



**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
OCTOBER 12, 1995**

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, October 12, 1995.

A G E N D A

6:30 p.m. - City Council Chambers

**JOINT DISCUSSION WITH PLANNING COMMISSION
AND CITIZEN ADVISORY TASK FORCE
ON GENERAL PLAN UPDATE**

- 1. Reality Checklist**
Review of growth and planning issues
- 2. Park City Direction**
Challenges and goals for the future
- 3. Open Space Element/Plan**
Review of open space map and action plan
- 4. Land Use in Annexation Area**
Review of alternate land use plans
- 5. Growth Management**
Review of issues and alternatives

Posted: 10/6/95

**PARK CITY COUNCIL MEETING NOTES
SUMMIT COUNTY, UTAH
OCTOBER 12, 1995**

**JOINT DISCUSSION WITH PLANNING COMMISSION
AND CITIZEN ADVISORY TASK FORCE
ON GENERAL PLAN UPDATE**

Present: Mayor Brad Olch, Councilmembers Ruth Gezelius, Roger Harlan, Lou Hudson, Shauna Kerr and Leslie Miller

Park City Community Development Director Rick Lewis; Planner Peter Staks; Special Projects Coordinator Nora Seltenrich; and Public Affairs Director Myles Rademan

Consultants Chris Duerkson, Clarion; Ralph Becker, Bear West

Planning Commission Members Alison Child, Bruce Erickson, Fred Jones, Chuck Klingenstein, Joe Tesch, and Diane Zimney

Citizen Advisory Task Force Members David Belz, Dean Berrett, Joan Calder, Mary Demkowicz, George Glauser, Jan Jones-Schenk, Clay Stuard, Ron Whaley, Mary Wintzer, Mike Andrews, and Tom Calder

Mayor Brad Olch welcomed the audience and thanked the members of the Citizen Advisory Task Force for its participation in the process.

Rick Lewis acknowledged that there have been concerns about the time frame on this project, and noted that updating a general plan commonly takes well up to 18 months. He discussed the composition of the Task Force which represents a cross-section of interests in Park City. Mr. Lewis stated that this is the first formal presentation and joint update for the City Council, Planning Commission and Citizen Advisory Committee. He explained the agenda for the evening and the importance of a common level of understanding of the proposals for open space, land use, growth management and annexation. There will be a review of growth management concepts, and after discussion, staff will be asking for direction from appointed boards and the public. He discussed the components of the General Plan and its features, including the (1) community character element (issues statement, goals, policies, action plan); (2) community development element (land use, growth management, annexation, affordable housing, resort and tourism, neighborhood issues; (3) environmental resource element; and (4) transportation element. Mr. Lewis explained the stages of General Plan update process which would include drafts, review by the Task Force, public hearings on the Plan, and ordinance implementation, which would also require public hearings before the Planning Commission and City Council. He estimated that a public hearing will probably be scheduled the first of year on open space, growth management and annexation proposals.

1. Reality checklist - review of growth and planning issues. Public Affairs Director Myles Rademan emphasized that all signs point to more growth statewide and locally. Park City urbanization is rising and there are 8,000 approved lots within the City limits that have not been developed. He stressed that managing growth depends on Summit County cooperation, and discussed the significant impacts of the Snyderville Basin development. Mr. Rademan stated that purchasing open space is big money and that acquisition or bonding for land could be a pipe dream. He addressed private property rights and associated legal and political constraints, especially on annexations. Mr. Rademan pointed out that annexation is a weak growth control mechanism, but may be advantageous to property owners in Tiers II and III. Annexations involve a negotiated contractual process that must please both parties and typically some sort of development will occur. However, adopting a General Plan is a starting point in planning Park City's future.

2. Park City Direction - challenges and goals for the future. Chris Duerkson, Clarion consulting team, discussed Park City's direction and the goals of the Plan. Input from the Citizen Advisory Task Force Committee produced a revised draft document, and Mr. Duerkson discussed the timing, form and location of growth. Although these goals seem predictable, action on broad policies is effective. The revised goals include:

Fit development into mountain resort and historic community

Preserve environmental quality, assure open space preservation and outdoor recreational opportunities

Retain high quality of life and level of government services

Maintain unique identity/character - historic, resort community

Control amount, timing, form and location of growth

Provide affordable housing

Work effectively with other governmental entities

3. Open Space Element/Plan - review of open space map and action plan. Peter Staks, through illustration of a map, described the amount of open space within the City limits, much of which has been obtained through conditions of approval within relatively new developments. He explained the entrance from Kimball Junction to Park City which is urbanization, then green area, then again urbanization as one enters Park City which is not a typical visual experience. The local sentiment is to save as much open space as possible and to be different from the sprawl of the Snyderville Basin. He discussed the open space surrounding Park City, the large areas in the County that the City currently has no control over, and the expanded proposed plan for the SR224 corridor.

If annexation is a consideration for these areas, a positive feature would be that projects may be reviewed under the City's Sensitive Lands Ordinance which would hopefully result in a better product, and preserve open space. Planner Staks emphasized that the risk factor is that large areas could be developed and there is an economic consideration in implementing an open space plan. He described the master plan for the trail system at Kimball Junction, Round Valley and US40, and the 80 to 100 acres adjacent to US40 for possible recreational opportunities.

4. Use in Annexation Area - review of alternate land use plans. Nora Seltenrich discussed the merits of clustering development. She explained the proposal to expand the Annexation Policy Declaration Area, including White Pine to Wolf Mountain. An amendment to the Declaration Area would maximize the City's ability to negotiate with land owners in the County. She emphasized, however, that in efforts to acquire open space that land owners could develop their properties in described areas for potential residential development in the Round Valley area and possible commercial at Quinns Junction. Through illustration of a rendering, Ms. Seltenrich discussed a ranch village concept for commercial uses at US40 and SR248, as opposed to strip commercial development, that would support the Jordanelle Reservoir patrons. She also pointed out potential areas along SR248 for clustered residential development, but stressed that this doesn't necessarily mean multi-family. She discussed the Old Ranch Road and the Ski Area configuration concepts on the proposed General Plan map. Ms. Seltenrich stated that the City has received an annexation application for Flagstaff, which has been under review, and compared the plan in that area to the elevation of the Silver Lake part of Deer Valley.

5. Growth Management - review of issues and alternatives. Chris Duerkson discussed the various tools available to the City for managing growth, ranging from regulation to acquisition of open space. He discussed techniques currently used by Park City to deal with the impacts of growth including considering the amount, which has been somewhat addressed with down zoning and land dedications; location, quality and compatibility are also considerations in planning approvals. However, rate and timing are elements where Park City is lacking in handling growth and concurrency should be in place. Mr. Duerkson emphasized that rate and timing become issues after rapid growth has been occurring for a long time. Rate control systems can be implemented, however, they are usually legally challenged and more importantly growth caps wouldn't be effective unless there is cooperation from the County.

Mr. Duerkson discussed the "backdoor approach" to managing growth by understaffing the City, resulting in back-logging applications and slowing down the development of projects. A traditional fixed cap approach is based on limiting building permits or basing development on a percentage of population growth projections. A fixed cap mechanism must have an allocation system and Mr. Duerkson explained a point system which can be utilized in judging and rating the merits of an application. This can be effective, but there are potential legal disadvantages unless there are transitional rules for vested property owners. He emphasized that this results in increasing property values. Mr. Duerkson suggested an alternative system, which involves

setting a target below the current existing rate of development, and evaluating the number of building permits issued mid-year so that a plan not to exceed an elevated level can be formulated by the City Council. He suggested that applications beyond the target be reviewed at a more extensive level, and that phased development be a condition in annexed areas.

He discussed another concept involving the transfer of development rights (TDRs) and explained the sending and receiving system inherent with this mechanism. Mr. Duerkson stressed that the City may have to purchase TDRs in the event of a fluctuation in the market, or to jump start the program's use. There has to be strong development demand and pressure, and there must be restrictions in both the sending and receiving areas for TDRs to be successful.

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The Mayor invited the audience to comment on the first presentation with regard to the direction and goals of Park City. Clay Stuard didn't feel that the green area buffer is adequately mentioned in the goals. Leslie Miller asked if there was a goal in mind in determining the ratio of the amount of open space to development. Peter Staks explained that there wasn't a quantifiable open space goal but rather the focus was on targeting appealing visual open space entering Park City. Paul Sincock questioned the expansion of the City's boundaries and annexing beyond Quarry Mountain as shown on the map; Nora Seltenrich emphasized that the areas shown on the General Plan map would not necessarily be annexed but rather illustrate the proposed expansion of the Annexation Policy Declaration Area, which provides the City the ability to negotiate development in those areas.

David Belz discussed the goal of "maintaining a unique community". He felt that Park City needs to acknowledge that the community will continue to change and that it is more realistic and productive to focus on what we should be in the future. Fred Jones believed that providing affordable housing and controlling growth are in conflict. He strongly felt that the County also has to buy into this plan. Marty Statten asked for clarification of citizen involvement in the process. Rick Lewis explained the merits of forming ad hoc committees which involves the citizenry and the appointed boards who will also review this proposal. There will be public hearings on the General Plan and additional hearings on any ordinances resulting from adoption of the Plan before the City Council and Planning Commission.

Mike Andrews complained that this is the first time he has heard this presentation, which is the result of the staff and the consultants, not the Advisory Committee. He felt that the governing body needs to make a strong political statement in controlling growth. The Mayor explained that it was felt that a joint presentation would be beneficial in brainstorming together, and that there will be ample opportunity for further review by the Committee. Mary Wintzer pointed out that the committee is balanced in its representation, and added that although change is inevitable that the community can hold on to its historic nature if it is a continuing goal.

Bob Powers stated that transportation needs to be addressed and there will have to be hard choices with regard to this issue. Tom Hurd commented that Park City is a vibrant growing community and didn't feel that this discussion will change anything. Jim Powell noted that growth needs to be addressed within the City limits. Rick Lewis explained that these issues are considered in another element of the Plan and are part of the project. Components have been prioritized, but other elements will be discussed at a later date. Joe Tesch pointed out his concern that there are no plans for light industrial development. Clay Stuard felt that transportation could be included in the quality of life goal. Lou Hudson expressed his strong concerns about the City interfering with the free real estate market with the implementation of growth control caps.

At the request of Paul Sincock, Chris Duerkson discussed the City's purchasing of TDRs, leasing or renting them with restrictions, and conservation easements. Jan Jones-Schenk felt a financing strategy for the acquisition of open space should be addressed. The Mayor discussed development exactions and proposing legislation allowing municipalities to impose a real estate transfer tax which could be allocated toward open space purchases. However, he didn't feel it was politically possible at this time to introduce such legislation. Dr. Andrews responded that legislation is a pipe dream and felt that citizens will have to approve a property tax increase. Clay Stuard argued that a property tax increase would not be acceptable to the citizenry until every effort, like those ideas presented and suggested this evening, is demonstrated. David Belz suggested a contingency plan if it appears that the County will not cooperate. Nora Seltenrich explained that a published General Plan is at least a tool to approach the County in defending our position. Peter Staks added that the current Comprehensive Plan only addresses the City limits and response to adjacent development is now on a case-by-case basis. Having a General Plan in place is a big step and beneficial in responding to County applications. Joan Calder pointed out that the inclusion of US40 in the General Plan may not be practical as it is not as significant as SR224 and 248.

Leslie Miller was pleased with the direction of the General Plan. She suggested that the types of open space be defined and that a specific acquisition and use program be developed. She felt that legislative efforts should be pursued and as a policy statement, that protective easements be placed on City-owned open space parcels.

Bob Powers felt that the City's control of the development on US 40 and SR248 will have a dramatic effect in the area. Rick Brough pointed out the homes breaking the ridge line on Quarry Mountain as viewed from US40. Rick Lewis explained that the Fairway Hills project was approved before the Sensitive Lands Ordinance was in place. He added that more homes will be built, but there was a 21 acre dedication to the City on the ridge as a part of the approval. David Belz discussed providing developers with reasonable use of their properties and timing on applications. Chris Duerkson addressed expectations of developers and the importance of the zoning of the property in place at the application level. Rick Lewis pointed out that infrastructure demands also come into play in determining development rights. Paul Sincock asked about the City's ability to provide water to future development. Rick Lewis referred to a recent study using population

projections beyond this proposal. He stated that the City will need more water to serve an expanded area, but added that some of the properties may be potential water sources.

Toby Ross emphasized that the TDRs are a new concept and direction from the Planning Commission and Advisory Committee is needed. David Belz felt that this is a good idea and having more tools is beneficial. Mike Andrews agreed. Clay Stuard noted that TDRs are effective only in negotiations with large land owners. Chuck Klingenstesin felt that TDRs are expensive and time-consuming and there has to be a commitment from the community to fund this approach. Lou Hudson stated that if the City becomes involved in the real estate business, it must be the will of the people; this option needs a lot of discussion. Mr. Powers felt that the community is "fertile" for the use of TDRs. Chris Duerkson discussed the City's role in initially establishing a market for TDRs by purchasing and banking them; he pointed out that the administration is not a huge expense after a system is established. He pointed out that the north and east quadrants appear to have ratios that would accommodate the TDR concept.

With regard to a rate control system, Clay Stuard stated that school and traffic impacts are his major concerns. He discussed fluctuating construction impacts, and suggested that a fixed rate system be implemented by zone according to forecasted construction activity. David Belz stressed that he is more concerned about the end product, rather than imposing a rate program to mitigate inconveniences. He supported creating renderings like the Quinns Junction commercial village to illustrate what could be attractively developed in the area. Shauna Kerr stated that rate of growth is a real concern and that the City has already used the tools discussed to some extent, but growth has not been controlled. She felt that the result is a loss of sense of community which also affects the children.

Jan Jones-Schenk expressed her confusion with the alternative strategy recommendation. Toby Ross explained that flexible target programs have been successful in California; these were not designed on an annual basis but longer term. Flexible longer term plans affect the pace of growth, but are subject to reevaluation. Mr. Duerkson reiterated that after a community has attained its target, a much more rigorous review process would be used for upcoming applications. He added that this will effect the market and efforts in balancing affordable housing efforts. Rick Lewis estimated the population in the expanded area to be 14,000 population (40% of county). There are 1,500 to 2,000 units not yet built-out in the City limits. Joan Calder stated that a moratorium could be placed in Park City but the real growth is in the County. Paul Sincok suggested that there should be a vision of what we want to be like in ten years and then start the process of controlling growth. Bob Powers pointed out that many people fear the impacts of the Olympics, and the City will be remiss if it doesn't educate the public. Dr. Andrews noted that the quality of life has significantly changed in his five years here and the citizenry feels there is a "backdoor approach" in planning, resulting in a loss of faith in the government. He again urged Council to make a strong political statement. David Belz felt there will be support of rate controls.

Ruth Gezelius discussed the importance of preserving Park City's resort and tourism character and that recreational opportunities need to be addressed in the Plan. Leslie Miller stated that annexation of residential properties never pays it way, but resort development is something that is economically feasible. She felt that the Plan shows clustered residential but resort development needs to be a focus to realistically administer a new process. Shauna Kerr suggested that resort development is not in contradiction with a growth rate program and the Olympics can be a finding of the City Council to limit the growth of residential development. Ms. Kerr emphasized the importance of balanced uses in the community. Peter Staks added that perhaps new growth should always be contributory not subtractive, when evaluated. Toby Ross suggested that the goal of balance in Park City should be included in the Plan's goals and direction. Lou Hudson stated that there should be a vision for the future as opposed to expecting we will not change. Mary Wintzer felt that there is a feeling in the community that perhaps both resort and urban development needs to be slowed down.

The Mayor invited the public to submit comments or questions on the General Plan to City staff. Rick Lewis assured the Advisory Committee that there will be more information on rate control for its review and a redraft will be available to incorporate comments from this meeting. He reiterated that a public hearing on these elements will be held, probably in January, and the Committee will continue to work on other elements of the plan.

Prepared by Janet M. Scott