

## Exhibit 1 – Draft Ordinance

### Ordinance No. 2018-55

**AN ORDINANCE REGULATING FOOD TRUCK LOCATIONS AND AMENDING THE LAND MANAGEMENT CODE OF PARK CITY, UTAH, AMENDING 15-2.5-2 USES IN HISTORIC RECREATION COMMERCIAL (HRC) DISTRICT; 15-2.6-2 USES IN HISTORIC COMMERCIAL BUSINESS (HCB) DISTRICT; 15-2.7-2 USES IN RECREATION AND OPEN SPACE (ROS) DISTRICT; 15-2.13-2 USES IN RESIDENTIAL DEVELOPMENT (RD) DISTRICT; 15-2.14-2 USES IN RESIDENTIAL DEVELOPMENT-MEDIUM DENSITY (RDM) DISTRICT; 15-2.16-2 USES IN RECREATION COMMERCIAL (RC) DISTRICT; 15-2.17-2 USES IN REGIONAL COMMERCIAL OVERLAY (RCO) DISTRICT; 15-2.18-2 USES IN GENERAL COMMERCIAL (GC) DISTRICT; 15-2.19-2 USES IN LIGHT INDUSTRIAL (LI) DISTRICT; 15-2.22-2 USES IN PUBLIC USE TRANSITION (PUT) DISTRICT; 15-2.23-2 USES IN COMMUNITY TRANSITION (CT) DISTRICT; AND 15-15 DEFINED TERMS.**

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 promote unique experiences for residents and visitors; and

WHEREAS, the City reviews the Land Management Code (LMC) on a regular basis and identifies necessary amendments to address planning and zoning issues; to address specific LMC issues raised by Staff, Planning Commission, and City Council; to align the Code with the Council's goals; and

WHEREAS, Utah Code 10-8-84 grants the City the right to pass ordinances that are necessary to provide for safety and health and to promote the prosperity of the City. Utah Code 10-9a-102 grants the City the right to pass such laws for the use of land; and

WHEREAS, Park City's Economic Development Plan encourages facilitation and establishment of attractions and areas of interest for both visitors and residents, maintaining and improving the balance of Sustainable Community goals by going beyond economic initiatives to include social and environmental strategies, and protection and preservation of the historic Main Street downtown area as the heart of the region; and

WHEREAS, Utah Code Section 11-56-103 preserves City authority:

- (a) requiring a food truck operator to comply with local zoning and land use regulations;
- (b) promulgating local ordinances and regulations consistent with Utah Code that

- address how and where a food truck may operate within the political subdivision;
- (c) requiring a food truck operator to obtain a special event permit, in accordance with Section 11-56-105; and
  - (d) revoking a license that the City has issued if the operation of the related food truck within the City violates the terms of the license.

WHEREAS, these proposed Land Management Code amendments were reviewed for consistency with the recently adopted Park City General Plan; and

WHEREAS, the proposed code changes address Park City General Plan Goal 11 which states, "Support the continued success of the multi-seasonal tourism economy while preserving the community character that adds to the visitor experience," and Objective 11A which states, "The vibrancy of Park City's resorts is essential to the success of resort support businesses. The City must provide flexibility to allow the primary resorts to evolve with the tourism industry, increase occupancy rates year round, and create more demand for the resort support industries throughout the City;" and

WHEREAS, the Planning Commission duly noticed and conducted public hearings at the regularly scheduled meeting on May 23, 2018 and October 10, 2018, and forwarded a unanimous positive recommendation to City Council; and

WHEREAS, the City Council duly noticed and conducted a public hearing at its regularly scheduled meeting on October 23, 2018; and

WHEREAS, it is in the best interest of the residents and visitors of Park City, Utah, to amend the Land Management Code to be consistent with the values and goals of the Park City General Plan and the Park City Council and to protect health and safety and maintain the quality of life for its residents and visitors.

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

SECTION 1. APPROVAL OF AMENDMENTS TO TITLE 15 - Land Management Code Section 15-2.5-2 Uses in Historic Recreation Commercial (HRC) District. The recitals above are incorporated herein as findings of fact. Section 15-2.5-2 of the Land Management Code of Park City is hereby amended as redlined in Exhibit A.

SECTION 2. APPROVAL OF AMENDMENTS TO TITLE 15 - Land Management Code Section 15-2.6-2 Uses in Historic Commercial Business (HCB) District. The recitals above are incorporated herein as findings of fact. Section 15-2.6-2 of the Land Management Code of Park City is hereby amended as redlined in Exhibit B.

SECTION 3. APPROVAL OF AMENDMENTS TO TITLE 15 - Land Management Code Section 15-2.7-2 Uses in Recreation Open Space (ROS) District. The recitals

above are incorporated herein as findings of fact. Section 15-2.7-2 of the Land Management Code of Park City is hereby amended as redlined in Exhibit C.

SECTION 4. APPROVAL OF AMENDMENTS TO TITLE 15 - Land Management Code Section 15-2.13-2 Uses in Residential Development (RD) District. The recitals above are incorporated herein as findings of fact. Section 15-2.13-2 of the Land Management Code of Park City is hereby amended as redlined in Exhibit D.

SECTION 5. APPROVAL OF AMENDMENTS TO TITLE 15 - Land Management Code Section 15-2.14-2 Uses in Residential Development-Medium Density (RDM) District. The recitals above are incorporated herein as findings of fact. Section 15-2.14-2 of the Land Management Code of Park City is hereby amended as redlined in Exhibit E.

SECTION 6. APPROVAL OF AMENDMENTS TO TITLE 15 - Land Management Code Section 15-2.16-2 Uses in Recreation Commercial (RC) District. The recitals above are incorporated herein as findings of fact. Section 15-2.16-2 of the Land Management Code of Park City is hereby amended as redlined in Exhibit F.

SECTION 7. APPROVAL OF AMENDMENTS TO TITLE 15 - Land Management Code Section 15-2.17 Regional Commercial Overlay (RCO) District. The recitals above are incorporated herein as findings of fact. Section 15-2.17-2 of the Land Management Code of Park City is hereby amended as redlined in Exhibit G.

SECTION 8. APPROVAL OF AMENDMENTS TO TITLE 15 - Land Management Code Section 15-2.18-2 Uses in General Commercial (GC) District. The recitals above are incorporated herein as findings of fact. Section 15-2.18-2 of the Land Management Code of Park City is hereby amended as redlined in Exhibit H.

SECTION 9. APPROVAL OF AMENDMENTS TO TITLE 15 - Land Management Code Section 15-2.19-2 Uses in Light Industrial (LI) District. The recitals above are incorporated herein as findings of fact. Section 15-2.19-2 of the Land Management Code of Park City is hereby amended as redlined in Exhibit I.

SECTION 10. APPROVAL OF AMENDMENTS TO TITLE 15 - Land Management Code Section 15-2.22-2 Uses in Public Use Transition (PUT) District. The recitals above are incorporated herein as findings of fact. Section 15-2.22-2 of the Land Management Code of Park City is hereby amended as redlined in Exhibit J.

SECTION 11. APPROVAL OF AMENDMENTS TO TITLE 15 - Land Management Code Section 15-2.23-2 Uses in Community Transition (CT) District. The recitals above are incorporated herein as findings of fact. Section 15-2.23-2 of the Land Management Code of Park City is hereby amended as redlined in Exhibit K.

SECTION 12. APPROVAL OF AMENDMENTS TO TITLE 15 - Land Management Code Chapter 15-15 Defined Terms. The recitals above are incorporated

herein as findings of fact. Chapter 15-15 of the Land Management Code of Park City is hereby amended as redlined in Exhibit L.

SECTION 13. APPROVAL OF AMENDMENTS TO TITLE 4 - Municipal Code to Title 4 Licensing. The recitals above are incorporated herein as findings of fact. Title 4 of the Municipal Code of Park City is hereby amended as redlined in Exhibit M.

SECTION 14. EFFECTIVE DATE. This Ordinance shall be effective upon publication.

PASSED AND ADOPTED this 23<sup>rd</sup> day of October, 2018

PARK CITY MUNICIPAL CORPORATION

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Andy Beerman, Mayor

Attest:

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City Recorder

Approved as to form:

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Mark Harrington, City Attorney

**Exhibits**

- Exhibit A – LMC § 15-2.5-2 Uses in Historic Recreation Commercial (HRC) District
- Exhibit B – LMC § 15-2.6-2 Uses in Historic Commercial Business (HCB) District
- Exhibit C – LMC § 15-2.7-2 Uses in Recreation and Open Space (ROS) District
- Exhibit D – LMC § 15-2.13-2 Uses in Residential Development (RD) District
- Exhibit E – LMC § 15-2.14-2 Uses in Residential Development-Medium Density (RDM) District
- Exhibit F – LMC § 15-2.16-2 Uses in Recreation Commercial (RC) District
- Exhibit G – LMC § 15-2.17-2 Uses in Recreation Commercial Overlay (RCO) District
- Exhibit H – LMC § 15-2.18-2 Uses in General Commercial (GC) District
- Exhibit I – LMC § 15-2.19-2 Uses in Light Industrial (LI) District
- Exhibit J – LMC § 15-2.22-2 Uses in Public Use Transition (PUT) District
- Exhibit K – LMC § 15-2.23-2 Uses in Community Transition (CT) District
- Exhibit L – LMC § 15-15 Defined Terms
- Exhibit M – Municipal Code Title 4 Licensing

## Exhibit A – LMC § 15-2.5-2 Uses in Historic Recreation Commercial (HRC) District

### 15-2.5-2 USES IN HISTORIC RECREATION COMMERCIAL (HRC) DISTRICT

Uses in the HRC are limited to the following:

#### A. ALLOWED USES.<sup>10</sup>

1. Single Family Dwelling<sup>5</sup>
2. Duplex Dwelling<sup>5</sup>
3. Secondary Living Quarters<sup>5</sup>
4. Lockout Unit<sup>1,5</sup>
5. Accessory Apartment<sup>2,5</sup>
6. Nightly Rental<sup>5</sup>
7. Home Occupation<sup>5</sup>
8. Child Care, In-Home Babysitting
9. Child Care, Family<sup>3</sup>
10. Child Care, Family Group<sup>3</sup>
11. Child Care Center<sup>3</sup>
12. Accessory Building and Use
13. Conservation Activity
14. Agriculture
15. Bed and Breakfast Inn<sup>4,5</sup>
16. Boarding House, Hostel<sup>5</sup>
17. Hotel, Minor, fewer than 16 rooms<sup>5</sup>
18. Office, General<sup>5</sup>
19. Parking Area or Structure, with four (4) or fewer spaces<sup>5</sup>
20. Food Truck Location<sup>11</sup>

#### B. CONDITIONAL USES.<sup>9, 10</sup>

1. Triplex Dwelling<sup>5</sup>
2. Multi-Unit Dwelling<sup>5</sup>
3. Guest House, on Lots one acre<sup>5</sup>
4. Group Care Facility<sup>5</sup>
5. Public and Quasi-Public Institution, Church, School
6. Essential Municipal Public Utility Use, Facility, Service and Structure
7. Telecommunication Antenna<sup>6</sup>
8. Satellite Dish, greater than thirty-nine inches (39") in diameter<sup>7</sup>
9. Plant and Nursery stock products and sales
10. Hotel, Major<sup>5</sup>
11. Timeshare Projects and Conversions<sup>5</sup>
12. Private Residence Club Project and Conversion<sup>4,5</sup>
13. Office, Intensive<sup>5</sup>
14. Office and Clinic, Medical<sup>5</sup>
15. Financial Institution, without drive-up window<sup>8</sup>
16. Commercial Retail and Service, Minor<sup>8</sup>
17. Commercial Retail and Service, personal improvement<sup>8</sup>
18. Neighborhood Convenience Commercial, without gasoline sales

19. Café or Deli<sup>8</sup>
20. Restaurant, General<sup>8</sup>
21. Restaurant and café, Outdoor Dining<sup>4</sup>
22. Outdoor Events and Uses<sup>4</sup>
23. Bar
24. Parking Area or Structure, with five (5) or more spaces<sup>5</sup>
25. Temporary Improvement<sup>4</sup>
26. Passenger Tramway Station and Ski Base Facility
27. Ski Tow, Ski Lift, Ski Run, and Ski Bridge
28. Recreation Facility, Commercial, Public, and Private
29. Entertainment Facility, Indoor
30. Fences greater than six feet (6') in height from Final Grade<sup>4</sup>
31. Private Residence Club, Off-Site<sup>5</sup>
32. Private Event Facility<sup>5</sup>
33. Special Events<sup>4</sup>

C. **PROHIBITED USES.** Unless otherwise allowed herein, any Use not listed above as an Allowed or Conditional Use is a prohibited Use.

<sup>1</sup>Nightly rental of Lockout Units requires a Conditional Use permit

<sup>2</sup>See LMC Chapter 15-4, Supplementary Regulations for Accessory Apartments

<sup>3</sup>See LMC Chapter 15-4-9 for Child Care Regulations

<sup>4</sup>Requires an Administrative or Administrative Conditional Use permit, see Section 15-4.

<sup>5</sup>Prohibited in 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. Hotel rooms shall not be located within Storefront Property; however access, circulation, and lobby areas are permitted within Storefront Property.

<sup>6</sup>See LMC Chapter 15-4-14, Supplemental Regulations For Telecommunication Facilities

<sup>7</sup>See LMC Chapter 15-4-13, Supplemental Regulations For Satellite Receiving Antennas

<sup>8</sup>If Gross Floor Area is less than 2,000 sq. ft., the Use shall be considered an Allowed Use

<sup>9</sup>No community locations are defined by Utah Code 32-B-1-102 (Alcoholic Beverage Control Act) are permitted within 200 feet of Main Street unless a variance is permitted for an outlet, as defined by Utah Code 32B-1-202, to obtain a liquor license.

<sup>10</sup>Within the HRC Zoning District, no more than seven (7) Conventional Chain Businesses are permitted in Storefront Properties.

<sup>11</sup> The Planning Director, or his designee shall, upon finding a Food Truck Location in compliance with Municipal Code 4-5-6, issue the property owner a Food Truck Location administrative approval letter.

*Adopted by Ord. 00-51 on 9/21/2000*

*Amended by Ord. 04-39 on 3/18/2004*

*Amended by Ord. 06-69 on 10/19/2006*

*Amended by Ord. 07-55 on 8/30/2007*

*Amended by Ord. 09-10 on 3/5/2009*

*Amended by Ord. 12-37 on 12/20/2012*  
*Amended by Ord. 16-02 on 1/7/2016*  
*Amended by Ord. 2017-45 on 8/17/201*

## Exhibit B – LMC § 15-2.6-2 Uses in Historic Commercial Business (HCB) District

### 15-2.6-2 USES IN HISTORIC COMMERCIAL BUSINESS (HCB) DISTRICT

Uses in the Historic Commercial Business (HCB) District are limited to the following:

#### A. ALLOWED USES.<sup>11</sup>

1. Single Family Dwelling<sup>1</sup>
2. Multi-Unit Dwelling<sup>1</sup>
3. Secondary Living Quarters<sup>1</sup>
4. Lockout Unit<sup>1,2</sup>
5. Accessory Apartment<sup>1,3</sup>
6. Nightly Rental<sup>4</sup>
7. Home Occupation<sup>1</sup>
8. Child Care, In-Home Babysitting<sup>1</sup>
9. Child Care, Family<sup>1,5</sup>
10. Child Care, Family Group<sup>1,5</sup>
11. Child Care Center<sup>1,5</sup>
12. Accessory Building and Use<sup>1</sup>
13. Conservation Activity
14. Agriculture
15. Bed and Breakfast Inn<sup>1,6</sup>
16. Boarding House, Hostel<sup>1</sup>
17. Hotel, Minor, fewer than 16 rooms<sup>1</sup>
18. Office, General<sup>1</sup>
19. Office, Moderate Intensive<sup>1</sup>
20. Office and Clinic, Medical<sup>1</sup>
21. Financial Institution, without drive-up window
22. Commercial Retail and Service, Minor
23. Commercial Retail and Service, personal improvement
24. Commercial Neighborhood Convenience, without gasoline sales
25. Restaurant, Cafe or Deli
26. Restaurant, General
27. Bar
28. Parking Lot, Public or Private with four (4) or fewer spaces
29. Entertainment Facility, Indoor
30. Salt Lake City 2002 Winter Olympic Games Legacy Displays<sup>7</sup>
31. Temporary Winter Balcony Enclosures
32. Food Truck Location<sup>12</sup>

#### B. CONDITIONAL USES.<sup>10, 11</sup>

1. Group Care Facility<sup>1</sup>
2. Public and Quasi-Public Institution, Church, School
3. Essential Municipal Public Utility Use, Facility, Service, and Structure
4. Telecommunication Antenna<sup>8</sup>
5. Satellite Dish, greater than thirty-nine inches (39") in diameter<sup>9</sup>
6. Plant and Nursery stock products and sales



7. Hotel, Major<sup>1</sup>
8. Timeshare Projects and Conversions<sup>1</sup>
9. Timeshare Sales Office, Off-Site within an enclosed Building<sup>1</sup>
10. Private Residence Club Project and Conversion<sup>1,6</sup>
11. Commercial Retail and Service, Major
12. Office, Intensive<sup>1</sup>
13. Restaurant, Outdoor Dining<sup>6</sup>
14. Outdoor Events and Uses<sup>6</sup>
15. Hospital, Limited Care Facility<sup>1</sup>
16. Parking Area or Structure for five (5) or more cars<sup>1</sup>
17. Temporary Improvement<sup>6</sup>
18. Passenger Tramway Station and Ski Base Facility
19. Ski Tow, Ski Lift, Ski Run, and Ski Bridge
20. Recreation Facility, Public or Private
21. Recreation Facility, Commercial
22. Fences greater than six feet (6') in height from Final Grade<sup>6</sup>
23. Private Residence Club, Off-Site<sup>1</sup>
24. Special Events<sup>6</sup>
25. Private Event Facility<sup>1</sup>

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

<sup>1</sup>Prohibited in HCB Zoned Storefront Property adjacent to Main Street, Heber Avenue, Grant Avenue, and Swede Alley. Hotel rooms shall not be located within Storefront Property; however access, circulation and lobby areas are permitted within Storefront Property.

<sup>2</sup>Nightly Rental of Lock Units requires a Conditional Use permit

<sup>3</sup>See LMC Chapter 15-4, Supplementary Regulations for Accessory Apartments

<sup>4</sup>Nightly Rental of residential dwellings does not include the Use of dwellings for Commercial Uses

<sup>5</sup>See LMC Chapter 15-4-9 for Child Care Regulations

<sup>6</sup>Requires an Administrative or Administrative Conditional Use permit

<sup>7</sup>Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed on the original Property set forth in the services Agreement and/or Master Festival License. Requires an Administrative Permit.

<sup>8</sup>See LMC Chapter 15-4-14, Supplemental Regulations for Telecommunication Facilities

<sup>9</sup>See LMC Chapter 15-4-13, Supplemental Regulations for Satellite Receiving Antennas

<sup>10</sup>No community locations as defined by Utah Code 32B-1-102 (Alcoholic Beverage Control Act) are permitted within 200 feet of Main Street unless a variance is permitted for an outlet, as defined by Utah Code 32B-1-202, to obtain a liquor license.

<sup>11</sup>Within the HCB Zoning District, no more than seventeen (17) Conventional Chain Businesses are permitted in Storefront Properties.

<sup>12</sup>[The Planning Director, or his designee shall, upon finding a Food Truck Location in compliance with Municipal Code 4-5-6, issue the property owner a Food Truck Location administrative approval letter.](#)

*Adopted by Ord. 00-51 on 9/21/2000  
Amended by Ord. 02-38 on 9/12/2002  
Amended by Ord. 04-39 on 3/18/2004  
Amended by Ord. 06-69 on 10/19/2006  
Amended by Ord. 07-55 on 8/30/2007  
Amended by Ord. 09-10 on 3/5/2009  
Amended by Ord. 12-37 on 12/20/2012  
Amended by Ord. 16-01 on 1/7/2016  
Amended by Ord. 16-02 on 1/7/2016  
Amended by Ord. 2017-45 on 8/17/2017*

## Exhibit C – LMC § 15-2.7-2 Uses in Recreation and Open Space (ROS) District

### 15-2.7-2 Uses in Recreation and Open Space (ROS) District

Uses in the ROS District are limited to the following:

#### A. ALLOWED USES.

1. Conservation Activity
2. Food Truck Location<sup>4</sup>

#### B. ADMINISTRATIVE CONDITIONAL USES<sup>1</sup>.

1. Trail and Trailhead Improvement
2. Outdoor Recreation Equipment
3. Essential Municipal Public Utility Use, Service, or Structure, less than 600 sq. ft.
4. Accessory Building, less than 600 sq. ft.
5. Ski-related Accessory Building, less than 600 sq. ft.
6. Parking Area or Structure with four (4) or fewer spaces
7. Outdoor Event, Outdoor Music
8. Temporary Construction Improvement
9. Raising, grazing of horses
10. Raising, grazing of livestock
11. Anemometer and Anemometer Towers

#### C. CONDITIONAL USES.

1. Agriculture
2. Recreational Outdoor and Trail Lighting
3. Recreation Facility, Private
4. Recreation Facility, Public
5. Recreation Facility, Commercial
6. Golf Course
7. Passenger Tramway Station and Ski Base Facility
8. Ski Tow Rope, Ski Lift, Ski Run and Ski Bridge
9. Recreational Sports Field
10. Skating Rink
11. Skateboard Park
12. Public and Quasi-Public Institution, Church, and School, Park, Plaza, Structure for Public Assembly, greater than 600 sq. ft.
13. Essential Municipal Public Utility Use, Facility, Service, and Structure, greater than 600 sq. ft.
14. Accessory Building, greater than 600 sq. ft.
15. Ski-Related Accessory Building, greater than 600 sq. ft.
16. Child Care Center
17. Commercial Stable, Riding Academy
18. Vehicle Control Gates<sup>2</sup>
19. Resort Support, Commercial
20. Cemetery
21. Parking Area or Structure with five (5) or more spaces
22. Telecommunications Antenna<sup>3</sup>

- 23. Mines and Mine Exploration
- 24. Plant and Nursery stock products and sales
- 25. Fences greater than six feet (6') in height from Final Grade.
- 26. Small Wind Energy Systems

D. **PROHIBITED USES**. Any use not listed above as an Allowed or Conditional Use is a prohibited Use.

<sup>1</sup>Subject to an Administrative Conditional Use permit and/or Master Festival license review process. Master Festivals are temporary in nature. All related temporary Structures are restricted to specific time frames and shall be removed at the expiration of the Master Festival permit.

<sup>2</sup>See Section 15-4-19 for specific review criteria for gates

<sup>3</sup>Subject to LMC Chapter 15-4-14, Telecommunications

<sup>4</sup>The Planning Director, or his designee shall, upon finding a Food Truck Location in compliance with Municipal Code 4-5-6, issue the property owner a Food Truck Location administrative approval letter.

*Adopted by Ord. 00-51 on 9/21/2000*

*Amended by Ord. 04-08 on 3/4/2004*

*Amended by Ord. 09-10 on 3/5/2009*

## Exhibit D – LMC § 15-2.13-2 Uses in Residential Development (RD) District

### 15-2.13-2 USES IN RESIDENTIAL DEVELOPMENT (RD) DISTRICT

Uses in the RD District are limited to the following:

#### A. ALLOWED USES.

1. Single-Family Dwelling
2. Duplex Dwelling
3. Secondary Living Quarters
4. Lockout Unit<sup>1</sup>
5. Accessory Apartment<sup>2</sup>
6. Nightly Rental<sup>3</sup>
7. Home Occupation
8. Child Care, In-Home Babysitting<sup>4</sup>
9. Child Care, Family<sup>4</sup>
10. Child Care, Family Group<sup>4</sup>
11. Accessory Building and Use
12. Conservation Activity Agriculture
13. Parking Area or Structure with four (4) or fewer spaces
14. Recreation Facility, Private
15. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays<sup>5</sup>
16. Food Truck Location<sup>15</sup>

#### B. CONDITIONAL USES.

1. Triplex Dwelling<sup>6</sup>
2. Multi-Unit Dwelling<sup>6</sup>
3. Guest House
4. Group Care Facility
5. Child Care Center<sup>4</sup>
6. Public and Quasi-Public Institution, Church, and School
7. Essential Municipal Public Utility Use, Facility, Service, and Structure
8. Telecommunication Antenna<sup>7</sup>
9. Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter<sup>8</sup>
10. Raising, grazing of horses
11. Cemetery
12. Bed and Breakfast Inn
13. Hotel, Minor<sup>6</sup>
14. Hotel, Major<sup>6</sup>
15. Private Residence Club Project and Conversion<sup>10</sup>
16. Office, General<sup>6,9</sup>
17. Office, Moderate Intensive<sup>6,9</sup>
18. Office, Medical<sup>6,9</sup>
19. Financial Institution without drive-up window<sup>6,9</sup>
20. Commercial Retail and Service, Minor<sup>6,9</sup>
21. Commercial Retail and Service, personal improvement<sup>6,9</sup>
22. Commercial, Resort Support<sup>6,9</sup>

23. Café or Deli<sup>6,9</sup>
24. Restaurant, Standard<sup>6,9</sup>
25. Restaurant, Outdoor Dining<sup>10</sup>
26. Outdoor Event<sup>10</sup>
27. Bar<sup>6,9</sup>
28. Hospital, Limited Care Facility<sup>6,9</sup>
29. Parking Area or Structure with five (5) or more spaces
30. Temporary Improvement<sup>10</sup>
31. Passenger Tramway Station and Ski Base Facility<sup>11</sup>
32. Ski Tow, Ski Lift, Ski Run, and Ski Bridge<sup>11</sup>
33. Recreation Facility, Public
34. Recreation Facility, Commercial<sup>6</sup>
35. Entertainment Facility, Indoor<sup>6,9</sup>
36. Commercial Stables, Riding Academy<sup>12</sup>
37. Master Planned Development with moderate income housing density bonus<sup>12</sup>
38. Master Planned Development with residential and transient lodging Uses only<sup>12</sup>
39. Master Planned Development with Support Retail and Minor Service Commercial Uses<sup>12</sup>
40. Heliport<sup>12</sup>
41. Vehicle Control Gate<sup>13</sup>
42. Fences and walls greater than six feet (6') in height from Final Grade<sup>10</sup>
43. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays<sup>14</sup>
44. Amenities Club

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

<sup>1</sup>Nightly rental of Lockout Units requires a Conditional Use permit

<sup>2</sup>See LMC Chapter 15-4-7, Supplemental Regulations for Accessory Apartments

<sup>3</sup>Nightly Rentals do not include the Use of dwellings for Commercial Uses and Nightly Rentals are not permitted in the April Mountain and Mellow Mountain Estates Subdivisions

<sup>4</sup>See LMC Chapter 15-4-9 for Child Care Regulations

<sup>5</sup>Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed on the original Property set forth in the services agreement and/or Master Festival License.

<sup>6</sup>Subject to provisions of LMC Chapter 15-6, Master Planned Development

<sup>7</sup>See LMC Chapter 15-4-14, Supplemental Regulations for Telecommunications Facilities

<sup>8</sup>See LMC Chapter 15-4-13, Supplemental Regulations for Satellite Receiving Antennas

<sup>9</sup>Allowed only as a secondary or support Use to the primary Development or Use and intended as a convenience for residents or occupants of adjacent or adjoining residential Developments.

<sup>10</sup>Requires an administrative Conditional Use permit.

<sup>11</sup>As part of an approved Ski Area Master Plan. See LMC Chapter 15-4-18.

<sup>12</sup>Subject to provisions of LMC Chapter 15-6, Master Planned Development

<sup>13</sup>See Section 15-4-19 for specific review criteria for gates

<sup>14</sup>Olympic Legacy Displays limited to those specific Structures approved under the

SLOC/Park City Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed in an Area other than the original location set forth in the services agreement and/or Master Festival License.

<sup>15</sup> The Planning Director, or his designee shall, upon finding a Food Truck Location in compliance with Municipal Code 4-5-6, issue the property owner a Food Truck Location administrative approval letter.

*Adopted by Ord. 00-51 on 9/21/2000  
Amended by Ord. 02-38 on 9/12/2002  
Amended by Ord. 04-08 on 3/4/2004  
Amended by Ord. 05-39 on 6/30/2005  
Amended by Ord. 06-76 on 11/9/2006  
Amended by Ord. 11-05 on 1/27/2011  
Amended by Ord. 14-35 on 6/26/2014*

## **Exhibit E – LMC § 15-2.14-2 Uses in Residential Development-Medium Density (RDM) District**

### **15-2.14-2 USES IN RESIDENTIAL DEVELOPMENT-MEDIUM DENSITY (RDM) DISTRICT**

Uses in the RDM District are limited to the following:

#### **A. ALLOWED USES.**

1. Single Family Dwelling
2. Duplex Dwelling
3. Triplex Dwelling
4. Secondary Living Quarters
5. Lockout Unit<sup>1</sup>
6. Accessory Apartment<sup>2</sup>
7. Nightly Rental<sup>3</sup>
8. Home Occupation
9. Child Care, In Home Babysitting<sup>4</sup>
10. Child Care, Family<sup>4</sup>
11. Child Care, Family Group<sup>4</sup>
12. Accessory Building and Use
13. Conservation Activity
14. Agriculture
15. Parking Area or Structure with four (4) or fewer spaces
16. Recreation Facility, Private
17. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays<sup>5</sup>
18. Food Truck Location<sup>14</sup>

#### **B. CONDITIONAL USES.**

1. Multi Unit Dwelling<sup>6</sup>
2. Guest House
3. Group Care Facility
4. Child Care Center
5. Public and Quasi Public Institution, Church, and School
6. Essential Municipal Public Utility Use, Facility, Service, and Structure
7. Telecommunication Antenna<sup>7</sup>
8. Satellite Dish, greater than thirty nine inches (39") in diameter<sup>8</sup>
9. Raising grazing of horses
10. Cemetery
11. Bed and Breakfast Inn
12. Boarding House, Hotel
13. Hotel, Minor<sup>6</sup>
14. Hotel, Major<sup>6</sup>
15. Private Residence Club Project and Conversion<sup>11</sup>
16. Office, General<sup>6</sup>,
17. Office, Moderate Intensive<sup>6,9</sup>
18. Office and Clinic, Medical<sup>6,10</sup>



19. Financial Institution, without drive up window<sup>6,10</sup>
20. Commercial Retail and Service, Minor<sup>6,10</sup>
21. Commercial Retail and Service, personal improvement<sup>6,10</sup>
22. Commercial, Resort Support<sup>6,10</sup>
23. Cafe or Deli<sup>6,10</sup>
24. Restaurant, Standard<sup>6,10</sup>
25. Restaurant, Outdoor Dining<sup>11</sup>
26. Outdoor Event<sup>11</sup>
27. Bar<sup>6,10</sup>
28. Hospital, Limited Care Facility<sup>6,9</sup>
29. Parking Area or Structure with five (5) or fewer spaces
30. Temporary Improvement<sup>11</sup>
31. Passenger Tramway Station and Ski Base Facility<sup>12</sup>
32. Ski Tow, Ski Lift, Ski Run, and Ski Bridge<sup>12</sup>
33. Recreation Facility, Public
34. Recreation Facility, Commercial<sup>6</sup>
35. Entertainment Facility, Indoor<sup>6,9</sup>
36. Commercial Stables, Riding Academy<sup>6,10</sup>
37. Master Planned Development with moderate income housing Density bonus<sup>6</sup>
38. Master Planned Development with residential and transient lodging Uses only<sup>6</sup>
39. Master Planned Development with Support Retail and Minor Service Commercial<sup>6</sup>
40. Fences greater than six feet (6') in height from Final Grade
41. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays<sup>13</sup>

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

<sup>1</sup>Nightly Rental of Lockout Units requires a Conditional Use permit.

<sup>2</sup>See LMC Chapter 15-4, Accessory Apartments.

<sup>3</sup>Nightly Rentals do not include the Use of Dwellings for Commercial Use.

<sup>4</sup>See LMC Chapter 15-4, Child Care Regulations

<sup>5</sup>Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed on the original Property set forth in the services agreement and/or Master Festival License

<sup>6</sup>Subject to provisions of LMC Chapter 15-6, Master Planned Development.

<sup>7</sup>See LMC Chapter 15-4-14, Telecommunication Facilities.

<sup>8</sup>See LMC Chapter 15-4-13, Satellite Receiving Antennas.

<sup>9</sup>General Offices are only permitted with an approved Master Planned Development and may only be approved as the redevelopment of an existing Building or Property. In addition to meeting the necessary criteria in the LMC Chapter 15-6 MPD's, the Planning Commission must find that: a) the redevelopment of an existing Building or Property to a General Office use will substantially advance the objectives of Economic Element of the General Plan or other more specific neighborhood plans; b) it has minimized/eliminated any potential detrimental impact on the resort and/or resort-residential character of the RDM District and the Frontage Protection

Zone through careful planning and conditions of approval; c) it will not result in an intensification of use incompatible with neighboring developments; and d) it will not result in substantial increase in the existing trip generations for services and deliveries.

<sup>10</sup>Allowed only as a secondary or support Use to the primary Development or Use and intended as a convenience for residents or occupants of adjacent or adjoining residential Development.

<sup>11</sup>Requires an administrative Conditional Use permit.

<sup>12</sup>As part of an approved Ski Area Master Plan. See LMC Chapter 15-4-18, Passenger Tramways and Ski Base Facilities

<sup>13</sup>Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed in an Area other than the original location set forth in the services agreement and/or Master Festival License.

<sup>14</sup>The Planning Director, or his designee shall, upon finding a Food Truck Location in compliance with Municipal Code 4-5-6, issue the property owner a Food Truck Location administrative approval letter.

*Adopted by Ord. 00-51 on 9/21/2000*

*Amended by Ord. 02-24 on 6/27/2002*

*Amended by Ord. 02-38 on 9/12/2002*

*Amended by Ord. 04-39 on 3/18/2004*

*Amended by Ord. 06-76 on 11/9/2006*

## Exhibit F – LMC § 15-2.16-2 Uses in Recreation Commercial (RC) District

### 15-2.16-2 USES IN RECREATION COMMERCIAL (RC) DISTRICT

Uses in the RC District are limited to the following:

#### A. ALLOWED USES.

1. Single Family Dwelling
2. Duplex Dwelling
3. Triplex Dwelling
4. Secondary Living Quarters
5. Lockout Unit<sup>1</sup>
6. Accessory Apartment<sup>2</sup>
7. Nightly Rental<sup>3</sup>
8. Home Occupation
9. Child Care, In-Home Babysitting<sup>4</sup>
10. Child Care, Family<sup>4</sup>
11. Child Care, Family Group<sup>4</sup>
12. Child Care Center<sup>4</sup>
13. Accessory Building and Use
14. Conservation Activity
15. Agriculture
16. Bed & Breakfast Inn
17. Boarding House, Hostel
18. Hotel, Minor
19. Parking Area or Structure with four (4) or fewer spaces
20. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays<sup>5</sup>
21. Food Truck Location<sup>11</sup>

#### B. CONDITIONAL USES.

1. Multi-Unit Dwelling
2. Group Care Facility
3. Public and Quasi-Public Institution, Church, and School
4. Essential Municipal and Public Utility Use, Facility, Service, and Structure
5. Telecommunications Antenna<sup>6</sup>
6. Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter<sup>7</sup>
7. Raising, grazing of horses
8. Cemetery
9. Hotel, Major
10. Timeshare Project and Conversion
11. Timeshare Sales Office
12. Private Residence Club Project and Conversion<sup>9</sup>
13. Office, General<sup>8</sup>
14. Office, Moderate<sup>8</sup>
15. Office and Clinic, Medical<sup>8</sup>
16. Financial Institution without drive-up window<sup>8</sup>
17. Minor Retail and Service Commercial<sup>8</sup>

18. Retail and Service Commercial, personal improvement<sup>8</sup>
19. Transportation Service<sup>8</sup>
20. Neighborhood Market, without gasoline sales<sup>8</sup>
21. Café or Deli<sup>8</sup>
22. Restaurant, General<sup>8</sup>
23. Restaurant, Outdoor Dining<sup>8,9</sup>
24. Bar<sup>8</sup>
25. Hospital, Limited Care Facility<sup>8</sup>
26. Parking Area or Structure with five (5) or more spaces
27. Temporary Improvement<sup>9</sup>
28. Passenger Tramway Station and Ski Base Facility<sup>10</sup>
29. Ski Tow Rope, Ski Lift, Ski Run, and Ski Bridge<sup>10</sup>
30. Outdoor Events and Uses<sup>9</sup>
31. Recreation Facility, Public and Private<sup>8</sup>
32. Recreation Facility, Commercial<sup>8</sup>
33. Entertainment Facility, Indoor<sup>8</sup>
34. Commercial Stables, Riding Academy<sup>8</sup>
35. Master Planned Developments
36. Heliport<sup>8</sup>
37. Special Events<sup>9</sup>
38. Amenities Club

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

<sup>1</sup>Nightly Rental of Lockout Units requires a Conditional Use permit

<sup>2</sup>See LMC Chapter 15-4, Supplemental Regulations for Accessory Apartments

<sup>3</sup>Nightly Rentals do not include the Use of dwellings for Commercial Uses

<sup>4</sup>See LMC Chapter 15-4-9, Child Care Regulations

<sup>5</sup>Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed on the original Property set forth in the services agreement and/or Master Festival License. Requires an Administrative Permit.

<sup>6</sup>See LMC Chapter 15-4-14, Supplemental Regulations for Telecommunication Facilities

<sup>7</sup>See LMC Chapter 15-4-13, Supplemental Regulations for Satellite Receiving Antennas

<sup>8</sup>As support Use to primary Development or Use, subject to provisions of LMC Chapter 15-6, Master Planned Development

<sup>9</sup>Requires an Administrative or Administrative Conditional Use permit, see Section 15-4

<sup>10</sup>As part of an approved Ski Area Master Plan

<sup>11</sup>The Planning Director, or his designee shall, upon finding a Food Truck Location in compliance with Municipal Code 4-5-6, issue the property owner a Food Truck Location administrative approval letter.

*Adopted by Ord. 00-51 on 9/21/2000*

*Amended by Ord. 02-38 on 9/12/2002*

*Amended by Ord. 04-39 on 3/18/2004*

*Amended by Ord. 06-76 on 11/9/2006*

*Amended by Ord. 09-10 on 3/5/2009*  
*Amended by Ord. 11-05 on 1/27/2011*  
*Amended by Ord. 15-35 on 10/12/2015*

## Exhibit G – LMC § 15-2.17-2 Uses in Regional Commercial Overlay (RCO) District

### 15-2.17-2 USES IN REGIONAL COMMERCIAL OVERLAY (RCO) DISTRICT

Uses in the RCO District are limited to the following:

#### A. ALLOWED USES.

1. Secondary Living Quarters
2. Lockout Unit<sup>1</sup>
3. Accessory Apartment<sup>2</sup>
4. Nightly Rental
5. Home Occupation
6. Child Care, In-Home Babysitting<sup>3</sup>
7. Child Care, Family<sup>3</sup>
8. Child Care, Family Group<sup>3</sup>
9. Accessory Building and Use
10. Conservation Activity
11. Agriculture
12. Parking Area or Structure with four (4) or fewer spaces
13. Recreation Facility, Private
14. Allowed Uses in the Underlying Zoning District
15. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays<sup>4</sup>
16. Food Truck Location<sup>11</sup>

#### B. CONDITIONAL USES.

1. Multi-Unit Dwelling<sup>5</sup>
2. Group Care Facility<sup>5</sup>
3. Child Care Center<sup>3,5</sup>
4. Public and Quasi-Public Institution, Church and School<sup>5</sup>
5. Essential Municipal Public Utility Use, Facility, Service, and Structure<sup>5</sup>
6. Telecommunication Antenna<sup>6</sup>
7. Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter<sup>7</sup>
8. Plant and Nursery stock products and sales<sup>5</sup>
9. Bed and Breakfast Inn<sup>5</sup>
10. Boarding House, Hostel<sup>5</sup>
11. Hotel, Minor<sup>5</sup>
12. Hotel, Major<sup>5</sup>
13. Private Residence Club Project and Conversion<sup>9</sup>
14. Timeshare Sales Office, off-site<sup>5</sup>
15. Office, General<sup>5</sup>
16. Office, Moderate Intensive<sup>5</sup>
17. Office, Intensive<sup>5</sup>
18. Office and Clinic, Medical<sup>5</sup>
19. Financial Institution, with and without drive-up window<sup>5,8</sup>
20. Retail and Service Commercial, Minor<sup>5</sup>
21. Retail and Service Commercial, personal improvement<sup>5</sup>
22. Retail and Service Commercial, Major<sup>5</sup>
23. Transportation Service<sup>5</sup>

24. Retail Drive-Up Window<sup>8</sup>
25. Neighborhood Convenience Commercial<sup>5</sup>
26. Commercial, Resort Support<sup>5</sup>
27. Gasoline Service Station<sup>5</sup>
28. Cafe, Deli<sup>5</sup>
29. Restaurant, General<sup>5</sup>
30. Restaurant, Outdoor Dining<sup>9</sup>
31. Outdoor Event<sup>9</sup>
32. Restaurant, Drive-up window<sup>8</sup>
33. Bar<sup>5</sup>
34. Hospital, Limited Care Facility<sup>5</sup>
35. Hospital, General<sup>5</sup>
36. Parking Area or Garage with five (5) or more spaces<sup>8</sup>
37. Temporary Improvement<sup>9</sup>
38. Passenger Tramway Station and Ski Base Facility<sup>5</sup>
39. Ski tow rope, ski lift, ski run, and ski bridge<sup>5</sup>
40. Recreation Facility, Public<sup>5</sup>
41. Recreation Facility, Commercial<sup>5</sup>
42. Entertainment, Indoor<sup>5</sup>
43. Master Planned Developments<sup>5</sup>
44. Heliport<sup>5</sup>
45. Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays<sup>10</sup>

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

<sup>1</sup>Nightly Rental of Lockout Units requires a Conditional Use permit

<sup>2</sup>See LMC Chapter 15-4, Supplemental Regulations for Accessory Apartments

<sup>3</sup>See LMC Chapter 15-4-9 Child Care Regulations

<sup>4</sup>Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed on the original Property set forth in the services agreement and/or Master Festival License.

<sup>5</sup>Subject to provisions of Chapter 15-6, Master Planned Developments

<sup>6</sup>See LMC Chapter 15-4-14, Supplemental Regulations for Telecommunication Facilities

<sup>7</sup>See LMC Chapter 15-4-13, Supplemental Regulations for Satellite Receiving Antennas

<sup>8</sup>See Section 15-2.18-5 criteria for drive-up windows

<sup>9</sup>Requires an administrative Conditional Use permit

<sup>10</sup>Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed in an Area other than the original location set forth in the services agreement and/or Master Festival License.

<sup>11</sup> The Planning Director, or his designee shall, upon finding a Food Truck Location in compliance with Municipal Code 4-5-6, issue the property owner a Food Truck Location administrative approval letter.

*Adopted by Ord. 00-51 on 9/21/2000  
Amended by Ord. 02-38 on 9/12/2002  
Amended by Ord. 04-39 on 9/23/2004  
Amended by Ord. 06-76 on 11/9/2006*



## Exhibit H – LMC § 15-2.18-2 Uses in General Commercial (GC) District

### 15-2.18-2 USES IN GENERAL COMMERCIAL (GC) DISTRICT

Uses in the GC District are limited to the following:

#### A. ALLOWED USES.

1. Secondary Living Quarters
2. Lockout Unit<sup>1</sup>
3. Accessory Apartment<sup>2</sup>
4. Nightly Rental
5. Home Occupation
6. Child Care, In-Home Babysitting<sup>3</sup>
7. Child Care, Family<sup>3</sup>
8. Child Care, Family Group<sup>3</sup>
9. Child Care Center<sup>3</sup>
10. Accessory Building and Use
11. Conservation Activity
12. Agriculture
13. Plant and Nursery Stock production and sales
14. Bed & Breakfast Inn
15. Boarding House, Hostel
16. Hotel, Minor
17. Hotel, Major
18. Office, General
19. Office, Moderate Intensive
20. Office, Intensive
21. Office and Clinic, Medical and Veterinary Clinic
22. Financial Institution without a drive-up window
23. Commercial, Resort Support
24. Retail and Service Commercial, Minor
25. Retail and Service Commercial, Personal Improvement
26. Retail and Service Commercial, Major
27. Cafe or Deli
28. Restaurant, General
29. Hospital, Limited Care Facility
30. Parking Area or Structure with four (4) or fewer spaces
31. Parking Area or Structure with five (5) or more spaces
32. Recreation Facility, Private
33. Food Truck Location<sup>10</sup>

#### B. CONDITIONAL USES.

1. Single Family Dwelling
2. Duplex Dwelling
3. Triplex Dwelling
4. Multi-Unit Dwelling
5. Group Care Facility
6. Public and Quasi-Public Institution, Church, and School

7. Essential Municipal Public Utility Use, Facility, Service, and Structure
8. Telecommunication Antenna<sup>4</sup>
9. Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter<sup>5</sup>
10. Timeshare Project and Conversion
11. Timeshare Sales Office, off-site within an enclosed Building
12. Private Residence Club Project and Conversion<sup>8</sup>
13. Financial Institution with a Drive-up Window<sup>6</sup>
14. Retail and Service Commercial with Outdoor Storage
15. Retail and Service Commercial, Auto Related
16. Transportation Service
17. Retail Drive-Up Window<sup>6</sup>
18. Gasoline Service Station
19. Restaurant and Cafe, Outdoor Dining<sup>7</sup>
20. Restaurant, Drive-up Window<sup>6</sup>
21. Outdoor Event<sup>7</sup>
22. Bar
23. Sexually Oriented Businesses<sup>8</sup>
24. Hospital, General
25. Light Industrial Manufacturing and Assembly
26. Temporary Improvement<sup>7</sup>
27. Passenger Tramway and Ski Base Facility
28. Ski tow rope, ski lift, ski run, and ski bridge
29. Commercial Parking Lot or Structure
30. Recreation Facility, Public
31. Recreation Facility, Commercial
32. Indoor Entertainment Facility
33. Master Planned Development with moderate housing density bonus<sup>9</sup>
34. Master Planned Developments<sup>9</sup>
35. Heliport
36. Temporary Sales Trailer in conjunction with an active Building permit for the Site.<sup>8</sup>
37. Fences greater than six feet (6') in height from Final Grade<sup>7</sup>
38. Household Pet, Boarding<sup>7</sup>
39. Household Pet, Daycare<sup>7</sup>
40. Household Pet, Grooming<sup>7</sup>

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

<sup>1</sup>Nightly rental of Lockout Units requires Conditional Use permit

<sup>2</sup>See LMC Chapter 15-4, Supplemental Regulations for Accessory Apartments

<sup>3</sup>See LMC Chapter 15-4-9 Child Care Regulations

<sup>4</sup>See LMC Chapter 15-4-14, Supplemental Regulations for Telecommunication Facilities

<sup>5</sup>See LMC Chapter 15-4-13, Supplemental Regulations for Satellite Receiving Antennas

<sup>6</sup>See Section 2-18-6 for Drive-Up Window review

<sup>7</sup>Requires an administrative Conditional Use permit

<sup>8</sup>See Section 2-17-8 for additional criteria.

<sup>9</sup>Subject to provisions of LMC Chapter 15-6, Master Planned Development

<sup>10</sup> The Planning Director, or his designee shall, upon finding a Food Truck Location in compliance with Municipal Code 4-5-6, issue the property owner a Food Truck Location administrative approval letter.

*Adopted by Ord. 00-51 on 9/21/2000*

*Amended by Ord. 04-39 on 9/23/2004*

*Amended by Ord. 06-76 on 11/9/2006*

*Amended by Ord. 14-57 on 11/20/2014*

## Exhibit I – LMC § 15-2.19-2 Uses in Light Industrial (LI) District

### 15-2.19-2 USES IN LIGHT INDUSTRIAL (LI) DISTRICT

Uses in the LI District are limited to the following:

#### A. ALLOWED USES.

Secondary Living Quarters

1. Accessory Apartment<sup>1</sup>
2. Nightly Rental
3. Home Occupation
4. Child Care, In-Home Babysitting<sup>2</sup>
5. Child Care, Family<sup>2</sup>
6. Child Care, Family Group<sup>2</sup>
7. Child Care Center<sup>2</sup>
8. Agriculture
9. Plant and Nursery Stock
10. Office, General
11. Office, Moderate Intensive
12. Office, Intensive
13. Financial Institution without drive-up window
14. Retail and Service Commercial, Minor
15. Retail and Service Commercial, Personal Improvement
16. Retail and Service Commercial, Major
17. Commercial, Resort Support
18. Hospital, Limited Care
19. Parking Area or Structure with four (4) or fewer spaces
20. Recreation Facility, Private
21. Food Truck Location<sup>8</sup>

#### B. CONDITIONAL USES.

1. Multi-Unit Dwelling
2. Group Care Facility
3. Child Care Center<sup>2</sup>
4. Public and Quasi-Public Institution, Church, and School
5. Essential Municipal Public Utility Use, Facility, Service, and Structure
6. Telecommunication Antenna<sup>3</sup>
7. Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter<sup>4</sup>
8. Accessory Building and Use
9. Raising, grazing of horses
10. Bed and Breakfast Inn
11. Boarding House, Hostel
12. Hotel, Minor
13. Private Residence Club Project and Conversion<sup>6</sup>
14. Office and Clinic, Medical and Veterinary Clinic
15. Financial Institutions with Drive-Up Window<sup>5</sup>
16. Retail and Service Commercial with Outdoor Storage
17. Retail and Service Commercial, Auto-Related

18. Transportation Services
19. Retail Drive-Up Window<sup>5</sup>
20. Gasoline Service Station
21. Café or Deli
22. Restaurant, General
23. Restaurant, Outdoor Dining
24. Restaurant, Drive-Up Window<sup>5</sup>
25. Outdoor Event<sup>6</sup>
26. Bar
27. Hospital, General
28. Light Industrial Manufacturing and Assembly Facility
29. Parking Area or Structure with five (5) or more spaces
30. Temporary Improvement<sup>6</sup>
31. Passenger Tramway Station and Ski Base Facility
32. Ski Tow Rope, Ski Lift, Ski Run, and Ski Bridge
33. Recreation Facility, Public
34. Recreation Facility, Commercial
35. Entertainment Facility, Indoor
36. Commercial Stables, Riding Academy
37. Master Planned Developments<sup>7</sup>
38. Heliports
39. Commercial Parking Lot or Structure
40. Temporary Sales Office, in conjunction with an active Building permit.
41. Fences and Walls greater than six feet (6') in height from Final Grade<sup>6</sup>
42. Household Pet, Boarding<sup>6</sup>
43. Household Pet, Daycare<sup>6</sup>
44. Household Pet, Grooming<sup>6</sup>

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

<sup>1</sup>See LMC Chapter 15-4, Supplemental Regulations for Accessory Apartments

<sup>2</sup>See LMC Chapter 15-4-9 Child Care Regulations

<sup>3</sup>See LMC Chapter 15-4-14, Supplemental Regulations for Telecommunication Facilities

<sup>4</sup>See LMC Chapter 15-4-13, Supplemental Regulations for Satellite Receiving Antennas

<sup>5</sup>See Section 2.19-8 for Drive-Up Window review criteria

<sup>6</sup>Subject to an administrative Conditional Use permit.

<sup>7</sup>Subject to provisions of LMC Chapter 15-6, Master Planned Development.

<sup>8</sup>The Planning Director, or his designee shall, upon finding a Food Truck Location in compliance with Municipal Code 4-5-6, issue the property owner a Food Truck Location administrative approval letter.

*Adopted by Ord. 00-51 on 9/21/2000*

*Amended by Ord. 04-39 on 9/23/2004*

*Amended by Ord. 06-76 on 11/9/2006*

*Amended by Ord. 14-57 on 11/20/2014*

## Exhibit J – LMC § 15-2.22-2 Uses in Public Use Transition (PUT) District

### 15-2.22-2 USES IN PUBLIC USE TRANSITION (PUT) DISTRICT

Uses in the Public Use Transition District are limited to the following:

#### A. ALLOWED USES.

1. Municipal/Institutional Accessory Building and Use 600 sf or less
2. Conservation Activity
3. Parking Lot, Public or Private with four (4) or fewer spaces
4. Public Utility or Essential Services
5. Public Assembly Uses
6. Outdoor Events
7. Food Truck Location<sup>5</sup>

#### B. CONDITIONAL USES.

1. Public and Quasi-Public Institution, Church, School, Post Office
2. Entertainment Facility, Outdoor
3. Essential Municipal Public Utility Use, Facility, or Service Structure
4. Parking Area or Structure for five (5) or more cars
5. Liquor Store
6. Commercial Retail and Service, Minor
7. Outdoor Recreation Equipment
8. Outdoor Grills/Beverage Service Stations
9. Restaurant, Outdoor Dining<sup>1</sup>
10. Restaurant, Café or Deli
11. Accessory Building or Use greater than 600 sf
12. Telecommunication Antenna<sup>2</sup>
13. Satellite Dish, greater than thirty-nine inches (39”) in diameter<sup>3</sup>
14. Temporary Improvement/Outdoor Use
15. Salt Lake City 2002 Winter Olympic Legacy Displays<sup>4</sup>
16. Master Planned Developments
17. Passenger Tramways, ski towers, and ski lift facilities.

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

<sup>1</sup>Required Administrative Conditional Use permit

<sup>2</sup>See LMC Chapter 15-4-14, Supplemental Regulations for Telecommunication Facilities

<sup>3</sup>See LMC Chapter 15-4-13, Supplemental Regulations for Satellite Receiving Antennas

<sup>4</sup>Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed in an Area other than the original location set forth in the services agreement and/or Master Festival License.

<sup>5</sup>The Planning Director, or his designee shall, upon finding a Food Truck Location in compliance with Municipal Code 4-5-6, issue the property owner a Food Truck Location administrative approval letter.

*Adopted by Ord. 05-12 on 3/3/2005*

## **Exhibit K – LMC § 15-2.23-2 Uses in Community Transition (CT) District**

### **15-2.23-2 USES IN COMMUNITY TRANSITION (CT) DISTRICT**

Uses in the Community Transition District are limited to the following:

#### **A. ALLOWED USES.**

1. Conservation Activities
2. Home Occupation
3. In-home Babysitting
4. Family Child Care
5. Secondary Living Quarters
6. Agriculture
7. Food Truck Location<sup>2</sup>

#### **B. ADMINISTRATIVE CONDITIONAL USES.**

1. Trails and Trailhead Improvements
2. Outdoor Recreation Equipment
3. Essential Public Utility Use, Service or Structure less than 600 sf
4. Accessory Buildings less than 600 sf
5. Parking Areas with 4 or fewer spaces
6. Outdoor Events and Outdoor Music, see Section 15-4
7. Temporary Improvement
8. Outdoor Dining and support retail associated with support Uses with an MPD
9. Special Events
10. Fences and Walls, see Section 15-4
11. Anemometer and Anemometer Tower

#### **C. CONDITIONAL USES.**

1. Master Planned Developments (MPDs)
2. Public, Quasi-Public, Civic, Municipal Uses
3. General Acute Hospital
4. Alternative Professional Health-related Services
5. Athletic Training and Testing Offices and Facilities
6. Athletic Program Administrative Offices
7. Support Short-Term Athlete Housing or lodging associated with an approved recreation facility (within an approved MPD)
8. Accredited Physician Office Space
9. Accredited Medical & Dental Clinics
10. Medical Heliport
11. Group Care Facility
12. Ancillary Support Commercial (within an approved MPD)
  - a. Gift Shop
  - b. Dispensing pharmacy
  - c. Medical supply
  - d. Restaurant
  - e. Deli
  - f. Outdoor Grills/ Beverage Service Stations



- g. Child Care Center
- 13. Recreation Facility, Public and Private
- 14. Recreation Facility, Commercial
- 15. Park and Ride Lot
- 16. Municipal/Institutional Accessory Building and Use
- 17. Parking Lot, Public or
- 18. Public Utility or Essential Services
- 19. Single Family Dwelling (with an approved MPD<sup>1</sup>)
- 20. Duplex Dwelling (with an approved MPD<sup>1</sup>)
- 21. Multi-Unit Dwelling (with an approved MPD<sup>1</sup>)
- 22. Telecommunication Antenna
- 23. Transit Facilities
- 24. Parking Areas, Lots, and Structures with more than five (5) Parking Spaces
- 25. Raising and Grazing of Horses
- 26. Commercial Riding Stables
- 27. Small Energy Wind Systems

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

<sup>1</sup>Residential Uses cannot exceed 1 unit/acre

<sup>2</sup>The Planning Director, or his designee shall, upon finding a Food Truck Location in compliance with Municipal Code 4-5-6, issue the property owner a Food Truck Location administrative approval letter.

*Adopted by Ord. 06-48 on 6/29/2006*

*Amended by Ord. 07-25 on 4/19/2007*

*Amended by Ord. 09-10 on 3/5/2009*

## Exhibit L – LMC § 15-15 Defined Terms

### 15-15 DEFINED TERMS

#### **FOOD TRUCK.**

- (a) “Food Truck” means a fully encased food service establishment:
  - (i) on a motor vehicle or on a trailer that a motor vehicle pulls to transport; and
  - (ii) from which a food truck vendor, standing within the frame of the vehicle, prepares, cooks, sells, or serves food or beverages for immediate human consumption; and
  - (iii) does not include the sale of any products other than food and beverages for human consumption.
- (b) “Food truck” does not include a food cart or an ice cream truck.
- (c) “Food cart” means a cart:
  - (i) that is not motorized; and
  - (ii) that a vendor, standing outside the frame of the cart, uses to prepare, sell, or serve food or beverages for immediate human consumption.
- (d) “Ice cream truck” means a fully encased food service establishment:
  - (i) on a motor vehicle or on a trailer that a motor vehicle pulls to transport;
  - (ii) from which a vendor, from within the frame of the vehicle, serves ice cream;
  - (iii) that attracts patrons by traveling through a residential area and signaling the truck’s presence in the area, including by playing music; and
  - (iv) that may stop to serve ice cream at the signal of a patron.

**FOOD TRUCK LOCATION.** The location on either 1) private property; or 2) public property pursuant to a City concession or franchise agreement where one or more Food Trucks may park and sell product for ten (10) hours or more a week. Food Truck Locations may not occupy code required parking area for previously approved Development Activity.

## **Exhibit M – Municipal Code Title 4 Licensing**

### **4 Licensing**

4-1 Definitions

4-2 General Licensing

4-3 General Application Process

4-4 Licensing Fees

4-4A Repealed By Ord 2017-51

4-5 Regulation Of Specific Businesses

4-6 Alcoholic Beverage Licenses

4-6A Repealed By Ord 2017-51

4-6B Repealed By Ord 2017-51

4-7 Convention Sales And Commercial Hospitality

4-8 For-Hire Vehicles

4-8A Repealed By Ord 2017-51

4-9 ~~Street Mobile~~ Vendors

4-10 Solicitors

4-11 Sexually Oriented Businesses

### **4-1 Definitions**

#### **4-1-1 Definitions**

All words and phrases used in this Title shall have the following meanings unless a different meaning clearly appears from the context:

**4-1-1.1 ART.** Original works of fine Art, graphic Art, and aesthetic objects produced by the Artist. It shall not include any artwork produced by any Person other than the Artist displaying the artwork, or any artwork purchased or taken on consignment and held for resale.

**4-1-1.2 ARTIST.** The creator of the Art who exhibits his/her own Art for sale. Artist does not include street musician.

**4-1-1.3 AVAILABLE CITY PROPERTY.** The green space at the northeast intersection of Park Avenue and 9<sup>th</sup> Street, Park City, Utah, owned and operated by the City, and alternatively pursuant to 4-10-3(E)(1), City Park.

**4-1-1.4 BACKGROUND CHECK CERTIFICATE.** Certificate issued by the Bureau of Criminal Investigation that includes the applicant's name, certificate date of issuance, and date of expiration, and a statement that the certificate holder has met the requirements of the background check.

**4-1-1.5 BEDROOM.** Each room in a hotel, motel, lodge, timeshare project, condominium project, single family residence, or other Nightly Lodging Facility that is intended primarily for the temporary use of transient guests for sleeping purposes.

**4-1-1.6 BUSINESS.** A distinct and separate Person or entity Engaging in Business, as those terms are defined herein. A Business is distinguished from another Business by separate state sales tax numbers or separate ownership.

**4-1-1.7 CITY.** Park City, Utah.

**4-1-1.8 COMMERCIAL VEHICLES AND TRAILERS.** Motor vehicles used for a Business' normal activities, but not used to transport people to, from, and within Park City for a fee. Such vehicles include but are not limited to vehicles used for deliveries, commercial hauling, and snow removal services, as well as cargo rental vehicles, concrete trucks, and dump trucks.

**4-1-1.9 CONDUCTING BUSINESS.** For purposes of this Title the term "Conducting Business" shall include the sale or offering for sale of any goods or merchandise, marketing or promoting, or the offering or performing of any service for valuable consideration of any kind.

**4-1-1.10 CONSULTANT LICENSE.** Any individual, company, or agent Engaging in Business by performing consultant style services such as interior design, landscaping, and similar service jobs within Park City limits without having their Place of Business within the City limits must obtain a Consultant License.

**4-1-1.11 CORPORATE SPONSOR.** Any Business enterprise or combination of Business enterprises which provide funding for any special event in the amount of fifty percent (50%) or more of the funds necessary to promote the event or account for fifty percent (50%) or more of the event operating expenditure budget.

**4-1-1.12 DABC.** The Utah Department of Alcoholic Beverage Control.

**4-1-1.13 DIVISION.** The Park City Business Licensing Division.

**4-1-1.14 EMPLOYEE BASED.** Businesses which lease or otherwise provide employees to other businesses or any Person in return for consideration. Such businesses include but are not limited to employment agencies and security firms.

**4-1-1.15 ENGAGING IN BUSINESS.** Includes all activities engaged in within the corporate limits of Park City carried on for the purpose of gain or economic profit, except that the acts of employees rendering service to employers shall not be included in the term Business unless otherwise specifically prescribed. "Engaging in Business" includes but is not limited to the sale, rental, Gifting, or promotion of tangible personal or real property at retail or wholesale, the manufacturing of goods or property, and the rendering of personal services for others for consideration by Persons engaged in any profession, trade, craft, Business, occupation, or other calling, except the rendering of personal services by an employee to his/her employer under any contract of personal employment. Each manufacturing or originating company, whether individually occupying a premise, including home occupations and home offices, or co-locating, shall be required to obtain an individual Business license for that Business activity.

**4-1-1.16 EXHIBIT.** To display for sale with the intent or expectation of receiving valuable consideration for the item displayed.

**4-1-1.17 FARE.** The consideration or charge of a For-Hire Vehicle to provide service for a passenger within Park City. Consideration may include non-cash value such as participating in a commercial promotional activity such as viewing real estate or timeshare information,

merchandise or Art display, or display of movies, videos, or DVDs within or on a vehicle in exchange for the passenger delivery.

**4-1-1.18 FOOD TRUCK.** A fully encased food service establishment:

1. on a motor vehicle or on a trailer that a motor vehicle pulls to transport; and
2. from which a Food Truck vendor, standing within the frame of the vehicle, prepares, cooks, sells, or serves food or beverages for immediate human consumption; and
3. does not include the sale of any products other than food and beverages for human consumption.
4. “Food Truck” does not include a Food Cart or an Ice Cream truck as defined in 4-1-1.27

**4-1-1.19 FOOD TRUCK LOCATION.** The location on either 1) private property; or 2) public property pursuant to a City concession or franchise agreement where one or more Food Trucks may park and sell product for ten (10) hours or more a week. Food Truck Locations may not occupy code required parking area for previously approved Development Activity.

**4-1-1.2018 FOR-HIRE VEHICLE.** A vehicle used to transport passengers for a fee. For-Hire Vehicles include Shuttles, Taxicabs, limousines, or similar vehicles used for the purposes outlined in this Title.

**4-1-1.2119 FOR-HIRE VEHICLE BUSINESS LICENSE.** A Park City Business license issued by Park City authorizing the licensee thereof to conduct a For-Hire Vehicle Business.

**4-1-1.2220 FOR-HIRE VEHICLE STICKER.** A sticker issued by the City indicating that the owner of the vehicle has met all requirements to obtain a Business license from the City to conduct a For-Hire Vehicle Business.

**4-1-1.2321 GIFTING.** Includes various hospitality, Gifting, filming, display, exhibiting, or promotional use of goods not for sale and other related activity that are marketing or promoting tools in which goods are given or traded to the public in general or desirable people so that the product will be associated with those people and appear in publications, media, internet, etc., and give the product exposure. Gifting is not just the display of goods with the hopes of future orders; it involves actually giving the product away, where the consideration for the gift is the exposure of the product, and includes direct or indirect interaction with customers, potential customers in order to increase awareness of a product, or service of company. Corporate groups that receive gifts purchased by the corporation that are not provided by another entity and are exclusively for the group will not be considered Gifting.

**4-1-1.2422 HOURLY USER CAPACITY.** The maximum number of Persons that can be safely and reasonably accommodated per hour by an amusement park, golf course, athletic club, theater, bowling alley, tennis club, racquetball club, swimming pool, ski lift, gondola, or tram, and any other recreational, sports, or entertainment facility.

**4-1-1.2523 INSTRUCTOR LICENSE.** Any individual engaged in instructing individuals or groups, or teaching, giving, or offering lessons, classes, training, or other programs to individuals or groups such as ice skating lessons, etc., must obtain an Instructor License.

**4-1-1.2624 LICENSE FEE(S).** Fees as defined by the Business License Fee Schedule found at <http://www.parkcity.org/government/municipal-codes-policies-and-fees>.

**4-1-1.2725 MAIN STREET BUSINESS IMPROVEMENT DISTRICT.** Main Street Business Improvement District (BID) is defined as all businesses located in the following area:

The BID boundary shall follow the centerline of the following streets: Beginning at the intersection of Main Street and Deer Valley Drive, then proceeding westerly on Main Street to the intersection of the 9<sup>th</sup> Street, then west on 9<sup>th</sup> Street to the intersection of the 9<sup>th</sup> Street and Park Avenue, then proceeding southerly on Park Avenue to the intersection of King Road, then easterly on King Road to Main Street, then southerly on Main Street to Hillside Avenue, then proceeding easterly along Hillside to Marsac Avenue, then proceeding northward on Marsac Avenue to the intersection of Deer Valley Drive and the point of beginning.

**4-1-1.2826 MOBILE FOOD VENDOR.** Any ~~motorized~~ means of conveyance ~~that is required to be licensed by the State Division of Motor Vehicles from which consumable on-site food service is offered.~~ of goods or merchandise from push carts, mobile wagons, or motor vehicles. Street Vendors do not include Food Trucks as defined in 4-1-1.18. Mobile Food Vendors are restricted to serving construction sites.

**4-1-1.2927 NIGHTLY LODGING FACILITY.** Any place where any portion is rented or otherwise made available to Persons for transient lodging purposes for a period less than thirty (30) days including, without limitation, a hotel, motel, lodge, condominium project, single family residence, or timeshare project.

**4-1-1.3028 NON-PROFIT CORPORATION.** A corporation organized for some purpose other than making a profit and, as such, may enjoy a tax exempt status.

**4-1-1.3129 NUISANCE.** For the purposes of the Alcoholic Beverage Licenses Chapter of this Title, any licensed premises where:

1. Alcoholic beverages are manufactured, sold, kept, bartered, stored, consumed, given away, or used contrary to the Alcohol Beverage Control Act or this Code;
2. Intoxicated Persons are permitted to loiter about; or profanity, indecent, immoral, loud, or boisterous language or immoral, unruly, disorderly, lewd, obscene conduct is permitted or carried on;
3. Persons under the age of twenty-one (21) are permitted to purchase or drink beer or liquor;
4. City, county, state, or federal laws or ordinances are violated by the licensee or his/her agents or patrons with the consent or knowledge of licensee which tend to affect the public health, safety, peace, or morals;
5. Patrons throw litter or other objects within the licensed premises or from the licensed premises in a manner which tends to affect the public safety or health; or
6. Patrons are permitted to remove opened containers of alcoholic beverages or glasses containing alcoholic beverages from the licensed premises to the public street or way.

**4-1-1.3230 PERSON(S).** Any individual, receiver, assignee, trustee in bankruptcy, trust, estate, firm, partnership, joint venture, club, company, Business trust, corporation, association, society, or other group of individuals acting as a unit, whether mutual, cooperative, fraternal, non-profit, or otherwise.

**4-1-1.3331 PLACE OF BUSINESS.** A place at which one carries on and Engages in Business; each separate location maintained or operated by the licensee within Park City from which Business activity is conducted or transacted.

**4-1-1.3432 RESTAURANT.** A Business location at which a variety of foods are prepared and at which complete meals are served to the general public in indoor or outdoor dining accommodations, and is engaged primarily in serving meals to the general public. This does not include ~~street-Mobile V~~vendors or ~~mobile-food-vendor-Food Trucks.~~

**4-1-1.3533 ROUTE DELIVERY.** Any delivery made to customers of a Business, which makes repeated door-to-door deliveries to the same households along designated routes with an established time interval in between delivery visits. The majority of such deliveries must be to fulfill orders previously made by the customer. However, nothing in this Title shall prevent orders from being taken from established customers and filled during such delivery visits. Such businesses will include, but not be limited to, dairies and sellers of bulk meats or produce.

**4-1-1.3634 SHUTTLE.** A vehicle that travels between fixed locations for a set or predetermined Fare.

**4-1-1.3735 SKI RESORT.** A ski area that operates as a distinct and separate enterprise and which is deemed to include, without limitation, the ski runs, ski lifts, and related facilities that are part of the ski area and primarily service the patrons of the ski area. The Ski Resort includes ski instruction, tours, first aid stations, parking garages, management and maintenance facilities, and workshops, but does not include food service, ski rentals, or retail sales of goods or merchandise, which are all deemed separate businesses even if owned by a resort operator.

**4-1-1.3836 SKIER DAY.** A three (3) year average of the total number of lift tickets sold each year between November 1 and June 30, including daily lift tickets, resident coupons, complimentary tickets, and an estimated average of season pass holders' daily use. The three (3) year average shall be calculated by the Ski Resort and shall include the three (3) most recent years of operation from November 1 through June 30. The City may audit the analysis and any Business records relied upon for the analysis. The calculation shall be submitted to the Finance Department by July 15 of each year.

**4-1-1.3937 SOLICITED DELIVERY.** A delivery of previously ordered goods or services or the United States mail. Solicited Delivery includes, but is not limited to, the delivery of newspapers or publications pursuant to a subscription, the United States mail, parcel delivery services, businesses engaging in Route Delivery, or Persons delivering previously ordered goods or services on behalf of an established retailer of those goods or services.

**4-1-1.4038 SOLICITOR.** A Person who contacts individuals or the general public for the purpose of taking orders for goods or services, or encouraging attendance at sales presentations, lectures, seminars, or the like, at which goods or services are promoted or offered for sale, whether the presentation is held within Park City or not, provided that the Solicitor makes contact with the public at a location other than at the regular Place of Business at which the goods or services are actually sold or performed. For purposes of this Title, the term "goods or services" shall include merchandise, produce, personal services, property services, investment opportunities, franchises, time intervals in the use of ownership or real property, and any other kind of tangible or intangible thing that is given in exchange for valuable consideration.

**4-1-1.4139 SQUARE FOOTAGE.** The aggregate number of square feet of area within a Place of Business that is used by a licensee Engaging in Business.

**4-1-1.4240 TAXICAB.** A vehicle used to transport passengers for a Fare.

**4-1-1.4341 TRANSPORTATION NETWORK COMPANY (TNC).** The Transportation Network Company Registration Act defines a TNC as an entity that:

- a. Uses a software application to connect a passenger to a transportation network driver providing transportation network services;
- b. Is not a For-Hire Vehicle; and
- c. Does not own, control, operate, or manage the vehicle used to provide the transportation network services.

**4-1-1.4442 UNIT.** Any separately rented portion of a hotel, motel, condominium, apartment building, single family residence, duplex, triplex, or other residential dwelling without limitation.

**4-1-1.4543 UNSOLICITED DELIVERY.** The delivery of any unsolicited newspaper or publication, sample product, or advertising material. Unsolicited newspapers or publications, sample products, or advertising material shall include, but not be limited to, handbills describing or offering goods or services for sale, any goods or products that were not previously ordered by the homeowner or occupant, any newspaper or publication delivered without a subscription by the owner or occupant, and any coupons or rebate offers for goods and services.

#### HISTORY

*Amended by Ord. [01-31](#) on 7/19/2001*

*Amended by Ord. [10-21](#) on 5/20/2010*

*Amended by Ord. [13-32](#) on 9/5/2013*

*Amended by Ord. [16-07](#) on 1/28/2015*

*Amended by Ord. [2016-45](#) on 9/22/2016*

*Repealed & Reenacted by Ord. [2017-51](#) on 10/5/2017*

## **4-2 General Licensing**

**4-2-1 Unlawful To Operate Without A License**

**4-2-2 Business Confined To Enclosed Building**

**4-2-3 Business Confined To Private Property**

**4-2-4 Use Of Public Property**

**4-2-5 Branch Establishments**

**4-2-6 Separate Businesses, Licensed Premises**

**4-2-7 Multiple Licensing**

**4-2-8 Duty To Display License**

**4-2-9 Exceptions To Business License**

**4-2-10 No Temporary Licenses**

**4-2-11 Certain Acts Prohibited**

**4-2-12 Licenses Non-Transferable**

**4-2-13 Outdoor Sales**



4-2-14 Outdoor Speakers On Main Street

4-2-15 Vibrant Commercial Storefront In HCB And HRC Districts

4-2-16 Thru 4-2-29 Repealed By Ord. 2017-51

#### **4-2-1 Unlawful To Operate Without A License**

Unless exempted by state or federal law or by this Title, it shall be unlawful for any Person to engage in Business within Park City, whether on a temporary or permanent basis, without first being issued the license required by this Title. All licenses issued under the provisions of this Title are non-transferable and expire on September 30 of each year.

Unless exempted by state or federal law or by this Title, any Person who engages in Business without being issued a license or paying all necessary fees under this Title shall pay double the specified fee for said license. The payment of such double fee shall not relieve any Person from fully complying with all the requirements of this Code, nor from any other prescribed penalties. Payment of such double fee or any unpaid portion thereof may be compelled by civil action in any court of competent jurisdiction. The acceptance of any portion less than the entire amount of such double fee by any officer or employee of the City shall not constitute a waiver or release of the balance thereof.

Except as otherwise provided in this Title, any Person who temporarily or permanently engages in Business within the City without first obtaining a license as herein provided, or after such license has been revoked, shall be punished by a fine not to exceed the maximum Class “B” misdemeanor fine under state law or by a term of imprisonment up to six months, or by both fine and term of imprisonment as provided in Section 1-1-8 of this Code.

#### HISTORY

*Amended by Ord. [14-50](#) on 10/2/2014*

*Amended by Ord. [2016-45](#) on 9/22/2016*

*Repealed & Reenacted by Ord. [2017-51](#) on 10/5/2017*

#### **4-2-2 Business Confined To Enclosed Building**

Except as authorized by this Title, Special Events, or approved under the Land Management Code, all businesses within Park City are to be conducted within a fully enclosed building, ~~except for outdoor dining, or other permanent conditional uses which have been given approval under the Land Management Code.~~

#### HISTORY

*Amended by Ord. [14-50](#) on 10/2/2014*

*Repealed & Reenacted by Ord. [2017-51](#) on 10/5/2017*

#### **4-2-3 Business Confined To Private Property**

Unless specifically licensed to do so under this or other ordinances, it shall be unlawful for any Person to solicit Business within any public street, sidewalk, alleyway, or within the public parks, golf course, or publicly owned parking areas, unless said Person has received prior approval from the appropriate City department and executed a concession contract with the City.

#### HISTORY

*Repealed & Reenacted by Ord. [2017-51](#) on 10/5/2017*

#### **4-2-4 Use Of Public Property**

The City Council may grant specific temporary licenses to applicants to sell food, alcoholic beverages, or merchandise in City parks or at other locations on public property. In granting these temporary licenses, preferences shall be given to non-profit organizations and civic groups before profit-making businesses are licensed to conduct a temporary Business within the parks or on other City property. Such licenses shall be issued only after receiving the approval of the appropriate City department and execution of a concessions or franchise contract with the City.

#### HISTORY

*Amended by Ord. [13-29](#) on 9/5/2013*

*Amended by Ord. [14-50](#) on 10/2/2014*

*Amended by Ord. [2017-47](#) on 8/17/2017*

*Repealed & Reenacted by Ord. [2017-51](#) on 10/5/2017*

#### **4-2-5 Branch Establishments**

A separate license must be obtained for each branch establishment or separate location in which Business is engaged in, within the City, as if such branch establishment or location were a separate Business, and each license shall authorize the licensee to engage only in the Business licensed thereby at the location or in the manner designated in such license, provided, that warehouses and distributing places used in connection with or incident to a Business licensed under this Title shall not be deemed to be separate places of Business or branch establishments.

#### HISTORY

*Repealed & Reenacted by Ord. [2017-51](#) on 10/5/2017*

#### **4-2-6 Separate Businesses, Licensed Premises**

Where two (2) or more Persons conduct separate businesses at the same location, each such Person shall provide individual Utah tax identification numbers if sales transactions are taking place, federal tax identification numbers if only promotion or Gifting is taking place, be responsible for all required licensing, inspections, and sign permits for each such Business, and pay the required License Fees for such Business. Where a Person has a license pursuant to provisions in the Alcoholic Beverage Licenses Chapter of this Title, that Person shall obtain a separate Business license for each licensed premises.

#### HISTORY

*Repealed & Reenacted by Ord. [2017-51](#) on 10/5/2017*

#### **4-2-7 Multiple Licensing**

Any one Person may be issued any of the licenses described and created in this Title and may simultaneously hold more than one (1) license, and/or a regular Park City Business license. The granting of multiple licenses shall not grant privileges not specifically granted by the licenses issued, nor shall the issuance of multiple licenses extend the time limitations imposed on any of these special licenses that are of a temporary nature. Suspension or revocation of one of the multiple licenses shall not act as an automatic suspension of any other license then in effect.

#### HISTORY

*Repealed & Reenacted by Ord. [2017-51](#) on 10/5/2017*

#### **4-2-8 Duty To Display License**

Every licensee licensed pursuant to the provisions of this Title shall display the license in some prominent part of the Place of Business. Type 2 convention sales licenses, and associated temporary occupant load signs and fire permits, shall be displayed on the front door of the Place

of Business. Every licensee not having a fixed Place of Business shall carry such license on their Person at all times in a visible position while carrying on the Business for which the license is issued and shall produce the license for inspection when requested to do so by any Person.

#### HISTORY

*Amended by Ord. [13-29](#) on 9/5/2013*

*Amended by Ord. [14-50](#) on 10/2/2014*

*Amended by Ord. [2017-47](#) on 8/17/2017*

*Repealed & Reenacted by Ord. [2017-51](#) on 10/5/2017*

#### **4-2-9 Exceptions To Business License**

No Business license shall be required under this Title upon the following Persons or businesses:

- A. Any individual, company, or agent that is exempted under Utah Code Title 58, unless the individual, company, or agent has office space within the limits of Park City;
- B. Traditional hotel/Restaurant offerings including private dinner bookings in Restaurants, existing entertainment such as in Restaurant outlets or lounges etc., or groups utilizing interior signage;
- C. Any Person, firm, or organization, i.e., tournament referees, ski race officials, sport camp instructors, whose contract is for a period of thirty (30) days or less per year, and whose contract relates directly to recreation programs or services in Park City, is not required to obtain a Business license;
- D. No license shall be required for sales of surplus household goods or furnishings at a private residence in the garage or yard. If a garage sale is held more frequently than three (3) days in any one (1) calendar quarter at the same residence, it shall be deemed to be Conducting Business on a regular basis and a regular Business license for the sale of that kind of merchandise is required. If the sale is in a zone that does not permit the sale of merchandise as a permitted or conditional use, further sales are unlawful. Sales tax on all sales is required under state law, and this Title shall not be construed as attempting to waive the requirement that tax be collected.

#### HISTORY

*Amended by Ord. [07-58](#) on 9/20/2007*

*Repealed & Reenacted by Ord. [2017-51](#) on 10/5/2017*

#### **4-2-10 No Temporary Licenses**

Any Person Engaging in Business on a temporary basis within Park City shall be required to obtain the license required by this Title in the same manner and shall be subject to the same fees as a Person Engaging in Business on a permanent basis within Park City.

#### HISTORY

*Amended by Ord. [13-29](#) on 9/5/2013*

*Repealed & Reenacted by Ord. [2017-51](#) on 10/5/2017*

#### **4-2-11 Certain Acts Prohibited**

It shall be unlawful for any Person, Business, corporation, partnership, or other entity to attract or attempt to attract people to that Person or that licensee's Place of Business by calling, shouting, hawking, ringing any bells, horn, sounding any siren or other noisemaking device, or by displaying any light or lantern, or by waving, hailing, or otherwise signaling to passersby, or by touching or physically detaining them. It shall be unlawful to pass handbills, flyers, or other

advertising material by handing such material to passersby, or placing them on porches or vehicles, or attaching them to light or sign posts or poles.

HISTORY

*Repealed & Reenacted by Ord. [2017-51](#) on 10/5/2017*

**4-2-12 Licenses Non-Transferable**

No license issued under this Title is transferable from the original licensee to any other Person, partnership, corporation, or other entity. Each year, as a part of the renewal process, the licensee shall indicate the board of directors, or all partners, and if there are any changes from the previous year, the license shall be reviewed as a new application to the extent of the changes in ownership.

HISTORY

*Repealed & Reenacted by Ord. [2017-51](#) on 10/5/2017*

**4-2-13 Outdoor Sales**

The Finance Department may grant a license to regularly licensed retail and service based Park City businesses, per the Land Management Code, to hold outdoor sales five (5) times a year for a duration of no longer than three (3) days for each outdoor sale; and additionally for up to fifteen (15) individual Sundays per calendar year, either within the Business' own property or on public sidewalks or streets adjoining the Business on the following terms:

- A. **PROMOTION BY MERCHANTS ASSOCIATION**. An association representing tenants in a shopping center or other merchants association representing the businesses in a specific area may apply for an outdoor sale license for the members of that association by providing a list of the merchants participating, and paying a fee which shall be in lieu of and not in addition to the fee assessed against individual businesses.
- B. **SEASONAL PLANTS**. The Finance Department may issue licenses of longer duration to permit the outdoor sale, on a temporary basis, of Christmas trees, landscaping materials, or plants that are of a type and nature that reasonably require the sale to be conducted out of doors. The License Fee for this kind of outdoor sale shall be as set forth in the Business License Fee Schedule and no license shall have duration of more than eight (8) weeks. These licenses may be issued to any Person or Business. Sales shall be confined to commercial zones and to property under the possession and control of the applicant.

HISTORY

*Amended by Ord. [09-41](#) on 11/5/2009*

*Amended by Ord. [2016-45](#) on 9/22/2016*

*Repealed & Reenacted by Ord. [2017-51](#) on 10/5/2017*

**4-2-14 Outdoor Speakers On Main Street**

No licensed Business shall permit or cause to exist any speaker or sound amplification equipment on the outside of any premise on Main Street with the exception of those businesses which are allowed to have outside speakers as a part of their conditional use permit for outdoor dining or performances or events approved by staff as part of a Level Three Special Event License or community celebration.

HISTORY

*Repealed & Reenacted by Ord. [2017-51](#) on 10/5/2017*

#### **4-2-15 Vibrant Commercial Storefront In HCB And HRC Districts**

- A. A vibrant commercial storefront is a Storefront Property, as defined in Section 15-15-1 of the Land Management Code in the HRC or HCB zoning Districts, which meets the following conditions:
1. Is found to be Engaging in Business for at least sixty (60) days during each quarter; and
  2. Has an active Business License.
- B. If a property does not meet the standards of 4-2-15(A) the property may be considered vibrant for a maximum of one year if it meets one (1) of the following exceptions:
1. There is an open building, planning, or construction permit for repair, rehabilitation, or construction of a building on the parcel and the owner receives a certificate of occupancy for the repair, rehabilitation, or construction within one year from the date the initial permit was issued; or
  2. The owner provides satisfactory evidence that the property is actively being offered for sale, lease, or rent from the date of vacancy/finding of closure by the City, or closure of previous Business License, whichever is first. Satisfactory evidence shall include, but is not limited to, evidence that the owner has hired a real estate agent or other rental agent who advertises and promotes the commercial storefront for rent, lease, or sale, or proof the commercial storefront is offered for sale on multiple listing services or any other comparable real estate listing services.
- C. Failure to maintain a vibrant commercial storefront in the HCB or HRC zone shall result in the Business at the Storefront Property will not be eligible to apply for a Single Event Alcoholic Beverage Licenses; and,
- D. The City reserves the right to utilize the area in front of the storefront property to display Art or other educational materials in the pedestrian area in front of the property as approved by the City Council while under an exception shown in 4-2-15(B) or until such a space is occupied by a vibrant commercial storefront.
- E. The burden is on the Business to show that it is Engaging in Business for the requisite period of time and if one of the exceptions applies.
- F. Any designation under this Section may be appealed to the Finance Manager or designee; any license denial appeal shall be conducted as set forth in 4-3-15 of this Title.

#### HISTORY

*Repealed & Reenacted by Ord. [2017-51](#) on 10/5/2017*

*Amended by Ord. [2017-65](#) on 12/14/2017*

*Amended by Ord. [2018-16](#) on 5/3/2018*

#### **4-2-16 Thru 4-2-29 Repealed By Ord 2017-51**

#### HISTORY

*Repealed by Ord. [2017-51](#) on 10/5/2017*

## **4-3 General Application Process**

### 4-3-1 License Application

### 4-3-2 Specific Additional License Application Requirements

### 4-3-3 License Application Fee

### 4-3-4 Code Compliance Inspection

### 4-3-5 Investigation

### 4-3-6 License Issuance, Denial, Or Revocation

### 4-3-7 Issuance Of License Certificate

### 4-3-8 License Period

### 4-3-9 License Certificate Renewal

### 4-3-10 License Renewal Fee, Tax Payment, And Penalty

### 4-3-11 License Renewal Billing Procedure

### 4-3-12 Grounds For License Revocation Or Suspension

### 4-3-13 Alleged License Violation

### 4-3-14 License Revocation Or Suspension Hearing

### 4-3-15 License Denial Appeals

### 4-3-16 And 4-3-17 Repealed By Ord 2017-51

## **4-3-1 License Application**

- A. All Business license applications with a physical location within City limits require a passed Business License Inspection from the Building Department to ensure life safety standards, proper measurements for fee calculation, and Code compliance.

Applications without an inspection

1. If the Business is a Conventional Chain Business located within a Storefront Property in the HRC or HCB Districts, the applicant may apply for a Business License without an Inspection only if the applicant provides a letter of intent agreement between the landlord and tenant, with monetary or other proprietary terms redacted if necessary.
  2. The applicant will be notified in writing within ten business days of affirmation or denial of the application.
  3. Within 120 days from the day of application a signed lease or memorandum of lease must be submitted to Finance with monetary or other proprietary terms redacted if necessary or the application shall be denied.
  4. The business license application will be denied after 180 days from application unless the applicant has submitted and paid for a building permit.
  5. The business license application shall be deemed denied if it is pending more than 24 months from application date.
  6. Any denial can be appealed pursuant to Section 4-3-15.
  7. Prior to the License being issued, the applicant must provide a Passed Business License Inspection report to Finance. The Finance Department will recalculate the fees based on the final square footage and either issue a refund or collect additional fees and issue the License.
- B. A Business License Inspection will only be scheduled if:
1. A Certificate of Occupancy has been issued by the Building Department;
  2. A Letter of Completion has been issued by the Building Department; or

3. There is already an existing licensed Business occupying the space and a building permit is not required to accommodate the new Business.
- C. Applications for Business licenses shall be made in writing to the Finance Manager or his/her designee. Each application shall include the:
1. Name of the applicant and DBA, if applicable;
  2. Location and contact information of the Business;
  3. Payment of the applicable fee and tax to be paid, based on the information recorded on the Business License Inspection or previous Business License at that location if within the HRC or HCB Districts as defined in the Land Management Code; or estimated amount if undergoing significant construction or tenant improvements;
  4. Name and contact information of the local Business agent who is authorized to receive service of process and any communication regarding applicant's license, if applicable;
  5. Federal entity identification number
  6. State sales tax reporting number, if applicable;
  7. Copy of the Business License Inspection report showing passed;
  8. State contractor's license number, if applicable;
  9. State real estate broker's license number, if applicable; and
  10. Other information, as needed, for the purpose of guidance of the Finance Manager in issuing the license.
- D. Any change in the above information furnished by the applicant shall be forwarded in writing, within ten (10) days of the change, to the Finance Manager or his/her designee. License application forms shall be prepared and kept on file by the Finance Department.

#### HISTORY

*Repealed & Reenacted by Ord. [2017-51](#) on 10/5/2017*

*Amended by Ord. [2017-56](#) on 10/24/2017*

#### **4-3-2 Specific Additional License Application Requirements**

1. **ALCOHOLIC BEVERAGES.** Applications for all alcoholic beverage licenses must include the following additional information:
  1. The street address of the Business location;
  2. Applicant's criminal history obtained from the Utah Bureau of Criminal Identification completed within three (3) years of applications;
  3. Proof of whether the applicant has complied with the requirements specified in the Alcoholic Beverage Control Act;
  4. The location of any other alcoholic beverage licenses held by the applicant;
  5. The name and Utah address for the Business' agent for service of process;
  6. A signature by the applicant stating under oath that the facts contained therein are true; and
  7. If the applicant is a partnership, association, corporation, or limited liability company the applicant shall include a certificate of existence, a copy of the articles of incorporation or the written partnership agreement, and the name, street and mailing address, age, citizenship, and criminal history from the Utah Bureau of Criminal Identification for each officer, partner, or director.

2. **SINGLE EVENT ALCOHOLIC BEVERAGES.** Applications for a Single Event Alcoholic Beverage License must include the following additional information:
  1. The street address of the Business location;
  2. A notarized and detailed statement by the applicant certifying their criminal history;
  3. Proof of whether the applicant has complied with the requirements specified in the Alcoholic Beverage Control Act;
  4. The location of any other alcoholic beverage licenses held by the applicant;
  5. The name and Utah address for the Business' agent for service of process;
  6. A signature by the applicant stating under oath that the facts contained therein are true;
  7. A certificate of existence, a copy of the articles of incorporation, the written partnership agreement, or other applicable documentation showing the entity has been in existence for at least one (1) calendar year prior to the date of application;
  8. The name, contact information, and/or any other information needed by the City to verify each officer, partner, or director meets the requirements set forth in the statutes of Utah and this Title; and
  9. An affirmation indicating each officer, partner, or director meets the licensee qualifications set forth in the statutes of Utah and this Title.
3. **NIGHTLY RENTALS.** All new and renewal applications for nightly rentals must also contain the following information:
  1. Property manager's name;
  2. Street address of each Unit;
  3. The cover letter for this application with information common to all Units managed;
  4. The name, address, and telephone number of a local responsible party who is available by telephone twenty four (24) hours per day; and
  5. Supplements to the application and cover letter with any information that changes.
4. **SEXUALLY ORIENTED BUSINESSES.** The specific requirements for a Sexually Oriented Business License, Sexually Oriented Business Employee License, and any additional requirements are located in the Sexually Oriented Businesses Chapter of this Title.
5. **SOLICITORS.** The application for a Solicitor license shall require the following additional information:
  1. Date of birth and social security number of the applicant;
  2. Signatures by both the person to be licensed as a Solicitor and by an authorized representative of the Business or businesses for which the licensee will be solicited, referred to as the "primary business" in this Title; and
  3. Disclosure of the existence of any investigations by any local, state, or federal regulatory agency into allegations of fraud, deceit, securities violations, real estate sales or brokerage license suspension proceedings, or any pending charges on any felony, provided, however, that if the applicant is a licensed real estate or securities salesman, the foregoing information concerning the applicant's background may be supplied by providing the date of issuance of that state license



by the Utah Department of Commerce and such other information as necessary to correctly identify the applicant with that Department.

**6. FOOD TRUCKS.**

1. Food Truck License – Each application for a Food Truck license must be accompanied by the following:

- a. A current health department food truck permit from Summit County Health Department;
- b. A current Park City Fire Inspection permit;
- c. A sales tax number to report all sales occurring within Park City.

or;

2. Reciprocal Food Truck License – Food truck operators with a current Business license from another political subdivision within the state may apply for a reciprocal Park City Business license and shall provide the following:

- a. A current Business license granted in another political subdivision within the state;
- b. A current health department food truck permit from a local health department within the state;
- c. A current approval of a political subdivision within the state that shows that the food truck passed a fire safety inspection that the other political subdivision conducted in accordance with Utah State Code Subsection 11-56-104(4)(a);
- d. A temporary sales tax number to report all sales occurring within Park City as per Utah State Tax Commission.

HISTORY

*Repealed & Reenacted by Ord. [2017-51](#) on 10/5/2017*

(...)

**NO AMENDMENTS TO: 4-4 Licensing Fees**

**4-5 Regulation Of Specific Businesses**

4-5-1 Regulation Of Vending Machines And Mechanical Devices

4-5-2 Regulation Of Contractors And Builders

4-5-3 Regulation Of Nightly Rentals

4-5-4 Regulation Of Restaurants, Food Service, Taverns, Etc.

4-5-5 Regulation Of Building Material, Hardware, And Lumber

4-5-6 Regulation Of Food Truck Locations

4-5-~~76~~ Regulation Of Automotive Services

4-5-~~87~~ Regulation Of Transportation Service, Passenger, And Snow Removal Operators

**4-5-1 Regulation Of Vending Machines And Mechanical Devices**

It shall be unlawful to install, or permit to be installed, any kind of mechanical device operated by coin, token, or currency, which sells goods, merchandise, food, beverages, candy, or entertainment services without first having paid the applicable fee on that mechanical device. Further, it shall be unlawful for any Person to permit a machine to be placed on or within his/her premises or Place of Business any such mechanical device on which the fee has not been paid.

#### HISTORY

*Amended by Ord. [07-28](#) on 5/24/2007*

*Amended by Ord. [07-69](#) on 10/11/2007*

*Amended by Ord. [10-21](#) on 5/20/2010*

*Amended by Ord. [13-19](#) on 6/6/2013*

*Repealed & Reenacted by Ord. [2017-51](#) on 10/5/2017*

#### **4-5-2 Regulation Of Contractors And Builders**

All general contractors and subcontractors, including but not limited to, builders, electricians, plumbers, and back flow device technicians, with their principal Place of Business within Park City, shall be assessed a regulatory License Fee each year as set forth in the rate tables. Said fee must be paid and a Business license issued prior to engaging in any construction within the City unless exempted from licensure by state law.

No contractor shall be issued a Business license under this Section unless and until he/she has provided a certified statement that he/she is currently licensed with the Utah Department of Commerce, including the state license number(s) and date of expiration. If said state license expires prior to December 31 of the year, each contractor must provide proof of renewal within ten (10) days of renewal or shall forfeit the City license for the balance of the year.

Contractors are required to obtain a separate office Business license.

#### HISTORY

*Amended by Ord. [13-19](#) on 6/6/2013*

*Repealed & Reenacted by Ord. [2017-51](#) on 10/5/2017*

#### **4-5-3 Regulation Of Nightly Rentals**

All nightly rental Units must be licensed before being offered for rent.

- A. **LICENSEE**. The licensee for rentals under this Section shall be both the local representative and the owner. The local representative shall be deemed the responsible party.
- B. **MANAGEMENT STANDARDS**. The authorized lodging must be properly managed. As a condition to holding a valid license, the licensee agrees to provide or arrange for adequate property management services. In the event an owner's association exists, it shall be responsible for property maintenance. In the event an owner agrees to be responsible for property maintenance, the licensee must present a statement to that effect signed by the owner. The minimum services and management regulations required include:
  1. Snow removal during winter months to a level that allows safe access to the building over the normal pedestrian access to the Unit;
  2. Snow removal service to off-street parking facilities associated with the rental property so that off-street parking is at all times available for occupant use;

3. Summer yard maintenance, including landscaping, weed control, and irrigation to a level that is consistent with the level of landscaping and maintenance on adjoining and nearby properties;
  4. Structural maintenance to preserve substantial code compliance as described herein is required;
  5. Routine upkeep, including painting and repair to a level that is consistent with the level of maintenance on adjoining or nearby properties;
  6. Trash collection which ensures that trash cans are not left at the curb for any period in excess of twenty-four (24) hours; the property must be kept free from accumulated garbage and refuse;
  7. Housekeeping service as a part of hotel or property management company included in property management license;
  8. Parking. On-street parking for nightly rental uses shall not result in an obstruction to traffic and pedestrian circulation or public safety;
  9. Outdoor Displays of Goods and Merchandise. No outdoor display of goods and merchandise shall be permitted as part of any nightly rental use;
  10. Signs. Unless expressly permitted under the Municipal Sign Code, no signs will be permitted for nightly rental uses;
  11. Commercial Uses Prohibited. Nightly rentals may not be used for commercial uses not otherwise permitted in the zone. Nightly rentals may not be converted to Corporate Sponsor or Business houses which are used primarily to distribute retail products or personal services to invitees for marketing or similar purposes, regardless of whether such products or services are charged for.
- C. **NOISE AND OCCUPANCY CONTROL.** The licensee and the owner of rentals under this Section are responsible for regulating the occupancy of the Unit and noise created by the occupants of the Unit. Violation of the Noise Ordinance, violation of occupancy loads, failure to use designated off-street parking, illegal conduct, or any other abuse, which violates any law regarding use or occupancy of the premises, is grounds for revocation. Failure to collect and deposit sales tax is also a violation of the license and grounds for revocation.
- D. **REVIEW CRITERIA.** In determining whether or not a Business license for rental authorized under this Section shall be issued, the application shall be reviewed to see if, in addition to standards and conditions applicable to issuance of all Business licenses, the following conditions and standards are met:
1. The Unit is located within a zone and subzone designated as allowing rentals for the period which the license is applied for;
  2. The access to the rental Unit and the layout of the Unit is such that noise and physical trespass from the proposed rental Unit is not likely to be a substantial intrusion to the adjoining properties. If the proposed rental Unit is a single family home or duplex and shares an access, hallway, common wall, or driveway with another dwelling, written consent of the owner of the other dwelling is required;
  3. The applicant must designate a responsible party. The responsible party must be a property management company, realtor, lawyer, owner, or other individual who resides within Summit County, or, in the case of a company, has offices in Summit County. The responsible party is personally liable for the failure to properly manage the rental. The responsible party must be available by telephone,

or otherwise, twenty-four (24) hours per day, and must be able to respond to telephone inquiries within twenty (20) minutes of receipt of such inquiries by that party's answering machine, paging device, or answering service. The responsible party is also designated as the agent for receiving all official communications under this Title from Park City. If the licensee is a property management company or individual other than the owner, such company or individual must comply with applicable state law, including the Securities Division Real Estate Division in the Utah Code, as amended, which requires those who receive valuable consideration to lease property to have a state license;

4. The application must bear a sales tax collection and accounting number for the rental operation. This number may be the sales tax accounting number used by the property management company responsible for that Unit, or may be specific to the Unit, but no license will be effective until the sales tax number is provided.

#### HISTORY

*Amended by Ord. [13-19](#) on 6/6/2013*

*Repealed & Reenacted by Ord. [2017-51](#) on 10/5/2017*

#### **4-5-4 Regulation Of Restaurants, Food Service, Taverns, Etc.**

Outdoor dining areas connected with any food service establishment shall be assessed at a rate lower than the rest of the establishment as listed in the Business License Fee Schedule.

Catering services shall be licensed at the rate established in the rate tables per employee unless the operation is a Solicited Delivery, part of a full service Restaurant, or part of a Restaurant operation, in which case catering is included in that license.

#### HISTORY

*Amended by Ord. [04-19](#) on 7/3/2004*

*Amended by Ord. [08-14](#) on 5/29/2008*

*Amended by Ord. [10-21](#) on 5/20/2010*

*Amended by Ord. [13-19](#) on 6/6/2013*

*Amended by Ord. [2016-45](#) on 9/22/2016*

*Repealed & Reenacted by Ord. [2017-51](#) on 10/5/2017*

#### **4-5-5 Regulation Of Building Material, Hardware, And Lumber**

Lumber stores shall be assessed at the retail rate by square foot of space under roof, including retail areas, lumber storage, and shop space, but shall not be assessed for uncovered yard space.

#### HISTORY

*Repealed & Reenacted by Ord. [2017-51](#) on 10/5/2017*

#### **4-5-6 Regulation Of Food Truck Location**

**A licensed Food Truck must be properly managed in an approved Food Truck Location. The applicant shall ensure that a Food Truck Location is operated in a manner consistent with the following:**

1. **Location Requirements**
  - a. **Size and location of the Site shall be located within a zone designated as allowing Food Truck Locations; and**
  - b. **Food Truck must not be located within ten feet (10') of the extension of any building entranceway, doorway, or emergency egress; and**
  - c. **Food Truck shall not operate within the right-of-way; and**

- d. On lots less than one-half (1/2) acre, no more than one (1) Food Truck is allowed to operate.
2. Site Requirements
  - a. Food Truck and/or patrons must not impede safe movement of vehicular and pedestrian traffic, snow removal, parking lot circulation or access to any public alley, access easement, or sidewalks and pathways; and
  - b. Food Truck(s) shall be sited on an approved hard-surfaced area; and
  - c. Signs and lighting shall be affixed to the Food Truck. Signs shall comply with Title 12 Sign Code and lighting shall comply with LMC 15-5-5(J) Lighting.
  - d. Food Truck shall not have a drive-through; and
  - e. Shall provide trash and recycling pickup areas and shall identify the location of restroom facilities; and
  - f. Food Truck Locations may not occupy code required parking areas for previously approved Development Activity, except for public parking areas approved by a concession contract by City Council in the Historic Commercial Business District.
3. Operation Requirements
  - a. Food Truck may not park in one location for more than twelve (12) hours during any twenty-four (24) hour period; and
  - b. Food Trucks in Commercial Zoning Districts shall operate no later than 2:00 a.m.
  - c. Food Trucks in Residential Zoning Districts shall operate no later than 10 p.m.
  - d. Amplified music or noise is not permitted; and
  - e. If proposed, there shall be a designated plan for the control of delivery and service vehicles, delivery of supplies, loading and unloading zones; and
  - f. Food Truck shall be occupied by the owner or operator at all times; and
  - g. Food Truck Locations within 500 feet of a Level Four and/or Level Five Special Event area may have Conditions of Approval restricting operation during a Special Event period.

#### **4-5-76 Regulation Of Automotive Services**

Car rental businesses shall be assessed at a rate per car for rental purposes as of October 1 of each license year, as established in the rate tables.

#### HISTORY

*Repealed & Reenacted by Ord. [2017-51](#) on 10/5/2017*

#### **4-5-87 Regulation Of Transportation Service, Passenger, And Snow Removal Operators**

License certificates shall take the form of a sticker to be placed on each licensed vehicle. The City shall design stickers that are suitable for this use and are non-removable without the sticker being destroyed. Various kinds of stickers may be used to show the term of a license if issued for less than one (1) year. The sticker shall be displayed on snow removal vehicles, passenger service vehicles, Shuttles, and taxis at all times. If no sticker is displayed, it is prima facie evidence that no license was issued. Delivery and service vehicles with a Business location in Park City on which a License Fee is issued based on Square Footage shall be exempt.

1. Ready-mix concrete trucks, ore hauling trucks, dump trucks, drilling apparatus trucks, cranes, concrete pumping trucks, and other truck-based construction or excavation equipment shall be assessed as set forth in the rate tables per Business engaged in such Business.

2. Businesses which utilize trucks in construction activity are subject to both the fee provisions of this Title and also those for contractors except that an unlimited number of trucks, not exceeding nine thousand pounds gross vehicle weight (9,000 lbs. GVW), may be used in the construction activity without any charge applied to the vehicle.

HISTORY

Repealed & Reenacted by Ord. [2017-51](#) on 10/5/2017

(...)

**NO AMENDMENTS TO: [4-6 Alcoholic Beverage Licenses](#)  
[4-7 Convention Sales and Commercial Hospitality](#)  
[4-8 For-Hire-Vehicles](#)**

**~~4-9-Street Mobile Vendors~~**

~~4-9-1 General~~

~~4-9-2 Sales At Construction Sites~~

~~4-9-23 Sales Within Public Right-Of-Way~~

~~4-9-34 Terms And Conditions~~

~~4-9-45 Thru 4-9-29 Repealed By Ord 2017-51~~

**4-9-1 General**

It shall be unlawful to sell food, flowers, agricultural products, ice cream, candy, popcorn, or other goods or merchandise from push carts, mobile wagons, or motor vehicles on private or public property except as authorized and licensed under this Title ~~and the Land Management Code~~.

HISTORY

Amended by Ord. [06-81](#) on 11/30/2006

Repealed & Reenacted by Ord. [2017-51](#) on 10/5/2017

**~~4-9-2 Sales At Construction Sites~~**

~~At bona fide construction sites a license, as described in Section 4-5-4 of this Title, may be obtained to sell food from motor vehicles located on private property. Licensees must list the construction sites they intend to serve on the license application, and update the list as needed throughout the year.~~

~~Licensees shall not remain at any one site for more than a two (2) hour period per day.~~

## HISTORY

*Amended by Ord. 06-81 on 11/30/2006*

*Repealed & Reenacted by Ord. 2017-51 on 10/5/2017*

### **4-9-23 Sales Within Public Right-Of-Way**

In order to control vending within any public right-of-way in Park City, ~~except at construction sites,~~ only those Mobile vVendors who have obtained the grant of a franchise from the City or under a permitted Special Event may ~~obtain Business licenses to operate such businesses operate within the public right-of-way.~~ Absent ~~such a franchise, all proper permitting~~ vending within any public right-of-way is strictly prohibited.

## HISTORY

*Amended by Ord. 06-81 on 11/30/2006*

*Repealed & Reenacted by Ord. 2017-51 on 10/5/2017*

### **4-9-34 Terms And Conditions**

Licensed Mobile vVendors shall be subject to the following terms and conditions:

1. **HEALTH DEPARTMENT APPROVAL.** All Mobile vVendors serving food or garden produce for human consumption from any cart, wagon, or motor vehicle must have the means of preparing, keeping, and serving the foods approved by the Summit County Health Department. This approval, in writing, must be submitted as part of the license application. Withdrawal of Health Department approval for sanitary or health violations is grounds for revocation of the City license.
2. **LIMITATION ON LOCATIONS.** ~~If a franchise has been obtained from the City, Mobile Vendors v~~vending from motor vehicles, which shall include any motorized means of conveyance that is required to be licensed by the State Division of Motor Vehicles, shall be restricted ~~to the sale of food at construction sites or, if a franchise has been obtained from the City, in~~ the Single Family Zone, the RD-MPD Zones within Park Meadows, all Historic Residential Zones (HR-1, HR-2, HRC, HRM), and Sullivan Lane, as designated on the Official Zoning Map of Park City. ~~Street-Mobile Vendors are prohibited from~~ vending ~~is prohibited~~ in locations included in any special event boundary. ~~Street-Mobile Vendors~~ vending on City rights-of-way during construction or other situations creating a public health or safety concern may be prohibited by the City Engineer or Chief of Police. The City will inform any franchise holder of these limitations and the duration of their effect.
3. **VENDORS REQUIRED TO MOVE LOCATION.** It shall be unlawful for any ~~street~~ Mobile vVendor to obstruct pedestrian or vehicular traffic on streets or sidewalks. It shall also be unlawful for any ~~street-Mobile v~~Vendor to remain in a fixed location for more than one hour at a time. Mobile Vendors shall move a distance of at least fifty feet (50') from their prior location every hour during which they are Conducting Business. It shall be unlawful for any ~~street-Mobile v~~Vendor ~~to conduct~~ Engaging in Business in a location that impairs reasonable pedestrian or vehicular access to any adjoining building, alley, yard, or other property.
4. **FRANCHISE AGREEMENT.** The City, in its sole discretion, may determine the number of franchises to award based upon public necessity, demand of service, pedestrian and vehicular traffic compatibility, competition, and public safety. Any violation of the franchise agreement is grounds for Business license revocation, in addition to any other remedy at law.

5. **HOMEMADE FOOD PRODUCER.** Those producing homemade food or homemade food products pursuant to the Home Consumption and Homemade Food Act are required to obtain a Business license pursuant to this Title but may be exempt from health department approval required in Subsection A so long as the producer meets the requirements outlined in Utah Code Ann. § 4-5a-101 et seq., as amended.

HISTORY

*Amended by Ord. [06-81](#) on 11/30/2006*

*Repealed & Reenacted by Ord. [2017-51](#) on 10/5/2017*

**4-9-45 Thru 4-9-29 Repealed By Ord 2017-51**

HISTORY

*Amended by Ord. [06-81](#) on 11/30/2006*

*Repealed by Ord. [2017-51](#) on 10/5/2017*

(...)

**NO AMENDMENTS TO: 4-10 Solicitors**  
**4-11 Sexually Oriented Businesses**