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## PARK CITY MUNICIPAL CORPORATION MUNICIPAL CODE

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### TITLE 15 LAND MANAGEMENT CODE - CHAPTER 2.11 SINGLE FAMILY (SF) DISTRICT

*Chapter adopted by Ordinance 00-51*

#### CHAPTER 2.11 - SINGLE FAMILY (SF) DISTRICT

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15-2.11-1. PURPOSE.

The purpose of the Single Family SF District is to:

- (A) maintain existing predominately Single Family detached residential neighborhoods,
- (B) allow for Single Family Development Compatible with existing Developments,
- (C) maintain the character of mountain resort neighborhoods with Compatible residential design; and
- (D) require Streetscape design that minimizes impacts on existing residents and reduces architectural impacts of the automobile.

#### 15-2.11-2. USES.

Uses in the SF District are limited to the following:

##### (A) ALLOWED USES.

- (1) Single Family Dwelling
- (2) Duplex Dwelling (Permitted only on Lots designated for Duplexes on the official Subdivision Plat)
- (3) Secondary Living Quarters (Detached Guest Houses and detached Secondary Living Quarters are not allowed as a Conditional or Allowed Use within Holiday Ranchettes Subdivision)
- (4) Accessory Apartment (See LMC Chapter 15-4-7. Accessory Apartments in detached Structures are not allowed within Holiday Ranchettes Subdivision)
- (5) Nightly Rental (Allowed only within Prospector Village Subdivision. Commercial Uses are not allowed within Nightly Rental units)
- (6) Home Occupation
- (7) Child Care, In-Home Babysitting (See LMC Chapter 15-4-9, Child Care Regulations)
- (8) Child Care, Family (See LMC Chapter 15-4-9, Child Care Regulations)
- (9) Child Care, Family Group (See LMC Chapter 15-4-9, Child Care Regulations)

- (10) Accessory Building and Use
- (11) Conservation Activity
- (12) Agriculture
- (13) Parking Area or Structure with four (4) or fewer spaces

(B) **CONDITIONAL USES.**

- (1) Guest House (Detached Guest Houses and detached Secondary Living Quarters are not allowed as a Conditional or Allowed Use within Holiday Ranchettes Subdivision)
- (2) Group Care Facility
- (3) Child Care Center (See LMC Chapter 15-4-9, Child Care Regulations)
- (4) Public and Quasi-Public Institution, Church, and School
- (5) Essential Municipal Public Utility Use, Facility, Service, and Structure
- (6) Telecommunication Antenna (See LMC Chapter 15-4-14)
- (7) Satellite Dish, greater than thirty-nine inches (39") diameter (See LMC Chapter 15-4-13)
- (8) Raising, grazing of horses
- (9) Bed and Breakfast Inn
- (10) Parking Area or Structure with five (5) or more spaces (Requires an Administrative Conditional Use permit)
- (11) Temporary Improvements (Requires an Administrative Conditional Use permit)
- (12) Outdoor Event (Requires an Administrative Conditional Use permit)
- (13) Recreation Facility, Public or Private
- (14) Master Planned Development with moderate income housing density bonus
- (15) Fences greater than six feet (6') in height from Final Grade (Requires an Administrative Conditional Use permit)

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

*(Amended by Ord. No. 06-76)*

**15-2.11-3. 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) **DENSITY.** The maximum Density for Subdivisions is three (3) units per acre. Subdivisions must Cluster Development to maximize common Transferred Development Right (TDR) Open Space.

(B) **FRONT, REAR, AND SIDE YARDS.** All Development activity must comply with the following minimum Yards. See Section 15-2.11-3(l) for Yard exceptions for Thaynes Canyon Subdivision I and II, Prospector Village Subdivision, and Prospector Park Subdivision 1, 2, and 3.

(C) **FRONT YARD.** The minimum Front Yard is twenty feet (20'). New Front Facing Garages for Single Family and Duplex Dwellings must be at least twenty-five feet (25') from the Front Lot Line.

(D) **FRONT YARD EXCEPTIONS.**

(1) The Planning Commission may designate specific Single Family Lots on which the Front Yard Setback is ten feet (10') for the Main Building and fifteen feet (15') for a new Front Facing Garage or garage element, including any Habitable Space above the garage. This exception may be granted to:

- (a) solve Access problems with relatively steep Grades,
- (b) preserve Significant Vegetation,
- (c) eliminate or minimize cut and fill Areas,
- (d) promote Clustered Development, and
- (e) preserve Open Space.

Lots to which this exception applies must be so designated on the Subdivision Plat at the time the plat is approved.

(2) See Section 15-2.11-3(C) for Setback exceptions for Thaynes Canyon Subdivision I and II, Prospector Village Subdivision, and Prospector Park Subdivision 1, 2, and 3.

(3) Front Yards must be open and free of any Structure except:

- (a) 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.
- (b) 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.
- (c) Decks, porches, and Bay Windows, not more than ten feet (10') wide, projecting not more than five feet (5') into the Front Yard.
- (d) Roof overhangs, eaves, and cornices projecting not more than three feet (3') into the Front Yard.
- (e) Sidewalks, patios and pathways.
- (f) 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.
- (g) Circular driveways meeting all requirements stated in Section 15-3-4.

(E) **REAR YARD.** The minimum Rear Yard is fifteen feet (15').

(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 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 greater than eighteen feet (18') in height and maintaining a minimum Rear Yard Setback of five feet (5'). Such Structures must not cover over fifty percent (50%) 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. 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. (Fences and walls greater than six feet (6') in height require an Administrative Conditional Use Permit)
- (10) Patios, decks, steps, 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.

(G) **SIDE YARD.**

- (1) The minimum Side Yard is twelve feet (12').
- (2) A Side Yard between connected Structures is not required where Structures are designed with a common wall on a Property Line, and the Lots are burdened with a party wall agreement in a form approved by the City Attorney and Chief Building Official.

(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 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.
- (6) Decks, patios, paths, and steps not over thirty inches (30") in height above Final Grade, provided there is at least one foot (1') 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. 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. (Fences or walls greater than six feet (6') in height requires an Administrative Conditional Use Permit)
- (8) Driveways leading to an approved garage or Parking Area maintaining a three foot (3') landscaped Setback to the

Side Lot Line. A paved turn out Area, to aid in backing a vehicle out of a garage or Parking Area, is allowed, but may not be used for parking, and must maintain a one foot (1') landscaped Setback to the Side Lot Line.

(9) Detached Accessory Buildings 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, provided it is located a minimum of five feet (5') from the Side Lot Line.

**(I) OTHER EXCEPTIONS.**

(1) In Thaynes Canyon Subdivision I and II, and Prospector Village Subdivision, minimum required Yards are as follows:

(a) FRONT YARD. The minimum Front Yard for Main Buildings is twenty feet (20') and the Front Yard for garages is ten feet (10');

(b) SIDE YARD. The minimum Side Yard is five feet (5'). On Corner Lots the minimum Side Yard abutting a Street is ten feet (10'). In Thaynes Canyon Subdivision 1, the minimum Side Yard is ten feet (10');

(c) REAR YARD. The minimum Rear Yard is ten feet (10').

(2) In Prospector Park Subdivisions 1, 2, and 3, minimum required Yards are as follows:

(a) FRONT YARD. The minimum Front Yard is twenty feet (20').

(b) SIDE YARD. The minimum Side Yard is ten feet (10'). On Corner Lots the Side Yard that faces the Street must not be less than fifteen feet (15').

(c) REAR YARD. The minimum Rear Yard is ten feet (10').

*(Amended by Ord. Nos. 05-65; 06-76)*

**15-2.11-4. BUILDING HEIGHT.**

No Structure shall be erected to a height greater than twenty-eight feet (28') from Existing Grade. This is the Zone Height. Accessory Structures in the SF District shall not exceed a maximum height of eighteen feet (18').

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

(1) A gable, hip, and similar pitched roof may extend up to five feet (5') above the Zone Height, if the roof 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 Chapter 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.

*(Amended by Ord. Nos. 05-65; 06-76; 07-25)*

**15-2.11-5. 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. 06-76)*

**15-2.11-6. MAXIMUM HOUSE SIZE AND SETBACKS ON COMBINED LOTS.**

As part of a Master Planned Development, or a subdivision, the Planning Commission may designate maximum house sizes to ensure Compatibility. An Owner may combine Lots with designated maximum house sizes and achieve approximately 150% of the maximum house size attributed to a particular Lot. The Owner must request an increase in maximum house size prior to or concurrent with, the Lot combination plat. The request must be made on forms provided by the Planning Department for review by the Planning Director for compliance with the following:

(A) **HOUSE SIZE.** The maximum house size may not exceed 150 percent (150%) of the house size allowed on each single Lot when those maximums are combined and averaged. The following formula must be used to calculate the maximum house size (MHS):

$$\text{MHS} = ((\text{hsLot1} + \text{hsLot 2...hsLotn}) \div n) \times 1.50$$

\*where n is the number of Lots being combined, and hsLot1, hsLot2, hsLotn are the allowed house sizes in square feet, for the individual Lots in the Lot combination.

For example: if two (2) Lots, one with a 4000 square foot maximum house and one with a 3000 square foot maximum, are combined the maximum house size would be 5250 square feet. The average of the two Lots is 3500 square feet.

$3500 \times 150\% = 5250$  square feet, i.e.

$(4000 + 3000) \div 2 \times 1.5 = 5250$  sq. ft.

In Subdivisions where maximum house size is not specified, the house size on combined Lots must be determined by the Planning Director based upon neighborhood Compatibility, Lot size, visibility from Public Streets, and visual analysis.

(B) **SETBACKS.** The allowed minimum Setbacks (MSB) for the proposed house size (PHS) on combined Lots must increase in proportion to the percentage of increase in the house size (%IHS) over the average maximum house size (AMHS) for the Lots being combined, according to the following formulas:

$\%IHS = (PHS - AMHS) \div AMHS \times 100$

$MSB = \text{Zone Setback} + (\text{Zone Setback} \times \%IHS)$

For example: Using the previous example, where two Lots, one with a 4,000 sq. ft. maximum house size and one with a 3,000 sq. ft. maximum, are combined yielding a proposed house size (PHS) of 5,250 sq. ft., the percent increase in house size (%IHS) is fifty percent (50%).

$\%IHS = (5,250 - 3,500) \div 3,500 \times 100 = 50\%$

If the increased house size (%IHS) is fifty percent (50%) greater than the average maximum house size (AMHS) on any of the Lots being combined, the allowed minimum Setbacks (AMSB) must be fifty percent (50%) greater than the standard Setbacks of the zone.

For example: If the zone Setback for Side Yards is twelve feet (12') and the percent increase in house size is fifty percent (50%) then the minimum Setback for the combined Lot is eighteen feet (18'), as follows:

$MSB = 12' + (12' \times 50\%) = 18'$

Therefore:

Minimum Setback (Side) =  $12' + (12' \times 50\%) = 18'$  if zone Setback is 12'.

Lots with unusual configurations, topography, Access, or Significant Vegetation may have the Setbacks shifted upon approval of the Planning Director but in no case may they be less than the required Setbacks.

(C) **EASEMENT VACATIONS.** If an easement must be vacated to allow construction on a combined Lot, the Applicant must show evidence that the easement can be vacated or relocated without affecting service to the adjacent Lots. The easement relocation agreement must be recorded and/or shown on the plat amendment for the Lot combination.

(D) **PLAT AMENDMENT.** The Lots must be legally combined through plat amendment or administrative approval as provided in LMC Chapter 15-7, Subdivisions.

*(Amended by Ord. No. 06-76)*

#### **15-2.11-7. 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 an 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 an 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(s).
- (H) Parking on-Site is required at a rate of one (1) space per rentable room.
- (I) The Use complies with Section 15-1-10, Conditional Use Review.

#### **15-2.11-8. 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. The 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.

#### **15-2.11-9. CRITERIA FOR RAISING AND GRAZING HORSES.**

The raising and grazing of horses may be approved as a Conditional Use by the Planning Commission. In making a determination 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.

#### **15-2.11-10. 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 (4.5') 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. 06-76)*

#### **15-2.11.11. SIGNS.**

Signs are allowed in the SF District as provided in the Park City Sign Code, Title 12.

#### **15-2.11-12. 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. LMC Chapter 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.