



**PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
SEPTEMBER 13, 2023**

COMMISSIONERS IN ATTENDANCE: Chair Sarah Hall, Vice Chair Christin Van Dine, Laura Suesser, Bill Johnson, John Frontero, Henry Sigg, Rick Shand

EX OFFICIO: Rebecca Ward, Assistant Planning Director; Alexandra Ananth, Senior City Planner; Caitlyn Tubbs, Senior Historic Preservation Planner; Lillian Zollinger, City Planner; Jack Niedermeyer, City Planner; Spencer Cawley, City Planner; John Robertson, City Engineer; Rebecca Gutknecht, City Engineer; Mark Harrington, City Attorney

1. ROLL CALL

Chair Sarah Hall called the meeting to order at approximately 5:30 p.m. She advised that all Commissioners were present either in person or via Zoom, with the exception of Commissioner Henry Sigg and Commissioner Rick Shand, who were not yet present.

2. MINUTES APPROVAL

A. Consideration to Approve the Planning Commission Meeting Minutes from August 9, 2023.

MOTION: Commissioner Christin Van Dine moved to APPROVE the Planning Commission Meeting Minutes from August 9, 2023. Commissioner Bill Johnson seconded the motion.

VOTE: The motion passed with the unanimous consent of the Commission. Commissioner Sigg and Commissioner Shand were not present for the vote.

B. Consideration to Approve the Planning Commission Meeting Minutes from August 23, 2023.

MOTION: Commissioner Johnson moved to APPROVE the Planning Commission Meeting Minutes from August 23, 2023. Commissioner Van Dine seconded the motion.

VOTE: The motion passed with the unanimous consent of the Commission. Commissioner Sigg and Commissioner Shand were not present for the vote.

Chair Hall noted that Commissioner Sigg and Commissioner Shand had joined the meeting via Zoom.

3. PUBLIC COMMUNICATIONS

There were no public communications.

4. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

Assistant Planning Director, Rebecca Ward reported that the Council Retreat would take place on September 21, 2023. The Council was scheduled to discuss the General Plan and a Request for Proposal timeline. On September 26, 2023, from 5:30 to 7:00 p.m., the City's consultants, Lisa Wise Consulting, Cascadia Partners, and Fehr & Peers would host a community workshop on Land Management ("LMC") Amendments to incentivize affordable housing, as well as the establishment of Transportation Demand Management strategies. Staff would send out more information on how to participate in this workshop and advised that both in-person and online options would be available.

Commissioner Johnson reported that he had been following the landslide that occurred at Rothwell Road, and requested that at the next meeting, Staff provide an update on the investigation and the geotechnical report. He felt it was relevant for the Planning Commission as they look at snow storage on Steep Slopes and Master Developments like the one on Rothwell Road. Commissioner Suesser supported this request. Assistant Director Ward noted Commissioner Johnson's request.

Commissioner Suesser commented that the damage and destruction on the hillside seemed to be worse now than at the time of the initial landslide. She was curious as to how it was being addressed and who was responsible for shoring the hillside. She also wanted to know about the plan to address the landslide. Commissioner Suesser also expressed community concern regarding the home being built on Northstar Road off Lowell Avenue. She noted that the driveway was being pushed out across the public/private road to give the homeowner a way to maneuver up the driveway. She hoped the Building Department was watching this, as she did not recall seeing that in the plans approved by the Planning Commission. Assistant Director Ward stated she would follow up. Commissioner Suesser added that significant retaining walls were being installed and was unsure if the owner owned the other side of the road. She expressed concern about whether the owner was going outside their property line.

Assistant Director Ward asked if there was consensus from the Planning Commission for an update on the landslide to be provided on September 27, 2023. Commissioner John Frontero confirmed there was consensus. Assistant Director Ward also confirmed that an update on the Northstar Road inquiry would also be provided. Commissioner Suesser suggested that the Building Department visit that site immediately. There were no further communications or disclosures.

5. CONTINUATIONS

- A. 1415 Lowell Avenue - Condominium Plat Amendment** - The Applicant Requests an Amendment to the Resort Center Condominiums Phase 1B First Amended to Expand an Interior Second Level Loft. PL-23-05760.

Chair Hall opened the public hearing. There was no public comment.

Commissioner Suesser asked about the reasons for the continuation. Assistant Director Ward understood that the continuance was requested to allow for further information from the applicant and confirmation of the Homeowners' Association ("HOA") approval.

MOTION: Commissioner Suesser moved to CONTINUE 1415 Lowell Avenue – Condominium Plat Amendment – and the public hearing thereon, to October 25, 2023. Commissioner Van Dine seconded the motion.

VOTE: The motion passed with the unanimous consent of the Commission. Chair Hall noted that Commissioner Sigg was offline.

6. REGULAR AGENDA

- A. **317 Ontario Avenue - Steep Slope Conditional Use Permit** - The Applicant Seeks to Construct an Addition to a Significant Historic Structure on a Steep Slope in the Historic Residential (HR-1) Zoning District. PL-23-05600.

Senior Historic Preservation Planner, Caitlyn Tubbs stated that the site is located in the Historic Residential – 1 ("HR-1") zone, and has a Steep Slope with a grade of approximately 42%. The site is also home to a miner's cabin which is a Significant Historic Structure. Planner Tubbs explained that the existing footprint for the miner's cabin was approximately 540 square feet, and the applicant was seeking to construct a 303-square-foot addition. She stated that the Historic Preservation Board approved material deconstruction on July 5, 2023, following a public hearing. Planner Tubbs added that because the lot was 1,875 square feet, the LMC would allow for the Steep Slope Conditional Use Permit ("SSCUP") to be heard administratively by Planning Staff. However, because the applicant requested additional height for the proposed addition with a single-car garage, it was brought before the Planning Commission. She presented a photograph of the existing Historic Structure and a view of the rear of the structure where the proposed addition would be constructed. The proposed Site Plan showed that the location of the existing Historic Structure encroached onto the property to the south by a few feet. She noted, however, that the new construction would comply with Setbacks.

Planner Tubbs also presented elevations to the Planning Commission for consideration of the SSCUP request as well as the request for additional height. She explained that the scope of the review was directly related to the SSCUP. Design review would be subject to a future public hearing, and the design of the overall addition was not within the purview of the Commission's review at this meeting. A rendering of the front of the proposed addition was presented, and Planner Tubbs highlighted a man-door to the south and a single-car garage towards the center of the proposed structure.

Planner Tubbs also presented some cross-canyon elevations to provide an idea of the visibility of the site and the proposed structure. She also presented an image showing the mass and scaling of the proposed addition in comparison with the streetscape. She explained that the LMC allowed additional Building Height up to 35 feet from existing grades whereas the zone typically only allowed 27 feet from grade to the highest point in the building. The required standards were outlined in the Staff Report.

The applicant proposed an additional height of up to 32'7" from the existing grade. Planner Tubbs noted that the total interior Building Height would be 35 feet, which complied with the zoning requirements. The proposed additional height on the southern side of the property was 29'2",

and on the northern side of the property, it increased to 32'7" while maintaining the interior height of 35 feet.

Planner Tubbs referenced the public input received and included it in the Staff Report. She noted that the main concerns centered on the potential impact on public utility service during construction, soil stabilization, and shoring methods, and the effects of construction on nearby adjacent structures. Planner Tubbs highlighted Conditions of Approval 4, 5, and 6, and noted that while they were fairly standard, they were directly related to those aspects of SSCUPs they hear about the most. Pursuant to Conditions of Approval 4 and 5, the applicant would be required to provide a geotechnical report and shoring plan, along with soil stabilization details. These reports would need to be reviewed and approved by the City Engineer before the applicant could apply for a Building Permit.

Condition of Approval 6 would require the applicant to secure access agreements or encroachment agreements prior to the issuance of the Building Permit. She noted this was standard practice for construction on Steep Slopes as well as construction that takes place within five feet of property lines.

She noted the proposed revision to Condition of Approval 17 as follows:

"The owner shall demonstrate compliance with all adopted Nightly Rental regulations, including off-street parking, and obtain a license per Section 453 of the Municipal Code of Park City, Utah prior to using the property as a Nightly Rental."

She explained that this language was amended to clarify the process the applicant must adhere to if they decided to utilize the property as a Nightly Rental.

Commissioner Suesser commented that this Condition read as though it was already approved, and observed that they were deciding Nightly Rentals on a case-by-case basis in this neighborhood. Assistant Director Ward explained that Nightly Rentals were allowed in this zone, and this Condition would require the applicant to go through the Business License review.

Commissioner Frontero asked about the difference in the parking requirements depending on whether the structure would be used as a primary residence versus a Nightly Rental. Planner Tubbs explained there is a formula and noted that the parking requirement for Nightly Rentals was based on the number of bedrooms whereas a typical Single-Family Dwelling must have two off-street parking spaces. She noted that Historic Sites were exempt from that regulation. She explained that since this was a Historic site, the applicant would not be required to provide off-street parking; however, with the proposed garage, the applicant proposed one off-street parking space.

Commissioner Suesser suggested clarifying Condition of Approval 17 regarding off-street parking and asked how many bedrooms were in the home. Planner Tubbs advised there would be three bedrooms in the home, and reiterated that a Historic site was exempt from the parking requirements. If the owner expanded the use to include Nightly Rentals, they would be required to provide those off-street parking spaces. Commissioner Suesser stated they could include a Condition of Approval requiring two parking spaces for Nightly Rentals.

Planner Tubbs explained that they revised Condition of Approval 17 to account for any changes to the LMC or the Code in the future, as opposed to calling out a specific requirement.

Commissioner Suesser commented that because this is a Historic home unless the Commission included the requirement for off-street parking, it would still be exempt. Assistant Director Ward added that the applicant proposed one parking space in the garage and could satisfy the second parking space on the driveway. Planner Tubbs noted that the driveway would not be deep enough to park a vehicle without it encroaching into the Right-of-Way.

Commissioner Frontero observed the importance of this distinction and understood the garage would satisfy one off-street parking space. If the formula for determining the required parking for a Nightly Rental showed that they would need two off-street parking spaces, the current proposal would not meet that requirement.

Commissioner Suesser felt the driveway needed to be deeper. Commissioner Frontero noted that having only one parking space would preclude the owner from using the property as a Nightly Rental. Commissioner Van Dine commented that it was better this way because the owner would not be able to have a Nightly Rental. Even though Nightly Rentals were allowed in this zone, the owner could only have a Nightly Rental if they met the requirements.

Assistant Director Ward stated that Historic Structures were exempt from the parking requirements, and additional parking requirements come into play if there are more than six bedrooms. Commissioner Van Dine understood that having a Nightly Rental would not supersede the fact that the building is a Historic Structure. Assistant Director Ward stated that was correct unless the Historic Structure was in an area where Nightly Rentals were a conditional use.

Commissioner Johnson asked about regulations regarding street parking on this road. Planner Tubbs stated she would defer that question to the City Engineer, but noted that the street was very narrow.

In response to an inquiry from Commissioner Frontero, Planner Tubbs stated she was not aware that the home was being currently used as a Nightly Rental. She deferred to the applicant and the applicant's representative.

The applicant's architect, Jonathan DeGray, AIA, deferred to the Applicant, Mary Loudon. Applicant Loudon stated that the home was currently used as a Nightly Rental, but their goal with the addition was to make this a private seasonal family residence. She advised that it had been licensed as a Nightly Rental, but they had not had the property actively listed since March 2022. Applicant Loudon stated that there is very limited parking along Ontario Avenue, and noted there was a spot across the street from 317 Ontario where users of the property park. Commissioner Frontero observed that the garage would provide an off-street parking space for the home.

Commissioner Suesser asked the Applicant about the length of the currently designed driveway, and whether it was possible to design it to accommodate a vehicle. Architect DeGray explained that Ontario Avenue cuts through the property on an angle. He noted the driveway on the north side was approximately 23 feet, but the problem is that the line next to the driveway is the edge of the road, which cuts the length of the site so that the south side of the driveway could only be 15 to 16 feet.

Architect DeGray stated that while the driveway will be large enough for a vehicle, it would not technically meet the requirements of the Code for a 9' x 18' parking space. He stated it was close, but was not technically compliant. He added that to make the driveway bigger, they would have to make the garage smaller and non-compliant. Therefore, the emphasis was to make the garage

as big as possible, even though it would not be full-size. He stated that while the garage would be usable, it would be less than that required by the Code. He noted there were a number of things that dictated the shape and height of the proposed building.

Commissioner Frontero asked why the additional height was needed. Architect DeGray responded that it was the result of the choice of the roof shape. He noted the Code required a 7:12 roof pitch off the street, and they were able to achieve that due to the exception in the Code that allowed for the garage to exceed the height with the steeper roof pitch. During discussions with Staff, this design was the preferred solution in the context of the street elevation compared to the other homes.

Architect DeGray stated they could go to a flat roof or very low-sloped roof, but the preference was to have more of an Old Town feel to the property by having the more traditional steep roof.

Commissioner Frontero asked if there would be any livable space or storage area above the garage. Architect DeGray stated that nothing was planned for that space above the garage.

Commissioner Suesser asked about the height compared to the home to the south of this property and requested information on the height and elevations. She wanted to know whether the additional two feet requested for this home would make it higher than the neighbor's home. Architect DeGray noted that the house to the south was quite large. Planner Tubbs presented the plan set to the Commission and noted the interior dimension of the garage was 16'10" in depth. A typical single-car garage was required to be 20 feet in depth; however, pursuant to the LMC section under which the applicant proposed the additional height, it must not exceed the minimum dimension of a parking space.

Planner Tubbs read the following language from the Code: "The depth of the proposed garage cannot exceed the minimum depth for internal parking spaces." The standard internal parking space is required to be 20 feet in depth, and complex spaces can only be 16 feet in depth. Architect DeGray noted that pursuant to the survey, the adjacent home has a ridge height of 7,219.9 feet and the ridge elevation of the proposed addition was 7,219 feet 10 inches. Therefore, they would be virtually the same elevation.

Commissioner Suesser felt that would be quite tall against Ontario Avenue. She noted that it appeared there was livable space above the garage in the home to the south.

Commissioner Frontero felt that if the reason for the increased height was to allow for a pitch and shape similar to the streetscape, that was a fine goal. He would be more comfortable, however, if they conditioned the additional height and the garage specifically so that livable space would not be an allowed use over the garage.

Commissioner Van Dine agreed that for purposes of aesthetics, she would be on board with such a condition. Architect DeGray stated that would be agreeable.

Chair Hall also agreed with Commissioner Frontero and suggested revisiting the proposed additional Condition of Approval following Staff's presentation and public comment.

Planner Tubbs stated that Staff recommended the Planning Commission review the SSCUP, conduct a public hearing, and consider approving the SSCUP according to the Findings of Fact, Conclusions of Law, and Conditions of Approval in the Draft Final Action Letter.

Commissioner Johnson understood that the applicant would deconstruct the original Historic Structure, which was currently a Legally Non-Conforming Structure. Planner Tubbs advised the Historic Structure was Legally Non-Conforming in terms of Setbacks, as it encroaches on the property to the south. She added that the neighbor to the north encroached on the applicant's property. She explained that the material deconstruction approved by the HPB was limited to select panels of siding in the rear; therefore, the applicant would not be panelizing, lifting, or deconstructing the Historic Structure.

With regard to neighboring utilities, Commissioner Johnson asked about solutions to the fact that the northern property encroached on the applicant's property. Planner Tubbs stated that Staff met with the Development Review Committee, and City Staff and the public utilities raised no concerns regarding public utilities or fire access. With the construction taking place so close to the property line and on a Steep Slope, the applicant would be required to obtain access and encroachment agreements. As part of the wording of the SSCUP, Staff included the work on utilities, and any permanent improvements on the site must be included in those agreements.

Commissioner Johnson asked if Staff foresaw any way for the adjacent property to come into conformance if and when it is redeveloped. Planner Tubbs explained that Historic Structures were "iffy" when it came to Setbacks, and some encroach over property lines. However, newer construction is required to comply with the standards and regulations in effect at the time of application. Therefore, any proposed construction or redevelopment of a neighboring site would be obligated to comply with the Setbacks and other zoning regulations. Planner Tubbs added that with the Historic Structure sited where it currently was, it was considered Legal Non-Conforming.

Commissioner Johnson requested clarification on what was considered "legal street parking" along Ontario Avenue. He stated he drove in the area before the meeting and saw cars parked along Ontario Avenue where half of the car was actually in the roadway. He expressed concern about expanding this existing issue on the street in terms of parking.

City Engineer, Rebecca Gutknecht, P.E. reported that currently parking along Ontario Avenue was not expressly prohibited; however, there are laws in place that require vehicles to park along a roadway so as to not impede traffic. Given the narrow roadway, there were many locations where it was impossible to get off the street far enough so as to not impede traffic. She reiterated that while not expressly prohibited, the geometry of the road made it impossible to park in most locations.

Commissioner Johnson asked if there was any future plan to widen that roadway. Engineer Gutknecht did not believe there were any current plans.

Commissioner Suesser asked about the typical length of an SUV and wondered if a nightly renter of this home would be able to park an SUV in the proposed garage. Architect DeGray stated that SUVs are typically 20 to 22 feet long; therefore the garage, as designed, would not be able to accommodate an SUV. Engineer Gutknecht added that a designed parking space was defined as 9' x 18' although there are vehicles that are larger than those dimensions.

Commissioner Suesser revisited the issue of elevation heights and noted that the proposed addition would be approximately the same height as the white house next door. Architect DeGray agreed with what was shown by the survey. He added that from the driveway elevation to the

ridge, the house was approximately 17 feet tall, with the garage door being 8 feet and the wall above the garage measuring 9 feet. Commissioner Suesser asked if that was depicted in Figure 5 in the Staff Report. Engineer Gutknecht reported that a design car is 7' x 18' and that generally that was the dimension used to design various elements. Commissioner Suesser asked whether, despite that, they could approve a 16-foot garage. Planner Tubbs confirmed that the internal dimension of the proposed garage was 16 feet 10 inches. Engineer Gutknecht explained that the Engineering Department did not look at the sizing of the garage, but it might be looked at by the Building Department or the Planning Department.

Chair Hall opened the public hearing. There was no public comment. Chair Hall closed the public hearing. She noted that Commissioner Frontero requested an additional Condition of Approval included in the Draft Final Action Letter.

Commissioner Suesser commented that the depiction in Figure 5 showed that the new addition would be significantly lower than the home to the south, but actually, it would be of a similar height. She felt that a 9-foot wall above the garage would add a significant amount of space, and although it might not be livable, it could be significant storage space. Given that and the historic nature of the home, she did not feel that the additional height request was appropriate and did not support the height exception. Commissioner Suesser also reiterated her concerns about the garage and the parking.

Commissioner Frontero asked to hear from the other Commissioners as to whether there was consensus for allowing the additional height with a Condition of Approval. Commissioner Van Dine was agreeable with the height as proposed and felt it would fit in with the neighborhood and that keeping the roof pitch was better than a flat roof that would stand out.

Commissioner Van Dine expressed that she was not overly concerned about the space above the garage, but agreed with Commissioner Frontero's suggestion of a Condition that no livable space be created above the garage. In terms of parking, she understood that they could not require anything because it was exempt from parking requirements because it is a Historic Structure. Assistant Director Ward agreed that the Commission could not require parking associated with the home's use as a residence. She added that as conditioned, if the applicant were to apply for a Nightly Rental they would have to show compliance with the parking requirements at that time. As far as the residential use, the property was exempt from the parking requirements.

Commissioner Van Dine stated that with the additional Condition, she supported the application. Commissioner Suesser noted they would be approving an expansion for a garage, yet there was no parking requirement.

City Attorney Mark Harrington reported that any additional Conditions of Approval needed to be related to the proposal; therefore, a net addition of a parking space to a use that was exempt from parking requirements would be difficult to further condition. He noted that by approving this application with the height exception, they would be decreasing the impacts that were currently allowed because it would add off-street parking.

Commissioner Suesser did not feel that the height was needed to add the off-street parking. City Attorney Harrington stated that was a separate issue, and that design-wise, she could stand by her position; however, it would not be because of the Nightly Rental issue.

Commissioner Suesser opined that the height was not justified because it was incompatible and would add mass to the street. She stressed that her position had nothing to do with parking. She made the point that the property was currently licensed as a Nightly Rental, and would likely continue to be used as a Nightly Rental, and she was concerned about the inability to park a standard vehicle in the garage. Commissioner Suesser stated that part of the reason for approval would be to provide additional off-street parking, and the parking was inadequate for a Nightly Rental.

City Attorney Harrington commented that in other zones that require a CUP for Nightly Rentals, the Commission had included Conditions of Approval that the rental agreement must affirmatively require the use of off-street parking. In this case, the Commission could have the applicant specify the dimensional requirement so that the rental was limited such that the vehicle would fit into the off-street parking.

Commissioner Johnson agreed with Commissioner Suesser in terms of the height of the garage but was more concerned about on-street parking. He noted that parking on the street was allowed if it does not impede traffic; however, the road is essentially a one-way road. He noted that because the applicant was not required to have off-street parking, they could park on the street.

Commissioner Suesser suggested that in approving this expansion they could require off-street parking. Commissioner Johnson wondered if they could condition this approval so there would be no on-street parking. He stressed that parking on Ontario Avenue was a concern.

City Attorney Harrington reminded that as the Commission had done on prior CUPs, they could include as a condition of granting the additional height, a requirement for the use of the off-street parking for Nightly Rentals. He felt that would be a reasonable Condition of Approval. He noted that the regulations regarding street parking were as they were, and the owners would otherwise be able to use it for normal single-family use regardless of the expansion. He reiterated that the Conditions should be limited to issues related to the impacts generated by the application and not just random issues that the Commission might disagree with. He explained that if the height exception was for an off-street parking garage, the Conditions of Approval needed to be tailored in that regard.

Commissioner Johnson noted the applicant just stated that they currently use on-street parking for the rental unit, but it was noted that with the garage they would not have to use the street. Commissioner Suesser mentioned the dimensions of the garage and the driveway.

Commissioner Sigg stated he had not seen a set of plans for this application, and he wanted to know what would happen below the garage and in the rest of the building. He offered that they could not isolate the garage from the overall volumetric of the building. The applicant was seeking the height exception so they could achieve the historic characteristics of Old Town, but there would be something underneath the garage. He asked if they were just looking at the garage, or whether they were looking at the entirety of the structure that included the lower floors below the garage.

Planner Tubbs advised that the applicant's submittal items were included in the Staff Report Packet as Exhibit B, and presented them to the Commission. She explained that there were bedrooms on the two floors below the proposed garage.

Commissioner Sigg observed that it was a house, not just a garage. He concurred with the dialogue regarding parking.

Commissioner Johnson was incredulous that they could add an addition like this to a small Historic Structure, and yet still not require parking. Commissioner Suesser added that was why, in conjunction with this approval, they could take it out of that exemption and require two parking spaces.

City Attorney Harrington cautioned that the proposed addition was 300 square feet and an additional component within the Historic Structure of another 300 square feet footprint for a total proposed addition of 606 square feet. This would keep the total living space at 1,900 square feet, which is typically below the normal two-parking space requirement from which the applicant was exempt. He stated that the Commission would have to justify adding a requirement for an additional parking space when the applicant was already adding one parking space for 300 square feet. He stressed that any other Conditions must be related to the height exception for a parking garage and the SSCUP. It would be appropriate if the Commission could show how that related to the need for an additional parking space. However, if the Commission just disagreed with the policy of the exemption as it applied to Nightly Rentals or as it applied to Historic Structures, that would be something that should be addressed by changes in the Code. City Attorney Harrington stated that he would be uncomfortable stating, without qualification, that the Commission could require two off-street parking spaces just because they were granting a height exception.

Commissioner Suesser stated that she was not suggesting a requirement of two off-street parking spaces, but at least one off-street parking space. She stated that as part of the approval of this application, they could require the applicant to provide one off-street parking space.

Assistant Director Ward sought clarification of Commissioner Suesser's suggestion and asked if she proposed that the parking space proposed in this application would not be converted to a different use down the line. Commissioner Suesser stated that the property was currently exempt, but in conjunction with the approval they could require one off-street parking space.

City Attorney Harrington expressed confusion as to whether Commissioner Suesser was suggesting something different than the applicant's proposal since the proposal was to create an off-street parking space. He stated that the reason the height exception was in play was because the applicant was proposing an off-street parking space.

Commissioner Suesser questioned how the height exception was connected with the off-street parking. City Attorney Harrington explained that was what was in the Code. Commissioner Suesser understood that the applicant would not need the height exception to construct the garage. Assistant Director Ward explained that the section of the Code that allows for the additional height specifically addressed these types of homes where there is a downhill slope.

Commissioner Johnson noted the Planning Commission was limited in terms of review of the design, but they could recommend that the Design Review Board look at the proposed roof pitch as well as the architectural variation. Commissioner Suesser understood that the applicant could build the garage at the street level without the additional two feet. She felt they did not need the 9 feet from the top of the garage to the peak.

Commissioner Shand stated that the main issue before the Commission was the variance in height. One of the challenges in measuring the peak of the roof height was where it was

measured from, and noted that the uphill side measured at 29 feet and the downhill side measured slightly higher. He commented that the rendering was somewhat deceiving because it showed the subject property as being quite a bit smaller than the neighboring properties. He understood that the reality was that the subject property would be as tall as the white home to the left in the rendering.

Commissioner Shand did not have an issue with the height variance; however, it would be great if there were a way to shallow the pitch of the roof to bring it into compliance. He stated that he did not have an issue with how it was drawn in the plans.

In terms of the parking, he noted that the applicant was adding bedrooms and a parking garage. He commented that whether the parking garage could fit a Suburban was not the Commission's concern. He stressed that the garage would get a car off the street and provide off-street parking.

Commissioner Shand observed that the Historic home, which is only accessed off Marsac Avenue, had on-street parking. He considered that the addition would provide the necessary parking for the bedrooms that would be added.

Commissioner Johnson sought clarification as to the access to the Historic Structure. Planner Tubbs stated that it only had frontage along Ontario Avenue, but the Historic Structure itself faced a public trail.

Chair Hall looked for consensus on one or both of the primary issues. Commissioner Suesser stated that based on the discussion, she was agreeable with the parking and commented that they would at least get one car off the street. She suspected this would contribute to the problem, but they would get one car off the street.

Commissioner Suesser reiterated her position that the height exception was unnecessary and incompatible with the Historic Structure. She added that the suggested Condition of Approval that the space above the garage would not be livable would be difficult to enforce, and that area would likely be used as storage or a loft bedroom. She stressed that the height exception was inappropriate.

Chair Hall invited comments from other Commissioners regarding the height exception or possible amendments to the Conditions of Approval.

Commissioner Van Dine was agreeable with the height exception, with the Condition of Approval suggested by Commissioner Frontero that there shall be no livable space above the garage.

Commissioner Johnson was agreeable with the application as presented, and although he agreed that the roof pitch should be adjusted, he acknowledged that the design was not part of the Commission's purview. He suggested that the Design Review Board or HPB look at reducing the pitch. He recognized that the Commission could require the pitch lowered, but then the Design Review Board could require it to be back at the 7:12 pitch.

Commissioner Sigg asked whether the architect would find the same ridgeline that exists above the garage structure if the gable were facing the street. He referenced the east elevation on the graphic presented by Planner Tubbs and asked where it would land if it were carried over the width of the entire roof plane. Architect DeGray stated that the main roof form would have a much flatter pitch for it to be down that low. Architect DeGray referenced the side view of the roof on

the north elevation and noted that the roof would have to get quite a bit flatter in pitch to be that low.

Commissioner Sigg asked what that would do to the garage space. He proffered that if the gable seen on the east elevation extended over the entire building, they might eliminate the smaller window. Architect DeGray understood that Commissioner Sigg proposed to turn the ridge so that it faced the street, and noted that would result in the roof being taller toward the rear. He felt the problem would be amplified by running the ridge in the east/west direction because the slope of the roof as currently designed followed the topography. He noted that if they changed the direction of the ridge, then the roof would be perpendicular to the topography and the ridge would stick out further than the height limit because the ridge would be further down the hill.

Commissioner Sigg understood Architect DeGray's explanation. He also asked if they could change the roof design to have one plane of the roof different than the other. He provided the example of having the east plane shorter than the west plane. Architect DeGray stated there were a number of things they could do to change the roof shape to address the concerns discussed, however, that would go back to the Design Guidelines and Planning Staff's review of the Historic District Design Review. He stated he could go over this with Planner Tubbs to see if there was room in the design approval. However, as of right now, this was a design that Staff liked.

Commissioner Sigg was aware of the Commission's limitation over the Historic review but suggested a proactive solution to not have to allow the increased height. He understood the design was not in the Commission's purview.

Chair Hall questioned whether the Commissioners found that the application before them complied with the Land Management Code ("LMC"), or whether there were any modifications to the Conditions of Approval.

Commissioner Suesser felt the application was not compliant with the LMC since the applicant requested a height exception; however, she acknowledged that it might be compliant, as conditioned. Chair Hall noted that the LMC specifically allowed for this type of application, so in essence, it was in compliance with the LMC because it met the three requirements for the height exception in that it would not exceed 35 feet, had the required depth for the parking space, and it would accommodate a single vehicle.

City Attorney Harrington asked Planner Tubbs to summarize the requested additional Condition of Approval. He also noted the request of Commissioner Johnson that the Historic Design Review includes a review of the east elevation of the pitched roof in order to minimize the height exception in order to be compatible with the streetscape. Planner Tubbs stated that the first added Condition of Approval would state that "There shall be no habitable space above the garage." There was consensus for that additional Condition of Approval.

With regard to the second added Condition of Approval, City Attorney Harrington suggested that a revised Figure 5 with an accurate depiction be submitted to the Historic District Design Review. Commissioner Suesser commented that it is important to note that they clarified Condition of Approval 17 that the home would not be used as a Nightly Rental until the property owner could demonstrate that at least two parking spaces could be provided in accordance with the adopted standards.

Planner Tubbs explained that was the previously proposed language; however, upon re-examination, the proposed language suggested by Staff was that “the owner shall demonstrate compliance with all adopted Nightly Rental regulations, including off-street parking, and obtain a license per Section 453 of the Municipal Code of Park City, Utah prior to using the property as a Nightly Rental.”

Commissioner Suesser acknowledged the conflict between the regulations for a Historic home versus the requirements for a Nightly Rental, and whether this home would be exempt or not. She asked if the owner was required to provide parking spaces if the Historic home that was exempt from parking was used as a Nightly Rental. She felt the Code was unclear on this point. Planner Tubbs understood that Commissioner Suesser wanted to revert to the Condition of Approval as published in the Staff Report. Commissioner Suesser answered in the affirmative.

Commissioner Suesser asked for clarification on whether a Historic home that was exempt from parking would be required to provide two parking spaces if the home were used as a Nightly Rental. Assistant Director Ward explained that under the parking regulations, Historic Structures were exempt from the parking requirements. For Nightly Rentals, there is a requirement of one per unit. If there are more than six bedrooms, additional parking requirements come into play. City Attorney Harrington added that the Code also allowed on-street parking to be used by Historic Structures if approved by the Building, Planning, and Engineering Departments.

Commissioner Suesser asked if it was correct that Historic homes rented out on a nightly basis must provide one off-street parking space. Assistant Ward believed that to be accurate, but could confirm that for the Commission. Commissioner Suesser stated that supported her suggestion to revert to the original condition of Approval so that it would be clear. Commissioner Suesser asked why the original Condition of Approval required two parking spaces when the Code requirement was one space. Planner Tubbs recalled that the two parking space requirement came from the requirement for off-street parking for a Single-Family Dwelling. She acknowledged that might have been an error. Commissioner Suesser suggested reverting to the original language but requiring only one parking space.

Commissioner Van Dine noted Planner Tubbs’ explanation that the newly proposed language would keep it compliant with the Code and stated that might be easier because if the Code became more strict in the future, the parking requirements would be subject to that rather than sticking with what they state in the Condition.

Commissioner Suesser suggested they amend the proposed new language to clarify that and explained she was trying to get around the Historic Structure exemption and make it clear that if this home is used as a Nightly Rental, they have to provide an off-street parking space. Commissioner Van Dine observed that the proposal was to have an off-street parking space. Commissioner Suesser felt that the proposed Condition of Approval did not address the conflict between the Historic Structure exemption and the Nightly Rental requirements.

City Attorney Harrington commented that because the property is technically exempt, a Condition of Approval could address and prohibit a future conversion of the garage in terms of use or storage. He suggested language that the off-street parking in the garage shall be used for Nightly Rentals so that it was clear that the garage would be required to be used and kept should the property be used as a Nightly Rental.

Commissioner Shand liked the wording of the newly proposed Condition of Approval 17 because it would keep the requirement aligned with whatever Code was in place, and would make the property subject to the most current regulations.

Commissioner Suesser stressed that the language would not capture the Historic Structure exemption. Commissioner Shand stated that was not the issue before the Commission. City Attorney Harrington suggested adding “the Nightly Rental shall be required to use the off-street parking in the garage.” Commissioner Shand agreed. There was consensus for the proposed changes to Condition of Approval 17.

Chair Hall next addressed the new Condition of Approval 23 and asked whether there was a consensus that there would be no habitable space above the garage. The Commission confirmed its consensus, except for Commissioner Suesser who did not agree with the height exception. Chair Hall noted there was no consensus for new Condition of Approval 24 that would allow for a height exception and requested the Historic District Design Review consider an alternate design. Planner Tubbs recalled that the proposed language that “The land use authority shall specifically examine the proposed roof pitch for compatibility with the Historic District Design Review requirements, and the Applicant shall submit a revised streetscape illustration during this review.”

Commissioner Van Dine requested additional language that the review should try to keep the height exception as low as possible. Commissioner Johnson suggested that the review should look at bringing it into compliance based on the pitch design and compatibility with the neighborhood.

Commissioner Shand understood why the roof pitch on the garage was designed as it was because it was consistent with the home on the lower portion of the lot. However, it would be preferable if the roof pitch could be reduced to make it more compliant with height and still consistent with other roof pitches in the neighborhood.

Commissioner Suesser noted that the current plans called for a roof height that was the same as the home to the south, which is considerably larger than this home.

MOTION: Commissioner Johnson moved to APPROVE 317 Ontario Avenue – Steep Slope Conditional Use Permit – pursuant to the Findings of Fact, Conclusions of Law, and Conditions of Approval set forth in the Draft Final Action Letter, as amended, as follows:

Findings of Fact

1. The Site is located at 317 Ontario Avenue.
2. The Site is located within the Historic Residential – 1 (HR-1) Zoning District.
3. The existing Structure is designated to the Park City Historic Sites Inventory as a Significant Historic Structure.
4. The existing Structure was constructed c. 1885.
5. The Site is located on a Steep Slope.

6. On November 11, 2022, the Planning Department received a Historic District Design Review Pre-Application for a proposed addition to the rear of 317 Ontario Avenue.
7. On March 28, 2023, the Planning Department received a complete Steep Slope Conditional Use Permit Application and Historic District Design Review Standard Application.
8. On July 5, 2023, the Historic Preservation Board conducted a public hearing and approved the Material Deconstruction of 62 square feet of historic materials at the rear of the Structure to accommodate a connection to the proposed addition.
9. Staff reviewed the Steep Slope Conditional Use Permit Application per § 15-1-10 and LMC Chapter 15-2.2 and found the application, as conditioned, complies with the adopted requirements.
10. Staff mailed a courtesy notice to property owners within 300 feet of the Site on August 30, 2023.

Conclusions of Law

1. The Steep Slope Conditional Use Permit, as conditioned, is consistent with the Park City Land Management Code, specifically section 15-1-10 and Chapter 15-2.2.
2. The Use is consistent with the Park City General Plan, as amended.
3. The effects of any differences in use and/or scale have been mitigated through careful planning.

Conditions of Approval

1. Final building plans and construction details shall reflect substantial compliance with the plans approved on September 13, 2023, by the Planning Commission. Any changes, modifications, or deviations from the approved design that have not been approved in advance by the Planning and Building Departments may result in a stop work order.
2. The Applicant is responsible for notifying the Planning and Building Departments prior to proposing any changes to this approval. The Applicant shall submit in writing any changes, modifications, or deviations from the approved scope of work for Planning review and approval/denial in accordance with the applicable standards prior to construction.
3. Prior to submitting a building permit, the Applicant shall submit a plan demonstrating how temporary shoring will be provided during construction, subject to approval by the City Engineer, or their designee.

4. The Applicant shall submit a geotechnical report and design of the temporary shoring and final slope stability prior to submitting a building permit, subject to approval by the City Engineer, or their designee.
5. The Applicant shall provide soil stabilization details documenting how the disturbed area will be restored and stabilized prior to submitting a building permit, subject to approval by the City Engineer, or their designee.
6. The Applicant shall secure access agreements for any work, construction, storage, and/or permanent improvement located five feet or less from a Lot/property line or otherwise encroaching onto an adjacent property prior to submitting for a Building Permit.
7. The Applicant shall receive approval of a Historic District Design Review prior to building permit issuance.
8. The Applicant shall complete a Historic Preservation Plan, subject to approval by the Chief Building Official and the Planning Director prior to the issuance of a building permit.
9. The Applicant shall provide the City with a Financial Guarantee to ensure compliance with the conditions and terms of the Historic Preservation Plan prior to the issuance of a building permit. Instruments or documents associated with the Financial Guarantee must be recorded with the Summit County Recorder's Office prior to the issuance of a Building Permit.
10. All lot grading, utility installation(s), public improvements, and drainage plans are subject to review and approval by the City Engineer, or their designee, prior to the issuance of a building permit.
11. The property is located outside of the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore not regulated by the City for mine-related impacts. If the property owner does encounter mine waste or mine waste-impacted soils they must handle the material in accordance with State and Federal law.
12. Any areas disturbed during construction surrounding the proposed work shall be brought back to their original state.
13. The Engineering Department requires the submittal of a storm drainage analysis. The storm drainage study must include the calculations showing the required storm drainage volume storage to match the pre- and post-development conditions for a 100-year 24-hour event.
14. The Final Grade shall be no more than four feet (4') in height difference from Existing Grade.
15. All outstanding Conditions of Approval set forth in the Historic Preservation Board's Material Deconstruction Approval (dated July 5, 2023) shall also apply.

16. Outdoor lighting, including landscape lighting, must be reviewed and approved by the Planning Department prior to installation and shall comply with the City's Dark Skies requirements. Outdoor lighting must be fully shielded, down-directed, and 3,000 degrees Kelvin or less.
17. The owner shall demonstrate compliance with all adopted Nightly Rental regulations, including off-street parking, and obtain a license per Section 453 of the Municipal Code of Park City, Utah prior to using the property as a Nightly Rental. The Nightly Rental shall be required to use the off-street parking in the garage.
18. The roof eaves shall be reduced in size so as to not encroach into the required Side Setbacks by more than 1 foot per LMC § 15-2.2-3(J).
19. If the Applicant does not obtain a complete building permit by September 13, 2024, this SSCUP approval shall expire unless the Applicant submits a written extension request to the Planning Department prior to the expiration date and the Planning Department approves the requested extension of approval.
20. The Applicant shall coordinate traffic control and road closures during construction with the Engineering Department.
21. The Applicant shall confer with the Water Department and install a larger water meter if necessary to accommodate the additional living space as well as any fire sprinkler needs.
22. The Applicant shall confer with the Snyderville Basin Water Reclamation District and install a sewage ejector pump if necessary to remove wastewater to the existing lateral in Ontario Avenue.
23. There shall be no habitable space above the garage.
24. The land use authority shall specifically examine the proposed roof pitch for compatibility with the Historic District Design Review requirements, and the Applicant shall submit a revised streetscape illustration during this review. The review should look at bringing the structure into compliance based on the pitch design and compatibility with the neighborhood.

Commissioner Van Dine seconded the motion.

VOTE: The motion passed with the unanimous consent of the Commission.

After a brief recess, Chair Hall called the meeting back to order and confirmed that all Commissioners were present either in chambers or online.

- B. 45 Hillside Avenue - Steep Slope Conditional Use Permit** - The Applicant Proposes to Construct a Detached Accessory Building in the Front of a Non-Historic Structure. PL-23-05717.

City Planner, Lillian Zollinger clarified that the above property is an existing, non-historic Single-Family Dwelling in the HR-1 zone. The original approvals from last year expired, and as there were some changes from the prior application, the Planning Commission should review this as a new application. As detailed in the Staff Report, the biggest change was the re-orientation of the proposed garage. It was originally proposed to be oriented perpendicular to the Right-of-Way ("ROW"), whereas in this application it was proposed to be more parallel to the ROW.

Planner Zollinger reported that the proposal was found to be compliant with LMC Chapter 15-2.2-3, wherein the proposed accessory footprint was 386 square feet, which is under what would be allowed for this lot size. She noted the applicant received a Front Setback variance of zero, per the Board of Adjustment. The proposal was also compliant with Side and Rear Setbacks. It would have a maximum height of 12 feet and would create one off-street parking space.

Planner Zollinger reported that the Development Review Committee and the Design Review team reviewed this application. She presented an image showing the proposed garage highlighted in red. She noted the left wall was 11 feet across and the garage door was 9 feet. As this location is an odd shape, the garage would be approximately 16 feet in width and 25 feet in length at its' longest point. She showed an image depicted that the vehicle would pull into the garage in a sideways orientation from the street. Additionally, Planner Zollinger reported that the application was found to be compliant with LMC Chapter 15-2.2-6, which outlines the Steep Slope criteria in the Historic District. She referenced the Staff Report that outlined each of the criteria.

Planner Zollinger highlighted the Conditions of Approval that require the applicant to submit a temporary shoring plan, as well as soil stabilization details. The applicant would also be required to submit information regarding vegetation rehabilitation. She added that part of the construction would take place on the Hillside Avenue public ROW, and construction activity in this area would require a soil mitigation plan. Any areas disturbed during construction shall be brought back to its original state.

Planner Zollinger noted that there was a portion of open space on the Plat, and no construction was proposed or would be allowed in that area. She also reported that the applicant would be required to apply for an encroachment agreement with the Engineering Department before applying for a Building Permit. She reported that if at some point in time, the ROW were re-aligned, the applicant would be responsible for the removal of the retaining walls, driveway, and any parking at their own expense. To the extent possible, existing Significant Vegetation shall be maintained. Any Significant Vegetation that is removed must be replaced. The Forestry Board must review any impacts to Significant Vegetation in the ROW.

Planner Zollinger reported that the Engineering Department recommended Condition of Approval 20 which states: "The applicant shall remove the existing shed that encroaches into the City's Right-of-Way."

Chair Hall invited any clarifying questions from the Commission.

Commissioner Suesser asked how many parking spaces would be available outside of the garage. Planner Zollinger responded that no additional spaces outside of the garage would be available. Commissioner Suesser referenced the image with the permeable pavers on either side of the garage and asked if those would be parking spaces. Planner Zollinger responded in the negative. In response to Commissioner Suesser's further inquiry, Planner Zollinger advised that

the driveway would be 12 feet wide, consistent with Historic District regulations. The permeable pavers would be installed on either side of the driveway. On the right side, the applicant would store their garbage cans, and there would be front door access to the garage, as well as access to the stairs on the left side of the driveway.

Planner Zollinger was unsure of the distance from the edge of the stairs to the far side of the driveway. Commissioner Suesser observed that it appeared that a couple of cars could be parked on the driveway. Planner Zollinger offered that they could include a Condition of Approval in that regard. Although she was not sure of the exact dimensions, she believed that a portion would be landscaped. Additionally, the entire section below the red highlighted area was in the ROW.

The applicant's representative, Caitlyn Barhorst, commented that the main goal of the application was to get the car off the street given all of the road improvements that are taking place. The applicant only has one vehicle, so they were planning to park in the garage. The garage was designed with the Civil Engineer to ensure that the turning radius would allow for a vehicle. The extra width was designed to provide some space to get garbage cans off the street and have an area to park bikes. Representative Barhorst reported that the driveway width, including both permeable paver areas, was 22 feet.

Commissioner Suesser asked Planner Zollinger to point out the location of the open space. Planner Zollinger pointed out an area to the right of the proposed garage. She also advised it was shown on page 160 of the Packet. Representative Barhorst added that originally, the garage was deeper into the hillside and closer to the existing structure. To mitigate the disturbance of the existing structure and to have less slope disturbance and excavation overall, they decided to turn the garage parallel to the topography lines.

In response to Commissioner Suesser's inquiry about the removal of Significant Vegetation, Representative Barhorst stated that they will re-vegetate the area. She recalled that there was a boxwood tree where the garage would be located. She stated they would be doing a green roof approach where the parapet wall of the garage would extend up above the front façade so they could re-grade soil on top, but it would not be enough to replant a tree.

Commissioner Frontero noted that he was not on the Planning Commission when this was initially approved, and asked why the applicant did not move forward with the prior approval. He speculated that the garage was initially designed to go deeper into the property and wondered if it was an engineering decision to change the design. Representative Barhorst explained that once they started moving forward with a contractor and engineer, they realized that digging further back into the hillside was going to be difficult and risky for the existing structure. Representative Barhorst added that during that timeline, the plans for the improvements currently underway were finalized, and there were a lot of moving parts. She stressed that the major reason was they wanted to reduce the amount of site impact concerning excavation and shoring.

Commissioner Frontero understood that the garage would be below the deck. Representative Barhorst stated that parts of the deck would cantilever over the garage, however, the deck would remain in place. She added that was another reason they did not want to excavate back because they would have had to shore and deconstruct the deck, so they wanted to push the garage further sideways and tuck it behind the staircase. Commissioner Frontero asked about the presence of a utility pole where the garage would be located. Representative Barhorst explained that the pole was removed recently as part of the utility company's installation of new lines and poles. Representative Barhorst advised that the width of the garage door would be 9 feet, and the

concrete driveway would be 12 feet wide by 20 feet deep. The distance from the retaining wall would be 22 feet, which included the permeable paver area. Planner Zollinger added that the proposed garage would go right up to the property line.

Chair Hall opened the public hearing. There was no public comment. Chair Hall closed the public hearing.

Commissioner Shand asked Staff if there was a limit to the width of a garage door in this type of application. Planner Zollinger advised that the Historic District Design Guidelines set forth a limit of 9 feet, therefore, this proposal was in compliance.

Commissioner Sigg asked about snow storage and plowed snow along the property line. He expressed a concern if the plowed snow was not moved they could lose some of the road as the snow piled up. It was reported by Engineer Gutknecht that typically they try to get 10 feet of snow storage from the curb and gutter or the ROW line. However, in this application, the existing retaining wall and stairway would remain in place and would be considered an existing condition that they would not try to remedy at this time.

Commissioner Shand asked for a photograph of the existing condition. Planner Zollinger presented a photograph and explained that the garage would be located in the area of the rock wall. Representative Barhorst reported that she was communicating with the owner, Dan Fischer, and stated that he requested clarification regarding removal of the shed. Engineer Gutknecht explained that they were trying to limit the amount of structures that were not owned by the City and were in the ROW. She added that the shed was an unnecessary obstruction, as she understood that the initial purpose of the shed was for garbage can storage. The new location of the garbage storage area next to the garage eliminated the need for the shed on the ROW.

Representative Barhorst represented that Applicant Fischer commented that the shed was behind the power pole, so it was tucked away and would not get in the way of a snowplow. It was noted that the applicant would not want the shed removed, but if it was necessary for approval of this application, he was willing to move forward.

Commissioner Van Dine commented that she would like the City to be able to remove things from the ROW that were unnecessary. Commissioner Johnson agreed and wanted the shed removed from the ROW. There was consensus on the Commission to remove the shed.

In response to an inquiry from Commissioner Suesser, Planner Zollinger confirmed that the idea was that this would be a green driveway, with grasses growing up between pavers.

Commissioner Sigg asked if the existing retaining wall, shown on the far left of the photograph, was in the ROW. Planner Zollinger confirmed that there were existing structures in the ROW. Commissioner Sigg noted that the wall as depicted in the photograph looked tattered, and questioned its structural integrity as it related to snow plowing and snow storage. He noted that there is a public parking lot across the way, and expressed that the propensity to push snow to the parking lot could become problematic. He did not know how this was mitigated in the past. He questioned what could be done if they pushed the wall back.

Representative Barhorst responded that pushing the wall back would make it taller, and currently, it was 2 – 3 feet tall. A retaining wall of 4 feet or more would require engineering. Commissioner Sigg proffered that if that retaining wall were pushed back it would provide some place for the

plowed snow to be pushed. He noted it would not be a structured wall, so it would not require tremendous engineering.

In response to Commissioner Suesser's inquiry regarding whether the truck shown in the photograph was parked in a space owned by the applicant, Representative Barhorst advised that this space belonged to the neighbor. Additionally, she advised that a majority of the stone wall shown in the photograph would be removed, as that would be where the back wall of the garage would be located. Representative Barhorst stated that ideally, they would reuse those stones in rebuilding the new retaining walls for the garage and the stairwell.

Commissioner Sigg assumed that the yellow striped lines shown in the photograph were there to delineate a "no parking" area to allow for snow storage as the plow moves down the street. He looked at the manholes and the impact on access when those are covered. Representative Barhorst understood that was part of the improvements to the roadway.

Commissioner Sigg sought confirmation about the property line. Representative Barhorst stated that the property line was further back from the pole depicted in the photograph, and the parking space shown in the photograph was in the ROW but was used by the neighbor.

City Engineer, John Robertson explained that currently there was very little room for snowplows to push snow down the road and that snow did pile up near the retaining walls. Currently, the applicant pushes that snow somewhere else so they can use that space, much like everyone else has to move plowed snow from their driveways. He did not see this changing much, other than the applicant would have to move the snow out of the driveway. Representative Barhorst added that the permeable paver areas next to the driveway would be areas where the applicant could store their snow.

City Engineer Robertson confirmed that the striped area shown in the photograph would be removed and would not be available for snow storage. He noted that the area to the right of the newer pole was a rather large area where snow would be pushed to and stored.

Commissioner Sigg asked if there was a storm drain on this road. City Engineer Robertson answered in the affirmative and recalled that the inlets were on the north side to account for sheet flow across the road.

Commissioner Suesser requested a Condition of Approval that only one vehicle could be parked in the driveway so that multiple vehicles could not park on the permeable path. She also requested a Condition of Approval that the permeable path would be required to be installed as opposed to a concrete slab. She reasoned that the driveway was on the curb and because this home was located in Historic Old Town, it would detract somewhat from the neighborhood. She felt the proposal was appropriate because it would get cars off the road; however, multiple cars parked in that space was not what they wanted to see.

Commissioner Johnson observed that they could not park in the driveway because it was in the ROW, but understood Commissioner Suesser's request was to prohibit vehicles from parking on the permeable pavers. There was further discussion regarding the inability of vehicles to park on the driveway because it was in the ROW.

Commissioner Van Dine observed that the applicant could only park one car in the garage because the driveway was in the ROW. Commissioner Suesser wanted to be realistic and add

language that would prohibit parking on the pavers. Commissioner Sigg commented that the requested language was reasonable since there would be utility to the pavers versus vegetative landscaping and because there was a parking lot across the street. He commented that it all came down to enforcement.

Commissioner Shand asked if it was reasonable to prohibit parking on the pavers and asked if Historic Old Town differed from other driveways. He commented that most people assume their property line goes to the gutter when in reality it stops 10 feet short of the gutter because the City has a ROW over most parcels.

City Attorney Harrington opined that given the discussion regarding the engineering and design issues, this would be reasonable compared to the Conditions of Approval considered by the Commission on a similar project adjacent to the Treasure property in terms of approving use of the ROW as little as necessary to accommodate driving movements to access the property. He added that it was within the Commission's authority to consider a reasonable parking restriction.

Commissioner Suesser commented that an owner of a home in Old Town could not install pavers at the front of a home and park cars.

Commissioner Shand echoed Commissioner Sigg's observation that probably one of the reasons the applicant proposed pavers was to account for the potential for the utility company to take control of this ROW for utility or other reasons.

MOTION: Commissioner Van Dine moved to APPROVE 45 Hillside Avenue – Steep Slope Conditional Use Permit – pursuant to the Findings of Fact, Conclusions of Law, and Conditions of Approval, as amended, set forth in the Draft Final Action Letter, as follows:

Findings of Fact

1. On June 20, 1996, City Council adopted Ordinance No. 2021-45, approving The Bluejay Parcel Lot Line Adjustment combining portions of Lots 10 and 11, of Block 19 of the Park City Survey. The property is described as parcel BJAY-ALL.
2. The lot contains a 200-square-foot parcel of land (Parcel B) that is described in Note #3 of the Plat as being subject to the restrictions of Quit Claim entry No. 450706, Book 925, Pages 722-724. Parcel B on the plat is denoted "Open Space," and under the terms of the Quit Claim deed is subject to an open space easement that states: "Grantee shall not construct any structure or building on the parcel". Park City Municipal Corporation is the beneficiary of the easement.
3. The owner currently parks in an asphalt parking pad parallel to Hillside Avenue and accesses the house via stairs and paths. This space is not approved private parking for 45 Hillside Avenue, but, rather, it is located in the City ROW and is considered public parking. There is no other parking on site.
4. The property is located at 45 Hillside Avenue.
5. The property is located within the Historic Residential – 1 (HR-1) Zoning district.

6. The Minimum Lot Size for a Single-Family Dwelling in the HR-1 Zoning District is 1,875 square feet. The Lot is 6,534 square feet.
7. The Minimum Lot width in the HR-1 Zoning District is 25 feet. The Lot width is 87 feet.
8. There is an existing 1,408-square-foot single-family dwelling on the property. It is a non-historic site.
9. The applicant proposes a detached garage to be constructed within a slope greater than 30% and requires a Steep Slope Conditional Use Permit ("SSCUP").
10. Planning Commission approval is required for SSCUP on Lots greater than 3,750 square feet.
11. The proposed detached garage is an Accessory Building.
12. The Maximum Building Footprint for a 6,534 square-foot Lot in the HR-1 Zoning District is 2,263 square feet. The combined Building Footprint for the existing main building and the proposed accessory building is 1,794 square feet.
13. Front and Rear Setbacks for Lots up to 75 feet in depth are 10 feet, for a total of 20 feet. The Front Setback to the main building is 16 feet. The Rear Setback for the main building is 18 feet. The accessory building will have a Front Setback of 0 feet.
14. Side Setbacks for Lots with widths up to 100 feet are 10 feet, for a total of 24 feet. The main building has Side Setbacks of 6.5 feet (north), and 22 feet (south), for a total of 28.5 feet. The accessory building will have a side setback of 26 feet.
15. The Lot has an unusual configuration, and per LMC 15-4-17, the setbacks have been determined by the Planning Director, as noted in a determination letter issued on January 13, 2022.
16. On August 24, 2022, the Board of Adjustments granted the property a Variance to LMC Sections 15-2.2-3(F) to reduce the required ten-foot (10') front yard setback to zero feet (0') and to Section 15-2.2-3(G)(6) to locate a Detached Accessory Building in front of the front façade of the Main Building, to allow for a single car garage to be constructed behind the property line and within the Front Yard Setback.
17. On January 20, 2022, the Planning Director approved a Historic District Design Review for the garage, which approval expired on January 20, 2023.
18. On March 23, 2022, the Planning Commission approved an SSCUP for the garage, which approval expired on March 23, 2023.
19. The Applicant did not apply for an extension before the approvals expired.

20. The Applicant proposes to construct a detached garage in a slightly different location from the original approvals.
21. Maximum Building Height for the HR-1 Zoning District is 27 feet above the Existing Grade, and 18 feet for Accessory Structures. There is no change in height for the main building, and the detached garage will be 12 feet from the final grade. The maximum height measured from the lowest finish floor plane to the point of the highest wall top plate is 12 feet.
22. The Planning Commission reviews Steep Slope Conditional Use Permits pursuant to the criteria outlined in LMC Section 15-2.2-6:
 - a. LOCATION OF DEVELOPMENT – Complies: The Board of Adjustments granted a Variance to locate a Detached Accessory Building in front of the Main Building pursuant to LMC § 15-2.2-3(G). The proposed location of the garage within the Front Setback is to reduce the required depth of excavation. The building will act as the primary retaining structure, minimizing the required retaining walls around the accessory garage.
 - b. VISUAL ANALYSIS – Complies: The development will not be viewable from Vantage Points.
 - c. ACCESS – Complies: The proposed 12' wide concrete driveway, located entirely within the ROW, is a 5.3% downhill slope towards Hillside Avenue, and compliant with LMC § 15-13-8(B)(1)(h)(7), which requires, "new driveways shall not exceed twelve (12) feet in width." The driveway leads to a single-car "bunker-style" garage. The Applicant will be required to record an encroachment agreement with the Engineering Department (see Condition of Approval 14). Landscape separations are utilized, and plant materials are used for screening. Paver stones are used to differentiate pedestrian areas from vehicular driveways. The existing landscape stairway will remain close to the current location and serve as the same entry point to the residence. At least one tree will be removed and required to be replaced on the Lot (see Condition of Approval 18).
 - d. TERRACING – Complies: The project does not include terracing aside from the garage acting as a single terrace for the existing grade. The garage will have an approximately three-foot wall on top to retain existing vegetation and soil.
 - e. BUILDING LOCATION – Complies: The footprint of the structure is within the building pad and is inside the Rear and Side Setbacks. The proposal respects existing topography and character-defining site features. The intent of constructing the garage within the Front Setback is to reduce the required excavation of the site. The existing landscape stairway will remain close to the current location and serve as the same entry point to the residence.

- f. **BUILDING FORM AND SCALE** – Complies: The proposal reflects the historic character and scale of Park City Historic Sites with small-scale, infill development. The proposal complements the scale and design of buildings unique to Hillside Avenue and Upper Main Street.
 - g. **SETBACKS** – Complies: The Board of Adjustment granted a Variance from the Front Setback. Additionally, see Exhibit I for the Setback Determination Letter, as the Lot has an unusual configuration.
 - h. **DWELLING VOLUME** – Complies: The volume of the main dwelling will remain unchanged. The proposed garage will have a volume of approximately 3,474 cubic feet.
 - i. **BUILDING HEIGHT | STEEP SLOPE** – Complies: Accessory Building: 12 ft from Existing and Final Grade. The proposed Structure is compatible with surrounding Structures and abides by height restrictions in the HR-1 Zoning District. The front Façade is a similar scale to the surrounding development as viewed from the Hillside Avenue Public ROW.
23. Staff published notice on the City’s website and posted notice to the property on August 30, 2023. Staff mailed notice to property owners within 300 feet on August 30, 2023.

Conclusions of Law

- 1. The Application complies with Land Management Code Chapter 15-2.2 Historic Residential – 1 Zoning District, and LMC Section 15-2.2-6, Development on Steep Slopes.
- 2. The Use will be Compatible with surrounding Structures in scale and mass.
- 3. The effects of any differences in Use or scale have been mitigated through careful planning.

Conditions of Approval

- 1. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits.
- 2. A Final Utility Plan, including a drainage plan for utility installation, public improvements, and drainage, shall be submitted with the building permit and shall be reviewed and approved by the City Engineer and utility providers prior to the issuance of a Building Permit.
- 3. The City Engineer review and approval of all lot grading, utility installations, public improvements, and drainage plans for compliance with City standards in a condition precedent to building permit issuance.

4. This approval will expire on September 13, 2024, if a building permit has not been issued by the Building Department before the expiration date unless the Applicant submits an extension request in writing to the Planning Department prior to the expiration date and the Planning Director approves an extension of this approval.
5. Final building plans and construction details shall reflect substantial compliance with the plans reviewed on September 13, 2023, by the Planning Commission. Any changes, modifications, or deviations from the approved design that have not been approved in advance by the Planning and Building Departments may result in a stop work order.
6. Any changes, modifications, or deviations from the approved scope of work shall be submitted in writing for review and approval/denial in accordance with the applicable standards by the Planning Director or designee prior to construction.
7. The Applicant shall submit a plan demonstrating how they will provide the temporary shoring needed during construction prior to submitting a building permit, subject to City Engineer approval.
8. The Applicant shall provide soil stabilization details documenting how the disturbed area will be restored and stabilized prior to submitting a building permit, subject to City Engineer approval.
9. The Applicant shall submit a landscape bond to ensure the stabilization and vegetation rehabilitation is complete prior to submission of a Building Permit.
10. Residential fire sprinklers are required for all new or renovation construction on this lot, per the requirements of the Chief Building Official.
11. The property is located just outside the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore not regulated by the City for mine-related impacts. If the property owner does encounter mine waste or mine waste-impacted soils they must handle the material in accordance with State and Federal law.
12. The Hillside Avenue Public Right-of-Way is a non-compliant parcel within the Soil Ordinance boundary. Construction activity in this area, in addition to a Right-of-Way permit, requires a Soil Mitigation Plan to be submitted and approved by the Building and Planning departments prior to the issuance of a Building permit.
13. Any areas disturbed during construction surrounding the proposed work shall be brought back to its original state.
14. No construction shall take place on the designated Open Space per the Plat.
15. The Applicant shall apply for an Encroachment Agreement with the Engineering Department before applying for a Building Permit.

16. If at some point in the future, the ROW is re-aligned, the applicant shall be responsible for the removal of the retaining walls and any parking in the ROW at their own expense.
17. All exterior lighting, on porches, decks, garage doors, entryways, etc. shall be down-directed and fully shielded to prevent glare onto adjacent property and public rights-of-way and shall comply with the City's outdoor lighting code in LMC Section 15-5-5(J). Final lighting details will be reviewed by the Planning Staff prior to installation.
18. To the extent possible, existing Significant Vegetation shall be maintained on Site and protected during construction. Any removed Significant Vegetation shall be replaced with equivalent landscaping in type and size. Multiple trees equivalent in caliper to the size of the removed Significant Vegetation may be considered instead of replacement in kind and size. Impacts to Significant Vegetation in the Right-of-Way shall be reviewed by the Forestry Board.
19. New construction activity shall not physically damage nearby Historic Sites.
20. The applicant shall remove the existing shed that encroaches into the City's Right-of-Way.
21. The area outside of the 12' driveway shall have permeable pavers installed and no cars shall park on the pavers.

Commissioner Shand seconded the motion.

VOTE: The motion passed with the unanimous consent of the Commission.

- C. 1334 Lucky John Drive – Conditional Use Permit –** The Applicant Seeks to Construct a Private Recreation Facility Use, Swimming Pool, in the Single-Family Zoning District. PL-23-05751.

Senior City Planner, Alexandra Ananth explained that this application sought a CUP for the installation of a pool. She introduced the applicant's representative, James Glascock, AIA who appeared online. She stated that the CUP will locate a pool, defined as a Private Recreation Facility, at this residence located in the Single-Family District in Park Meadows. The applicant obtained verification from the HOA. Planner Ananth stated that the proposal complied with the Single-Family District and the CUP criteria as outlined in the Staff Report. She added that Staff recommended Conditions of Approval. She presented an image of the Site Plan and noted the pool would be located within a buildable area defined on the lot. The buildable area was a pasture/meadow area, and the applicant would not have to remove any Significant Vegetation. Planner Ananth advised that Staff recommended the Planning Commission conduct a public hearing and consider approving the CUP based on the Findings of Fact, Conclusions of Law, and Conditions of Approval contained in the Draft Action Letter.

Commissioner Suesser asked how close the pool would be to Holiday Ranch. She commented that she did not have a sense of its location in relation to Holiday Ranch. Planner Ananth

explained that the lot was quite long, and the pool would be quite a distance from the rear property line. She offered that the pool would not be visible from Holiday Ranch.

Commissioner Van Dine stated that the property was on the block as you go around the back, and all of these properties had very narrow fronts that fan back. She advised that she runs by these properties often and there are so many trees on the fronts of these properties that nothing in the back was visible. She explained that turning left at the Latter Day Saints Church, these lots would be on the right side.

Commissioner Suesser commented that she was worried about the visual from Holiday Ranch, but stated the explanation of the property was helpful.

Chair Hall opened the public hearing. There was no public comment. Chair Hall closed the public hearing.

MOTION: Commissioner Johnson moved to APPROVE 1334 Lucky John Drive – Conditional Use Permit – pursuant to the Findings of Fact, Conclusions of Law, and Conditions of Approval set forth in the Draft Final Action Letter as follows:

Findings of Fact

1. The Applicant seeks a Conditional Use Permit (CUP) to locate a Private Recreation Facility Use, a swimming pool, at their residence in the Single Family ("SF") Zoning District in Park Meadows.
2. 1334 Lucky John Drive is Lot 50 in the Holiday Ranchettes Subdivision, Summit County Recorded Entry No. 123347, recorded on May 31, 1974. The Lot is approximately 2.47 acres. There are no plat notes that affect this project.
3. Private Recreation Facilities require a Condition Use Permit in the Single Family ("SF") Zoning District.¹ The Planning Commission reviews and takes Final Action on Conditional Use Permits.
4. The Applicant submitted verification of notification of the Holiday Ranchettes HOA.
5. The proposal to add a pool complies with LMC § 15-2.11, Single Family (SF) District.
6. There is no above-ground building associated with the pool, and the pool is located within the CC&R-established buildable area.
7. The proposal, as conditioned, complies with the Conditional Use Permit criteria outlined in LMC § 15-1-10(E).

CUP Review Criteria	Analysis of Proposal
Size and location of the Site – 3 units per acre	Complies: The Lot complies with the SF lot size requirements as noted above. The site is approximately 2.47 acres.

Traffic considerations	Complies: The pool is for the seasonal use of the property owners and is not expected to create additional traffic.
Utility capacity	Complies: COA 1 requires a building permit, which shall be reviewed by the Engineering Department.
Emergency vehicle access	Complies: Emergency vehicle access is from existing streets.
Parking – 2 stalls	Complies: The Single Family Dwelling meets the parking requirements as noted above.
Internal circulation	Complies: The pool is connected to the residence via a walkway.
Fencing, screening, and landscaping	Complies: The pool is located at grade and will be partially screened with landscaping. An equipment shed and storage area will be screened with low walls, fencing, and landscaping. Walls and fencing will not exceed 6 ft.
Building mass, bulk, and orientation	Complies: The pool will be inground and deck areas are at grade. An equipment shed and storage area will be screened with low walls, fencing, and landscaping. Walls and fencing will not exceed 6 ft.
Open Space	Complies: The pool is located in the buildable area per the HOA CC&Rs. The remainder of the site will remain pasture/meadow.
Signs and lighting	Complies: COA 2 requires any exterior lighting to comply with LMC § 15-5-5(J), <i>Outdoor Lighting</i> .
Compatibility with surrounding structures	Complies: The pool has been designed to be low profile and minimally visible from adjacent properties
Noise and mechanical factors	Complies: Mechanical equipment will be screened and is not expected to affect people or property off-site. Noise must comply with the City's Noise Ordinance. The pool is located in the middle of a large lot and should have minimal impact on abutters.
Control of delivery and service vehicles	Complies: N/A
Ownership	Complies: The pool does not change the ownership of the SF Lot.
Appropriateness of the structure to the existing topography	Complies: The pool is appropriate for the existing topography and the Lot is not located in an environmentally sensitive area.

Consistency with the General Plan	Complies: The Use as conditioned is appropriate for the Single Family Zoning District and is compatible with the SF neighborhood and Resort community.
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8. The Development Review Committee reviewed the proposal on September 5, 2023, and did not identify any issues requiring Conditions of Approval.

Conclusions of Law

1. The Application, as conditioned, complies with LMC § 15-1-10(E) Conditional Use Permit Criteria and LMC Chapter 15-2.11 Single Family Zoning District.
2. The proposed Use, as conditioned, is compatible with the surrounding structures in Use, scale, mass, and circulation.
3. The effect of any differences in Use or scale have been mitigated through careful planning.

Conditions of Approval

1. The Applicant shall be responsible for applying for building permits including any review by the Engineering Department.
2. Any exterior lighting shall be reviewed and approved by the Planning Department for compliance with LMC § 15-5-5(J), Outdoor Lighting. Exterior lighting shall be Fully Shielded and cannot exceed 3,000 degrees Kelvin.
3. The Applicant shall comply with Municipal Code Chapter 6-3 Noise, which establishes a maximum of 55 dBA from 6:00 AM through 10:00 PM.
4. The pool shall be built in accordance with plans reviewed by the Planning Commission on September 13, 2023, Exhibit A.
5. No permanent filling line shall be allowed between the Single Family Dwelling and the pool that could cause a cross-contamination issue.
6. The pool may not be drained into the City's sewer system and drainage shall be coordinated with the Snyderville Basin Water Reclamation District.

Commissioner Frontero seconded the motion.

VOTE: The motion passed with the unanimous consent of the Commission.

- D. **2459 Iron Mountain Drive - Plat Amendment** - The Applicant Proposes to Redraw the Building Pad Located on Lot 41 of the Iron Canyon Subdivision. PL-23-05664.

City Planner, Jack Niedermeyer reported that the applicant proposed to amend the existing 4,000-square-foot Building Pad to encompass a future Single-Family Dwelling. This lot was located within the Single-Family Zoning District and was identified as Lot 41 of the Iron Canyon Subdivision, which was recorded with Summit County in 1983. He explained that all lots within the Iron Canyon Subdivision had 4,000-square-foot Building Pads. Lot 41 was currently vacant.

Planner Niedermeyer stated that the proposed Building Pad and Site Plan were compliant with the required Setbacks in the Single-Family zone. The Development Review Committee reviewed the Sensitive Land Overlay requirements. He offered that there was good cause for this proposal as it would exceed Setback requirements, was consistent with the pattern of development in the neighborhood, would not increase Building Pad square footage, would not disturb more area than previously allowed, and the change was consistent with the Iron Canyon Subdivision. He added that the Planning Commission and City Council had approved nine similar proposals within the Subdivision.

Planner Niedermeyer stated that Staff recommended several Conditions of Approval and highlighted Condition of Approval 8, which provided that "Final Building Plans shall demonstrate that there will be no encroachments into the platted 30' Stream Protection Zone."

Condition of Approval 9 was requested by the Development Review Committee and provided: "The final Plat shall show a maximum floor elevation at which a water pressure of 45 psi can be provided." Staff recommended the Planning Commission review the proposed Plat Amendment, conduct a public hearing, and consider forwarding a positive recommendation for the City Council's consideration on October 5, 2023.

Planner Niedermeyer reported that Staff received public input from Rick Campbell just prior to this meeting. He advised that Mr. Campbell was the owner of Lot 36, and had asked for clarification regarding access to the new Single-Family Dwelling on the applicant's lot. Planner Niedermeyer advised that access would be via Iron Mountain Drive.

Commissioner Suesser asked Planner Niedermeyer to address the issue of public trails, if any, near this lot. She was unsure where this lot was located in relation to the trailhead. Planner Niedermeyer was unaware of any intersection with trailheads.

Commissioner Van Dine mentioned the trails on Iron Canyon Court, which is further up Iron Mountain Drive.

Chair Hall opened the public hearing. There was no public comment. Chair Hall closed the public hearing.

Commissioner Suesser commented that as she looked at the Iron Mountain Trail, there was a dashed line that ran adjacent to Lot 41, and wanted to understand if that depicted the new trailhead or the old trailhead, and how it related to Lot 41. She felt this was an important issue as this trail was important to the community.

Commissioner Van Dine believed that Trails and Open Space Manager Heinrich Dieters had established a new area, but did not know if it had yet been made public. She did not recall what Manager Dieters said about this area. Planner Niedermeyer reported that the trail was not reviewed as part of the Sensitive Land Overlay Analysis, and he was unaware that there was any overlap between a trail and this lot.

Commissioner Suesser recognized that the dashed line did not touch this lot, but she wondered whether they should include a Condition of Approval with respect to that new trailhead. City Attorney Harrington was unaware that it was in this location. Commissioner Suesser pointed out the location where the line split, one line went toward Lot 41, and the other went down to Iron Canyon Court.

Chair Hall understood Commissioner Suesser's question and offered that based on the exhibit she reviewed, she did not believe it was on this property. She invited Staff to present the slide showing the Building Pad adjustment and site location.

Commissioner Suesser wanted confirmation that the proposal would not interfere with the trail. City Attorney Harrington stated they would confirm that between now and when this item was presented to the City Council.

Commissioner Sigg assumed the new Building Pad was within the permitted Building Envelope of the lot. Planner Niedermeyer confirmed and added that it would exceed Setback requirements. Commissioner Sigg asked further if there would be any increase in square footage from the new Building Pad to the vacated Building Pad. Planner Niedermeyer explained that per the survey, the new Building Pad was shown at 3,987 square feet, and the Site Plan showed the Building Pad at 4,000 square feet. He stated that Staff added a Condition of Approval that would limit the Building Pad to a maximum of 4,000 square feet, which was consistent across the Subdivision.

Commissioners Shand and Frontero had no comments or questions.

MOTION: Commissioner Van Dine moved to forward a positive recommendation for City Council's consideration on October 5, 2023, for 2459 Iron Mountain Drive – Plat Amendment – pursuant to the Findings of Fact, Conclusions of Law, and Conditions of Approval set forth in the Draft Ordinance as follows:

Findings of Fact

1. The property is located at 2459 Iron Mountain Drive.
2. The Lot is within the Single-Family Zoning District.
3. The subject property is Lot 41 of the Iron Canyon Subdivision, approved by the City Council in 1989.
4. The Lot contains 0.96 acres.
5. The Plat Amendment proposes to adjust the Building Pad area shown on Lot 41 of the Iron Canyon Subdivision Plat.
6. The Building Pad is proposed to be 3,987 square feet, including footings.
7. The City Council has approved the following adjusted Building Pads for Lots of the Iron Canyon Subdivision: Lots 4, 5, 8, 11, 29, 33, 42, 43, and 45.

8. The proposed Plat Amendment is consistent with the pattern of development in the neighborhood.

Conclusions of Law

1. There is Good Cause for this Plat Amendment as it does not further subdivide or increase the density of the existing Iron Canyon Subdivision. The proposed Plat Amendment does not create or expand upon any non-conformities and no public street, Right-of-Way, or easement is proposed to be vacated or amended.
2. The Plat Amendment is consistent with the Park City Land Management Code, including LMC Chapter 15-2.11 and § 15-7.1-6 Final Subdivision Plat.
3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
4. Approval of the Plat Amendment, subject to the conditions stated below, does not adversely affect the health, safety, and welfare of the citizens of Park City.

Conditions of Approval

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant shall record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. Any new construction shall comply with Land Management Code Section 15-2.11 regarding Setbacks, Building Height, Building Envelope, Building Pad, etc.
4. All other Conditions of Approval and platted requirements for the Iron Canyon Subdivision continue to apply and shall be noted on the plat.
5. The Applicant shall show the bearings and distances of the final Building Pad on the recorded Plat.
6. The Building Footprint shall be fully located within the amended Building Pad.
7. The final Building Pad shown on the Plat shall not exceed 4,000 square feet.
8. Final Building Plans shall demonstrate that there will be no encroachments into the platted 30' Stream Protection Zone.
9. The final Plat shall show a maximum floor elevation at which a water pressure of 45psi can be provided.

Commissioner Johnson seconded the motion.

VOTE: The motion passed with the unanimous consent of the Commission.

7. WORK SESSION

- A. Land Management Code Amendments** - The Planning Commission Will Conduct a Work Session to Review Existing Parking Requirements and Standards For Residential Uses With Possible Consideration of Amendments for Clarity. PL-23-05816.

City Planner, Spencer Cawley explained that this Work Session would be a high-level discussion regarding potential amendments to residential parking requirements. He commented that the Staff Report included a number of additional add-ons. He recalled that one of the requests from the Engineering Department was to amend the requirements for driveway standards. He noted that Engineer Gutknecht was present to explain the proposed amendments and the purpose behind them.

Planner Cawley stated the first potential amendment related to rubber plates at driveway entries. Engineer Gutknecht explained that the proposal was to prohibit rubber or steel plates that bridge the curb and gutter between the driveway and the street. She explained that the main reasoning behind this proposal was that these plates could be problematic with snowplows wherein a snowplow could catch on a steel plate, causing damage to the street, the plow, and/or the plate, causing a hazard. She explained another issue was that oftentimes these plates would not provide enough clearance for drainage within the gutter, which could then become clogged. The plates redirect water into the street, which can freeze over in the winter resulting in potential hazards.

Planner Cawley explained that the recommendation was to add the following to the Driveway Standards that already exist in the LMC as follows: "Steel plates or rubber inserts placed at the bottom of driveways are prohibited." He mentioned that this recommendation was a hard-line standard, and Staff requested the Planning Commission consider whether the recommendation should be broadened or whether the hard-line standard would be sufficient.

Commissioner Frontero asked about the purpose of the steel plates and rubber inserts. Engineer Gutknecht explained that they were used to allow a smoother entrance into the driveway. Commissioner Sigg offered that these were used for low-clearance vehicles.

Chair Hall has these types of inserts at her because her mini-van bottoms out unless she stops completely.

Commissioner Johnson supported the hard-line language.

Commissioner Sigg asked if existing inserts would be grandfathered in. City Attorney Harrington stated it would depend on the status and explained that there might be some situations where the inserts were affirmatively permitted or done with express approval, in which they could attain grandfather status. He added that one of the things that Staff could consider were affirmative prohibitions to determine when to require the removal of past inserts, such as if they were creating a problem.

City Attorney Harrington stated that this could become a sensitive issue among neighbors in terms of the perception of fairness and whether inserts were kept or removed. He offered that the Planning Commission should address it from a public safety perspective first, and then come up with a balanced application in terms of whether the prohibition would be retroactive or prospective.

City Engineer Robertson advised that the current standard drawings provided that these inserts were not allowed. In practice, his department has not gone to each property to require removal; rather, they have addressed this when a home comes in for development or redevelopment. He acknowledged that could appear to be selective enforcement and there were challenges in this regard. He added that they have a lot of challenges with this issue and they come up from a maintenance standpoint.

Engineer Gutknecht added that the intent in adding this to the Code instead of just keeping the prohibition in the Standards and Specifications was that the Standards and Specifications govern new construction; whereas, with the amendment, they would be able to require the removal of these inserts in locations where they were causing problems.

Commissioner Sigg asked if any exceptions could be made. He mentioned a condition involving a pitched driveway where an insert could be very beneficial if the approach to the rolled curb was steep enough where a vehicle bottoms out. He asked if it could be a conditional use if someone could demonstrate some sort of hardship caused by removal.

City Engineer Robertson stated there were things they could look at adding to help with some of those issues. The current Design Standards and the maximum slopes required for new construction should not result in vehicles bottoming out. He stated that it was generally the lower-profile vehicles that had issues, whereas standard vehicles typically did not. He noted they could definitely have those discussions for existing conditions and come up with solutions that would not create the challenges that are created by these plates. He relayed that he has heard many stories from Public Works staff about hitting plates with a snowplow and seeing them fly out.

Commissioner Sigg stated he was in favor of the prohibition. City Engineer Robertson agreed there was something that could be done to address existing conditions, and proffered they could possibly come up with something different than plates.

Commissioner Suesser asked if any thought was given to requiring a certain length of driveway so that they would not have a situation like they addressed on Ontario Avenue where the end of a vehicle would stick out into the roadway. She suggested requiring a driveway that would be long enough to accommodate a standard car. She noted that even in the new developments around town, there were very short driveways with vehicles sticking out into the roadway. If they were looking at Driveway Standards, she felt they should address this issue.

City Engineer Robertson agreed that was a good point, and stated that with the current standards, he would not think they would have that issue; however, he acknowledged that this occurred regularly and was something they could look into. He stated it would be difficult in the Old Town District area.

Commissioner Suesser suggested this with regard to new development, particularly when they come into the sidewalk or narrow road.

Planner Cawley advised that the second request from the Engineering Department was to add language that would require capturing of snow melt from heated driveways so that it remained on site. He understood that as the snow melts and drains into unheated sidewalks or the ROW, it causes issues with ice. The proposed amendments would include a provision that snow melt would need to be captured on-site and conform with Municipal Code Title 13, which is the Water and Storm Water Code requirements.

Commissioner Johnson agreed with the proposed amendment.

Planner Cawley next addressed Setbacks and how parking was currently regulated in regards to Setbacks. He explained that Setbacks were defined by the LMC such that "No structure or portion thereof shall be permitted, erected, constructed, or placed unless specifically allowed by the Zoning District." As they looked at the Setback requirements for the various Zoning Districts, he stated there was some misalignment. For example, some Zoning Districts have a Setback exception for Front and Side Setbacks with the following language: "a driveway leading to a garage or approved parking area." Some other Districts do not include an "approved parking area."

Planner Cawley stated it was unclear whether parking could be satisfied in the Setback. He explained that Staff brought changes to the Planning Commission, City Council, and the HPB in 2020 to align the Code so that the Historic Districts were easier to understand. In those amendments, "approved parking area" was added, but nothing was ever defined. Therefore, it was unclear what would be considered an "approved parking area" or who would approve this parking area location. He added that as part of those amendments, shared driveways were approved as an exception to Setbacks in the Historic District.

Planner Cawley presented to the Commission an example of parking in the Setbacks. He explained his graphic that showed a garage and driveway. He reported that many times an applicant wanted to provide two off-street parking spaces, yet only had a one-car garage. Applicants often ask if they could satisfy their parking requirement within the Setback. He stressed that was not a question that Staff could clearly answer.

Staff requested the Planning Commission provide direction on whether a residential property owner, citywide, could satisfy off-street parking requirements in the Setbacks.

Commissioner Suesser responded in the negative, with perhaps some exceptions in Historic Old Town.

Commissioner Van Dine felt it should be zone-specific, and stated that for a property in Park Meadows, for example, she would not support off-street parking in the Setback. She proffered that perhaps it could be broken down either by zone, lot size, or some other designation. She commented that someone could have a large lot in Old Town that still had some room for off-street parking.

Commissioner Johnson expressed that he would take the position that parking could not be satisfied in Setbacks.

Chair Hall asked if Staff could provide examples to provide a different perspective on what it would look like in different zones. Commissioner Suesser agreed, especially with regard to bullet point 3 presented by Planner Cawley. As it related to the Historic District and a standard 25' x 75' lot

that typically had a single-car garage, Commissioner Shand asked if the Commission was suggesting that the driveway would not count as the second parking space.

Commissioner Frontero explained that as long as the driveway was sufficiently long enough to park a vehicle outside of the Setback, parking was allowed.

Commissioner Shand noted that the Rear Setback on a 25' x 75' lot was 10 feet, the Side Setbacks were 3 feet and the Front Setback was 15 feet. Commissioner Johnson confirmed there were 3-foot Side Setbacks in the HR-1 zone, with 5-foot Setbacks on 50-foot wide lots. Commissioner Shand asked if typically the Front Setback was mostly driveway for a home that was 19 feet wide and 50 feet deep. He noted that most of the driveway would be within the Setback, and if they take that away, they take away the ability for someone to build a home on a 25' x 75' lot and have one car in the garage and one in the driveway.

Commissioner Suesser agreed that they would not want to eliminate that driveway.

Commissioner Johnson recited the Front Setback Exception, No. 6 in HR-1, "Driveways leading to a garage or approved parking area are an exception..." He felt that covered this.

Assistant Director Ward explained that this language had been interpreted in two ways, and Staff was trying to proffer clearer language. She noted it was different for the different Historic Structures. She stated that some have read this language to apply to driveways leading to a garage or driveways leading to an approved parking area. Others have read it as driveways leading to a garage or approved parking area. She stated that was the issue Staff would like clarified.

Commissioner Frontero asked if they could simply eliminate the language "approved parking area." Assistant Director Ward stated that there could be a situation where there was no garage but there was an approved parking area. She stated they could change the wording to parking pad.

Commissioner Shand understood that the objective was to not necessarily eliminate a driveway leading to a garage but to eliminate a property owner installing a parking pad that goes into the Side Setback and parking a car on the side of the house. Assistant Director Ward stated that was true, in part. She added that the objective was also to determine how to satisfy the parking requirement.

Commissioner Van Dine stated that the issue is whether they should allow parking in the Side Setback when that would be the only space available for off-street parking. Assistant Director Ward stated this might present an opportunity to develop a different standard for Historic sites and new construction, because if there were tandem parking as allowed by the Code, then parking could be satisfied outside the Setbacks for new development. She noted that for some of the Historic sites, allowing parking to be satisfied by allowing it in the Front or Side Setback could help get cars off the street and onto the site.

Commissioner Suesser asked if most driveways on 25' x 75' Old Town lots were in the Setback. Planner Cawley responded that for much of the new construction on an Old Town lot, owners were providing one parking space in a garage, with the intent to provide a second parking space in the driveway. He noted that often the garage goes right up to the Setback, so applicants have requested parking in the Setback to satisfy the parking requirement.

Commissioner Frontero expressed that because they do not want those cars on the street, parking on the driveway should be allowed. Commissioner Suesser questioned whether they wanted the garage going right up to the Setback. Planner Cawley stated that does not happen all the time, but was an example of a project on Park Avenue that he has worked on.

Chair Hall agreed with Commissioner Frontero's comment that they should not push cars from driveways onto the street.

Commissioner Suesser noted that someone could build a garage right up to the Setback, which would bring the structure closer to the street. Commissioner Van Dine stated that that would still be within the Setback requirements, so it could be done anyway.

Planner Cawley added that tandem parking was allowed. Commissioner Shand commented that a tandem garage would take away some of the living space inside the home.

Commissioner Sigg felt this discussion should be zone-by-zone, and he agreed with Commissioner Frontero and others that they do not want to push cars onto the street in the Historic District and Old Town.

Commissioner Suesser asked for clarification on the changes requested by Staff.

Commissioner Shand asked if there were examples of applicants gaming the system in which they would create on-site parking, but were technically abusing the Setbacks.

Commissioner Sigg had seen many instances in the Prospector Park area where Sprinter vans or work vehicles were parked on parking pads made of impervious surfaces that went right to the street. Commissioner Shand mentioned Park Meadows, where landowners had lots had room to do something like that. He noted that many times a side-parking pad was not permitted by a neighborhood's Covenants, Conditions, and Restrictions ("CC&Rs"). Commissioner Sigg agreed.

Commissioner Shand echoed the request for clarification on the changes requested by Staff.

Planner Cawley stated they could return with specific language on what Staff had hoped to accomplish, and noted that the Commission appeared to prefer a zone-by-zone approach. He understood that satisfying the parking requirement in Setbacks seemed more appropriate in the Historic Districts as opposed to other areas in town.

Commissioner Van Dine added that they could perhaps explore limiting the distance into the Setback, so they could still maintain some sort of buffer for the property line.

Chair Hall was much more comfortable with parking in the Front Setback but would like to see Side or Rear Setbacks maintained as much as possible.

Commissioner Suesser envisioned someone designing a home on an Old Town lot with a very short driveway located in the Setback and someone using that for parking rather than designing the home that would allow for a car to be parked outside of the Setback. She stated they want to avoid that sort of abuse of the exception.

Commissioner Sigg asked if it could be based on the depth of the lot rather than addressing this zone-by-zone. He asked if they could say that if a lot exceeded a certain depth and had a certain Front Setback, then it would have a certain length of driveway outside the Setback.

Planner Cawley stated this discussion provided Staff with some good direction, and they would look at comparable communities to see how they have addressed this issue. They would also conduct some stakeholder outreach so they would have some public feedback as well.

With regard to the third bullet point that shared driveways were encouraged in the Historic District, Commissioner Suesser asked if that meant 9-foot wide shared driveways or 18-foot wide shared driveways. She would not want to encourage an 18-foot shared driveway in the Historic District. Planner Cawley explained that the Code required landscaping in the three feet on either side of the shared driveway. He opined that the intent of the Code was that a shared driveway would be a single wide driveway. Commissioner Suesser requested that be included in the bullet point. Commissioner Sigg requested expanding that to the Recreation Commercial ("RC") zone.

Planner Cawley next addressed definitions and presented definitions already included in the LMC. He stated these definitions helped direct both applicants and Staff in understanding how to interpret the Code.

Staff recommended adding language that off-street parking would include approved locations and Setbacks, should the Commission move forward with allowing off-street parking in Setbacks in some zones or based on lot size. He asked if that would be an appropriate way to address this, or whether they should focus more on outlining it in the Code specifically.

In response to an inquiry from Commissioner Frontero, Planner Cawley explained that this proposed language would be another way of addressing the Setback issue. They could achieve that through a definition, the Code, or both. He stated they were trying to provide as much clarity as possible on this issue. Commissioner Johnson felt they opened a can of worms on this issue.

Chair Hall wondered if this issue might require its own section. If they took a blanket approach, it might be more obvious to include it in these sections.

Commissioner Suesser asked if Chair Hall was suggesting a blanket approach as opposed to zone-by-zone, and if so, she agreed with that approach if they could tailor it enough. Chair Hall clarified that her suggestion was more along the lines of first deciding on what they wanted to substantively accomplish. Commissioner Frontero agreed it would be cleaner to make a broad statement that parking in Setbacks was not allowed. He stated he lives in Old Town, and he guessed 80% of the residents park a second car in the driveway, and part of those driveways were likely in the Setback.

Commissioner Van Dine mentioned her neighborhood, where there were no reasons for residents to park in the Setback.

Commissioner Frontero felt it would be difficult to have a blanket prohibition, and even though he liked the concept, he thought it would present a challenge. Commissioner Suesser suggested that perhaps they distinguish by new construction.

Commissioner Sigg asked what would happen when someone creates an Accessory Apartment.

Chair Hall felt they needed more outreach and work by Staff before the Commission could make an educated decision on this issue.

Planner Cawley referenced the Staff Report in which Staff addressed possible exemptions. Just as Historic sites were exempt from parking requirements, he asked whether there were other opportunities to provide exemptions for specific uses. He stated that based on discussion amongst Staff, Accessory Apartments and Internal Accessory Dwelling Units ("IADUs") were some uses that were raised. He asked the Commission if exemptions to parking requirements were a way to incentivize the development of these uses.

Planner Cawley stated that currently, an Accessory Apartment would require a minimum of three parking spaces for a Single-Family Dwelling, and the parking was required to be covered either on the driveway or in a garage. Additionally, tandem parking was allowed for this use. The only difference with an IADU was that the parking did not need to be covered. Staff requested input from the Planning Commission on whether they should consider additional uses for exemptions to parking requirements.

Commissioner Suesser asked if they could clarify that when a Historic home is significantly improved it must come into compliance with the parking requirements.

Commissioner Johnson wondered if it would be good to get feedback from the Historic Design Review Board on why they are where they are on this issue. He stated that it did not make sense and asked if there should be a square footage formula such that certain sized additions to a Historic Structure would require parking. He noted that an owner can go from a one-bedroom 300 square foot house to a massive foundation. He reiterated his suggestion to obtain feedback from the other Boards.

Commissioner Suesser offered that it likely had not been addressed specifically because the expansion often involved parking.

Commissioner Johnson stated there were a lot of old tea cottages that were lifted so that garages could be put underneath. He questioned whether they wanted that, and looked for some feedback on this issue. He stated it was frustrating to approve gigantic additions to these Historic Structures without the authority to require parking. He wanted to understand why they were at that point.

Commissioner Frontero offered that they provide a break on parking to Historic homes because they want to protect and preserve these structures. He felt that was a commendable goal. However, he agreed that if significant square footage were added to an existing Historic site, there should not be an exemption for parking because now that the home is being built to add square footage parking could certainly be added at the same time. He felt it would be interesting to explore this issue with the stakeholders to see what kind of feedback they provide.

Commissioner Van Dine expressed interest in looking at more exemptions for ADUs and IADUs, especially given that they required covered parking for ADUs, and do not require covered parking for IADUs. She felt that did not make sense, and that getting those uses on the same page and allowing more exemptions was a good direction to go. Commissioner Van Dine also felt that tandem parking should be allowed. Planner Cawley stated they could discuss tandem parking when they come back on these issues. He also posed the question of whether the Commission would be interested in exemptions for tandem parking. Commissioner Van Dine requested more information and wanted to know why tandem parking was not allowed in certain areas.

Commissioner Suesser mentioned a three-level home with three apartments on Empire Avenue. She stated there were six vehicles parked in tandem in front of the house. She acknowledged that they want these apartments in Old Town, but in this example, there was no garage and six vehicles were parked out front.

Commissioner Van Dine questioned whether they wanted those cars in the street, or parked in tandem. She would like information from Staff on this issue when this item comes back.

Commissioner Frontero observed that the cars referenced by Commissioner Suesser were parked illegally because they were parked well into the Setback, and most of the tailgates of the pickup trucks were into the street.

Commissioner Suesser stated this was the type of example that came to mind as they were talking about these issues.

With regard to Recreational Vehicle ("RV") parking, Planner Cawley advised that in 2018, the City Council asked Staff to come up with some recommendations. He presented to the Commission the current requirements set forth in the LMC and Title 9 of the Municipal Code. He noted the City struggles with enforcement, and there were neighbor concerns with RV parking on the street. Ultimately, the recommended amendments were never adopted.

Planner Cawley stated that Staff would recommend the same options that were recommended in 2018 to regulate based on the size of the driveway and what was available for parking. The recommendations also required RVs to park on impervious surfaces. In addition, the recommendations prohibited on-street parking of RVs. If they were parked in side or rear yards, they would require screening. He noted there was no direction from the City Council or Staff regarding parking in front yards.

Commissioner Van Dine requested Staff look at this issue, especially with regard to front yards. She noted that most other ski towns prohibit RV parking in the front yard. She was also interested to know how many HOAs prohibit RV parking.

Commissioner Van Dine felt they needed to establish where a resident could park an RV and noted it was a terrible aesthetic to park RVs in the front yard. She expressed that the day limits on RV parking were pointless, but would like to know what the restrictions would look like and what HOAs already restricted RV parking.

Along those lines, Commissioner Suesser stated that there were a lot of second-home owners in Old Town who come into town in their RV and stay for two weeks, and then leave. She stated one of her neighbors comes from California for a couple of weeks and uses their RV while in town, whereas another neighbor uses their RV for a commercial business. She advised that these neighbors park their RVs in their driveway because it does not fit in the garage. She would not want to prohibit parking these RVs on owners' driveways.

Commissioner Van Dine would like to see whether there might be size limitations because many in Park City own a Sprinter van. Perhaps they could impose a size requirement and noted that larger RVs or trailers do not really belong in town.

Chair Hall expressed that she was in favor of making accessory living spaces as easy as possible, as long as there were no Nightly Rentals. She would be agreeable to removing the requirement for covered parking, removing the restriction on tandem parking, and incentivizing accessory living spaces. She recognized it would involve a deep dive with the affordable housing consultants. Commissioner Frontero felt this was a good suggestion because they were trying to incentivize Accessory Apartments and IADUs. He stated as much as he loved these concepts, the reality was the land in Old Town and in 84060 was too expensive for landowners to go down this route, as evidenced by zero applications. He said they could try to incentivize accessory living spaces by tweaking the parking, but he felt realistically it would not be enough to get landowners to want to build these units.

Commissioner Johnson agreed and noted that all the areas where these uses would fit were being shot down by the HOAs.

Planner Cawley stated this discussion provided good direction to Staff, and they would look to schedule a time to return.

8. ADJOURN

MOTION: Commissioner Frontero moved to adjourn.

The meeting adjourned at approximately 9:10 p.m.

1334 Lucky John Drive

Conditional Use Permit - Pool

Planning Commission
September 13, 2023



CUP

- The Applicant is seeking a Conditional Use Permit (CUP) to locate a Private Recreation Facility, a swimming pool, at their residence in the Single Family (SF) Zoning District in Park Meadows.
- The Applicant submitted verification of notification of the Holiday Ranchettes HOA
- Chapter 15-1, Definitions, defines Private Recreation Facilities as follows:
 - **Recreation Facilities, Private.** Recreation facilities operated on private Property and not open to the public, including Recreation Facilities such as swimming pools, tennis courts, outdoor Pickleball Courts, and similar facilities for the Use by Owners and guests.

Analysis

- The proposal to add a pool complies with LMC 15-2.11, Single Family (SF) District.
- The proposal, as conditioned, complies with the Conditional Use Permit criteria outlined in LMC § 15-1-10(E).
- Recommended COAs:
 1. Any exterior lighting shall be reviewed and approved by the Planning Department for compliance with LMC § 15-5-5(J), Outdoor Lighting.
 2. The Applicant shall comply with Municipal Code Chapter 6-3 *Noise*.
 3. No permanent filling line shall be allowed between the Single Family Dwelling and the pool that could cause a cross contamination issue.
 4. The pool may not be drained into the City's sewer system and drainage shall be coordinated with the SBWRC.

LOT 42
RESIDENCE
2376 LUCKY JOHN DR

LOT 50
1334 LUCKY JOHN DRIVE

LOT 51
RESIDENCE
1336 LUCKY JOHN DR

△ PASTURE/MEADOW

5' WIDE PUE AND
DRAINAGE EASEMENT △

△ REAR YARD
BUILDABLE AREA
SETBACK

LOT 49
RESIDENCE
1302 LUCKY JOHN DR

5' WIDE PUE AND
DRAINAGE EASEMENT △

OPEN AREA
PER HOA △

SEE ENLARGED SITE
PLAN ON SHEET AS-2

NEW UNDERGROUND CONDUIT
WITH NEW POWER SERVICE
TO POOL EQUIPMENT

EXISTING ELEC METER
AND GEAR

OPEN AREA
PER HOA △

50' SIDE YARD
BUILDABLE AREA
SETBACK

BUILDABLE
AREA
PER HOA △

EXISTING HOUSE

NEW UNDERGROUND
GAS LINE SERVICE
TO POOL HEATER

6' SIDE YARD
BUILDABLE AREA
SETBACK △

EXISTING GAS METER

△ EXISTING DRIVEWAY

7' WIDE PUE AND
DRAINAGE EASEMENT △

30 FT FRONT YARD
BUILDABLE AREA
SETBACK △

Approved

Recommendation

- Staff recommends the Planning Commission conduct a public hearing and consider approving the CUP based on the Findings of Fact, Conclusions of Law, and Conditions of Approval in the Draft Action Letter.

Approved 10.17.2023

