PARK CITY COUNCIL MEETING MINUTES
445 MARSAC AVENUE
PARK CITY, UTAH 84060

September 28, 2023

The Council of Park City, Summit County, Utah, met in open meeting on September 28, 2023, at 3:15 p.m. in the City Council Chambers.

Council Member Toly moved to close the meeting to discuss property, personnel, and litigation at 3:15 p.m. Council Member Dickey seconded the motion.

RESULT: APPROVED
AYES: Council Members Dickey, Doilney, Gerber, Rubell and Toly

CLOSED SESSION

Council Member Dickey moved to adjourn from Closed Meeting at 4:15 p.m. Council Member Doilney seconded the motion.

RESULT: APPROVED
AYES: Council Members Dickey, Doilney, Gerber, Rubell and Toly

WORK SESSION

Vibrancy Commercial Storefront Ordinance Discussion:
Mindy Finlinson, Finance Manager, presented this item and reviewed the history of the current vibrancy ordinance, including ways to activate dark spaces on Main Street. She stated staff and the Historic Park City Alliance (HPCA) thought the ordinance worked well. Council Member Rubell thought a new ordinance could address the nuance of new owners who had the intent of making the space vibrant and he asked how that could be accommodated. Mayor Worel indicated the ordinance was set forth because some Main Street building owners played games in order to only open their spaces during the Sundance Film Festival. Sometimes owners would change the name of the business to meet the requirements for operating during Sundance. Council Member Doilney stated Council should look at the ordinance from a small business perspective. Sundance could be seed money to help them get started, and the owner could give a performance bond to the City to show good faith that they would continue to perform. He felt this would encourage business on Main Street. Dave Thacker, Chief Building Official, indicated there was a particular case where a business wanted to do renovations before

APPROVED 10-26-2023

opening for Sundance. In this case, staff could issue a business license and then work towards getting them a permit. He met with the owners of the building and discussed options for getting a business license for the fourth quarter so they would qualify to participate in Sundance.

Council Member Gerber stated many stakeholders collaborated on the current ordinance. There were good reasons to have exceptions, and she recommended including the stakeholders before making changes. Council Member Doilney did not want to look at the ordinance for one particular space, but to analyze the ordinance holistically to encourage business. Council Member Toly stated businesses that rented their spaces for Sundance had to prep for months to meet the requirements. She liked the idea of a performance bond and asked if it was legal to require one. Margaret Plane, City Attorney, indicated she would look at it. Council Member Dickey asked for clarification on what Thacker proposed. Thacker explained a business was considered vibrant if they were active and operational 60 out of the 90 days of the previous quarter from when they wanted to have their license active. He indicated there was a building permit process and then staff would issue a business license. He proposed flipping the process and issuing a business license first and then working on the building permit with the business owner. Council Member Dickey hoped to find a way to help businesses that was nonmonetary instead of requiring a performance bond. Council Member Gerber wanted to include stakeholders in discussing the bond or one-time exceptions. Council Member Toly noted there weren't many open buildings on Main Street. She expressed concern that people would try to find loopholes to the code, such as counting an Airbnb as a business. Mayor Worel summarized Plane would look at the legality of performance bonds and staff would look at one-time exceptions. Jenny Diersen, Special Events Manager, stated staff would inform Sundance of any ordinance change and they would provide feedback. Matt Dias, City Manager, stated timing was essential and it would be difficult to include a lot of stakeholders. Mayor Worel stated she didn't feel an urgency with this ordinance as long as the one business had a path forward.

PC Transit Update and Winter Service Discussion:
Sarah Pearce, Deputy City Manager, presented this item and stated Transit wanted to be more efficient on the Green and Blue routes that serviced the Thaynes neighborhood. They also wanted to increase frequency on the Orange and Purple routes from 30 minute to 15 minute intervals during peak times to accommodate the workforce. Council Member Gerber asked about the microtransit route going to Silver Lake. Pearce indicated they wanted to increase the fixed route frequency so microtransit would not be needed as much. Council Member Rubell liked the Green and Blue routes proposal, but he thought the Orange and Purple lines were oftentimes empty. He didn't want microtransit going to Empire Pass and stated there were shuttles that could take employees there. He thought microtransit should stay in the City's core. He noted there should be a conversation on putting buses on Royal Street. Pearce clarified they increased the frequency on the Red, Yellow, White, Teal, Trolley, and Citywide routes last year and that schedule would remain the same this winter. Troy Daley, Public Works Manager, reviewed the maintenance problems with the electric

APPROVED 10-26-2023

buses and stated suppliers were slow to provide parts, but he felt he could keep the buses on the road. Council Member Rubell stated there were many buses that were not in operation last year, to which Pearce responded that was due to a bus driver shortage and noted there were more drivers this year. Council Member Rubell asked for other solutions for the high microtransit demand instead of increasing fixed route frequency. He thought having a bus on Royal Street should be considered. Mayor Worel noted ridership on Royal Street was assessed for a year and it was minimal.

Pearce discussed winter service from Richardson Flat and proposed that a new route go from there to SnowPark and another route go from there to Park City Mountain. Victoria Schlaepfer, Deer Valley Resort, stated the community wanted direct routes to resorts and the City asked the resorts to contribute $150,000 each for Transit to provide that service. Deer Valley expanded employee beds and had them in Heber City. This proposed service would help get those employees to work.

Kim Fjeldsted responded to a question on accidents and indicated the drivers were trained to drive defensively. There had been an increase in accidents and there would be increased training and rewards for good driving.

Mike Lewis, Park City Mountain (PCM) Senior Director of Base Operations, stated PCM wanted to be a good community partner and was willing to contribute $150,000 for transit. He noted this was in addition to their own program at the base to improve circulation. Their investment resulted in increased carpooling and reductions in cut-through traffic in neighborhoods. They incentivized employees to carpool and use the UTA vanpool program.

Pearce asked if Council supported the Richardson Flat winter transit proposal and noted there would be a funding gap of $133,530. Council Member Dickey appreciated the resorts making a contribution, but indicated the City asked that the resorts pay half of the Richardson Flat route since the riders were employees and day skiers. He didn't want to run it just to run it. Council Member Toly asked if Deer Valley would still use Treasure Mountain in the spring and Schlaepfer said no. Council Member Toly asked how this would be marketed. Schlaepfer stated they would educate their staff and use the RideOn app for employees to carpool. Lewis stated they would highlight Richardson Flat as an option in addition to parking at the high school. Council Member Toly asked the dates of service for the Richardson Flat routes, and it was indicated the routes would be effective December 10th through April 15th.

Council Member Gerber thought the route would be beneficial if it got more people on the bus and off the road. She asked if the frequency could be changed to make up the cost difference. She supported moving ahead with implementing the routes and appreciated the contribution from the resorts. She also supported filling the funding gap. Council Member Toly asked if the service could end the first of April to decrease the funding gap. Pearce stated they could look at that. Council Member Dickey stated this proposal would not take cars off roads. Council Member Rubell asked what the public

APPROVED 10-26-2023

benefit was to justify the City contributing to the routes. The City had much of the expense and risk. If a subsidized model was agreed to, then it would continue. He supported contributing half as originally proposed. Council Member Doilney stated it took a long time to change people's behavior and the City was trying a lot of different things. Even though the resorts weren't paying half the cost, it was important to continue trying new things. The City could always ask for more money from the resorts as these programs were successful. Council Member Rubell asked if other cities were asked to contribute to the routes since the service was helping their residents. Council Member Toly wanted this item to come back so Council could discuss taking out the first six days of the program and leaving out April. She thought this was what everyone was looking for and wanted to see a cost offset model so there was no funding gap.

APPROVED 10-26-2023

REGULAR MEETING

I. ROLL CALL

Attendee Name	Status
Mayor Nann Worel Council Member Ryan Dickey Council Member Max Doilney Council Member Becca Gerber Council Member Jeremy Rubell Council Member Tana Toly Matt Dias, City Manager Margaret Plane, City Attorney Michelle Kellogg, City Recorder	**Present**
None	**Excused**

II. APPOINTMENT

1. Appointment of Carolyn Murray to the Neighborhoods First Streets Committee for a Two-Year Term Effective Immediately:

Council Member Gerber moved to appoint Carolyn Murray to the Neighborhoods' First Streets Committee for a two-year term effective immediately. Council Member Doilney seconded the motion.

RESULT: APPROVED
AYES: Council Members Dickey, Doilney, Gerber, Rubell and Toly

III. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Council Questions and Comments:

Council Member Toly indicated the Council retreat was great. She announced the scarecrow festival was going on at the McPolin Barn. She reminded the public to use Transit to Trails to see the fall colors. Council Member Rubell stated staff held a bike safety event at Parley's Park Elementary and they gave out bike helmets, bells, and stickers. He disclosed that for New Business Item Three, his family had a membership to Deer Crest Club, but that was not directly related to the item and it would not affect his decision. Council Member Dickey disclosed that for New Business Item Four, he held an ownership interest and would recuse himself. Council Member Gerber thanked staff for the nice Council retreat. Mayor Worel reminded people the Health Department recommended getting flu and other vaccines in October.

Staff Communications Reports:

1. City Council Protocols:

2. Winter 2023-24 Court Allocation Plan for Tennis and Pickleball:

3. Clark Ranch Land Use Feasibility Study Findings:

IV. PUBLIC INPUT (ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON THE AGENDA)

Mayor Worel opened the meeting for any who wished to speak or submit comments on items not on the agenda.

Tim LaPage 84060 stated the winter pickleball hours had been amended and he encouraged the MARC to maximize the hours of court time. He felt pickleball and tennis players could play side by side. He talked to the president of the pickleball club and the president said he did not endorse the new hours.

Sara Berry 84060 thought the MARC, a public facility, should operate on a first come first served basis and should not be biased to tennis players. Currently, the indoor courts were prioritized for tennis players.

Gene DeSantis stated he went to another location and saw 130+ pickleball players and six tennis players over a three day period. He liked the bond proposition on the ballot for additional pickleball courts. He thought there was inequity for pickleball versus tennis players at the MARC and he sent Council an email proposing a discount for tennis players who used the bubble.

Christin LaPointe 84060 thought it was unfair to let courts sit empty if tennis players had one court. She requested sharing the bubble in a public facility.

Cheryl O'Connell 84060 stated she took the Summit County planning class last spring and then went to the Deer Valley open house. She proposed having no stop lights at

APPROVED 10-26-2023

Deer Valley, but supported a roundabout. She asserted this would eliminate some light pollution. She had a design she would leave with the Engineering Department.

Greg Leitzke, Pickleball Club President, stated it was true Ken Fisher reached out to him with the proposed winter schedule, but when it was presented to the membership, there was pushback that tennis and pickleball could not be played together. Other sports could be played simultaneously and he knew it could happen at the MARC.

Mayor Worel closed the public input portion of the meeting.

V. CONSIDERATION OF MINUTES

1. Consideration to Approve the City Council Meeting Minutes from August 29 and September 12, 2023:

Council Member Gerber moved to approve the City Council meeting minutes from August 29 and September 12, 2023. Council Member Dickey seconded the motion.

RESULT: APPROVED
AYES: Council Members Dickey, Doilney, Gerber, Rubell and Toly

VI. CONSENT AGENDA

1. Request to Approve an Amendment to the Iron Mountain Conservation Easement in a Form Approved by the City Attorney's Office:

Council Member Gerber moved to approve the Consent Agenda. Council Member Rubell seconded the motion.

RESULT: APPROVED
AYES: Council Members Dickey, Doilney, Gerber, Rubell and Toly

VII. OLD BUSINESS

1. Consideration of Deer Valley Development Company's Petition for the City to Vacate Portions of Right-Of-Way on Deer Valley Drive West and South, and to Dedicate Doe Pass Road to the City, as Part of the Snow Park Village Base Area Master Planned Development and Subdivision Application:
Mayor Worel stated this item had been continued from August 29th and the public hearing tonight would be continued to November 2, 2023.

Mayor Worel opened the public hearing.

APPROVED 10-26-2023

Allison Keenan 84060 read a prepared statement and reviewed the resort announced an expansion. She expressed concern for the traffic congestion and noted that the traffic congestion with the expansion was not known. She asked for a new traffic study. She looked forward to continued collaboration with Deer Valley.

Sean Parker 84060 stated Deer Valley's proposal had no mitigation for the rest of the town. He thought if the resort was contributing to additional traffic, then they needed to contribute to the Transit program. He stated Park City Mountain had indicated paid parking helped with traffic flow but they never said it reduced traffic.

John Greenfield reviewed that he went to the Deer Valley open house and found many people excited for the development. He looked forward to the different aspects of the plans. He stated this was a unique opportunity. He wanted to see traffic solutions, but he wanted to send good vibes to the Council, Deer Valley, and the concerned citizens of the community.

Council Member Gerber moved to continue Deer Valley Development Company's petition for the City to vacate portions of right-of-way on Deer Valley Drive West and South, and to dedicate Doe Pass Road to the City, as part of the Snow Park Village Base Area Master Planned Development and Subdivision Application to November 2, 2023. Council Member Toly seconded the motion.

RESULT: CONTINUED TO NOVEMBER 2, 2023
AYES: Council Members Dickey, Doilney, Gerber, Rubell and Toly

2. Consideration to Approve Ordinance No. 2023-17, an Ordinance Amending Land Management Code Section 15-6-8 Unit Equivalents and Section 15-15-1 Definitions Regarding Support Commercial and Residential and Resort Accessory Uses for Master Planned Developments and Sections 15-2.7-2 Uses for the Recreation and Open Space Zoning District, 15-2.18-2 Uses for the General Commercial Zoning District, and 15-2.19-2 Uses for the Light Industrial Zoning District to Clarify Resort Support Commercial is Allowed When Approved as Part of a Master Planned Development (MPD):

Rebecca Ward, Interim Planning Director, presented this item and reviewed the background of amending the accessory uses for master planned developments. Originally the uses were to intended to serve those onsite. Over the years, there were some challenges, including excesses without mitigation. Examples included bars, restaurants, spas, and meeting areas that were converted to serve those who weren't onsite. These amendments would establish a review process that would look at the project holistically and mitigate impacts. The purpose of the MPD section of the code was to provide design flexibility for mixed use developments that were compatible with the surrounding neighborhood. The proposed impacts would not impact projects that were already approved. The allowed uses were the same, but the way they were evaluated would change. The applicant would be required to demonstrate the impact of the uses were accounted for, including affordable housing, employee generation, traffic,

APPROVED 10-26-2023

and parking. Then the Planning Commission could create conditions of approval for enforcement.

Ward reviewed the proposed amendments for support commercial would limit the total square footage to 5,000 square feet or 5% of the total square footage, whichever was less. The commercial usage would be evaluated as part of the project as a whole. Meeting space allowances would be removed, it would be limited to a hotel, marketing would be limited to existing primary uses onsite, and it would capture affordable housing obligations for employees generated. She noted the definition of hotel would include nightly rental condos.

Ward displayed a list of residential accessory uses and noted the amendments would add Child Care Facilities and Enclosed Bicycle Storage to the list. The Planning Commission wanted to refine the list of Resort Accessory Uses and the amendments would require the Planning Commission to review and approve a maximum square footage. Affordable housing obligations, parking, and traffic impacts would be captured. Uses for business operations, including information, lost and found, storage facilities, ski school, and ticket sales would be removed. The term “Day Care Facilities” would be replaced with “Child Care Facilities.”

Mayor Worel asked what would happen if an applicant requested a change to an accessory use after the MPD was approved. Ward stated it depended on the development agreement. A change in use would go to the Planning Commission to determine if it was a minor change or a substantive change. Staff could address minor changes, but the Planning Commission would review substantive changes.

Council Member Dickey asked how the amendments would change development patterns. Ward stated it would require review for underlying uses. As far as incentives, the review process was changing but there were no changes on what was allowed. Council Member Doilney thought the amendments were targeted for upcoming developments. Council Member Dickey felt it disincentivized hotels, specifically where density was fixed from the beginning. Council Member Doilney thought the amendments were stricter. Council Member Dickey expressed concern for disincentivizing hotels because the General Plan wanted to cluster density at the resorts. He wanted to limit nightly rentals in neighborhoods and preferred hotels, which had more people in a smaller space.

Council Member Rubell asked what this code amendment would accomplish. Ward stated the Planning Commission wanted to shift things that used to be allowed to go back into the review process Projects should be reviewed holistically with surrounding neighborhoods in mind. Council Member Rubell stated the amendment would be for projects over 100,000 square feet. Ward indicated the 5,000 square feet commercial uses amendment would create a limitation that was clear.

APPROVED 10-26-2023

Council Member Doilney thought the amendments would disincentivize local businesses from developing unless they had deep pockets. Council Member Rubell asked if the square footage that did not count historically would now count. Ward explained the square footage was based on volume. The way it was configured on the site was flexible.

Council Member Toly asked if the conventional chain language was the same as the code for Main Street businesses. Ward indicated within the support commercial, the Planning Commission did not want to have chain businesses that would attract people from off the site. Chain businesses being allowed depended on the underlying zoning. Council Member Toly asked if there was a theme with regard to public comments received. Ward indicated the building industry wanted predictability in the code to minimize approval timeframes.

Mayor Worel opened the public hearing.

John Sale, Park City Mountain, 84036, stated he had concerns with the proposed changes and asserted they would affect many upcoming projects. He read from the proposed amendments that amenities would have to go through the MPD process. He stated the conditional use process effectively managed changes. He requested a taskforce be created to analyze the amendments and he hoped the Council would clarify the language regarding the Recreation Open Space Zone that would ensure it would only impose a MPD process on those projects on which a MPD was required.

Rory Murphy 84060 was against the proposed code amendments because it would hamper the ski resorts' ability to function. He didn't want to apply this standard to the base projects at the resorts and stated the City derived a lot of revenue from the resorts and they were the lifeblood of the community. He was concerned the City was trying to curtail the resorts' ability to operate. The resorts knew what they needed to function properly and most of the residents and businesses did not know that. He didn't want the Planning Commission to have this approval authority over the resorts. He requested that the Council reject these amendments. He suggested controlling the commercial creep through business licenses.

Peter Tomai 84098 didn't know what the City was trying to accomplish with the amendments. The code was not broken. The projects were already reviewed on a holistic basis. The idea of amending the code for unknown future projects was impractical. Addressing the changes at the time, through the application process was more beneficial. The Planning Commission was already overburdened and this felt counter to improving the process. He liked the Council discussion on collateral impacts. If this passed, there would not be any future projects with meeting space. The risk was greater than the benefit.

Tony Tyler stated the proposed changes had disincentives for hotels and ski bases to operate. He also felt it would force traffic patterns off site and put the burden on the

APPROVED 10-26-2023

greater community for guest services. He supported the addition of workforce housing on the square footage. He asked that Council deny the amendment.

John Kenworthy 84060 indicated the Planning Commission did not want to get into a Treasure Hill debacle again regarding bonus density. He thought there needed to be defined limitations on this for Planning staff and the community. This code amendment would limit the consequences of bonus density.

Angela Moschetta 84060 disagreed with the developers who spoke to reject the amendment and agreed with Kenworthy. She reviewed Treasure Hill was a mess and then Park City Mountain base development was trying to game the City code. She didn't want too much left to the discretion of the Planning Commission. She supported this amendment.

Ed Parigian 84060 referred to the Treasure Hill proposed development and all the ancillary requests. It took a lot of time and they didn't figure it out.

Deb Rentfrow 84060 stated entities tried to game the system. She was very involved in the application for the base area and saw the developer request more and more square footage that was not tied to unit equivalents (UE) or affordable housing. She supported this amendment and thought it was necessary.

Mayor Worel closed the public hearing.

Council Member Gerber understood the Planning Commission's concern for square footage limits. She recommended forming a taskforce to address the concerns noted tonight. Council Member Dickey was concerned with what the City incentivized and disincentivized. He didn't want to not be competitive compared to neighboring communities. He favored feedback from stakeholders or more conversation at the Planning Commission.

Council Member Rubell thought some insights and outcomes were missing. He wanted to get answers to why this was being done. He liked aspects of the code but wanted clarity on other pieces. He thought heightened parking requirements weren't necessarily a bad thing if there were traffic mitigations in tandem with that. He asked when the pending ordinance expired, to which Ward stated the pending ordinance would expire the end of September. She noted there were three MPD applications that were submitted before the pending ordinance was in place. She was not aware of a new MPD application that would be submitted in the coming months. Council Member Rubell wanted to keep the pending ordinance in place. Mark Harrington, Senior City Attorney, stated there was no basis to extend the 180 days for the pending ordinance, but a new ordinance could be created and Council could restart the process. The state was considering prohibiting continuous pending ordinances, so he would have to look at the new ordinance and advise Council at that point. Council Member Rubell stated there was a lot of development outside the City and the City shouldn't move too far away from

APPROVED 10-26-2023

development. He favored having a future conversation with some specific items to use a mechanism to protect the community as this was figured out. He didn't not favor creating a taskforce.

Council Member Toly agreed with the other comments and added parking was being discussed at the state legislature so the City needed to be careful with regard to parking. She favored a taskforce to discuss the unintended consequences as well as what would be incentivized and disincentivized. Council Member Doilney agreed with the other comments. He felt it was a mistake to amend code for one project and this was what the amendments felt like. He noted those with the most experience in development shared concerns about this code amendment. He wanted to keep the pace up to get some changes made. He did not support approving this tonight.

Mayor Worel summarized the Council asked for more clarity on why the amendments were needed. They wanted to know the collateral impacts and what was being incentivized and disincentivized. They wanted to understand more on the footnote in the code amendment. They also wanted information on a new pending ordinance. Regarding the taskforce, she noted it was discussed at a previous meeting but there wasn't clear direction. The Council favored forming a taskforce but wanted it fast tracked. Mayor Worel also asked that the Planning Commission take another look at the ordinance once the taskforce brought out new information. Matt Dias, City Manager, stated Mayor Worel should name the taskforce.

Council Member Rubell asked when a new ordinance would become pending. Ward indicated this ordinance would be denied and a new pending ordinance would be in effect when a public notice was published for that ordinance.

Council Member Doilney moved to deny Ordinance No. 2023-17, an ordinance amending Land Management Code Section 15-6-8 Unit Equivalents and Section 15-15-1 Definitions Regarding Support Commercial and Residential and Resort Accessory Uses for Master Planned Developments and Sections 15-2.7-2 Uses for the Recreation and Open Space Zoning District, 15-2.18-2 Uses for the General Commercial Zoning District, and 15-2.19-2 Uses for the Light Industrial Zoning District to clarify resort support commercial is allowed when approved as part of a Master Planned Development. Council Member Gerber seconded the motion.

RESULT: DENIED
AYES: Council Members Dickey, Doilney, Gerber, Rubell and Toly

3. Discuss Landscaping Incentive Update and Partnership Opportunity:
Jason Christensen, Water Resources Manager, and Susan Cordone, Conservation Coordinator, presented this item. Christensen reviewed the program process and the associated incentives. He noted there were seven applications submitted and two projects were completed. He also stated there were some partnership options in the community that Council could consider. Since the City rolled out the program, Weber

APPROVED 10-26-2023

Basin and the state government rolled out similar landscape incentive programs. The Council could choose to run the City program solely, allow Weber Basin to run it solely, or partner with Weber Basin to run the program. Weber Basin would continue to require aspects of the City code, but they would not require fire-wise plants if they solely managed the program.

Council Member Dickey asked how much it would cost to have Weber Basin run the program alone. Christensen thought both Weber Basin and the state would each contribute $100,000 to the program. The City allocated $200,000 per year in a revolving fund. Council Member Dickey noted the funding wouldn't change if Weber Basin ran the program. It was indicated the current maximum reimbursement was $10,000 for residential and $50,000 for commercial or multi-family.

Christensen stated partnering with Weber Basin would allow a $3 per square foot rebate split between the City, state, and Weber Basin, and the City could continue requiring the fire-wise planting. Applicants would apply through a state website and the property owner would have to record an agreement not to reinstall turf to the area of the project. He noted the state would need the City to make some changes to the code by the end of the year to restrict turf in newly constructed parking strips and limit turf use in commercial, multi-family, industrial, and institutional space to no more than 20% of the landscaped area. Christensen stated the staff recommendation was to partner with Weber Basin and increase the maximum rebate for residential to $15,000 and commercial $75,000. He also recommended helping larger properties participate in the program by offering up to $25,000 over the $75,000 maximum which would be fully funded by the City, bringing the total to $100,000 maximum rebate.

Mayor Worel noted there were 38 site visits and she asked what reasons people gave for not applying. Cordone indicated most people were interested in the program and wanted to learn more. She thought many would wait until spring to apply. Mayor Worel asked if a landscape plan was needed when applications were submitted. Cordone stated they needed to submit the existing plan and a proposed plan. Council Member Rubell asked if there was a preferred vendor list to help complete the projects. Christensen stated it was difficult to promote private businesses. Council Member Rubell asked if a directory could be set up to refer people to those who completed projects for referrals.

Council Member Gerber asked if there was a cap on how many projects could be completed per year. Christensen stated the City had $200,000 per year and leftover amounts could be carried over to the next year.

Mayor Worel opened the public input. No comments were given. Mayor Worel closed the public input period.

Council Members Doilney, Gerber, and Toly favored partnering with Weber Basin. Council Member Rubell agreed, but noted he did not support giving the added rebate.

APPROVED 10-26-2023

Council Member Dickey stated the challenge with the program was that water rates were punitive. He felt like they were working on the margins. He favored letting Weber Basin run the program alone. The majority of the Council agreed to partner with Weber Basin. They all agreed to keep the $75,000 maximum payout and not give an additional $25,000.

VIII. NEW BUSINESS

1. Selection of Pro-Statement for the 2023 Park City Recreation General Obligation Bond:

Michelle Kellogg, City Recorder, explained the City was required to produce a pro-statement for the bond. The City had solicited requests from active registered Park City voters to write pro-statements and con-statements regarding the bond. She noted she received one request from Abby McNulty to write a pro-statement. The Council needed to select which statement would be read and published for the public meeting on October 26th. After some discussion, the Council selected the pro-statement written by McNulty.

2. Consideration of a Fee Waiver Request from the Prospector Square Property Owners Association (PSPOA) for $25,126.42 or an Amount Not to Exceed $26,000 for Right-of-Way (ROW) Fees and Bonds, Road Closure Permit Fees, and Building Permit Fees:

JJ Trussell and Dave Thacker, Building Department, presented this item. Trussell indicated the City had granted fee waivers to Prospector Square Property Owners Association (PSPOA) in the past. This item was being presented to Council since the fee waivers had exceeded $200,000 this year. They would be doing right-of-way work, and there were associated permits and application fees. The fee waiver committee recommended a 50% fee waiver. Trussell stated this was a unique entity since they provided parking and trail access, and consideration needed to be given because of that. There were HOA fee waiver requests regularly and there was some concern that waiving these fees could set a precedence. He also noted it was unusual to put the bond requirement in the waiver list since it protected the City, but he noted the bond usually got returned.

Craig Dennis stated PSPOA passed a $1.6 million assessment to replace sewer lines, repave parking lots, and install lighting and garbage enclosures. He noted they found some water leaks and those were fixed by the City during the project which started in July. He noted the City Soils Coordinator helped them with the disposal of soils. They also worked with Public Works and delayed a street project until next year when they would be tearing up the road for sewer improvements. He hoped to continue discussions with the City on connectivity.

Mayor Worel opened the public hearing. No comments were given. Mayor Worel closed the public hearing.

APPROVED 10-26-2023

Council Member Dickey asked about the scoring model used by the Fee Waiver Committee. Trussell stated the score loosely correlated with the recommended percentage for the fee waiver. Council Member Dickey supported the committee's recommendation of 50% since HOAs had projects all the time. He asked if the fee waiver request was because PSPOA was a special circumstance. Trussell stated they were getting special treatment because they were special. The project would benefit the public just as much as the members and he recommended the 100% fee waiver. He noted they would work on special circumstances definitions in the updated fee waiver policy.

Council Member Toly asked if the existing affordable housing within PSPOA was taken into consideration as the application was scored. Trussell stated the housing was not tied to Council goals but housing had its own section in the review. Council Member Toly supported funding 100% of the request. Council Member Doilney felt the parking lots were used by the public and Council talked about this area being local Park City. He thought the request was reasonable, but he understood Council Member Dickey's point of view.

Council Member Rubell stated Council gave the Old Town business district money and it would be fair to waive the entire $26,000 for PSPOA. Council Member Gerber indicated it was a unique HOA and she thought it needed to stay vibrant. She supported the full amount.

Council Member Gerber moved to approve a fee waiver request from the Prospector Square Property Owners Association for an amount not to exceed $26,000 for right-of-way fees and bonds, road closure permit fees, and building permit fees. Council Member Rubell seconded the motion.

RESULT: APPROVED
AYES: Council Members Dickey, Doilney, Gerber, Rubell and Toly

3. Consideration to Approve Ordinance 2023-46, an Ordinance Approving the Supplemental Snow Park Residences Condominium Plat, Located at 2310 Deer Valley Drive East, Park City, Utah:
Alex Ananth, Senior Planner, presented this item and stated this was the Phase 3 condo plat of the project. All the conditions of approval had been met.

Mayor Worel opened the public hearing. No comments were given. Mayor Worel closed the public hearing.

Council Member Rubell stated this was another example of a plat with unanimous a Planning Commission recommendation and wanted to streamline the process.

APPROVED 10-26-2023

Council Member Rubell moved to approve Ordinance 2023-46, an ordinance approving the Supplemental Snow Park Residences Condominium Plat, located at 2310 Deer Valley Drive East, Park City, Utah. Council Member Dickey seconded the motion.

RESULT: APPROVED
AYES: Council Members Dickey, Doilney, Gerber, Rubell and Toly

4. Consideration to Approve Ordinance No. 2023-47, an Ordinance Approving The Resort Center Condominiums Phase 1B First Amended Amending Unit 40 Plat Amendment, Located at 2525 Fairway Village Drive, Summit County, Park City, Utah:
Council Member Dickey recused himself at 8:30 p.m.

Lillian Zollinger, Planner, presented this item and stated the unit was not built as platted. This amendment would update the plat to show compliance with all setbacks and required parking.

Mayor Worel opened the public hearing for this item. No comments were given. Mayor closed the public hearing.

Council Member Toly moved to approve Ordinance No. 2023-47, an ordinance approving The Resort Center Condominiums Phase 1B First Amended amending Unit 40 Plat Amendment, located at 2525 Fairway Village Drive, Summit County, Park City, Utah. Council Member Doilney seconded the motion.

RESULT: APPROVED
AYES: Council Members Dickey, Doilney, Gerber, Rubell and Toly

IX. ADJOURNMENT

With no further business, the meeting was adjourned.

Michelle Kellogg, City Recorder

APPROVED 10-26-2023

VIBRANT COMMERICAL STOREFRONT ORDINANCE DISCUSSION

PARK CITY
1884

HISTORY OF VIBRANCY

2002

City began tracking Main Street tenant mix.

Fall 2014

HPCA began discussions regarding the need to ensure Main Street's unique tenant mix and character of the street.

Summer 2015

2 Stakeholder sub-committees were formed: 1) business owners & lessors and 2) building owners & commercial leasing agents.

August 2015

HPCA letter identifying position on vacant buildings was submitted to the City.

October 2015

Sub-committees convened and reviewed a preliminary analysis on possible tools.

City Council work session held.

Spring 2016

Staff met internally and with sub-committees – research focused on tools to address vacancies.

Mayor attempted to contact a number of building owners or their reps who had dark buildings.

Fall 2016

Staff met internally and with sub-committees

City Council work session held – agreed that licensing was the appropriate tool for enforcement.

2017 - 2018

June 2017 - Adopted Ord.

November 2017 – Clarified definition of vibrancy; restricted temporary liquor licenses if not vibrant.

May 2018 – Removed requirement to post business hours.

Spring 2022

May 2022 - Amended code to place restrictions on temporary sign permits if not vibrant.

VIBRANCY WALKS

Vibrancy walks are completed quarterly and document:

- Is the business open?
    - If no, staff verify:
        - Is there an open building permit?
        - Is the property for sale/lease/rent?
- Does the business have an active business license?
    - If no, business license specialist & code enforcement are notified.

If a property was not open we return one more time during the quarter before deeming the property dark.

If a business is documented as dark for two consecutive quarters, the building owner will be put on notice by the Finance Department that the City has deemed the Storefront dark. The onus is on the property owner to demonstrate that they meet the definition of a Vibrant Commercial Storefront as defined in the Municipal Code section 4-2-15.

PARK CITY
1884

CURRENT STATUS

SUNDANCE 2023:

- PCMC issued 152 single event temporary liquor licenses for the Sundance Film Festival.
- 92 of those were Storefront Properties.

EXCEPTIONS USED TO DATE:

- Out of ~162 Storefront Properties, 2 properties have used their one-time exception.
    - 660 Main – Used for 2019 Sundance Film Festival
    - 692 Main – Used for 2019 Sundance Film Festival

CURRENT VIBRANCY INSPECTION:

- During the Q2 2023 vibrancy inspection, 3 stores were designated as dark.
- Of these, only 1 has used its one-time exception to obtain a single event temporary liquor license and would not be eligible for another exception in the future.

PARK CITY 1884

PATHS TO VIBRANCY

The easiest path to vibrancy is to activate for at least 60 days in any quarter prior to pulling a single event temporary liquor license or a temporary sign permit.

If a property has been deemed dark, a one-time exception may be granted. One-time exceptions are granted for a maximum of one year if the property meets one of two criteria:

- Open building, planning, or construction permit
- The property is actively being offered for sale, lease or rent

* The one-time exception runs with the land, not the property owner.

A dark Storefront can activate during events, however, they will not be issued a single event temporary liquor license and/or a temporary sign permit.

PARK CITY 1884

QUESTIONS & DIRECTION


PC Transit Update
and
Winter Service Discussion
PARK CITY
1884

Spring/Summer Performance

- One of our main goals is achieving on-time performance 90% of the time. During spring and summer, we achieved 92%.
- Spring and summer ridership experienced a slight decline.
  - 3% lower than last year but 35% higher than in 2021.

- Outreach events this year:
  - Latino Arts Festival
  - Rural Transit Day
  - Walk, Roll, Transit Week
  - Bike/Transit to Work Day
  - Pre-School Story Time at the Park City Library
  - Trails Evening MTB Bike Ride
  - Coffee with Mayor Nann at the Old Town Transit Center
  - Solomon Fund event

PARK CITY 1884

Winter Service Proposal

Recommendations based on the recently completed Short Range Transit Plan (SRTP), last winter's Microtransit Pilot ridership data, and the status of our electric vehicle fleet.

- More Efficient Service on the 2 Green and 3 Blue
- 4 Orange and 9 Purple Increased Frequency During Peak Times
- 1 Red, 5 Yellow, 10 White, 50 Teal, Trolley, and Citywide Routes will remain the same as last winter, including the increased frequency we installed last winter.

The above adjustments can be funded by the existing FY24 budget.
Any questions?

Winter Service Proposal

Richardson Flat to Ski Resorts – new routes with more direct access to major destinations.

Two Routes at 20-minute Frequency:

- Richardson Flat to Deer Valley Snowpark
- Richardson Flat to Park City Mountain
- In the evenings, the two routes would be reduced to one.
    - Richardson Flats to OTTC

PARK CITY 1884

Winter Service Proposal

- Richardson Flat to Deer Valley Snowpark
  - Stops: **Richardson – PC Heights – Iron Horse – Snowpark** – OTTC – Iron Horse – PC Heights – Richardson
  - December 10 – April 13
  - 5:45 a.m. – 6:15 p.m. (20 minute frequency)
- Richardson Flat to Park City Mountain (PCM)
  - Stops: **Richardson – PC Heights - High School – PCM** – High School – PC Heights - Richardson
  - December 10 – April 13
  - 5:45 a.m. – 6:15 p.m. (20 minute frequency)
- Richardson Flats to OTTC (same routing as winter 22/23)
  - Stops: Richardson Flats – PC Heights – PCHS – Iron Horse - OTTC– Iron Horse – PCHS – PC Heights – Richardson Flats
  - December 10 – April 13
  - 6:15 p.m. – 11:05 p.m. (20 minute frequency)

PARK CITY 1884

Winter Service Proposal

The resorts support piloting this more direct service and have offered to contribute $150,000 each to share the costs.

Winter Service Proposal

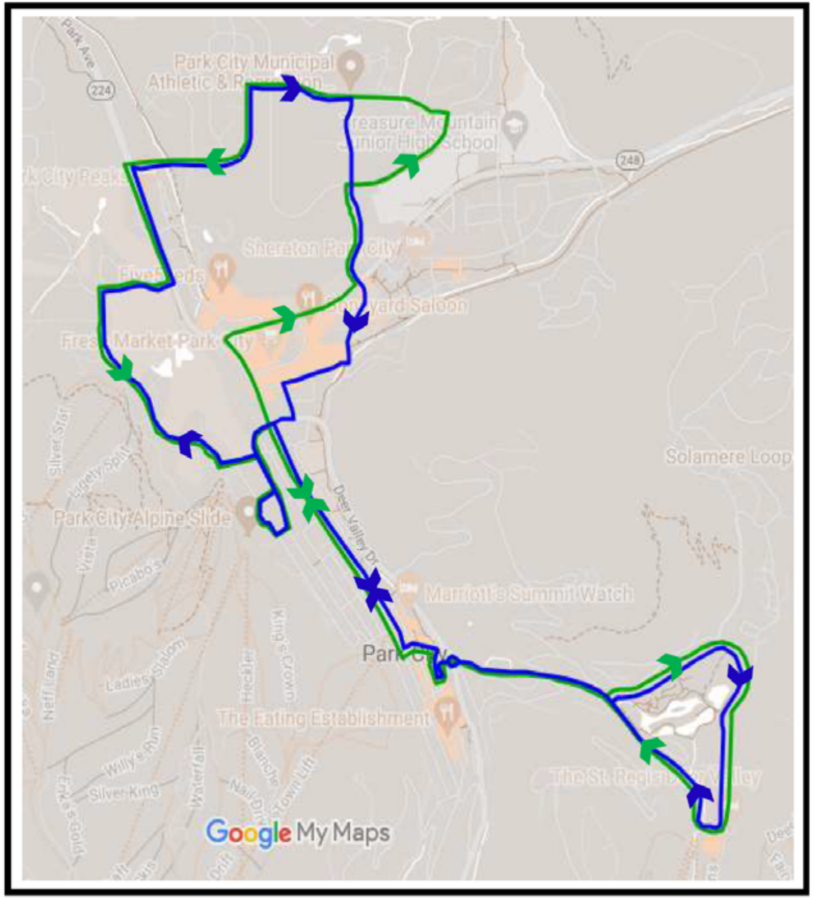
- Estimated cost for proposed Richardson routes - $883,530
- Last year, the one route from Richardson Flat to the OTTC was $450,000
  - 6am – 11pm with a 20-minute frequency
- Combined resort contribution is $300,000
- PC Transit has $450,000 in the FY24 budget, leaving a funding gap of $133,530

Does Council support implementing these routes and using the PC Transit budget to cover the funding gap of $133,530 to prove the concept?

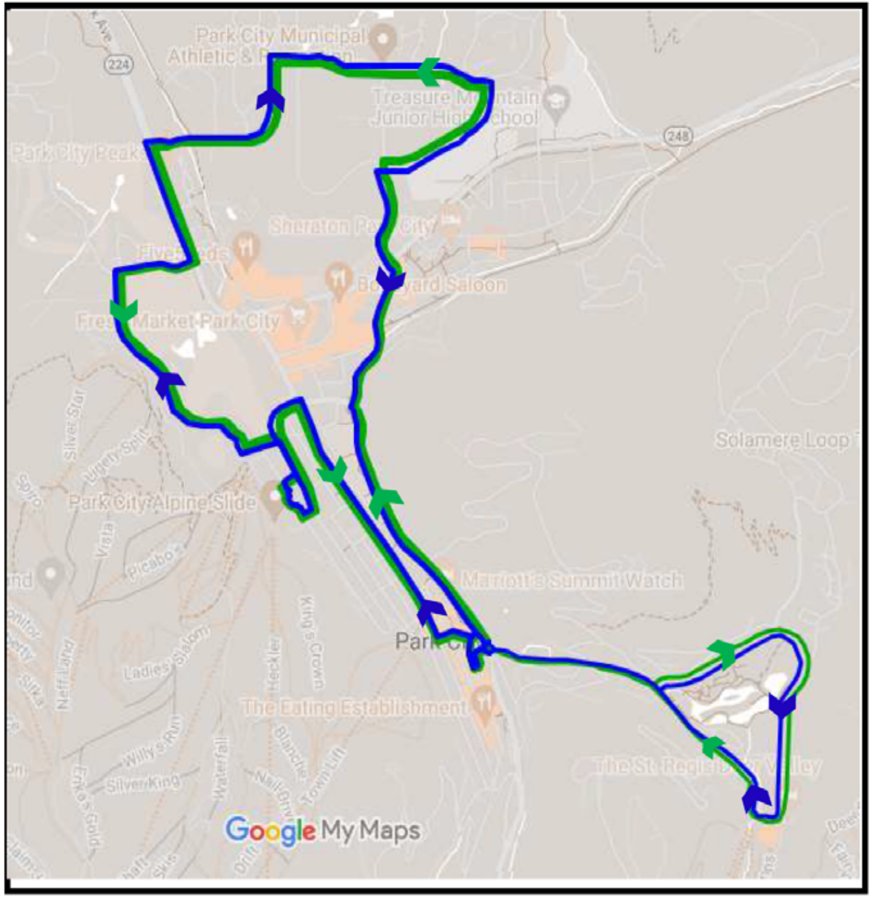
PARK CITY 1884

Appendix

Exhibit D



Current



Proposed

Fleet Contingency Plan

- Electric fleet challenges
- Spare ratio
- Contingency plan as a last resort:
    - In coordination with HVT, reduce the 10 White to 30-minute service, saving 2 buses.
    - Reduce the 50 Teal to 40-minute service, saving 1 bus.
    - Cancel the 50 Teal, saving 1 bus.
    - Cancel the 10 White, saving 2 buses.
    - Cancel peak 5 Yellow, saving 1 bus.
    - Cancel peak 1 Red, saving 1 bus.

ACCESSORY USES

MASTER PLANNED DEVELOPMENTS

LAND MANAGEMENT CODE AMENDMENTS

PL-22-05447

ACCESSORY USES IN MPDs

Master Planned Development (MPDs)

- 10,000+ square feet – commercial
- 20,000+ square feet – residential

Density is based on underlying zoning

ACCESSORY USES IN MPDs

The Land Management Code establishes
Support Commercial Uses intended for those on site.

Additional types of bonus density to incentivize certain uses include
Residential Accessory Uses and Resort Accessory Uses.
These have no limitation.

The proposed amendments establish limitations.

PARK CITY
1884

ACCESSORY USES IN MPDs

Planning Commission liaisons
Laura Suesser and Henry Sigg provided initial input.

The Planning Commission conducted work sessions on
December 14, 2022 and February 8, 2023.

On March 6, 2023, the planning team mailed 8,920 post cards to property owners to provide notice of a public hearing for reductions to bonus density for Support Commercial, Residential Accessory, and Resort Accessory Uses for MPDs.

On March 22, 2022, the Planning Commission opened a public hearing and continued the hearing to April 12, 2023. On April 12, 2023, the Planning Commission unanimously forwarded a positive recommendation to Council.

ACCESSORY USES IN MPDs

On April 27, 2023, the City Council requested clarification regarding the Commission's recommendation to allow Support Commercial Uses in Hotels.

On June 12, 2023, the City Council directed staff to conduct additional outreach and continued the discussion to a later date.

On August 22, 2023, staff recommended the City Council continue the item to September 28, 2023, to allow for additional outreach.

ACCESSORY USES IN MPDs

Support Commercial

Limit signage to interior spaces

Limit marketing to existing primary uses on site

Remove meeting space allowances

Limit to a hotel

Capture affordable housing obligations for employees generated

C. **SUPPORT COMMERCIAL WITHIN [~~RESIDENTIAL MASTER PLANNED DEVELOPMENTS~~ HOTELS]**. [~~Within a Hotel or Nightly Rental condominium project, the~~] The Floor Area of Support Commercial Uses [~~uses~~] may not exceed five percent (5%) of the total Floor Area of the approved residential Unit Equivalents or 5,000 square feet in total, whichever is lesser. Conventional Chain Businesses are prohibited as Support Commercial Use. Signage for Support Commercial Uses is limited to interior spaces. Marketing for Support Commercial Uses is limited to primary Uses on Site. [~~Any unused Support Commercial floor area may be utilized for meeting space Uses.~~] Support Commercial shall be included in Affordable Housing obligations and calculations subject to Housing Resolution No. 05-2021, as amended.

ACCESSORY USES IN MPDs

Hotel – a building containing sleeping rooms for the occupancy of guests for compensation on a nightly basis . . . . ownership of units may be by a condominium or timeshare instrument.

Dwelling Unit – for use as the residence . . . Includes a kitchen, but does not include a hotel, motel, lodge . . .

PARK CITY 1884

RESIDENTIAL ACCESSORY USES. Residential Accessory Uses include typical back of house uses and administration facilities that are for the benefit of the residents of a commercial Residential Use, such as a Hotel or Nightly Rental Condominium project and that are common to the residential project and are not located within any individual Residential unit. Residential Accessory Uses do not require the use of Unit Equivalents and include, but are not limited to, such Uses as:

Ski/Equipment lockers
Lobbies
Registration
Concierge
Bell stand/luggage storage
Maintenance Areas
Mechanical rooms and shafts
Laundry facilities and storage
Employee facilities
Common pools, saunas and hot tubs, and exercise areas not open to the public
Telephone Areas
Guest business centers
Public restrooms
Administrative offices
Hallways and circulation
Elevators and stairways

ACCESSORY USES IN MPDs

Residential Accessory Uses

Limit to functional spaces

Add Child Care Facilities

Add Enclosed Bicycle Storage that exceeds the requirements of the code

PARK CITY 1884

F. **RESIDENTIAL ACCESSORY USES**. [~~Residential Accessory Uses include typical back of house uses and administration facilities that are for the benefit of the residents of a commercial Residential Use, such as a Hotel or Nightly Rental Condominium project and that are common to the residential project and are not located within any individual Residential unit.~~] Residential Accessory Uses do not require the use of Unit Equivalents [~~and include, but are not limited to, such Uses as~~]:

[~~Ski/Equipment lockers~~

~~Lobbies~~

~~Registration~~

~~Concierge~~

~~Bell stand/luggage storage~~

~~Maintenance Areas~~]

Mechanical rooms and shafts limited to electrical, heating, ventilation, plumbing, and air conditioning equipment and ductwork necessary for the operation of the Building

Laundry facilities [~~and storage~~]

Employee facilities related to the operation of the property

[~~Common pools, saunas and hot tubs, and exercise areas not open to the public~~

~~Telephone Areas~~

~~Guest business centers~~

~~Public restrooms~~

~~Administrative offices~~]

Hallways and circulation

Elevators and stairways

Child Care Facilities

Enclosed Bicycle Storage that exceeds the requirements of Section 15-3-9

<u>RESORT ACCESSORY USES</u>. The following Uses are considered accessory for the operation of a resort for winter and summer operations. These Uses are considered typical back of house uses and are incidental to and customarily found in connection with the principal Use or Building and are operated for the convenience of the Owners, occupants, employees, customers, or visitors to the principal resort Use. Accessory Uses associated with an approved summer or winter resort do not require the Use of a Unit Equivalent. These Uses include, but are not limited to, such Uses as:

Information
Lost and found
First Aid Mountain patrol
Administration
Maintenance and storage facilities
Emergency medical facilities
Public lockers
Public restrooms
Employee restrooms, employee locker rooms, employee break rooms, and employee dining areas
Ski school/day care facilities
Instruction facilities
Ticket sales
Equipment/ski check
Circulation and hallways for these Resort Accessory Uses

ACCESSORY USES IN MPDs

Resort Accessory Uses

Require Planning Commission review and approval to establish a maximum square footage

Capture affordable housing obligations and parking and traffic impacts

Remove uses required for business operations, including information, lost and found, storage facilities, ski school, and ticket sales

Replace the term day care facilities with Child Care Facilities

G. **RESORT ACCESSORY USES**. The following Uses are considered accessory for the operation of a resort for winter and summer operations. These Uses are [~~considered typical back of house uses and are~~] incidental to and customarily found in connection with the principal Use or Building and are operated for the convenience of the Owners, occupants, employees, customers, or visitors to the principal resort Use. Accessory Uses associated with an approved summer or winter resort do not require the Use of a Unit Equivalent, but shall be included in the Affordable Housing obligations and calculations subject to Housing Resolution No. 05-2021, as amended, and shall be calculated as part of the parking demand requirements and traffic impact studies. These Uses and square footages require Planning Commission review and approval. Resort Accessory Uses may include[~~, but are not limited to, such Uses as~~]:

[~~Information~~]

[~~Lost and found~~]

First Aid Mountain patrol

[~~Administration~~]

Maintenance [~~and storage~~] facilities

Emergency medical facilities

[~~Public lockers~~]

Public restrooms

Employee restrooms, employee locker rooms, and employee break rooms[~~, and employee dining areas~~]

[~~Ski school/day care facilities~~] Employee and public Child Care Facilities

[~~Instruction facilities~~]

[~~Ticket sales~~]

Equipment/ski check

Circulation and hallways for these Resort Accessory Uses

ACCESSORY USES IN MPDs

Public Input

Exhibit B

ACCESSORY USES IN MPDs

Recommendation

Open a public hearing and consider approving Ordinance No. 2023-17

LANDSCAPING INCENTIVE CHECKIN

PARK CITY 1884

OUTLINE

1. Celebrate the Success of the First Year of the Landscaping Incentive
2. Determine whether to Partner with Weber Basin moving forward
3. Discuss increases to Maximum Rebate

PROGRAM OUTLINE

1. Applicant reviews eligibility criteria.
2. Onsite Meeting with Staff (Susan Cordone)
3. Create a Site Plan
4. Submit Plan for Review
5. Receive Approval
6. Implement
7. Final Inspection and Check Issuance

1st YEAR SUCCESS

Total Program Activity	
Quantity	Activity
38	Site Visits to property owners interested in the Incentive Program.
7	Applications for the Landscaping Incentive Program Submitted
1	Application in Review
2	Denials (Project previously completed & non-turf compliant.)
3	Approved Projects, waiting for completion. (2 Single Family Res, 1 HOA)
1	Completed Project(s) (Single Family Residential)

PARK CITY 1884

1st YEAR SUCCESS

Partnership Options

Option A: Continue Sole Park City Landscaping Incentive

Option B: Withdraw from Landscaping Incentive and allow Weber Basin to Step In

Option C: Partner with Weber Basin [Recommended]

Option D: Run both Programs Concurrently [Not Possible]

PARK CITY 1884

PARTNERSHIP OPTIONS

Option C

- Increases the incentive offered from $2 per square foot to $3 per square foot of grass removed.
- Decrease Park City cost from $2 per square foot to $1 per square foot.
- Require applicants to apply through the States website, utahwatersavers.com
- Requirement to record an agreement that prohibits turf installation in areas subject to an incentive.

PARK CITY
1884

Partnership Options

Option A: Continue Sole Park City Landscaping Incentive
Option B: Withdraw from Landscaping Incentive and allow Weber Basin to Step In
Option C: Partner with Weber Basin [Recommended]
Option D: Run both Programs Concurrently [Not Possible]

Council Discussion and Direction

Maximum Rebate

	Current Maximum	Maximum under Option C	PC Solely Funded Addition
Single Family Residential	$10,000	$15,000	-
All other Accounts	$50,000	$75,000	+$25,000 Total Rebate $100,000

Council Discussion and Direction

PARK CITY 1884

Supplemental Snow Park Residences Condominium Plat, Ordinance 2023-46

City Council

September 28, 2023

Condo Plat

Phase 3 of CUP approved in 2001

- Final Phase completing buildout of St. Regis Hotel
- 5-story condo building + garage
- 12 units totaling 16.8 UEs + 1 AUE 801 sf.
- No Commercial or Club Amenity space

Other Approvals

- 1995 Deer Crest Settlement Agreement
- (Deer Crest Hotel CUP)
- Amenity Club CUP

PARK CITY 1884

Condo Plat

- Complies w/ LMC 15-2.13 Residential Development Zoning District
- Settlement Agreement
- Hotel CUP
- Parking requirements
- SLO Analysis completed in 2001 and reviewed again in 2004

Hotel CUP

Hotel has completed relevant CUP Conditions of Approval

- Compliance with Housing Mitigation Plan
- Final Parking Plan
- Any outstanding trails obligation will be completed prior to Certificates of Occupancy for Phase 3 Units (COA 8)

PARK CITY 1884

Good Cause

Staff finds Good Cause - facilitates the sale of the remaining Density in Hotel CUP, complies with Hotel's Housing mitigation Plan, and Hotel will complete all CUP obligations prior to Occupancy. No public Streets, Right-of-Way, or easements are vacated or amended.

Staff recommends the City Council conduct a public hearing and consider approving Ordinance 2023-46, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the Ordinance.

2525 FAIRWAY VILLAGE UNIT 40

PLAT AMENDMENT

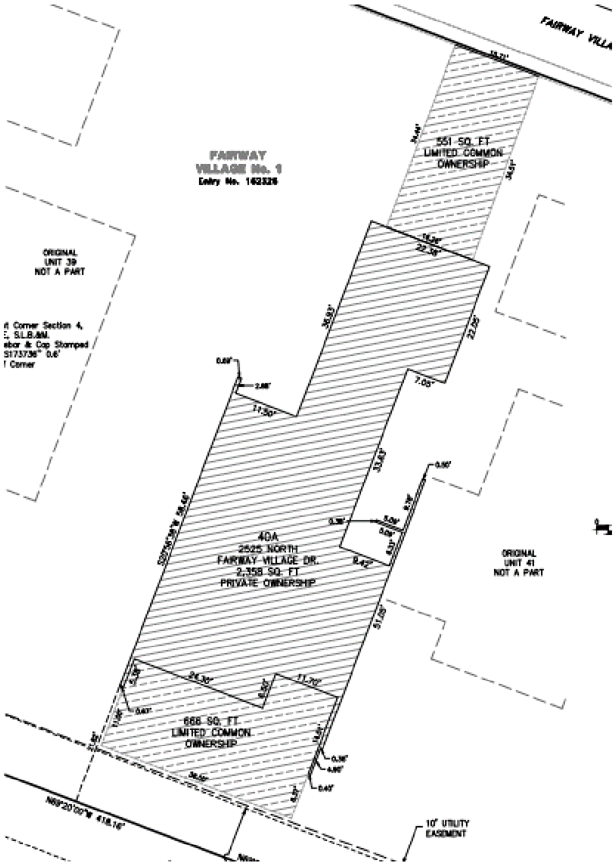
City Council

PL-23-05784 | September 28, 2023

PARK CITY
1884

2525 Fairway Village Unit 40

- Part of Fairway village No. 1 recorded in 1971
- Existing unit was not built to the existing Plat's dimensions
- Proposing to amend the Plat record the existing structure
- Several Lots in subdivision have similar issue with building footprint and a Plat Amendment was approved, but not recorded in 2015 to address this issue



2525 Fairway Village Unit 40

- Current unit is compliant:
  - Front Setback
  - Rear Setback and Exceptions
  - Side Setbacks
  - Parking – 2 spaces

- Development Review Committee reviewed proposal and had no concerns

2525 Fairway Village Unit 40

There is Good Cause for this proposal as:

- It does not impact any other existing units
- Updates the Plat to correctly record the construction of the unit
- Allows the owner to make interior modifications to enjoy their property

Conditions of Approval

3. Any new construction shall comply with Land Management Code Chapter 15-2.13 regarding Setbacks, Building Height, Building Envelope, Building Pad, etc.

4. All other conditions of approval and platted requirements for the Fairway Village No. 1 continue to apply and shall be noted on the plat.

Good evening.

I'd like to take a few minutes to briefly lay out the problem the PC MARC faces in handling the explosive growth of pickleball, and to offer a creative, equitable, free market based solution.

The pictures above were taken Wednesday morning at Willow Creek, but they could have been any morning. I played at Willow Creek on Monday, Tuesday and Wednesday from roughly 10 AM to 12:30 PM. During that time, over the course of three days, I observed a total of 6 people playing tennis: two on Monday, 4 on Tuesday, and none on Wednesday. In that same period of time, there were over 44 pickleball players on Monday, over 44 on Tuesday, and about 50-52 on Wednesday. A total of 6 tennis players, as compared to a total of 138+pickleball players. I never saw anyone waiting to play tennis, but I always saw at least 12 and often 16 or 20 people waiting to play pickleball.

That does not tell the whole story, as the crowds at Willow Creek have led many local PB players to drive to Oakley and Heber to get court time. But you know all about the exponential increase in pickleball, and indeed that demand is what led you to unanimously support the Quinn's Junction dedicated facility. I commend you for that. However, that still has to be approved by voters, and then shovels put into the ground. The bond does nothing to address the need for more court time in the winter of 2023-24. That still needs to be addressed!

The PC Rec Dept, the RAB, and the City Council have a binary choice: they can either let tennis and PB share the bubble (mixed use) or they can continue the policy of segregating play.

The problem with segregating tennis players and not allowing PB to play alongside them in the bubble is that if just 2 people are playing tennis, then 16 PB players are precluded from using the two empty courts. That is a plausible way to run a tennis club, but it's not a rational policy for a municipal facility that should strive to provide the greatest recreational access for the greatest number of people.

I understand that some tennis players don't like the sound made by plastic pickleballs hitting composite racquets. I get that. But, again, it's a binary choice: you either subject 2 tennis players to a sound some find unpleasant, or you block 16 PB players from using two empty courts. It's a zero sum game.

There is a rational solution. I suggest you charge tennis players half price to book bubble courts (to reflect the diminished enjoyment caused by the PB sounds) and allow bubble courts to be booked by tennis or PB players on a first come, first served basis.

Those tennis players who are offended by the PB acoustics will book the 4 courts in the main building. But those who don't care or who want to save some money will choose to book the half-price tennis courts in the bubble. The discounted price reflects a market based “reward” for putting up with those PB sounds. The MARC won’t lose revenue, and likely will increase revenue, as the otherwise unbooked courts will be filled with happy PB players who would otherwise have been shut out.

Both sides benefit – it’s a textbook win-win solution. More people get to use the municipal courts, and tennis players who choose to play in the bubble are compensated for the diminished environment.

Let me close by saying that I have spent my entire adult life in the public policy arena, as a NYS Assembly Counsel, a lobbyist, and teaching at Syracuse University, SUNY New Paltz, and Albany Law School. I believe in compromise, thinking outside the box, and finding creative ways to get the best result for the majority of people. I think the proposal I’ve put forward checks all the boxes. I will attend the next RAB meeting to urge them to support this solution. In the meantime, I urge you to keep an open mind and to carefully weigh the benefits that this compromise offers for both sports.

Thank you for your time and consideration.

Respectfully,

Gene DeSantis

September 21, 2023

Park City Municipal Corporation
PO Box 1480
Park City, UT 84060

RE: Vibrancy Code

In preparation for Council discussion of the Vibrancy Code, the HPCA board and members reviewed and discussed the current code at our recent board meeting. All present agreed the code is working and we do not see the need for any edits or changes.

The HPCA would only support changes to the code that would continue to maintain a vibrant historic district.

Thank you in advance for your consideration.

Regards,

Monty Coates

Monty Coates
HPCA Board President