

PARK CITY MUNICIPAL CODE
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TITLE 15 - LAND MANAGEMENT CODE (LMC)
CHAPTER 2.10- ESTATE (E) DISTRICT

Chapter adopted by Ordinance No. 00-51

15-2.10-1. PURPOSE.

The purpose of the Estate (E) District is to:

- (A) allow very low density, environmentally sensitive residential Development which:
- (1) preserves ridge tops, meadows, and visible hillsides,
 - (2) preserves large, cohesive, unbroken Areas of Open Space and undeveloped land,
 - (3) preserves and incorporates wetlands, drainage ways, and intermittent streams as amenities of Development,
 - (4) mitigates geologic and flood hazards,
 - (5) protects views along the City's entry corridors, and
 - (6) decreases fire risk by keeping Development out of sensitive wild land interface Areas.

(B) incorporate pedestrian trail linkages between and through neighborhoods; and

(C) encourage comprehensive, efficient, Compatible Development which results in distinct and cohesive neighborhoods through application of the Sensitive Lands Ordinance.

15-2.10-2. USES.

Uses in the Estate (E) District are limited to the following:

(A) **ALLOWED USES.**

- (1) Single Family Dwelling
- (2) Duplex Dwelling
- (3) Secondary Living Quarters
- (4) Lockout Unit¹
- (5) Accessory Apartment²
- (6) Nightly Rental^{1,3}
- (7) Home Occupation

¹Nightly rental of Lockout Units requires a Conditional Use permit

² See LMC Chapter 15-4-7, Supplemental Regulations for Accessory Apartments.

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

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| <ul style="list-style-type: none"> (8) Child Care, In-Home Babysitting⁴ (9) Child Care, Family⁴ (10) Child Care, Family Group⁴ (11) Accessory Buildings and Uses (12) Conservation Activity (13) Agriculture (14) Raising, grazing of horses (15) Parking Area or Structure with four (4) or fewer spaces <p>(B) <u>CONDITIONAL USES.</u></p> <ul style="list-style-type: none"> (1) Guest House (2) Group Care Facility (3) Child Care Center⁴ (4) Public and Quasi-Public Institution, Church and School (5) Essential Municipal Public Utility Use, Facility, Services, and Structure (6) Telecommunication Antenna⁵ (7) Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter⁶ (8) Plant and Nursery stock products and sales (9) Raising, grazing of livestock (10) Cemetery | <ul style="list-style-type: none"> (11) Bed & Breakfast Inn (12) Hotel, Minor⁷ (13) Hotel, Major⁷ (14) Parking Area or Structure with five (5) or more spaces (15) Temporary Improvement⁸ (16) Passenger Tramway Station and Base Facility⁹ (17) Ski Tow Rope, Ski Run, Ski Lift, and Ski Bridge (18) Outdoor Event⁷ (19) Recreation Facility, Public and Private (20) Recreation Facility, Commercial (21) Commercial Stables, Riding Academy (22) Master Planned Development with moderate income housing density bonus⁷ (23) Master Planned Development with residential and transient lodging Uses only⁷ (24) Master Planned Development with Support Retail and Minor Service Commercial⁷ (25) Mines and Mine Exploration (26) Vehicle Control Gates¹⁰ (27) Fences greater than six feet (6') in height from Final Grade⁸ |
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⁴ See LMC Chapter 15-4-9 for Child Care Regulations

⁵ See LMC Chapter 15-4-14, Supplemental Regulations for Telecommunication Facilities

⁶ See LMC Chapter 15-4-13, Supplemental Regulations for Satellite Receiving Antennas

⁷ Subject to regulations of LMC Chapter 15-6, Master Planned Developments

⁸ Requires an Administrative Conditional Use permit

⁹ See Section 15-4-18 Passenger Tramways and Ski Base Facilities

¹⁰ See Section 15-4-19 for specific review criteria for gates

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

(Amended by Ord. No. 04-08; 06-69)

15-2.10-3. 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 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 must comply with the following:

(A) **LOT SIZE AND DENSITY.** The minimum Lot size for all Uses is three (3) acres, except that a duplex requires a minimum Lot size of six (6) acres. The Planning Commission may reduce the minimum Lot size during review of a Master Planned Development or Subdivision Plat to encourage clustering of Density. The maximum Density is one (1) unit per three (3) acres.

(B) **LOT WIDTH.** The minimum Lot Width is one hundred feet (100'). In the case of unusual Lot configurations, Lot Width measurements shall be determined by the Planning Director. The Planning Commission may reduce the minimum Lot Width during review of a Master Planned Development or Subdivision Plat.

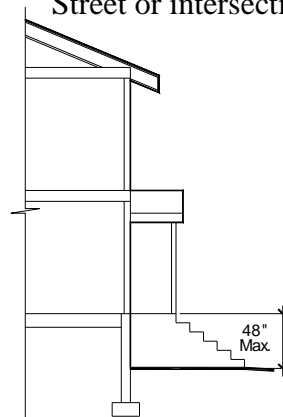
(C) **REQUIRED SETBACKS.** The minimum Front, Side and Rear Yard for all

Structures is thirty feet (30'). The Planning Commission may vary required yards in Subdivisions and Master Planned Developments. In no case shall the Planning Commission reduce Side Yards to allow less than ten feet (10') between Structures.

(D) **FRONT YARD EXCEPTIONS.** The required Front Yard must be open and free of any Structure except for the following:

(1) Fences, walls, and retaining 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 a Street or intersection.



Front Yard
← →

(3) Decks, porches, and Bay Windows, not more than ten feet (10') wide, projecting not more than five feet (5') 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 patios, driveways, allowed Parking Areas, and sidewalks may be Hard-Surfaced or graveled.

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

(E) **REAR YARD EXCEPTIONS.** The required Rear Yard must be open and free of any Structure except for the following:

(1) Bay Windows not more than ten feet (10') long 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 it is attached.

(6) Detached Accessory Buildings not more than eighteen (18') feet in height and maintaining a minimum Setback of five feet (5'). Such Structures must not cover over twenty-five percent (25%) of the Rear Yard.

(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 Fences and Walls. A retaining wall may have multiple steps; however, each exposed face cannot exceed six feet (6') in height and the horizontal distance between the walls, front face to rear face, must be at least three feet (3') and planted with approved vegetation. The Planning Director may approve minor deviations to the height and stepping requirements based on Site

specific review.¹⁰

(10) Patios, decks, steps, pathways, and similar Structures not more than thirty inches (30") above Final Grade provided it is located at least five feet (5') from the Rear Lot Line.

(F) **SIDE YARD EXCEPTIONS.** The required 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) Roof overhangs and eaves projecting not more than three feet (3') into the Side 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 it is attached.

¹⁰A Fence greater than six feet (6') in height requires an Administrative Conditional Use permit

(6) Patios, decks, pathways, steps, and similar Structures not more than thirty inches (30") in height above Final Grade provided there is a five foot (5') Setback to the Side Lot Line.

(7) Fences, walls, and retaining walls not more than six feet (6') in height, or as permitted in Section 15-4-2 Fences and Walls. A retaining wall may have multiple steps, however, each exposed face cannot exceed six feet (6') in height and the horizontal distance between the walls, front face to rear face, must be at least three feet (3') and planted with approved vegetation. The Planning Director may approve minor deviations to the height and stepping requirements based on Site specific review.¹⁰

(8) Driveways leading to an approved garage or Parking Area maintaining a three foot (3') landscaped Setback to the Side Lot Line.

(9) Detached Accessory Building not greater than eighteen feet (18') in height located a minimum of five feet (5') behind the front facade of the Main Building and maintaining a minimum Side Yard Setback of five feet (5').

(10) Screened mechanical equipment, hot tubs, and similar Structures located a minimum of five feet (5') from the Side Lot Line.

(Amended by Ord. No. 06-69)

15-2.10-4. BUILDING HEIGHT.

No Structure may be erected to a height greater than twenty-eight feet (28') 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 associated Screening, when enclosed or Screened, may extend up to five feet (5') above the height of the Building.
- (4) Church spires, bell towers, and like architectural features subject to the Architectural Guidelines, LMC Section 15-5, 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) Ski lift and tramway towers may extend above the Zone Height subject to a Conditional Use permit, a visual analysis and compliance with requirements as stated in LMC Section 15-4-18.

(Amended by Ord. Nos. 06-69; 07-25)

15-2.10-5. ARCHITECTURAL REVIEW.

Prior to issuance of a Building Permit for any Conditional or Allowed Use, the Planning Department must review the proposed plans for compliance with the Architectural Design Guidelines, LMC Chapter 15-5.

Appeals of departmental actions on architectural compliance are heard by the Planning Commission.

(Amended by Ord. No. 06-69)

15-2.10-6. SENSITIVE LANDS REVIEW.

All Conditional Uses in the Estate (E) District are subject to the Sensitive Lands Overlay (SLO) Zone and to an additional review for hillside stabilization and flood control. The Developer must submit the following materials with a Conditional Use permit application:

- (A) A map of the Site showing the contours in intervals of no more than five feet (5') in elevation.

(B) A map showing Access routes, both existing and proposed, showing the Grade of public and private Rights-of-Way, widths, curve data, and similar information for evaluation of emergency vehicle Access.

(C) A soil analysis from a qualified engineer, showing that there are no serious geologic, hydrologic, or mining hazards, and that Development on the Site will not create or exacerbate such hazards.

(D) A report from a qualified engineer showing the availability of water service and adequacy of pressure from existing facilities, and/or the costs of constructing and operating new facilities necessary to deliver adequate pressures, including fire flows to the project.

(E) Graphic materials sufficient to show the location of the project and the visual impact of the project from various locations within the City.

15-2.10-7. CRITERIA FOR BED AND BREAKFAST INNS.

A Bed and Breakfast Inn is a Conditional Use. No Conditional Use permit may be issued unless the following criteria are met:

(A) If the Use is in a Historic Structure, the Applicant will make every attempt to rehabilitate the Historic portion of the Structure.

(B) The Structure has at least two (2) rentable rooms. The maximum number of rooms will be determined by the Applicant's ability to mitigate neighborhood impacts.

(C) In a Historic Structure, the size and configuration of the rooms are Compatible with the Historic character of the Building and neighborhood.

(D) The rooms are available for Nightly Rental only.

(E) An Owner/manager is living on-Site, or in Historic Structures there must be twenty-four (24) hour on-Site management and check-in.

(F) Food service is for the benefit of overnight guests only.

(G) No Kitchen is permitted within rental room.

(H) Parking on-Site is required at a rate of one (1) space per rentable room. The Planning Commission may waive the parking requirement for Historic Structures if the Applicant proves that:

(1) no on-Site parking is possible without compromising the Historic Structure or Site, including removal of existing Significant Vegetation, and all alternatives for proximate parking have been explored and exhausted; and

(2) the Structure is not economically feasible to restore or maintain without the adaptive Use.

(I) The Use complies with Section 15-1-10, Conditional Use review.

15-2.10-8. OUTDOOR EVENTS AND MUSIC.

Outdoor events and music require an Administrative Conditional Use permit. The Use must also comply with Section 15-1-10, Conditional Use review. An Applicant must submit a Site plan and written description of the event, addressing the following:

- (A) Notification of adjacent Property Owners.
- (B) No violation of the City Noise Ordinance, Title 6.
- (C) Impacts on adjacent residential Uses.
- (D) Proposed plans for music, lighting, Structures, electrical, signs, etc.
- (E) Parking demand and impacts on neighboring Properties.
- (F) Duration and hours of operation.
- (G) Impacts on emergency Access and circulation.

(Amended by Ord. No. 04-08, Criteria for Vehicle Control Access Gates Deleted)

15-2.10-9. CRITERIA FOR RAISING AND GRAZING OF HORSES.

The raising and grazing of horses may be approved as a Conditional Use by the Planning Commission. In making a determination as to whether raising and grazing of horses is appropriate, the Planning Commission shall consider the following criteria:

- (A) Any barn must be located a

minimum of seventy-five feet (75') from the nearest neighboring Dwelling Unit.

- (B) There shall be a maximum of two (2) horses per acre.

- (C) Terrain and Slope of the Property must be suitable for horses.

- (D) The Applicant must submit an Animal Management Plan outlining the following:

- (1) waste removal/odors;
- (2) drainage and runoff;
- (3) bedding materials;
- (4) flies; and
- (5) feed/hay

15-2.10-10. VEGETATION PROTECTION.

The Property Owner must protect Significant Vegetation during any Development activity. Significant Vegetation includes large trees six inches (6") in diameter or greater measured four and one-half feet (4 ½ ') above the ground, groves of smaller trees, or clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more measured at the drip line.

Development plans must show all Significant Vegetation within twenty feet (20') of a proposed Development. The Property Owner must demonstrate the health and viability of all large trees through a

certified arborist. The Planning Director shall determine the Limits of Disturbance and may require mitigation for loss of Significant Vegetation consistent with Landscape Criteria in LMC Chapter 15-3-3(D) and Title 14.

(Amended by Ord. No. 06-69)

15-2.10-11. SIGNS.

Signs are allowed in the Estate (E) District as provided in the Park City Sign Code, Title 12.

15-2.10-12. RELATED PROVISIONS.

- Fences and Walls. LMC Chapter 15-4-2.
- Accessory Apartment. LMC Chapter 15-4-7.
- Satellite Receiving Antenna. LMC Chapter 15-4-13.
- Telecommunication Facility. Chapter LMC 15-4-14.
- Parking. LMC Chapter 15-3.
- Landscaping. Title 14; LMC Chapter 15-3-3(D).
- Lighting. LMC Chapters 15-3-3(C), 15-5-5(I).
- Historic Preservation Board. LMC Chapter 15-11.
- Park City Sign Code. Title 12.
- Architectural Review. LMC Chapter 15-5.
- Snow Storage. LMC Chapter 15-3-3(E).
- Parking Ratio Requirements. LMC Chapter 15-3-6.