

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
OCTOBER 14, 2020

COMMISSIONERS IN ATTENDANCE:

Chair John Phillips, Sarah Hall, John Kenworthy, Mark Sletten, Laura Suesser, Doug Thimm, Christin Van Dine

EX OFFICIO: Planning Director Bruce Erickson; Alexandra Ananth, Planner; Rebecca Ward, Planner; Mark Harrington, City Attorney

The Planning Commission meeting was conducted virtually via Zoom.

The public was able to submit eComments during the meeting.

NOTICE OF ELECTRONIC MEETING & HOW TO COMMENT VIRTUALLY:

Chair Phillips read the Public Notice for Electronic Meetings and Exhibit A: Determination of Substantial Health and Safety Risk.

Public Notice is hereby Given that the Planning Commission of Park City, Utah will hold its regular Planning Commission Meeting at the City Council Chambers, 445 Marsac Avenue, Park City, Utah 84060, for the purposes and all the times as described on Wednesday, October 14, 2020.

This meeting will be an electronic meeting without an anchor location as permitted by Utah Code Open and Public Meetings Act section 52-4-207(4) as amended June 18, 2020, and Park City Resolution 18-2020, adopted March 19, 2020. The written determination of a substantial health and safety risk, required by Utah Code section 52-4-207(4), is attached as Exhibit A. Planning Commission members will connect electronically. Public comments will be accepted virtually as described below.

To comment virtually, use eComment or raise your hand on Zoom. eComments submitted before the meeting date will be attached to the packet as appendices. eComments submitted on Commission meeting days will be read aloud. For more information on participating virtually and to listen live, please go to www.parkcity.org.

Exhibit A: Determination of Substantial Health and Safety Risk

On September 23, 2020 the Commission Chairperson determined that conducting a meeting with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location. Utah Code section 52-4-207(4) requires this determination and the facts upon which it is based, which include:

- Summit County has extended its Emergency Declaration and Public Health Emergency Declaration through January 8, 2021.
- Statewide COVID cases and hospitalizations are increasing. This determination is valid for 30 days and is set to expire on October 23, 2020.

Dated September 23, 2020.

ROLL CALL

Chair Phillips called the meeting to order at 5:40 p.m. and noted that all Commissioners were present.

APPROVAL OF MINUTES

September 23, 2020

Director Erickson noted that the third-party consultant on the traffic study for the Resort Base Project is AECOM. In several places throughout the minutes the third-party consultant was reflected as AECO. Director Erickson changed AECO to correctly read **AECOM**.

Commissioner Kenworthy referred to page 43 and a statement from Ryan Hales that over 2,000 studies were completed in the area. He questioned whether 2,000 was an accurate number. Director Erickson thought 2,000 was excessive. Since no one knew the exact number, the Commissioners agreed to change 2,000 studies to read **numerous studies**.

MOTION: Commissioner Thimm moved to APPROVE the Minutes of September 23, 2020 as amended. Commissioner Suesser seconded the motion.

VOTE: The motion passed. Commissioner Sletten abstained since he was absent from the September 23rd meeting.

PUBLIC COMMUNICATIONS

There were no comments.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Director Erickson reported that the new Senior Planner starts on November 9th. The Planning Department is in the middle of another recruiting process.

Planner Alex Ananth noted that the Planning Commission only had one meeting scheduled in November and December. She asked if the Commissioners were willing to add a second meeting in both months dedicated to the PEG Development Base Project. Planner Ananth suggested Wednesday, November 18th and Wednesday, December 16th as potential Planning Commission meetings for the PEG project.

Planner Hall favored adding a second meeting in November and December. She also liked the idea of having PEG specific meetings. Commissioner Van Dine agreed.

Commissioner Kenworthy and Chair Phillips were comfortable with the additional meetings in November and December and the dates suggested.

Commissioner Kenworthy asked if the people from Snow Engineering would come back to the Planning Commission this month when the PEG project is discussed. Planner Ananth was not aware that they would be back. She understood that the applicant had made changes to Building B that they would like to present to the Planning Commission. She thought that would be the focus of the discussion in November. Planner Ananth hoped they would be ready to continue the transportation discussion in December. Commissioner Kenworthy requested another opportunity to speak with the people from Snow Engineering. Planner Ananth would ask them to attend the December meeting.

Chair Phillips reported that he and Director Erickson sent a joint letter to the Town of Hideout Planning Commission on behalf of the Park City Planning Commission and the Planning Department. Chair Phillips reported that he on Monday he spoke at the Town of Hideout City Council meeting. He reiterated some of the same points and asked that the letter they had sent to the Planning Commission be admitted into the record for the City Council meeting.

Director Erickson noted that when this Planning Commission meeting is over, Planner Ward would be listening in on the Hideout meeting this evening.

Commissioner Sletten stated that regrettably he needed to resign from the Planning Commission. He reported that during the Labor Day fires in Oregon his family home was completely wiped out along with other homes in what was called the Holiday Farm Fire. Commissioner Sletten stated that working with insurance companies has become a full-time job in addition to his full-time job in real estate. Knowing that he will not be able to contribute the time it takes to prepare for large or small applications, he did not think it was appropriate to continue his role as a planning commissioner. Commissioner Sletten stated that he was willing to stay on until they can find his replacement. The home has been in his family for 50 years and in order to do what is necessary to rebuild

the home, he had no choice but to step aside. He was sorry to be leaving his post as a Planning Commissioner.

Commissioner Kenworthy was sorry for his loss and thanked Commissioner Sletten for serving so well on the Planning Commission. Chair Phillips was happy that Commissioner Sletten and his wife were able to get out safely. He could not imagine how hard it would be to lose your home. Chair Phillips appreciated the honor of sitting beside Commissioner Sletten on the Planning Commission and the friendship they created through this process. He remarked that the Commissioners and the citizens appreciate everything he has done while on the Planning Commission.

Commissioner Thimm was very sorry for Commissioner Sletten's loss and echoed the sentiments of the other Commissioners. He thanked him for his service and wished him the very best. Commissioner Suesser stated that she was sorry about his home and very sorry to see him resign from the Planning Commission.

CONTINUATIONS – Public Hearing and Continue to Date Specified.

Twisted Branch Road - Subdivision – REDUS Park City LLC and Park City Municipal Corporation, are Proposing to Create Two (2) Lots of Record for 1) an Existing City Pump Station; and 2) a Private On-Mountain Restaurant. The Plat Also Creates Four (4) Non-Development Parcels for Deer Valley to be Used for Access, Utilities, Ski Runs and Open Space. The Property is Subject to the Amended Flagstaff Development Agreement and Technical Reports. No Changes to SR 224 are Proposed.
(Application PL-17-03664)

Planner Ananth reported that the applicant was requesting a continuation to a date uncertain. Chair Phillips pointed out that when this item is scheduled on the agenda it is always continued. He was not aware of the circumstances, but he hoped the applicant would be ready when this item comes back on the agenda. Planner Ananth stated that she would do her best to make sure this item is ready the next time it goes on the agenda.

Commissioner Suesser asked if the Staff knew the circumstances for requesting a continuation. City Attorney Mark Harrington stated that he would not speak for the applicant, but they continue disagree with some of the issues the Staff has raised. The applicant would like to have everything ready before they proceed with the public hearing. Mr. Harrington noted that the Code has a standard related to six-months of inactivity. The Staff needs to give the applicant notice and give the applicant an opportunity to come before the Planning Commission to move forward. He remarked that the applicant has been working diligently on the issues and revising the plat. They

had not triggered the six-month standard because they were still making progress. Mr. Harrington recommended the continuation at this time.

MOTION: Commissioner Hall moved to CONTINUE Twisted Branch Road – Subdivision to a date uncertain. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

5.A. Land Management Code – Enactment of Section 15-3-5 to Outline Limited Circumstances and a Process for Applicants to Apply to the Commission and Council to Build a Private Driveway Over the Platted, Un-built Rights-of-Way. (Application PL-20-04658)

Planner Rebecca Ward stated that this item was a replacement code for LMC Section 15-3-5 that was repealed earlier this year, which established a conditional use permit process for applicants to apply to construct a private driveway on a platted unbuilt right-of-way.

Planner Ward reported that in August of this year, the City Council conducted a work session with the Planning and Engineering Departments on encroachments in the rights-of-way in general. They also reviewed the code being proposed this evening and provided input on this replacement code. Planner Ward remarked that the proposed amendment was crafted in a way to limit the potential for private driveways in the rights-of-way in the Historic Districts; primarily because there are instances where the right-of-way was built outside of where it was platted. For access and other reasons for certain properties, this might help both the City and the applicant.

Planner Ward stated that the proposed amendment considers vacation of the right-of-way. The City has a resolution from 1998 that sets out the City policy on vacating a right-of-way. Going through this analysis, it ensures there is good cause and no material injury. Planner Ward remarked that part of good cause is evaluating and ensuring that there is no increased density as a result and that it is compatible with the neighborhood. She noted that the criteria in the amendment goes through the conditional use permit criteria, and those factors will continue to be evaluated. However, the proposed amendment separates the approval from the conditional use permit.

Planner Ward stated that the amendment outlines City Engineer recommendation to the Planning Commission and the City Council. It retains the public notice and public process for these encroachment agreements for private driveways. It retains the Planning Commission recommendation to the City Council. She reiterated that it separates the approval from the conditional use permit and driveway encroachments are issued through an encroachment agreement solely through the discretion of the City Council. Planner Ward stated that part of that evaluation allows the City Council to consider market value or some type of lease for the use of the right-of-way. It places the final encroachment discretion with the City Council.

The Staff recommended that the Planning Commission conduct a public hearing and considering forwarding a positive recommendation for the City Council to consider on November 19th.

Commissioner Sletten noted that he was not able to access the hyperlink that was referenced in the Staff report. He asked Planner Ward to highlight a quick summary of the Updated Resolution. Planner Ward stated that Resolution 8-98 is the resolution adopting a policy statement regarding the vacation of public rights-of-way. This resolution makes a declaration that the City will evaluate good cause and ensure that neither the public nor any person will be materially injured by the vacation of the right-of-way.

Planner Ward noted that the Resolution specifically outlines what is considered good cause. The first criteria is that if the right-of-way is vacated, it cannot result in an increase in density for the adjacent property. It must be compatible with the neighborhood, and the criteria for that compatibility is the conditional use permit criteria, such as size and location of the site, traffic impacts, emergency vehicle access, off-street parking, circulation, fencing, screening and landscaping, building mass, bulk, and site plan, usable open space signs and lighting, physical design, snow storage, delivery, expected ownership, and compliance with the LMC and the General Plan.

Planner Ward stated that as part of the evaluation, there is consideration for the City to be compensated for the loss of the right-of-way, and that can be based on market value or open space dedication or another public amenity as defined by the City Council. Also required is an evaluation by the City Engineer of the existing right of way.

Commissioner Hall liked and agreed with the public comment that use of the public right-of-way should be an exceptional circumstance. She understood how Planner Ward tried to delineate each of the requirements, but she wanted to know if it was possible to incorporate the exceptional circumstance sentiment. Planner Ward replied that the intention was to craft the language specifically for the historic districts, and also

to leave enough flexibility for the City Council to evaluate these requests. She pointed out that it would be limiting based on the criteria. Planner Ward asked if Commissioner Hall had specific language that she would like inserted in the introductory paragraph to address her concern. Commissioner Hall suggested adding a last sentence to the paragraph stating that encroachment into the public right-of-way would be considered as a last resort or only under exceptional circumstances, in addition to complying with all the criteria.

Commissioner Suesser agreed with Commissioner Hall. It should only be under extraordinary circumstances. She noted that she had advocated for removing the entire provision because it sets an expectation that any homeowner who has a property adjacent to a right-of-way could possibly build a driveway across it. Commissioner Suesser did not think the language as written captured that sentiment.

Planner Ward suggested beginning the paragraph by saying, "In extraordinary circumstances, a property owner may petition..." She offered to draft the exact language and email it the Commissioners for approval prior to the City Council meeting.

Chair Phillips thought it would be helpful, especially for property owners who do not know the background or the Planning Commission's intent.

Commissioner Suesser was unsure whether inserting that language would make it clear enough. She had not had the opportunity to think through the best way to adjust the language. She did not believe the proposed language captures the Commissioners' sentiments on building in a right-of-way on the 10th Street property.

Commissioner Thimm stated that he could support adding language regarding extraordinary circumstances; however, he was concerned with what the definition of extraordinary circumstance and what it might mean. He preferred to think of the LMC or zoning regulations as black and white to some degree. Subjective terminology that is open to interpretation makes it difficult for both the public and the Planning Staff. What might be extraordinary to someone might be ordinary to someone else, and it causes everyone to draw a conclusion based on opinion. Commissioner Thimm did not believe it was the best use of the LMC to cause someone to draw an opinion.

Planner Ward asked if language stating, "...in limited circumstances for purposes of access" would be restrictive enough. Commissioner Suesser thought the driver was historic preservation. Planner Ward replied that the amendment is only intended for very limited lots. She used a recent application that came before the Planning Commission under the former CUP code as an example of where the right-of-way was not built where it was platted. To get to the road from the property line required a

driveway to encroach into the roadway. She pointed out that the intent is for access and those rights-of-way are in the historic districts.

Commissioner Hall noted that “an easement of necessity” is a defined term. She agreed with Commissioner Suesser that her first reaction was to eliminate it completely, but she understood that there are some exceptional circumstances where an easement of necessity is required for someone to access their home. She thought the language should clearly reflect that requesting encroachment into a right-of way needs to be a very exceptional circumstance. Planner Ward asked if language stating, “In limited circumstances for an easement of necessity” would be restrictive enough.

Commissioner Thimm suggested terminology of “exceptional or extraordinary circumstance as found in the Planning Commission’s recommendations and the City Council approval”. That would give them something concrete to base it on because it will be discussed by a governing board.

Commissioner Kenworthy stated that his goal was to discourage people to even apply unless they can make a case for community good cause. He asked if language to that effect could be included. He suggested, “Applicant shall be required to show community good cause prior to application”.

Commissioner Suesser favored all the suggestions. She thought good cause was a great requirement, as well as exceptional or limited circumstances and for purpose of an easement of necessity.

Director Erickson pointed out that an applicant will not be able to demonstrate good cause before submitting an application. He thought the necessity clause was an excellent solution. Director Erickson stated that there are a number of circumstances on Rossi Hill, Ontario Drive, King Road and other locations that were not ones that the Planning Commission was focusing on such as the platted rights-of-way on 4th, 8th, and 10th. Director Erickson was willing to take the necessity clause to the City Council.

Planner Ward stated that she would draft language reflecting limited circumstances for an easement of necessity. She would also add criteria for good cause as determined by the Planning Commission recommendation and City Council approval. Commissioner Kenworthy thought it should say “community good cause”.

Commissioner Hall asked if there is a specific requirement that the owner has no other viable options. She thought they should better define “the necessity”.

City Attorney Harrington stated that he would work with Planner Ward to draft the appropriate language. However, he did not believe legal necessity was the correct terminology because legal necessity is typically an implied easement right for a landlock parcel. Parcels adjacent to a legally platted right-of-way are not generally considered landlocked. Even where the right-of-way is vacated, those adjacent parcels retain the original private easement that comes with the original dedicated public right-of-way to their platted lot. Mr. Harrington recommended framing the language more generally in terms needing a legal reason for the easement. He understood the Commissioner's concerns and intent, but adding more criteria goes back to the problem of creating circumstances that someone can argue that the discretion to grant or not grant is at the discretion of the City Council. He noted that Planning Commission could restrict the City Council, but it might have the opposite effect if the property can argue that they cannot meet whatever criteria is set. Currently, the City Council can deny for any reason except for a pre-existing legal right. Mr. Harrington cautioned the Planning Commission not to over-think ways to handcuff the City Council's current discretion. He noted that Planner Ward stripped the Code standards and substituted with a public process, Planning Commission recommendation, disclosure, and vetted a priority for looking at vacation compensation first.

City Attorney Harrington suggested that the Planning Commission fall back to Commissioner Hall's original idea and bolster the purpose statement to say that Park City generally discourages use of public rights-of-way unless there is a pre-existing legal right.

Commissioner Hall asked if it was necessary to have this in the Code or whether it could be omitted entirely. City Attorney Harrington stated that it could be omitted entirely, and it would go back to what it was previous to the Code that was repealed. People would need to petition to the City Council for an encroachment permit and the Council could grant or deny. Commissioner Hall asked if the proposed amendment was a better mechanism. Mr. Harrington answered yes, because it still achieves those worthy goals of neighborhood notice, public notice, and a professional recommendation by the City Engineer. It is discouraged, but if someone chooses to apply, they must follow a process and meet the criteria.

Chair Phillips asked if this amendment reflects the intent in previous conversations. Planner Ward believed it would. It also reflects the intent from the City Council work session that a process be put in place to replace the previous conditional use permit process.

City Attorney Harrington noted that the added language could also say especially in the Historic Districts to address Commissioner Suesser's concerns. Commissioner Thimm

understood that this was written only for the Historic Districts. Planner Ward stated that as written it is limited to the Historic Districts. Commissioner Thimm suggested adding a first sentence indicating that this is normally discouraged. Chair Phillips agreed. He also thought they should take Mr. Harrington's comments into consideration.

Chair Phillips believed Planner Ward understood their intent. He asked her to craft the language and to make sure the City Council was aware of their discussions and reasoning.

Planner Ward stated that she would work with Mark Harrington to encompass all the input provided this evening.

Commissioner Suesser asked if Planner Ward was aware of any petitions to the City to build anything besides a private driveway within a platted unbuilt right-of-way in the Historic District. Planner Ward was not aware of anything beyond access.

City Attorney Harrington stated that there have been balcony posts on Main Street, additional landscaping improvements, stairways, fire access, and a number of different circumstances in the past. He noted that it has quieted down considerably as the build out is nearing completion. It was more prevalent in the past because of the nature of unaligned original right-of-way with where streets were actually built.

Commissioner Suesser understood from talking with property owners that some with homes that abut unbuilt City rights-of way in the Historic District were given approval to do landscaping within the right-of-way, including small retaining walls. She asked about that approval process. Planner Ward stated that it was addressed with the Engineering Department during the encroachments and rights-of-way work session with the City Council in August. The Staff outlined those approval processes to see if the City Council had input or direction to change or reevaluate the approval process. Planner Ward clarified that the encroachment agreement approvals for landscaping and smaller retaining walls are done through the Engineering Department. She noted that some communities require a lease or some type of annual payment to have those encroachments in the rights-of-way, and the City Council directed the Staff to look into it. Planner Ward stated that the Staff was currently working with the Engineering Department to evaluate overall encroachments specific to the rights-of-way that are not for access.

Commissioner Suesser emphasized that the encroachments should be completely revocable. For example, if the City at some point in the future decides to build a staircase in the right-of-way, the property owner will be responsible for removing their

small garden retaining wall or landscaping. City Attorney Harrington stated that the standard form is a revocable license.

Commissioner Hall asked if it made sense to insert the revocable license into the language so it is abundantly clear in the Code that the City can revoke the encroachment at any time, and the property owner will be responsible for the cost of removing whatever they put in the right-of-way. City Attorney Harrington was comfortable adding that language as long as it is qualified by a legal right. He noted that sometimes a historic structure encroaches that pre-exists the ownership, and the City currently has the ability to resolve it through an encroachment agreement. Mr. Harrington was cautious not to add language that would preclude any legal conditions and result in an unintended consequence. He did not have a problem including the revocable reference.

Planner Ward noted that Section D-4 states an encroachment agreement, in a form approved by the City Attorney, protects the City's interest in future public improvements, public utilities, and public use of the Right-of-Way. She stated that they could insert a revocable agreement in that bullet point.

Commissioner Suesser thought the language should be clear to a planner working with an applicant. She understood that in the renovation of a historic home, the Planning Department guided the applicant that a private driveway over the public right-of-way was a good solution to preserving the historic home. Commissioner Suesser thought the Code should be clear that paving or using the public right-of-way is highly discouraged by the Planning Department, the Planning Commission, and the City Council.

Mr. Harrington did not think it was guidance by the planners as much as exploring design alternatives. When the historic design application went first, that was the design solution that best complied with the design guidelines. He did not believe the applicant was guided towards the use of the public right-of-way. Commissioner Suesser clarified that she had a different impression from the applicant. She understood Mr. Harrington's explanation.

Commissioner Kenworthy agreed with Commissioners Hall and Suesser. He was comfortable with the language after adding the suggested inclusions. Commissioner Van Dine concurred. Chair Phillips thought the revised language accomplished their intent.

Chair Phillips opened the public hearing.

No comments were submitted. No hands were raised on Zoom.

Chair Phillips closed the public hearing.

Commissioner Suesser noted that the language states “private driveways within platted unbuilt City right-of-way”. She asked if there was a specific provision for landscaping and any other construction within a platted unbuilt City right-of-way in the historic districts. She suggested changing the title of the provision to “Use of Unbuilt City Rights-of Way within the Historic Districts”. Planner Ward stated that the Engineering Department has discretion over the rights-of-way. However, because this is tied to the approval of the use of a property, it was brought into the LMC. Planner Ward explained that City Council was comfortable with how the Engineering Department handled these agreements for things such as landscaping. She clarified that those specific approvals would not be through the Planning Department. Planner Ward noted that the Engineering Department has a process for reviewing these requests.

MOTION: Commissioner Thimm moved to forward a POSITIVE recommendation to the City Council regarding the private driveways in the platted unbuilt right-of-way, Land Management Code Section 15-3-5 amendments, including the sentiments expressed in the discussion this evening, for the City Council’s consideration on November 19, 2020. Commissioner Sletten seconded the motion.

VOTE: The motion passed unanimously.

5.B. Land Management Code – Amendments to Chapter 15-3, Off-Street Parking, and Chapter 15-15, Definitions, to Establish Electric Vehicle Charging Station Standards, and Enactment of Section 15-3-11, Electric Vehicle Charging Stations, to Require Infrastructure for Future Electric Vehicle Charging Stations and Electric Vehicle Charging Station Installations for Multi-Unit Dwellings and Non-Residential Development.
(Application PL-20-4623)

Planner Ward thanked Luke Cartin, Celia Peterson, Dave Gustafson in the Sustainability Department for their help with these amendments. She also thanked Dave Thacker, Scott Olsen, and Cooper Wade in the Building Department who made sure everything was in place to implement these amendments at the building permit review phase. Planner Ward reported that on August 4th, Johnny Wasden with the Parking Department, presented an amendment to the City Council to amend the Parking Code so the City could enforce EV charging station parking restrictions.

Planner Ward stated that the EV charging stations are an implementation in the LMC recommended by the General Plan. She presented a slide showing what was being done on a regional, state, county and level where charging station networks are growing. Park City wants to make sure they have the infrastructure and standards in place to ensure that EV charging stations are successful. Planner Ward reported that the City has announced a plan to install 100 charges to date. Currently, 62 chargers have been installed and the rest are in process.

Planner Ward noted that there are three levels of charging stations. Level 1 is basic and plugs into a household outlet. She stated that the Code amendments were designed around Level 2 stations, which require a few hours to fully recharge a battery and has a higher conduit requirement.

Planner Ward stated that the proposed amendments: 1) define key terms; 2) encourage that private garages be EV ready for a Level 2 charger; 3) require conduit for 15% of the first 100 parking spaces and 5% thereafter; 4) require installations of charging stations for 5% of total parking in new development and redevelopment; 5) establish uniform standards; 6) allow charging stations as an accessory use in all zone; 7) allow solar energy systems in non-historic zoning districts.

Planner Ward stated that the Staff has been evaluating the requirement to require the conduit for 15% of the first 100 parking spaces and 5% after that, and they intend to keep follow up on the Code to make sure it keeps up with the demand. She pointed out that currently, EV charging stations are installed as part of a development's parking requirement. Therefore, they were not looking into additional parking spaces, but they were trying to find a balance to ensure that conduit is in place for future installation of charging stations, but without removing too many parking spaces upfront that are required for the uses. Planner Ward remarked that once the 15% infrastructure is installed, it is possible to increase that over time without the expensive retrofits that would be required if conduit was not installed initially. Planner Ward stated that for the EV charging station installations for the 5% of the total parking, the Code would require that the first be ADA acceptable, but not necessarily restricted to ADA only use. She noted that this is the standard in several communities, assuming that ADA requirements will come into play in the near future. Planner Ward stated that the City was working to establish uniform standards for the installations, as well as for signage. The City is working on signs for the EV charging stations in China Bridge, cord Management, snow removal, and maintenance.

The Staff recommended that the Planning Commission consider these amendments, conduct a public hearing, and consider forwarding a positive recommendation to the City Council.

Commissioner Hall stated that she was very excited about the EV charging stations. She noted that installing conduit is very inexpensive if it is done initially in a development versus the prohibitive cost if it needs to be retrofitted. Commissioner Hall stated that her initial reaction was to increase the percentage.

Chair Phillips recalled a previous discussion about increasing the percentage. He asked if Park City was at the higher end of what other municipalities were doing. Planner Ward stated that Park City originally started at 10%; however, some municipalities go as high as 20%. She noted that they tapered it off to 100 parking spaces after evaluating some of the proposals coming forward. A 300-parking space garage could be excessive. Planner Ward thought the 15% could be increased to 20%.

Chair Phillips asked if the Planning Commission had discussed tapering off at 100. Planner Ward replied that the tapering came as a result of further discussions on projects that were in place and evaluating what that would look like for the total parking requirement and the number of potential parking spaces that could be lost in the exchange. The challenge is trying to find the right balance to make sure these can grow over time and work as the demand increases. Chair Phillips trusted that the Staff would continue to follow up, but he wanted to know what would happen when she or others in the Planning Department leave. He agreed with Commissioner Hall and felt there was good logic for increasing the number to 20% to get ahead of the curve.

Commissioner Thimm was comfortable with 20%. He was concerned about the specific ADA provision stating that the first EV charging station installed shall be accessible but not restricted to ADA use. He suggested that they require two charging stations and restrict the first one to only ADA use. Commissioner Thimm thought they should be more accommodating to the physically handicapped. Planner Ward clarified that Commissioner Thimm was suggested that the first installation include a dual port, with one restricted specifically for ADA use. The other Commissioners concurred with Commissioner Thimm.

Commissioner Suesser stated that she is supportive of electric cars and wants to make sure they accommodate those vehicles. However, Park City is a small mountain town and people who drive to Main Street or a grocery store, or just doing errands do not necessarily need a parking spot to recharge their car. Commissioner Suesser did not understand the need to make sure there is a parking space for anyone who comes to a parking lot with an electric car. She pointed out that people predominantly charge their cars at home.

Commissioner Hall stated that she charges her car whenever she goes into Salt Lake. She did not believe they were accommodating people in the 84060 ZIP Code as much as they were people who live outside of Park City and commute into work. Chair Phillips thought it also accommodates tourists who stay at a hotel that does not have charging stations.

Chair Phillips stated that the infrastructure is very inexpensive for developers and involves simply running conduit. He thought it was impossible to know where the trends will go over the next 20 or 30 years, but they do know that electric is on the rise.

Commissioner Suesser thought she may have misunderstood and asked if they were only talking about the conduit and not the actual device to charge the car. Commissioner Hall replied that it was only the conduit, which is currently \$1.50 per foot to lay under the concrete. Chair Phillips believed that increasing to 20% would cover any circumstance and provide more options to locate charging stations when they are installed.

Commissioner Kenworthy agreed with the increase to 20%. He was also very proud to be part of the City and he was proud of the City Council for making this a priority. Commissioner Kenworthy echoed Commissioner Hall on it being cost effective.

Chair Phillips opened the public hearing.

No comments were submitted. No hands were raised on Zoom.

Chair Phillips closed the public hearing.

MOTION: Commissioner Hall moved to forward a POSITIVE recommendation to the City Council for the Amendments to 15-3-1 through 15-3-11, and to amend 15-3-11(B) to reflect the increase from 10% to 20% per the discussion this evening. Commissioner Kenworthy seconded the motion.

VOTE: The motion passed unanimously.

The Planning Commission Meeting adjourned at 6:50 p.m.

Approved by Planning Commission: _____