the City:

Table 1

Light Source	Fully Shielded	Partially Shielded	Watt (Maximum Per Fixture)
High Pressure Sodium ¹		x	50
Low Pressure Sodium		x	55
Metal Halide ²	x		1,500
L Voltage/Halogen ³		x	50
Compact Fluorescent		x	75

7. Other Sources: As approved by the Planning Director

Note: "x" indicates the required standard.

¹This is the standard Light Source for Park City and Summit County unless otherwise noted in a specific section. Fully shielded fixtures are preferred but not required with this Light Source. Other sources are only permitted as noted. Residential porch lights and exterior garage and post lights may utilize incandescent bulbs, provided that the bulbs are Shielded. Lighting for signs may use halogen bulbs, provided that they are Shielded and directed at the sign face. Wattages outlined are the maximum and can be decreased under the Building Permit review process depending on the number and location of the fixture on each project. In no case shall the levels be reduced to levels below the Illuminating Engineering Society

(IES) minimum standards.

²Metal Halide sources shall be permitted only for recreational sport field or ski Area Uses and installed only in one hundred percent (100%) fully enclosed Luminaries. Metal Halide lights shall also be filtered.

³Low voltage/halogen sources are permitted in landscaping lighting only.

8. **GAS STATION CANOPIES.** Gas station canopies may not exceed an average horizontal luminance level of eight (8) Foot Candles across the Site and the maximum point levels should not exceed fifteen (15) Foot Candles within the Area directly underneath the canopy.
9. **AREA LIGHTING - BUILDING CANOPY AND SOFFIT, WALL MOUNTED.** Area, stand alone or wall mounted fixtures shall not be mounted above eighteen feet (18') as measured from the top of the fixture to the adjacent Grade or horizontal plane being lit by the fixture. The horizontal luminance level along the sidewalk or Building Facade shall not exceed one (1) Horizontal Foot Candle with a uniformity ratio of 4:1.
10. **CONSTRUCTION SITES.** All commercial construction Sites shall submit a lighting plan as part of the Construction Mitigation Plan for the project prior to Building Permit issuance. Criteria for review shall include duration, number, location, height, Light Source, and hours of operation.
11. **LANDSCAPE LIGHTING.** The primary function of landscape lighting is to provide illumination for pathways, steps, and entrances to Buildings.
 - a. **Pathway Lighting.** Two types of lights can be selected: Three foot (3') bollards with louvers and ten foot (10') pole mounted, down directed Luminaries. Bollard lights shall be low voltage. The intent of pathway lights is to provide pools of light to help direct pedestrians along the path, not to fully illuminate the path. Steps and path intersections should be illuminated for safety. The maximum Foot Candle permitted on the ground is one (1) Horizontal Foot Candle or less.
 - b. **Highlighting, Backlighting.** Only low voltage systems are permitted. Lights must be partially shielded and light must not be directly off the Property. A maximum Foot Candle permitted at ten feet (10') is 0.6 Horizontal Foot Candles from the Light Source. Up-lighting is prohibited.
 - c. **Moonlighting.** Low voltage systems may be placed in trees or on Buildings to give the effect of moonlight. Lights must be down-directed and partially shielded. A maximum Foot Candle permitted at ten feet (10') is 0.25 Horizontal Foot Candle from the Light Source. Up-lighting is prohibited.

12. RECREATIONAL LIGHTING. Because of their unique requirements for nighttime visibility and their limited hours of operation, baseball diamonds, playing fields, tennis courts and ski area runs may Use the Light Source permitted under Table 1 above with the following conditions and exceptions:

- a. The height of outdoor recreational posts shall not exceed seventy feet (70') above Natural Grade. The average Horizontal Foot Candle shall not exceed 3.6 across the Area boundary with a uniformity ratio of 4:1. Ski area lighting may require higher illumination levels in some instances. Those levels shall be reviewed and approved by the Planning Commission under the Conditional Use process outlined in the LMC.
- b. All fixtures used for event lighting shall be fully shielded as defined in Section (4) herein, or be designed or provided with sharp, cutoff capability, so as to minimize up-light, spill light and glare.
- c. Recreational lighting shall be turned off within thirty (30) minutes of the completion of the last game, practice, or event. In general, recreational lighting shall be turned off after 11:00 p.m., unless an exception is granted by the Planning Director for a specific event or as approved as part of a Master Festival license.

13. RESIDENTIAL LIGHTING.

- a. All exterior lights on porches, garage doors or entryways shall be shielded to prevent glare onto adjacent Property or public right of ways and light trespass in to the night sky. Lights shall be directed at walkways or entries and shall not be directed into the night sky.
- b. Compact fluorescent fixtures are the recommended Light Source. High pressure sodium and incandescent bulbs may be permitted, provided the wattage is low and the light is Shielded and down-directed.
- c. Bare bulb light fixtures such as flood or spotlights are not permitted.
- d. Lighting exterior Building features for architectural interest is prohibited.
- e. Security lighting shall be fully shielded and shall be set on a timer or motion detector. Infrared sensor spotlights are the recommended light type for security.
- f. Private sport court facilities shall Use fully shielded fixtures and shall not Use the lights past 11 p.m.

14. SEASONAL DISPLAY OF LIGHTS. Seasonal restrictions apply to the HCB, GC, LI and HRC zones. Residential Uses in the HR-1, HR-2, E, HRL, SF, RM, R-1, RDM, and RD zones are exempt from these requirements. Winter seasonal displays are permitted from the first of November to the 15th of April per the Park City Municipal Code.

Displays should be turned off at midnight. Any color of lights may be used; however, the lights shall not be used to create advertising messages or

signs. Spelling out the name of a Business is prohibited.

15. OUTDOOR DISPLAY LOTS. Any Light Source permitted by this Code may be used for lighting of outdoor display Lots such as, but not limited to, automobile sales or rental, recreational vehicle sales, Building material sales, and seasonal goods, provided all the following conditions are met:

- a. All fixtures shall be Fully Shielded as defined in LMC Chapter 15-15.
- b. The maximum horizontal illumination across the Site shall not exceed an average Foot Candle of two (2) across the Site with a uniformity ratio of 4:1.
- c. Display lighting shall be turned off within thirty (30) minutes of closing of the Business. Lighting used after 11 p.m. shall be security lighting. Security lighting shall be required to be motion sensitive not permanently illuminated. Infrared sensor security lights are the only type of security light permitted.

16. PROHIBITIONS. The following light fixtures and Light Sources are prohibited: mercury vapor lamps, laser Light Sources, unshielded floodlights or spotlights, metal halide, except for recreational Uses, see Section (10), and searchlights.

17. OTHER EXEMPTIONS.

- a. Nonconformance. All other outdoor light fixtures lawfully installed prior to and operable on the effective date of the ordinance codified in this Chapter, including City owned or leased Street lights, are exempt from all requirements of this Code. On commercial projects, all such fixtures shall be brought into compliance with this Code upon any Application for any exterior Building Permit. On residential Structures, only new exterior fixtures on remodels or new additions must comply with this ordinance.
- b. Fossil Fuel Light. All outdoor light fixtures producing light directly by the combustion of natural gas or other fossil fuels are exempt from the requirements of this Code.
- c. Up-lighting. Up-lighting is permitted under the following conditions:
 1. The use of luminaires for up-lighting on any residentially or commercial zoned Lot or Property or within a City ROW or Open Space zone, is permitted only for City-funded or owned statues, public monuments, ground –mounted Public Art, or flags of the United States of America.
 2. All up-lighting shall be shielded and/or have beam-angle control and shall be aimed to limit the directed light to the illuminated object only.
 3. Up-lighting is permitted thirty (30) minutes before sunset and until 11:00 p.m.; or, one hour after the close of location based on normal hours of operations, whichever is later.

18. TEMPORARY EXEMPTION.

- a. Requests. Any Person may submit a written request to the Planning Director for a temporary exemption. A temporary exemption request shall contain the following information:
 1. Specific exemption or exemption request;
 2. Type and Use of outdoor light fixtures involved;
 3. Duration of time for requested exemption;
 4. Total wattage;
 5. Proposed location on Site;
 6. Description of event or reason for need of exemption; and
 7. Other data as deemed necessary to adequately review and made a determination on the request.
- b. Approval; Duration. The Planning Department shall have ten (10) Business days from the date of a complete submission of the temporary request to act, in writing, on the request. The Planning Department shall approve the request if it finds that the exemption is necessary for public safety, security or other public necessity and the exemption does not materially subvert the purpose of this Chapter. If approved, the exemption shall be valid for not more than thirty (30) days from the date of approval. The approval shall be renewable by the Planning Director upon consideration of all the circumstances and provided a finding of public safety or necessity is made, and no intent to circumvent the intent of this Chapter is present. Each such renewed exemption shall be valid for not more than thirty (30) days.
- c. Denial/Appeal. If the request for a temporary exemption is denied, the Person making the request, in writing, may appeal the decision to the Planning Commission within ten (10) days of the denial as provided for in LMC Chapter 15-1.

- K. **TRASH AND RECYCLING ENCLOSURES.** In addition to County health standards, the following trash enclosure design standards shall apply:
1. Trash and storage Areas shall be Screened by landscaping, Fencing, berms or other devices integral to overall Site and Building design;
 2. Trash and storage enclosures shall be designed and constructed of materials that are Compatible with the proposed or existing Building and with surrounding Structures. The enclosure's design, construction, and materials shall be substantial and consisting of masonry, steel, or other materials approved by the Planning and Building Department and capable of sustaining active use by residents and trash/recycling haulers. The design shall, if physically possible, include both a pedestrian door and a truck door or gate;
 3. Trash and storage Areas shall be well maintained including prompt repair and replacement of damaged gates, Fences and plants;

4. Openings of trash enclosures shall be oriented away from public view or Screened with sturdy gates wide enough to allow easy Access for trash collection, where practical;
5. The consolidation of trash Areas between Businesses and the Use of modern disposal techniques is encouraged.
6. Exception. These standards shall not apply to existing Structures that have been built with zero Setbacks or when such enclosures would negatively impact Access, circulation, or snow removal efforts.

- L. **MECHANICAL EQUIPMENT**. All electrical service equipment and sub-panels and all mechanical equipment, including but not limited to, air conditioning, pool equipment, fans and vents, utility transformers, except those owned and maintained by public utility companies, and solar panels, shall be painted to match the surrounding wall color or painted or Screened to blend with the surrounding natural terrain. Roof mounted equipment and vents shall be painted to match the roof and/or adjacent wall color and shall be Screened or integrated into the design of the Structure. Minor exceptions to Setback requirements for Screened mechanical equipment may be approved by the Planning Director where the proposed location is the most logical location for the equipment and impacts from the equipment on neighboring properties, historic facades, and streetscapes can be mitigated and roof top mechanical placement and visual clutter is minimized.
- M. **PATIOS AND DRIVEWAYS**. A Building Permit is required for all non-bearing concrete flatwork, asphalt, and/or any Impervious Surface, regardless of size or area. This includes any repairs, alterations, modifications, and expansion of existing flatwork.
- N. **LANDSCAPING**. A complete landscape plan must be prepared for the limits of disturbance area for all Building Permit applications and Historic District Design Review projects for all exterior work that impacts existing vegetation within the limits of disturbance. The landscape plan shall utilize the concept of Xeriscaping for plant selection and location, irrigation, and mulching of all landscaped areas. The plan shall include foundation plantings and ground cover, in addition to landscaping for the remainder of the lot. The plan shall indicate the percentage of the lot that is landscaped and the percentage of the landscaping that is irrigated. The plan shall identify all existing Significant Vegetation.

Materials proposed for driveways, parking areas, patios, decks, and other hardscaped areas shall be identified on the plan. A list of plant materials indicating the botanical name, the common name, quantity, and container or caliper size and/or height shall be provided on the plan. Areas of mulch shall be identified on the plan. Approved mulches include natural organic plant based or recycled materials. Stone-based mulch is not permitted.

To the extent possible, existing Significant Vegetation shall be maintained on Site and protected during construction. When approved to be removed, based on a Site Specific plan, Conditional Use, Master Planned Development, or Historic District Design Review approval, the Significant Vegetation shall be replaced with equivalent landscaping in type and size. Multiple trees equivalent in caliper to the size of the removed Significant Vegetation may be considered instead of replacement in kind and size. Where landscaping does occur, it should consist primarily of native and drought tolerant species, drip irrigation, and all plantings shall be adequately mulched.

Irrigated lawn and turf areas are limited to a maximum percentage of the allowed Limits of Disturbance Area of a Lot or Property that is not covered by Buildings, Structures, or other Impervious paving, based on the size of the Lot or Property according to the following table:

Lot Size	Maximum Turf or Lawn Area as a percentage of the allowed Limits of Disturbance Area of the Lot that is not covered by Buildings, Structures, or other Impervious paving
Greater than one (1) acre	25%
0.50 acres to one (1) acre	35%
0.10 acres to 0.49 acres	45%
Less than 0.10 acres	No limitation

Where rock and boulders are allowed and identified on the Landscape Plan, these shall be from local sources. All noxious weeds, as identified by Summit County, shall be removed from the Property in a manner acceptable to the City and Summit County, prior to issuance of Certificates of Occupancy.

Attachment I

15-15 DEFINED TERMS

15-15-1 Definitions

For the purpose of the LMC, certain numbers, abbreviations, terms, and words shall be used, interpreted, and defined as set forth herein. Defined terms will appear as proper nouns throughout this Title. Words not defined herein shall have a meaning consistent with Webster's New Collegiate Dictionary, latest edition.

Unless the context clearly indicates to the contrary, words used in the present tense include the future tense; words used in the plural number include the singular; the word "herein" means "in these regulations"; the word "regulations" means "these regulations"; "used" or "occupied" as applied to any land or Building shall be construed to include the words "intended, arranged, or designed to be used or occupied".

ACCESS. The provision of vehicular and/or pedestrian ingress and egress to Structures, facilities or Property.

ACCESSORY APARTMENT. A self-contained Apartment, with cooking, sleeping, and sanitary facilities, created either by converting part of and/or by adding on to a Single-Family Dwelling or detached garage. Accessory Apartments do not increase the residential Unit Equivalent of the Property and are an Accessory Use to the primary Dwelling.

ACCESSORY BUILDING. A Building on the same Lot as the principal Building and that is:

- A. clearly incidental to, and customarily found in connection with such principal Building, such as detached garages, barns, free-standing Solar Energy Systems, and other similar Structures that require a Building Permit;
- B. operated and maintained for the benefit of the principal Use;
- C. not a Dwelling Unit; and
- D. also includes Structures that do not require a Building Permit, such as sheds, outbuildings, or similar Ancillary Structures. See Ancillary Structure.

ACCESSORY USE. A land Use that is customarily incidental and subordinate to the to the primary Use located on the same Lot.

ACTIVE BUILDING PERMIT. Any Building Permit that has not expired.

ADMINISTRATIVE PERMIT. A permit issued by the Planning, Building, and Engineering Departments for specified Use upon proof of compliance with certain criteria.

AFFECTED ENTITY. A county, municipality, local district, special service district under Utah State Code Title 17D, Chapter 1, Special Service District Act, school district, inter-local cooperation entity established under Utah State Code Title 11, Chapter 13, Inter-local Cooperation Act, specified public utility, property owner, property owners association, or the Utah Department of Transportation, if: (a) the entity's services or facilities are likely to require expansion or significant modification because of an intended use of land; (b) the entity has filed with the municipality a copy of the entity's general or long-range plan; or (c) the entity has filed with the municipality a request for

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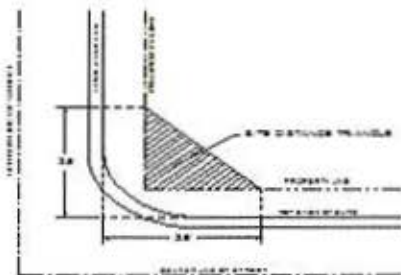
SIGNIFICANCE. The quality of having Historical consequence or being regarded as having great architectural value.

SIGNIFICANT SITE. Any Site, including a Building (main, attached, detached or public), Accessory Building, and/or Structure that is determined by the Historic Preservation Board to meet specified criteria set forth in LMC Chapter 15-11.

SINGLE FAMILY SUBDIVISION. A Development consisting of primarily, although not exclusively, of Single Family Dwellings.

SITE DEVELOPMENT STANDARDS. Regulations unique to each zone concerning standards for Development including, but not limited to Lot Areas, Setbacks, Building Height, Lot coverage, open space.

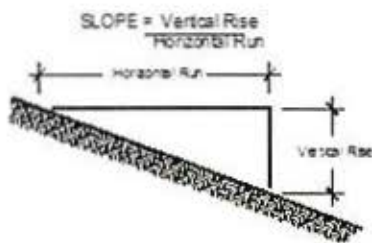
SITE DISTANCE TRIANGLE. A triangular Area at the intersection of two Streets formed by the Streets at Property Line and a line connecting them at points twenty-five feet (25') from the intersection of the Street lines.



SKETCH PLAT. A Sketch preparatory to the Preliminary Plat, or Subdivision Plat in the case of Minor Subdivisions, to enable the Owner to save time and expense in reaching general agreement with the Planning Commission as to the form of the plat.

SLOPE. The level of inclination of land from the horizontal plane determined by dividing the horizontal run or distance of the land into the vertical rise or distance of the same

land and converting the resulting figure in a percentage value.



1. **Slope, Steep.** Slope greater than fifteen percent (15%).
2. **Slope, Very Steep.** Slope greater than forty percent (40%).

SOLAR ENERGY SYSTEM. An energy system which converts solar energy to usable thermal, mechanical, chemical, or electrical energy to meet a structure's energy requirement.

SPACING. Distance between the closer edges of adjoining driveways or driveways and Right-of-Way lines of intersecting Streets.

SPECIAL EVENT. Any event, public or private, with either public or private venues, requiring City licensing beyond the scope of normal Business and/or liquor regulations, as defined by this Code, or creates public impacts through any of the following:

1. The use of City personnel;
2. Impacts via disturbance to adjacent residents;
3. Traffic/parking;
4. Disruption of the normal routine of the community or affected neighborhood; or
5. Necessitates Special Event temporary beer or liquor licensing in conjunction with the public impacts, neighborhood block parties or other events requiring Street closure of any residential Street that is not necessary for the safe and efficient flow of traffic in Park City for a duration of less than one (1) day shall be considered a Special Event.

STEALTH. A Telecommunications Facility which is disguised as another object or otherwise concealed from public view.

STOREFRONT PROPERTY. See Property, Storefront.

STORY. The vertical measurement between floors taken from finish floor to finish floor. For the top most Story, the vertical measurement is taken from the top finish floor to the top of the wall plate for the roof Structure.

STREAM. A naturally-fed water course, that flows year round or intermittently during years of normal rainfall. This definition excludes ditches and canals constructed for irrigation and drainage purposes.

STREAM CORRIDOR. The Corridor defined by the Stream's Ordinary High Water Mark.

STREET. Any highway, avenue, boulevard, parkway, road, lane, walk, alley, viaduct, subway, tunnel, bridge, easement, or other way.

1. **Street, Public.** A Street that has been dedicated to and accepted by the City Council; that the City has acquired and accepted by prescriptive right; or that the City owns in fee.

15-15-2 LIST OF DEFINED TERMS

-S-

Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays
Satellite Receiving Station
SBWRD
Screen or Screened
Secondary Living Quarters
Sending Site
Sensitive Land
Sensitive Land Analysis
Sensitive or Specially Valued Species
Setback
Sexually Oriented Businesses
Significance
Significance, Period of Historic (see Period of Historic Significance)
Significant Ridge Line Area
Significant Site
Significant Vegetation
Single Family Subdivision
Site
Site Development Standards
Site Distance Triangle
Site Suitability Analysis
Sketch Plat
Slope
Slope, Steep
Slope, Very Steep
Solar Energy System
Spacing
Special Event
Storefront Property (see Property, Storefront)
Story
Stream
Stream Corridor
Street
Street, Public
Streetscape
Streetscape, Architectural
Structure
Studio Apartment
Subdivision
Subdivision, Major
Subdivision, Minor
Subdivision Plat
Substantial Benefit

Substantial Economic Hardship (see Economic Hardship, Substantial)
Suitability Determination