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

August 17, 2017

The Council of Park City, Summit County, Utah, met in open meeting on August 17, 2017, at 2:00 p.m. in the City Council Chambers.

Council Member Henney moved to close the meeting to discuss property, personnel and litigation at 2:04 p.m. Council Member Beerman seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel.

CLOSED SESSION

Council Member Worel moved to adjourn from Closed Meeting at 2:45 p.m. Council Member Henney seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel.

WORK SESSION
Council Questions and Comments:

Council Member Henney attended the Summit Land Conservancy board meeting. He attended the Summit Mosquito Abatement District. He attended the Mountainlands Community Housing Trust and reported frustration about the interpretation of integration of affordable housing, and that they had two new board members. Council Member Henney indicated he attended the Park City Municipal Corporation (PCMC) Employee picnic. He attended the Joint Transportation Advisory Board (JTAB) meeting and noted Doug Clyde and Glenn Wright were the new County representatives. He stated transit had increased by 41% over the past 10 years, and noted that 2017 was an important year for transit initiatives. Council Member Henney thanked Council Member Worel for hosting the joint City Council and Planning Commission dinner.

Council Member Worel reported potential investors in senior continuum of care facilities were vetting sites in Summit County after she had connected them with Summit County resident Ray Freer. She attended the Bright Futures Academy and thanked the Transit department for their help with the event. She reported she would help to arrange tours of the new PC Tots facility. She met with PCMC's Women in Leadership. Council Member Worel met with Solomon Fund representatives. She attended the Library board meeting and stated the board was supportive of metered parking in the Library parking lot as well as Request for Proposals (RFP) for the Library coffee shop. She stated she met with the Early Childhood Task Force and reported the Council's goals for affordable childcare were not aligned with that group's direction; she recommended the Council no longer serve as a liaison. She met twice with Lynn Ware Peek, Community Engagement, Mayor Thomas and the Park City Community Foundation regarding the Latino community and brainstormed coordinating efforts.

Council Member Beerman stated he was on the selection committee for the Executive Director of Utah League of Cities and Towns (ULCT). He asked about Arts Festival numbers compared to previous years. Jenny Diersen, Special Events, responded the Kimball had reported a 9% increase over last year. Council Member Beerman complimented staff on a smooth event. He spoke to the Jess Reid Realty group and Bonanza Flat stakeholders with Mayor Thomas, which was a working group on Bonanza Flat management. He thanked Council Member Worel for hosting the joint City Council and Planning Commission dinner and stated the PCMC employee picnic was a success.

Council Member Beerman mentioned senior housing and recommended the Council centralize the conversation to determine actionable feedback. Council Member Worel agreed. Council Member Beerman was concerned that e-bike riders were not wearing helmets. He suggested educational public service announcements or other outreach. The Council discussed helmet use regulations and asked how other communities handled it. City Manager Foster indicated staff would return with a Staff Communications Report. Council Member Beerman met with Bright Futures, a group that prepares students for college. He suggested the Council ask them to give a short update in a Council meeting. He attended a Latino youth bike ride and encouraged the Council to participate in that event in a future year.

Council Member Matsumoto attended the Special Events Advisory Committee (SEAC) meeting. She indicated they have new members and the group agreed that staff was succeeding at traffic mitigation. She attended Mayor in my Backyard (MIMBY) in Prospector. She was disappointed a resident had a gravel yard and expressed concern about landscaping regulations. Bruce Erickson, Planning Director, responded that xeriscaping was regulated and staff would give a report in a future meeting. She asked about fire pit allowances; Erickson stated there was no regulation against fire pits. She explained she had heard from residents who wanted more regulation. Dave Thacker, Chief Building Official, noted there was a permitting process for installation of fire pits and there was an open flame ban which prohibited an open fire. Council Member Matsumoto reported residents were concerned about traffic cutting through their neighborhood. Alfred Knotts, Transportation, confirmed he would meet with citizens in that neighborhood regarding micro transit. She attended the Planning Commission and Sewer Board meetings.

Council Member Gerber attended the MIMBY event and thanked Larry Warren and Carol Murphy for hosting. She attended the PCMC picnic and the Friends of the Farm meeting where they planned for the Scarecrow Festival. She attended the Historic Park City Alliance (HPCA) meeting and reported upper and lower Main Street had differing reports following the event-free weekend. She attended Women in Leadership meeting. Council Member Gerber thanked staff for their attentiveness to issues around town.

Mayor Thomas enjoyed the Arts Festival. He and Council Member Beerman met with KPCW. He met with the Park City Homebuilders Association. He attended a Jurisdictional meeting, Latino Advisory Committee meeting, and an Arts & Culture meeting. He thanked Council Member Worel for hosting the joint City Council and Planning Commission dinner. He attended a quality growth meeting with Salt Lake City and Matt Dias, Assistant City Manager, and met with Rocky Mountain Power and Salt Lake City, Council Member Beerman and Luke Cartin, Sustainability Manager. Mayor Thomas reported he had heard positive feedback about the event free weekend.

Discuss Proposed Amendments to the Noise Ordinance:
Michelle Downard, Deputy Building Official, Tricia Lake, City Prosecutor, and Phil Kirk, Police Captain, presented this item. Downard stated staff was seeking feedback from Council and staff had received feedback from the Planning Commission. Downard gave a background on the item. She stated the aim of the ordinance was to be constitutional and enforceable, and balance Residential versus Commercial districts. She stated the proposed code would consider duration or frequency. Downard stated staff had looked at comparable cities, and they would address communicating expectations and resulting enforcement action.

Kirk stated a crime analysis specialist had been involved and presented a map of disturbing the peace violations. Lake presented goals for evaluating the current ordinance. Council Member Gerber asked about the boundary between land uses and expressed concerns that the language favored a higher decibel threshold in residential areas. Lake explained that the ordinance clarified governance of different districts and presented the proposed decibel allowances for districts and hours. Council Member Gerber preferred the most restrictive rules on the boundaries. Lake clarified the decibel measurement included the source and affected property. Mayor Thomas clarified that the boundary was constituted by the property lines of the source. Council Member Matsumoto was concerned about the proximity between the residential and commercial zones. Council Member Beerman suggested one decibel level City wide for simplification. Lake clarified that was the way the ordinance currently stood.

Lake explained the ordinance is more specific regarding relief from restrictions and requires greater documentation by law enforcement in the case of exceptions.

Downard addressed code enforcement and consistency of response. She proposed a pilot program between Police and code enforcement to record noise readings, and to develop consistency in responses to noise violations. Downard reported violations in the commercial zone could often be resolved by closing the exterior doors. Mayor Thomas stated he had also measured decibel levels and noted that noise disturbance was relative.

Lake clarified that the ordinance specified duration of nine out of ten minutes to qualify a violation. Kirk recommended officers respond with code enforcement to encourage voluntary compliance and increase sensitivity to the issue. Council Member Worel asked about alternative channels of communication by citizens. Lake responded that the proposed ordinance allowed for first amendment rights with restrictions.

Mayor Thomas distinguished between context, and Lake agreed that enforcement was dependent on discretion. Council Member Gerber was in favor of switching the proposed ordinance to favor the most restrictive level. Council Member Beerman asked if the proposed ordinance sought to ensure first amendment rights. Lake replied that it sought to add clarity for citizens and enforcement. He favored 60 decibel limit City-wide with the ten minute duration. Council Member Beerman suggested staff include machinery (HVAC) be in 'good working order.' He added motorcycles and fireworks created the most piercing noise and these did not qualify as incessant.

Council Member Henney was in favor of a 60 decibel City-wide level if it accomplished the goal of making the code enforceable and understandable. He thought the ordinance should respond directly to citizen complaints. Council Member Worel asked how motorcycles would be enforced. Kirk suggested adding an equipment violation. Council Member Henney was concerned about burdening staff to enforce. Council Member Gerber was in favor of a dual decibel approach because it addressed appropriate noise levels in commercial and residential areas. Lake confirmed one decibel level was easiest to enforce and understand. Mayor Thomas requested the discussion be continued. Council Member Beerman requested the equipment violation discussion be included.

Strategic Code Enforcement Update:
Michelle Downard and Dave Thacker presented an update on staff's progress. Downard stated staff was moving forward with Council's direction including public outreach about graffiti, magnets for code enforcement vehicles, reviewing the noise ordinance, construction mitigation plans, and ACE fees as a tool for staff. Further recommendations included the community program to resolve neighbor conflicts. She added staff researched other communities. She proposed the Building Department circulate a newsletter to communicate prior to impactful activity. She explained the hardship on staff to resolve anonymous complaints; she stated staff would continue to receive them. She clarified anonymous complaints were public record after the investigation was complete.

Council Member Henney questioned the role of Building Department to provide the service of community building. He focused on restricted construction days and stated it was unfair to stop work on certain days. He was in favor of relieving the burden on staff and restriction based on intensity of impact, such as interior finish work. Thacker responded staff was working to mitigate impacts in addition to restricting work. Thacker confirmed restricted days were currently being enforced.

Council Member Worel appreciated leaving the anonymous complaints in place. She asked how staff would build community. Downard responded the newsletter and staff at the counter would offer suggestions outside of code violations. Council Member Beerman expressed concern about construction mitigation and implementation of a community program. He suggested removing Memorial Day and Thanksgiving. Thacker agreed. Council Member Henney agreed and requested that intensity of use aspects be included. Council Member Beerman was in favor of user-friendly mitigation plans and contact information being required to be posted at the site. Mayor Thomas and Council Member Henney agreed. Council Member Matsumoto mentioned that homeowner associations (HOAs) often served as community programs, and Old Town did not have an HOA.

Water & Energy Conservation Program Update:
Clint McAffee, Water Manager, Holly Lopez, Water Assistant, Brandon Stokes, Water Distribution, and Celia Peterson, Sustainability, presented this item. Lopez reported that staff had met to evaluate the progress of the program and to create a plan to move forward. Lopez stated she was tracking progress and would continue to report on progress. She gave updates on the progress of the program. She reminded the Council of the objective of the program to optimize operations and capture efficiencies while maintaining water quality and level of service.

Stokes presented progress on water conservation systems including Water Smart Customer Interface and partnership with Utah Rivers Council for subsidized rain barrels. He discussed improved leak detection and pump station optimization. McAffee presented on building energy saving programs including micro hydro on the new public utilities building, source selection and management, and LED street light conversion. Staff stated they were working to identify additional funding sources beyond the $700,000 through the energy surcharge.

Council Member Henney asked what the optimization return was on the $700,000, and where staff was in the overall process. Lopez reported her analysis showed a small energy decrease but it was early to tell. McAfee mentioned tracking came second to implementation. He stated the Jordanelle Special Service District (JSSD) pipeline, leak detection and micro hydro would provide the greatest returns, and source optimization had the same potential. Peterson reported staff real-time meter data would be analyzed by the company Utility, who were selected through an RFP process. Council Member Beerman asked about return on street lights. Stokes reported the conversion saved approximately 11% of the department's electrical energy impacts. Mayor Thomas asked if the LED switch over could allow contract renegotiations with Rocky Mountain Power. Stokes replied it probably could. McAffee added staff was working through product quality issues with the LED conversion. Luke Cartin, Sustainability Manager, gave an update on Georgetown and SEBW.

Transportation System Performance Monitoring Update:
Alfred Knotts, Transportation Manager, and Matthew Hartnett, Transportation Planner, returned to report on the Traffic and Transportation Master Plan and presented a new format to better communicate goals and report on progress to the Council and community. The new format used VMT (Vehicle Miles Traveled) and mode split as performance measures. Knotts explained that this approach would focus on reducing VMT as opposed to increased level of service and infrastructure. He explained that these metrics would be integrated with other priorities, such as affordable housing and E-bikes, and would extend to analysis of entry corridors in the County.

Knotts stated staff would establish a baseline year as a performance measure rather than per capita due to tourist and second home owner activity. He stated the County was working on a model that staff had been involved in and that would provide regional data. Knotts proposed monitoring of traffic as new infrastructure was put in place and relocating ATRs (automated traffic recorders) to accurately measure traffic within City limits. Knotts explained secondary indicators of accessibility and first mile, last mile, and stressed the importance of monitoring density and occupation of second and primary home owners. He stated a fiscal indicator was critical to implementation and maintenance.

Council Member Gerber asked if staff aimed to establish goals in numbers. Knotts responded that the reporting system would report a target year and attainment year. Foster clarified that staff was focused on three areas of reporting on master planning goals: VMT, how much traffic was coming in on major corridors, and were travelers shifting between modes. Council Member Beerman expressed the need to communicate 'snackable' goals to the public. He suggested working with community engagement on communication. The Council discussed establishing a threshold caring capacity and addressing 'traffic congestion.'

Sundance Film Festival - Economic Impact Presentation:
Morgan Everett, Sundance Institute, and Jonathan Weidenhamer, Economic Development, presented this item. Everett stated that Sundance Institute provided economic impact reports following each annual festival. He stated Sundance had worked with a new vendor in 2017, Y2 Analytics, to compile the report. He stated data came from in-person and online surveys, including a targeted survey to festival 'VIPs'. He added the report included hard data and in-person surveys on lodging. He added they also used Blincsy. Everett stated the report's estimates were conservative.

Everett reported on spending numbers as well as on the increased use of independent transportation providers. He stated the numbers were all time highs and showed the full impact of the festival. He reported on press coverage and publicity value, and digital and social media presence, and stated that Sundance was proud to call Utah home.

Everett reported on the artistic and cultural impact on the City and County and reported on the way the Sundance Institute interacted with the local community. He also spoke about the way the Institute fostered developing artists regionally.

Council Member Worel stated she was impressed. She asked how specifically the economic impact could be determined within Park City. Everett replied it was difficult to determine more specifically than at the state level. Council Member Henney asked if there was a loss in reporting to alternative rental services lodging, such as VRBO. Everett replied the vendor had taken alternative lodging into account in the report. Council Member Henney requested a staff report on local impacts. Mayor Thomas asked if the state had any other comparable events. Everett replied that the ski industries were comparable.

REGULAR MEETING

I. ROLL CALL

Attendee Name	Title	Status
Jack Thomas	Mayor	Present
Andy Beerman	Council Member	Present
Becca Gerber	Council Member	Present
Tim Henney	Council Member	Present
Cindy Matsumoto	Council Member	Present
Nann Worel	Council Member	Present
Diane Foster	City Manager	Present
Mark Harrington	City Attorney	Present
Matt Dias	Assistant City Manager	Present
Minda Stockdale	Deputy City Recorder	Present

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Staff Communications Reports:

- **Construction Report August 2017**

- **Plastic Bag Ban Update**
  Council Member Henney suggested shifting from a complaint based system to a support-based system in order to have a well-rounded response. Cartin clarified staff has received zero complaints from the community. Peterson stated the

grocers also had very few complaints. Peterson reminded the Council that 82% of residents supported the ban in a survey conducted before the ordinance was passed, adding that staff had created an email address for feedback. Council Member Henney encouraged the community to express their support of the ban.

- **Dog Free Trail Update**

- **Merge Park City Police Department (PCPD) and Summit County Sheriff's Office (SCSO) Dispatch Centers**

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

Mayor Thomas opened the meeting to those who wished to address the Council on matters not listed on the agenda.

Bill Humbert, Park City resident, expressed concern the Council did not approach the community prior to taking action on off-leash dogs. Humbert reported his research that over 80% of dog owners who were permanent residents did not have dog licenses. Humbert expressed frustration over off-leash dogs. He stated he had negative interactions with dog owners when he asked them to leash their dogs.

IV. CONSIDERATION OF MINUTES

Consideration to Approve the City Council Meeting Minutes from July 20, 2017, and August 3, 2017:

Council Member Worel noted on Page 9 of the August 3rd minutes, she indicated she had expressed concerns about the Sundance project, and requested they be reflected in the record. Council Member Henney noted he was present for the August 3rd meeting.

Council Member Beerman moved to approve the City Council Meeting minutes from July 20, 2017 and August 3, 2017 as amended. Council Member Gerber seconded the motion.

RESULT: APPROVED
AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

V. CONSENT AGENDA

1. Request to Approve the First Addendum to the Construction Manager at Risk (CMAR) Agreement in a Form Approved by the City Attorney's Office with Newstar Construction, Inc., in the Amount Not to Exceed $272,473.87 for Phase One of Construction for Woodside Park Phase 1:

2. Request to Authorize the City Manager to Execute a Construction Agreement, in a Form Approved by the City Attorney, with Liquivision Technology, Inc. for the Tank Inspection and Cleaning Project in an Amount of $35,450

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

RESULT: APPROVED
AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

VI. NEW BUSINESS

1. Consideration to Authorize the Mayor to Execute an Interlocal Agreement with Salt Lake County Whereby Salt Lake County Contributes $1,500,000 to the Purchase of Bonanza Flat:
Tom Daley, Assistant City Attorney, stated the agreement would memorialize the contribution from Salt Lake County to Park City Municipal for Bonanza Flat as required by both parties. He added the agreement specified that the City place a conservation easement on Bonanza Flat.

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

Council Member Matsumoto moved to authorize the Mayor to Execute an Interlocal Agreement with Salt Lake County whereby Salt Lake County contributes $1,500,000 to the purchase of Bonanza Flat. Council Member Beerman seconded the motion.

RESULT: APPROVED
AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

2. Consideration to Authorize the City Manager to Execute an Amendment Which Would Extend to October 31, 2018 the Terms of the October 8, 1991 Water Supply Agreement Between Salt Lake City Corporation and Park City Municipal Corporation, and the March 2, 2016 Amendment to the 1991 Agreement:
Tom Daley, Assistant City Attorney, stated Salt Lake City controlled water in Spiro Tunnel and Park City had leased water during the summer in past years. In the spring of 2016, the lease was extended to year-round use. Daley reported that a long-term agreement had not been reached, so staff requested an additional year-long amendment in place of a longer term agreement.

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

Council Member Beerman moved to authorize the City Manager to execute an amendment which would extend to October 31, 2018 the terms of the October 8, 1991 Water Supply Agreement between Salt Lake City Corporation and Park City Municipal Corporation, and the March 2, 2016 amendment to the 1991 agreement. Council Member Matsumoto seconded the motion.

RESULT: APPROVED
AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

3. Request to Approve Ordinance No. 2017-43, an Ordinance Amending Title 2, Administration, Chapter 4, City Administration, Section 14, Recreation Advisory Board, of the Municipal Code of the City of Park City, Utah to Amend the Number of Recreation Advisory Board Members:
Tate Shaw, Recreation Manager, stated the Recreation Advisory Board had four applicants for three vacancies, and three applicants had requested reappointment. Staff requested to amend the current ordinance to no less than five and no more than nine board members, which was consistent with requirements for the Library board. Shaw stated if approved, staff would seek the new appointments August 31, 2017.

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

Council Member Gerber moved to approve Ordinance No. 2017-43, an ordinance amending Title 2, Administration, Chapter 4, City Administration, Section 14, Recreation Advisory Board, of the Municipal Code of the City of Park City, Utah, to amend the number of Recreation Advisory Board Members. Council Member Worel seconded the motion.

RESULT: APPROVED
AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

4. Consideration to Approve Ordinance No. 2017-44, an Ordinance Approving the 277 McHenry Plat Amendment Located at 277 McHenry Avenue, Park City, Utah:
Tippe Morlan, Planner II, presented this item. Staff requested a plat amending two lots to one lot of record. She stated the amendment would formally dedicate the right-of-way for McHenry Avenue, which bisected the lot. Morlan explained the existing duplex was built over lot lines in 1976 and was non-conforming with parking requirements. She stated Lot 1 and Parcel A would never be subdivided, an accessory unit was allowable if

the duplex was reduced to a single home, and only two dwellings would be permitted on the lot and a Conditional Use Permit application would be required.

Council Member Matsumoto asked if a Council decision would interfere with approvals and denials of the Board of Adjustments (BOA). Morlan replied that the only applicable BOA denial that impacted the plat amendment regulated that density could not increase on the lot.

Mayor Thomas opened the public input. No comments were given. Mayor Thomas closed the public hearing.

Council Member Worel moved to approve Ordinance No. 2017-44, an ordinance approving the 277 McHenry Plat Amendment, located at 277 McHenry Avenue, Park City, Utah. Council Member Matsumoto seconded the motion.

RESULT: APPROVED
AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

5. Consideration to Approve Ordinance No. 2017-45, an Ordinance Amending the Land Management Code of Park City, Utah, Amending Historic Recreation Commercial (HRC) District, Section 15-2.5; Historic Commercial Business (HCB) District, Section 15-2.6; and Defined Terms, Section 15-15:

Mayor Thomas clarified that the discussion for Item 5 would be combined with Item 7, but the votes would be separate.

Hannah Tyler, Planner II, Jonathan Weidenhamer, Economic Development Manager, Bruce Erickson, Planning Director, and Beth Bynan, Finance Business Licensing, presented this item. Tyler stated the report would cover the proposed cap on conventional chain businesses. Tyler provided a background on the item, and reported staff had focused on outreach to business owners, building owners, and members of the community.

Erickson clarified that the ordinance applied to store fronts, which affected approximately 50% of businesses. He stated the ordinance was designed to protect the historic character of Main Street and there were adequate opportunities for conventional chain businesses in other areas in town outside of the historic core. Staff aimed to define a land use palette that was vibrant and viable. Erickson stated staff was invested in providing fair access to available business licenses and application of the ordinance. He stated staff wished to avoid creating an external market, and referenced public comment provided in the Council packet from McCall, Idaho. Erickson stated the proposed ordinance was a five-part model, called the Storefront Enhancement Program. He clarified that staff sought to regulate 'front-of-house' businesses, and they were not concerned with ownership by franchises or other 'back-of-house' operations.

Council Member Henney asked about successful, local retailers, who, for example, wanted to open an 11th location. Erickson replied that variety was the goal. Erickson responded that Jans had responded that he can successfully operate within the proposed ordinance. Council Member Beerman asked if locally owned businesses could be grandfathered in. Erickson replied identifying locally owned businesses would put the ordinance at risk. Erickson reminded the Council that the proposed ordinance was not set in stone, and could be changed down the road.

Council Member Henney stated no ordinance was set in perpetuity. He stated all real estate offices were regulated, and some were grandfathered; he asked why real estate businesses were being included if they were already being regulated. Erickson cautioned against carving out businesses in order to preserve the integrity of the ordinance and stated real estate offices were afforded other accommodations. Council Member Henney was in support of granting discretion to the Planning Director regarding vesting to applicants waiting for an available slot. Erickson described considerations that staff had discussed, including creating a transitional mechanism for investors with a sunset clause, and how creating assets through regulation was problematic. Council Member Henney supported transitional vesting and stated that staff needed to have a way to counteract the barrier they were creating through regulation.

Council Member Henney asked about the change from the proposed 20% from staff to 15%. Erickson explained it had more effect on the HRC zone. He explained the reduction was to limit the number of businesses next to each other, and that this model was consistent with the accessory unit model. Council Member Henney questioned if the percent difference limited the risk of multiple chain businesses side-by-side. Erickson explained that it wouldn't eliminate the risk, but would limit it. Council Member Henney clarified that he was supportive of the ordinance, and asked if the Council was receiving input from multiple entities or a single entity. Erickson responded that input had come from a diverse group.

Council Member Matsumoto asked about the number of real estate store fronts. Tyler responded that there were four. Council Member Matsumoto asked about vesting. Erickson confirmed locations were not vested, just the number of store fronts. Council Member Gerber asked if a license would expire if a business was sold. Bynan confirmed it would trigger a new application.

Mayor Thomas opened the public hearing.

Susan Meyer, owner of Meyer Gallery on Main and president of the Park City Gallery Association, spoke in support of the 15%. She stated there were 25 galleries on Main Street. She spoke in support of keeping costs reasonable for local storeowners to preserve a quality experience for visitors and citizens on Main Street.

Mark Stemler, property owner on Main Street, spoke in support of free markets. He recalled when old businesses were pushed off of the street. Stemler stated the ordinance recalled rent control. Stemler stated that the problem in Old Town was that it was not user friendly with parking shortage, etc. and the smaller businesses were being pushed off of the street. Stemler expressed his right to rent to a tenant of his choice.

Beth Bradford, real estate agent and resident, gave public comment. Bradford expressed concern about the ordinance and stated she was a consultant to boutique tenant mix. Bradford stated that the consumer informed high-end retailers on Main Street. Bradford referred to a definition of retail stores provided by the International Council of Shopping Centers and recommended it to staff. Bradford stated that chain stores currently on the street accounted for the largest portion of revenues and limiting chain stores would devalue Main Street real estate. She recommended a consumer assessment. Bradford stated that mom and pop financials do not create growth or career opportunities. She offered to provide reports which supported her position, and to participate in a task force prior to the Council making a decision. The stated change was coming with the growth of Salt Lake City, and she implored the Council.

Kathy Pederson, Main Street business owner, stated that Rocky Mountain Chocolate Factory supported Dolly's Book Store. She stated chain business support the local businesses on Main Street. She stated her right to rent to tenants of her choice.

Jane Sheffner, Main Street business owner, expressed concern about raising the number of chain businesses on Main Street. She stated that chain stores could afford to go elsewhere, noting she worked hard to preserve uniqueness on Main Street. She added she was opposed to the parking structure plans. She said it would negatively affect employees. She said it was unfair that Park Silly Sunday Market vendors did not pay the taxes and fees that Main Street businesses paid.

Michael Barillle, Executive Director of the Historic Park City Alliance (HPCA), stated HPCA was non-affiliated with PCMC. He stated the mission statement of the HPCA and explained how it was determined. Barillle read a statement provided by the HPCA in support of the ordinance. Barillle also read a statement by Lori Harris, Main Street business owner. The statement was in support of limiting chain stores at a percentage lower than recommended by the Planning Commission. Barillle shared a personal experience that he recently shopped out of state, and the many chain businesses felt like dissolution of an authentic shopping experience.

John Maxfield, Main Street property owner, spoke in support of free market and wondered what market research was completed in the writing of the report. Maxfield expressed concern about the transition process when a chain store goes out of business. He wondered what the state of Utah's opinion on this ordinance would be.

John Eric Green, Main Street property owner, expressed concern about noticing for this item and felt the process was not transparent. He spoke in favor of the free market, and stated Lululemon came to Main Street for the visitors. Green stated his tenant was a gallery. He expressed concern that the report contained opinions rather than fact. He also spoke to the increase in retail sales since the recession, and recommended looking at the numbers to make this decision. He recommended finding a solution that would preserve the Main Street experience without hurting local businesses.

Steve Joyce, Planning Commission, clarified that they were making no effort to protect local store owners or the tax base. Joyce clarified the difference between 15% and 20% was significant because of the number of retail stores, especially south of Heber Avenue.

Rick Shand, local realtor, stated that Main Street was important. He asked the Council to consider the numbers carefully, and stated the consumers chose to spend their dollars at chain businesses. He counseled a rational rather than emotional decision.

Angela Moschetta read a letter by Sara Hall in support of the ordinance. Moschetta spoke on her own behalf and stated her opinion that the ordinance protected local viability. She spoke to the flexibility of ordinances and recommended 10% saturation. She stated she had a petition with over 400 signatures in support of the ordinance.

Michael Kaplan suggested removing real estate chains to make room for other businesses. He supported the ordinance because chains were about to locate to other areas within City limits.

Mike Sweeny spoke on behalf of Jeffrey McCibben, Main Street property owner. Sweeny spoke against the ordinance. The letter suggested offering a one year CCB lease expiration. Sweeny spoke on his own behalf and questioned the definition of conventional chain businesses. He recommended that the definition be refocused on what chain businesses would benefit Main Street or not. He stated the City and the Council need to be adaptable to change.

Rick Margolis spoke as a second home owner and commercial real estate business owner and stated his company owned three buildings on Main Street yet he was not notified about the ordinance. Margolis stated his businesses received one notice. He indicated he wished he had been part of the process. He stressed the purpose of the HCB district was for residents and tourists and recommended researching where tourists were spending their money. He stated that maintaining Main Street and adding vibrancy were two different things and having people on Main Street determined vibrancy. Margolis stated chains that did not fit in the culture of Park City would not last. He stated retailers were attracted to successful retailers and indicated the larger stores were not viable for smaller businesses.

Michael Barillle clarified that HPCA discussed economics and acknowledged they could not compete but were local and authentic.

Thomas Cook, Snyderville Basin Planning Commission, stated he was the owner of a franchise. He implored the Council to pursue Option 2.

Eric asked that the Council consider studies not included in the staff report that were mentioned in public input before making a decision. He expressed frustration with the term 'chain store.' He stated that the ordinance would send the message that Park City was not retail friendly. He stated that retail was in dire straits and the demand for Park City property would decline over time. He noted that storefront vacancy was still a challenge and also indicated the shoppers were tourists and their input had not been considered.

Mayor Thomas closed the public hearing.

Mayor Thomas asked for feedback from staff. Erickson clarified that this was not a ban of chain businesses and staff had returned at the direction of Council. He stated the item had been ongoing for over a decade. He stated mailings were sent out concurrent to tax records at the County. Erickson indicated the Chamber and HPCA provided surveys and research that was not presented in the staff report but was instrumental. He stated the ordinance was in line with City strategic planning. Erickson asserted research included repeal of similar ordinances outside of legal action, and that staff was unable to find an example.

Mayor Thomas asked that the Council look at the issue from a balanced perspective and complimented staff on their work. Council Member Matsumoto asked if real estate offices would be removed from the ordinance because they were not retail. Erickson responded by asking if the Council would add conventional chain spaces if real estate offices were excluded. Council Member Matsumoto supported adding spaces. She recommended a process to reserve a space if making tenant improvements. Erickson recommended adopting the ordinance in its current form and directing staff to develop a transition cycle. Harrington stated there were a number of ways that vesting could be accomplished at the direction of Council.

Council Member Gerber supported removing the real estate businesses and dropping the saturation to 10%. She noted that there was opportunity in Summit Watch for chain businesses. She thought the goal was to preserve the authentic nature of Main Street and that chain stores were counter-intuitive to that goal. Council Member Gerber was in favor of 15% on upper Main and 10% on Lower Main, and an early vesting process to provide for security for investors.

Weidenhamer clarified that there were no business licenses for chain businesses in process. Council Member Matsumoto expressed concern that lower Main Street would have more chain businesses than upper Main.

Council Member Worel asked to hear more about individual property rights. Erickson replied that individual property rights were taken into account throughout the process. Harrington stated the proposed 20% reflected that concern. Council Member Worel supported 15% saturations and expressed concern about lower Main, and supported an early vesting process.

Council Member Beerman was supportive of moving forward with a cap to maintain distinctiveness. He stated that citizens made substantial investments that the Council needed to take into consideration if changing the regulations. Council Member Beerman was supportive of leaving real estate offices and capping at 20%. He was in favor of a six month time frame to find a tenant if a location was vacated, and was in favor of a vesting process.

Council Member Henney was in favor of availability and a cap on how many were allowed. He was in favor of a cap at 14 and creating a few new slots. Council Member Gerber was in favor of maintaining the status quo, and not adding additional slots. Erickson stated it was more effective to determine a number rather than a percentage. Harrington recommended the Council determine a number based on the Planning Commission's linear analysis and not merely pragmatic fairness. Harrington offered that the Council could hear from Planning Commission in two weeks. Council Member Matsumoto was in favor of 18% as it preserved the percentage of linear authenticity of the street. Mayor Thomas confirmed 18% is roughly 17 units. Harrington and Weidenhamer confirmed staff would return to discuss vesting after internal discussion.

Council Member Beerman moved to approve Ordinance No. 2017-45, an ordinance amending the Land Management Code of Park City, Utah, amending Historic Recreation Commercial (HRC) District, Section 15-2.5; Historic Commercial Business (HCB) District, Section 15-2.6; and Defined Terms, Section 15-15, amending Footnote 11 on 15-2.6-2 to 17 Commercial Chain Businesses, with direction to staff to return to discuss the tail and pipeline aspects. Council Member Henney seconded the motion.

RESULT: APPROVED
AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

6. Consideration to Approve Ordinance No. 2017-46, an Ordinance Amending the Land Management Code of Park City, Utah, Chapter 15-6, Master Planned Developments:

Tyler stated the LMC amendment allowed Master Planned Developments (MPD) in the HRM that were below the standard threshold. Tyler clarified that staff was creating an opportunity and not making it part of the process.

Mayor Thomas opened the public hearing.

Michael Barille indicated he was supportive of the ordinance.

Mayor Thomas closed the public hearing.

Council Member Henney moved to approve Ordinance No. 2017-46, an Ordinance amending the Land Management Code of Park City, Utah, Chapter 15-6, Master Planned Developments. Council Member Beerman seconded the motion.

RESULT: APPROVED
AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

7. Consideration to Approve Ordinance No. 2017-47, an Ordinance Amending Municipal Code Title 4, Licensing, Chapter 2, Section 4 License Application and Section 8 Inspections for Code Compliance

Bynan stated that the application process was unclear and staff wished to remove exceptions except when criteria were clearly stated. She stated staff would return September 14 with proposals.

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

Council Member Henney moved to approve Ordinance No. 2017-47, an ordinance amending Municipal Code Title 4, Licensing, Chapter 2, Section 4 License Application and Section 8 Inspections for Code Compliance. Council Member Gerber seconded the motion.

RESULT: APPROVED
AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

XI. ADJOURNMENT

With no further business, the meeting was adjourned.

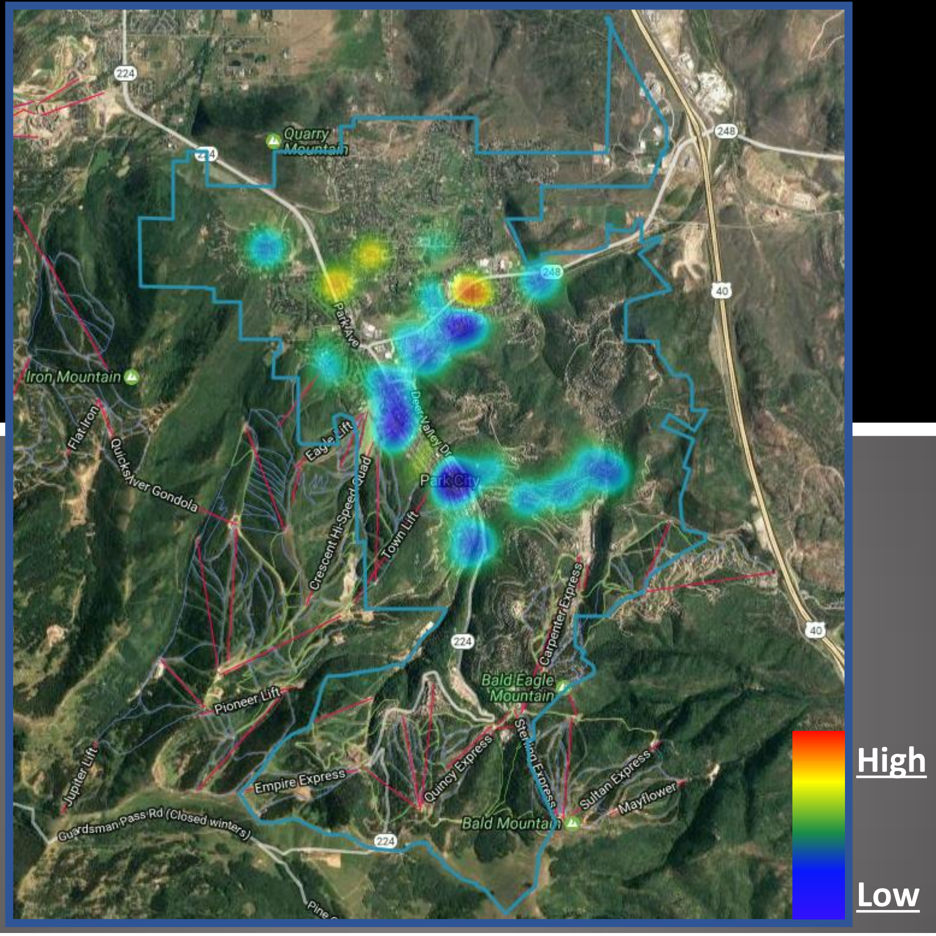
Minda Stockdale, Deputy City Recorder

Noise Ordinance Amendment Considerations

- Constitutionality
- Address disputes in between use districts (residential vs commercial)
- Noise tolerance can be determined by many factors- time of day, place (zone), manner (loudness, frequency, duration), which must be considered
- Identify reasonable noise levels/What do other jurisdictions do?
- Enforcement will be key

Disturbing the Peace Trend Analysis

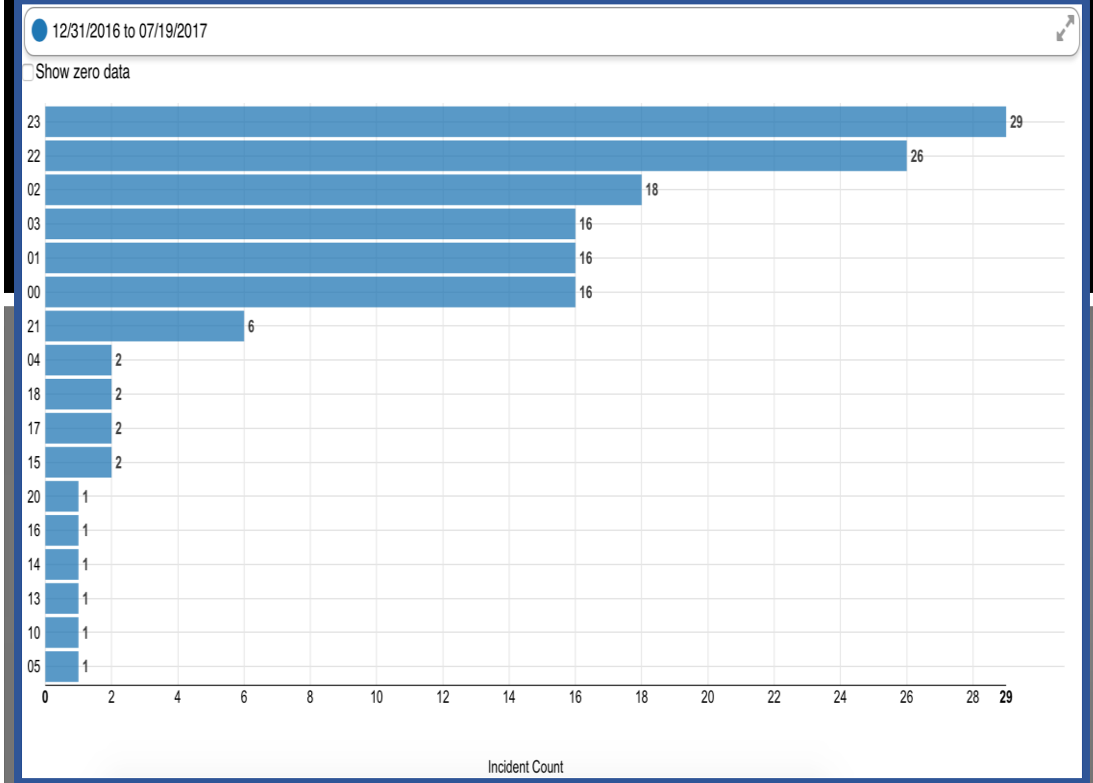
Command Central trend analysis factors in calls for service based on rate, location, and time of occurrence. Based on the reported disturbing the peace calls received by the department, Command Central shows an overall decrease in the amount of reporting and projects a continued decrease in occurrence for disturbing the peace related calls.



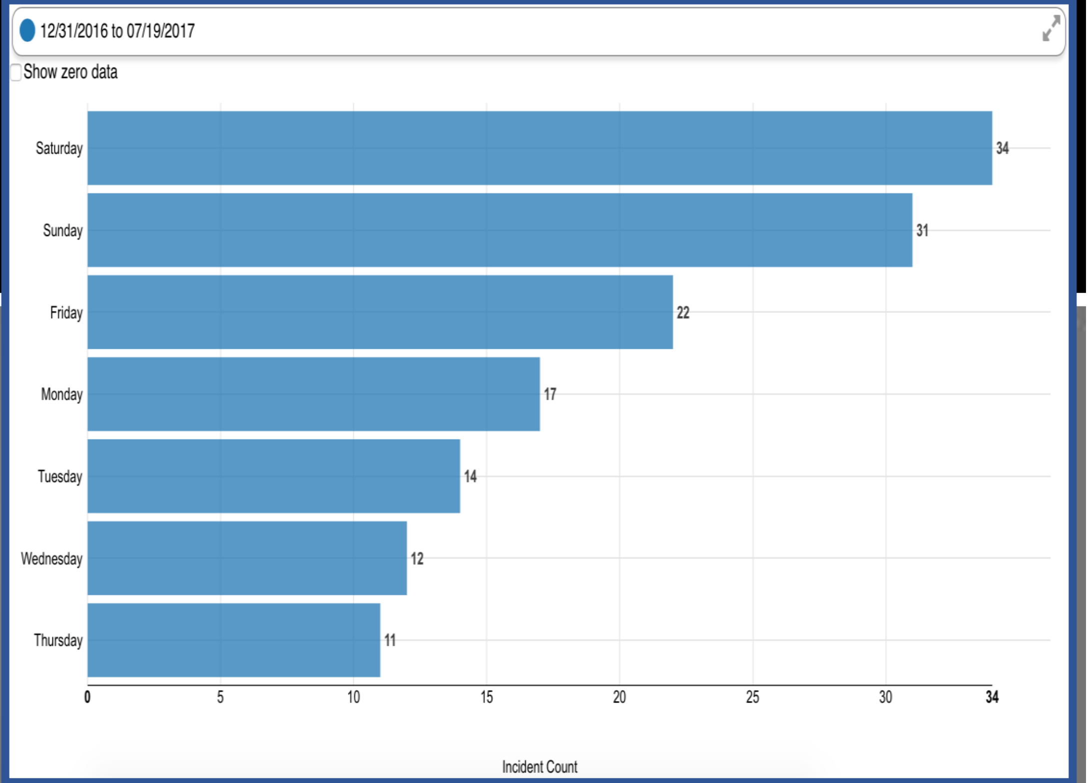
2017 Daily and Hourly Breakdown

Calls received for disturbing the peace mostly occur between 10:00PM – 03:00AM, with the majority of these calls occurring between 10:00PM – 11:00PM. Predominately, Friday, Saturday, and Sunday show the highest amount of reported calls.

Hourly Breakdown



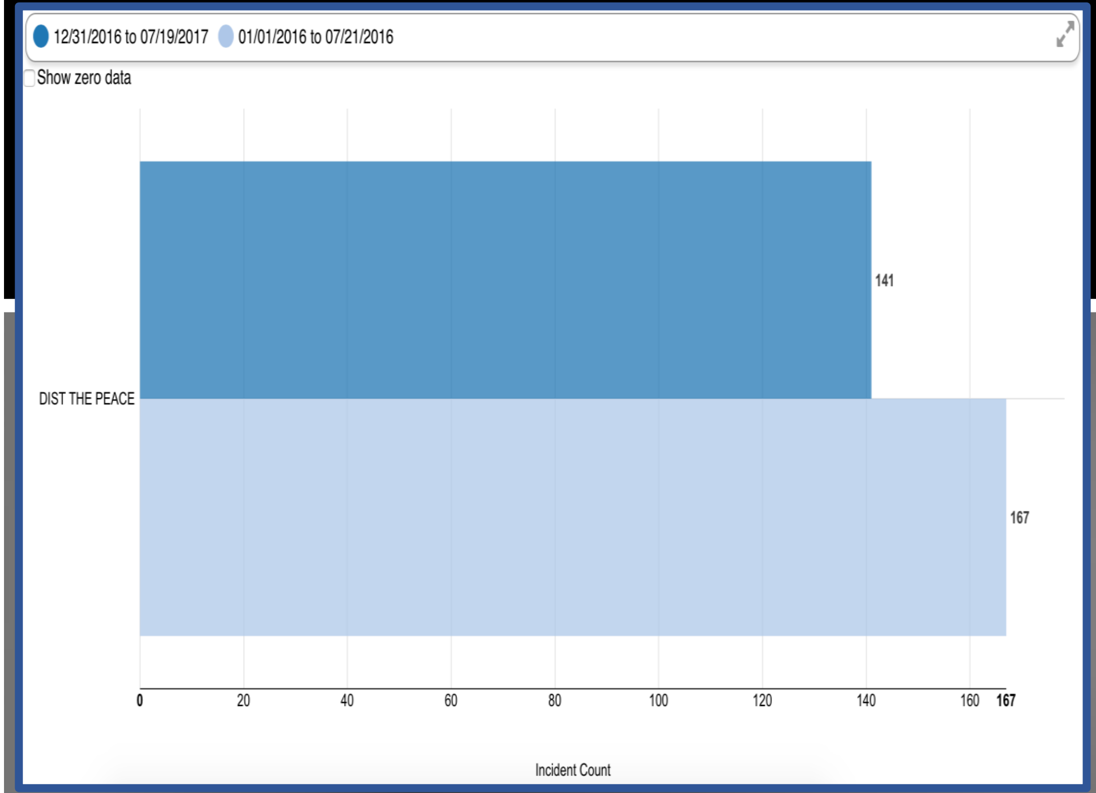
Daily Breakdown



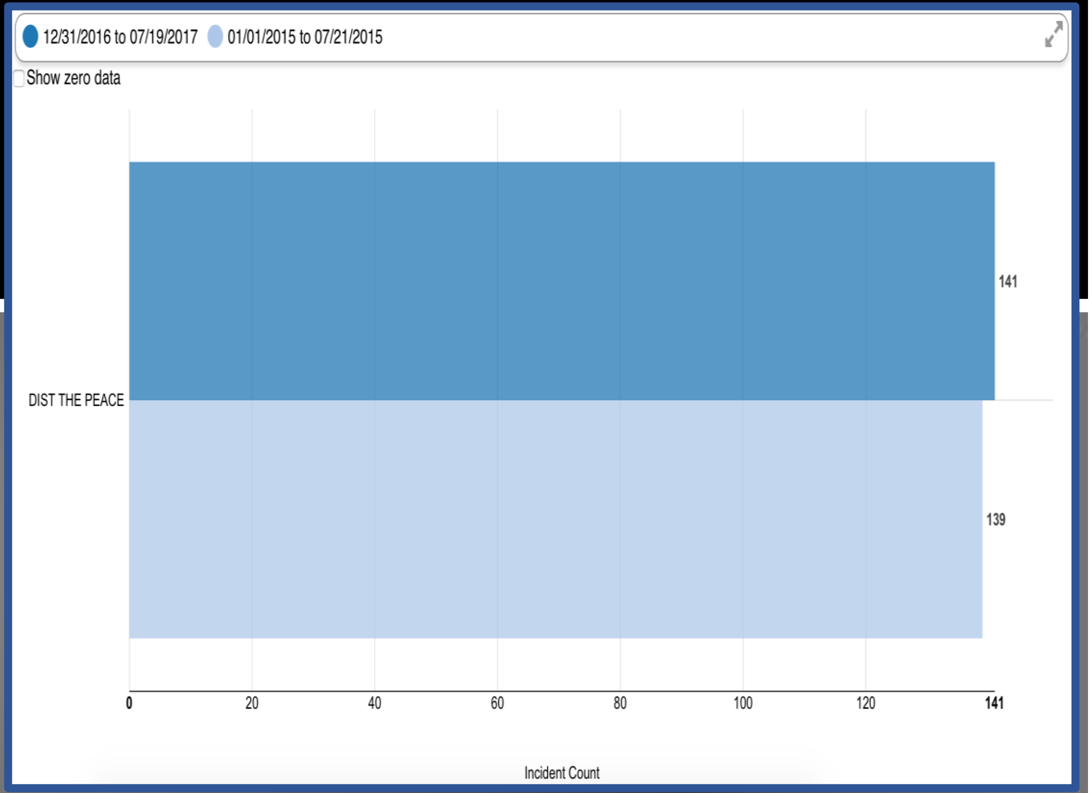
Disturbing the Peace, 2017 in comparison

From January 1st 2017 – July21st 2017 there have been 141 reported instances of disturbing the peace. This is 26 less than 2016 which had 167 incidents during the same reporting period and 2 more than 2015 which had 139 reported instances.

2017 vs 2016



2017 vs 2015



3 Goals

(1) Address potential constitutional issues within the current code.

(2) The proposed Noise Ordinance amendments establish a standard to resolve disputes in different use districts.

(3) The proposed Noise Ordinance amendments make minor changes for clarity, consistency and style.

Noise Levels

A) Maximum Permissible Sound Levels

- ninetieth percentile for 10 min within the boundary or at any point within the affected property
- When a noise can be measured in more than one land use category, the less restrictive use shall apply at the boundary

	Monday through Saturday	
Use District	10:00 P.M. – 7:00 A.M. (6:00 A.M. if commercial)	7:00 A.M. (6:00 A.M. if commercial) – 10:00 P.M.
Residential	50 dBA	55 dBA
Commercial	60 dBA	65 dBA
	Sundays	
	10:00 P.M. – 9:00 A.M. (6:00 A.M. if commercial)	9:00 A.M. (6:00 A.M. if commercial) – 10:00 P.M.
Residential	50 dBA	55dBA
Commercial	60 dBA	65 dBA

120 dB
- Chainsaw, Thunderclap

110 dB
- Live Rock Music

100 dB
- Motorcycle, Outboard Boat Motor

90 dB
- Arc Welder

80 dB
- Alarm Clock

70 dB
- Vacuum Cleaner, Coffee Grinder

60 dB
- Conversations inside a Restaurant, Sewing Machine

50 dB
- Refrigerator, Quiet Suburb

Noise Levels

B) Correction for Duration of Sound
- Tenth percentile of 15 dBA greater than allowed
- Tenth percentile of 15 dBA greater than ambient and ninetieth percentile of any 10 minute period

C) Any pure tone, cyclically varying sound or repetitive impulse sound will have the permitted dBA reduced by 5 and may not create a noise disturbance

D) Limits of the least restrictive use shall apply at the boundaries.

Relief from Noise Restrictions and Exemptions Remain

- **Chief of Police-** special events and community or private functions or events
- **Building Official-** Building Issues

- **Exemptions-** warning devices, emergency vehicles, emergency work, lawful fireworks, snowmaking, golf course maintenance, snow plowing, ten o'clock whistle, public outdoor music plazas and noise from an approved HVAC system (new)

Joint Enforcement Pilot Program

- Police Department and Building Department (code enforcement)
- 3 Month Pilot Program intended to cross-train between departments

Goals and Benefits

- Visible deterrence provided by uniformed police officer and code enforcement officer conducting joint enforcement;
- Enforcement- Education Based; Proactive for Blatant; Escalation for Reoccurring violations; Otherwise complaint-based
- Consistency in Enforcement (Criminal or Administrative Citations)
- The ultimate goal is compliance, not necessarily fines or sanctions

Enforcement Considerations

- **Advantages** of additional enforcement:
  - Local businesses with ongoing issues may choose to address the overall performance of their venue (through sound dampening material or designs);
  - Increased ability to prosecute, resulting in compliance and accountability; and
  - More peaceful standard of living for residents.

- **Disadvantage** of additional enforcement:
  - Impacts to local businesses and restaurants that have outdoor dining;
  - Public concern regarding over-regulation; and
  - Technically specific language is not simple to read/understand.

Strategic Code Enforcement Update

- **Implemented:**
  - **Outreach (Graffiti)**
  - **Proactive Presence/Deterrence**
  - **Noise**
  - **Construction Mitigation Plans (COA and enforcement of restricted work dates)**
  - **ACE Fees**

Further Recommendations

- **CommUNITY Program**
- **Anonymous Complaints (Continue Current Practice)**
- **Food Trucks**

2018 Construction Work Restricted Dates

- **Sundance Film Festival- January 18-28, 2018**
- **Martin Luther King – Friday, January 12 after 3pm- Monday, January 15, 2018**
- **President's Day- Friday, February 16 after 3pm – Monday, February 19, 2018**
- **Memorial Day- Friday, May 25 after 3pm- Monday, May 28, 2018**
- **Independence Day- Tuesday, July 3 after 3pm -Wednesday, July 4, 2018**
- **Pioneer Day Weekend- Monday, July 23, 2018 after 3pm – Tuesday, July 24, 2018 (contractors have had concerns with this specific date)**
- **Kimball Arts Festival- Friday, August 3, 2018 after 3pm - Sunday, August 6th**
- **Labor Day- Friday, August 31, 2018 after 3pm - Monday, September 3, 2018**
- **Halloween- Wednesday, October 31, 2018 after 12pm**
- **Thanksgiving- Thursday November 22, 2018 - Sunday, November 25, 2018**
- **Christmas- Saturday, December 22, 2018 – Tuesday, Dec 25, 2018**
- **New Years- Monday, December 31, 2018 after 3pm – Tuesday, January 1, 2019**
- **Park Silly Market on Sundays during the summer. During the Park Silly Market all work is prohibited unless otherwise approved.**

Water & Energy Conservation Program

Program Update

- Successes
  - ✓ Water System Optimization Study completed
    - Identify a monthly water and energy optimization plan
    - Analyze data in real time to allow for adjustment
  - ✓ Subscriber Solar blocks purchased
    - Provides roughly 900,000 kWh/year of renewable energy
    - 11% of department’s total electricity usage
  - ✓ Energy efficiency considerations included in capital project planning
  - ✓ Identification of staff roles for program management
  - ✓ Department wide culture shift

Program Update

Objective:

Optimizing operations and capturing efficiencies while maintaining water quality and level of services.

Priorities

- Conservation
- Pump Station Optimization
- Micro Hydro/ Renewables
- Net Zero Buildings
- Streetlight LED Conversion
- Source Selection/ Source Management
- Leak Detection/ Unaccounted for Water Identification
- Financing/ Funding Opportunities

Water Conservation

- Water Smart Customer Interface
- Smart Controller rebate program
- Rain Barrels
- Partnership with Weber Basin Water Conservancy District
- Billing - Conservation Pricing
- Education

Photo Credit: Utah Rivers Council

Leak Detection/ Unaccounted for Water Identification

Customer side:

- Residential Water Meter Replacement Pilot Program underway
- Non-Residential Meters
  - Replaced most 3” and larger meters older than 10 years
  - Moving focus to replacement of 2” meters

City System Side:

- SCADA Upgrade
  - Better control
  - More information
  - Allowing for increased leak detection
- AMI System
  - Hourly data consumption data
  - WaterSmart System
  - Paired with SCADA in the future

Pump Station Optimization

- ✓ Water System Optimization Study
- ✓ Rate Schedules for individual pump stations
- ✓ Operator education on/off peak pumping
- ✓ Controls and VFD installed
- ✓ Off peak pumping plan implemented
- ✓ Flow paced pumping for VFDs implemented
- ✓ Thiriot Pump Modification - 138,000 kwh/yr potential

Distribution System Improvements

- ✓ Lowell PRV reduced
- ✓ Lower Park Ave pressure zone re-prioritized to increase efficiency by decreasing vertical pumping of water
- ✓ City Park PRV discontinued
- JSSD Interconnection reconfiguration in planning stages
  - 955,000 kWh potential

Net Zero Buildings

- ASHRAE building audits completed
  - Pump stations
    - Heating and cooling systems should be controlled together
- Quinns Junction WTP Optimization
  - LED Installation - 54,149 kWh/yr potential
  - HVAC system upgrades in progress - 480,000 kWh/yr potential
    - ✓ Updated controls
    - ✓ De-stratification fan
    - Solar wall - 20,160 kWh potential
  - Efficient high service pump installation in progress
  - Batch tank heaters in progress

Renewables

- ✓ Subscriber Solar Program created, credits purchased
- Creekside WTP Solar Panel installation this fall
  - 42,000 kWh/yr potential
- Future Micro Hydro
  - Judge Tunnel - 2023
  - Rockport Pipeline - 2020
  - Public Utilities Facility - 2020
- Onsite solar evaluated on case by case basis

Streetlight LED Conversion

- Streetlight conversion is 70% complete
- Streets Division has replaced 740 lights with LEDs
- 150,000 kwh/yr potential for total project
- Currently negotiating with RMP to get their 128 lights changed

Source Selection/ Source Management

- Monthly source plans for operators
  - Use Water Optimization Study
  - Current water quality and demands
  - Goal to promote efficiency in treatment and distribution systems
  - Use info from updated SCADA system to adjust plans

Financing/ Funding Opportunities

- Energy Surcharge
- Identified projects eligible for RMP Customer Rebate Program
- Will coordinate with Sustainability to submit projects

Transportation Performance Measures Overview

Park City City Council Meeting

August 17, 2017

Existing TTMP Report Card

- Features 31 performance measures and corresponding targets
- Includes informative metrics that staff will continue to monitor, but does not represent most effective tool for informing broader audiences on City progress in transportation

Details

	2040 Target	2014-2015	2015-2016	Goal Action
Complete Streets (Goal One)				
SR-224 Single Occupancy Vehicle Share	50%	65%	80%	
SR-248 Single Occupancy Vehicle Share	50%	79%	85%	
Percent households within 1/4 mile of transit stop (Density > 4 units/acre)	100%	94% of HHs with density > 4 units/acre	94% of HHs with density > 4 units/acre	
Percent households within 1/4 mile of primary bike corridor (Density > 4 units/acre)	100%	84% of HHs with density > 4 units/acre	84% of HHs with density > 4 units/acre	
Convenient Transit (Goal Two)				
Daily bus hours (local service)	450 hrs	204.25 hrs	194.4 hrs	
Transit Spine Frequency (Fresh Market to OTTC)	10 min	10 min	10 min	
Regional Spine (Fresh Market to Kimball Junction)	10 min	30 min	15 min	
PCMR to PCHS (Bus Travel Time minus Drive Time)	10 min	5 min	5 min	
Transit Center to PC MARC (Bus - Drive Time)	10 min	9 min	16 min	
DV to Snow Creek Liquor Store (Bus - Drive Time)	10 min	13 min	13 min	
Regional Transit (Goal Three)				
Daily Bus Hours (Regional Service)	350 hrs	104 hrs	116.7 hrs	
Communities Served	5	SLC, Basin	SLC, Basin	
Connected Out-of-the-car (Goal Four)				
Primary bike corridor completion (expected by 2020)	100%	94%	Added path upgrades on east side of 224	
Secondary bike corridor completion (expected by 2020)	75%	63%	No change	
Increase Mobility & Reduce Car Travel (Goal Five)				
Drive time PCMR to PCHS (6 minute baseline)	< 10% increase	6:26 (7% increase)	7:53 (31% increase)	
Drive time Transit Center to PC MARC (7 min baseline)	< 10% increase	6:14 (less than baseline)	5:52 (less than baseline)	
Drive Time DV to Snow Creek Liquor Store (7 min baseline)	< 10% increase	7:45 (11% increase)	7:03 (1% increase)	
Ratios of Car to Bike and Bus Travel (Goal Five)				
Drive time/bike time (PCMR to PCHS)	More than 1	0.68	0.71	
Drive time/bike time (Transit Center to PC MARC)	More than 1	0.97	0.65	
Drive time/bike time (DV to Snow Creek Liquor Store)	More than 1	1.02	0.54	
Drive time/transit time (PCMR to PCHS)	More than 1	0.43	0.79	
Drive time/transit time (Transit Center to PC MARC)	More than 1	0.58	0.27	
Drive time/transit time (DV to Snow Creek Liquor Store)	More than 1	0.63	0.19	
No New Milage (Goal Six)				
Total lane miles	Less than 250	201	202	
Promote Safety & Active Living (Goal Seven)				
Crash Rate	Decreasing from 7.9 baseline	7.2	5.2	
Transportation Fatalities	0	0	1	
McLeod Creek Trail Usage per day	10% increase	134	266	increase
Poison Creek Trail Usage per day	10% increase	622	721	increase
Rail Trail Usage per day	10% increase	806	788	decrease
Dan's to Jan's Sidewalk Usage per day (west)	10% increase	Under construction (1,080 in 2013-2014)	290	decrease
Little Kate Sidewalk Usage per day	10% increase	47	66	increase
Transportation Adds to Community (Goal Eight)				
Change in Gateway AADT/Housing Units	Less than 1	1.03	1.05	
Change in Gateway AADT/Jobs	Less than 1	1	1.04	
Estimated Petrolem Consumption Equivalent (kBTU)	Decreasing from 570 M baseline	644 M	711 M	
Estimated Annual Greenhouse Gas Emissions (short tons)	Decreasing from 50.2 K baseline	56.8 K	62.8 K	
Convenient Multi-Modal Access (Goal Nine)				
Major new land developments with infrastructure to meet goals	N/A	N/A	Affordable housing developments - PC Heights, 1450/1460 Park Avenue, 1440 Empire, Mark Fischer project, purchase of Bonanza Park parcel	
System & Demand Management (Goal Ten)				
New ITS implementation	N/A	In process with UDOT, Blyncsy operating	4 new Variable Message Signs, phase Blyncsy installation, SCATs signal upgrades	
New TDM implementation	N/A	Created TMA, TDM plan in process	Established the TMA w/ monthly participation, adopted TDM plan in October 2016	

KEY
On target
Requires additional monitoring
Not on target. Improved approach required

Why Propose a New Method of Reporting?

- Serves as tool for increased community engagement and public understanding on the City’s critical priority of transportation
- Better opportunity to evaluate progress and project effectiveness
- Provides for better prioritization of projects, programs, and services to address change in existing conditions
- Better illustrates relationship of transportation to other critical priorities (affordable housing and energy/GHG reduction)

Transition from "Report Card" to "Report on Progress"

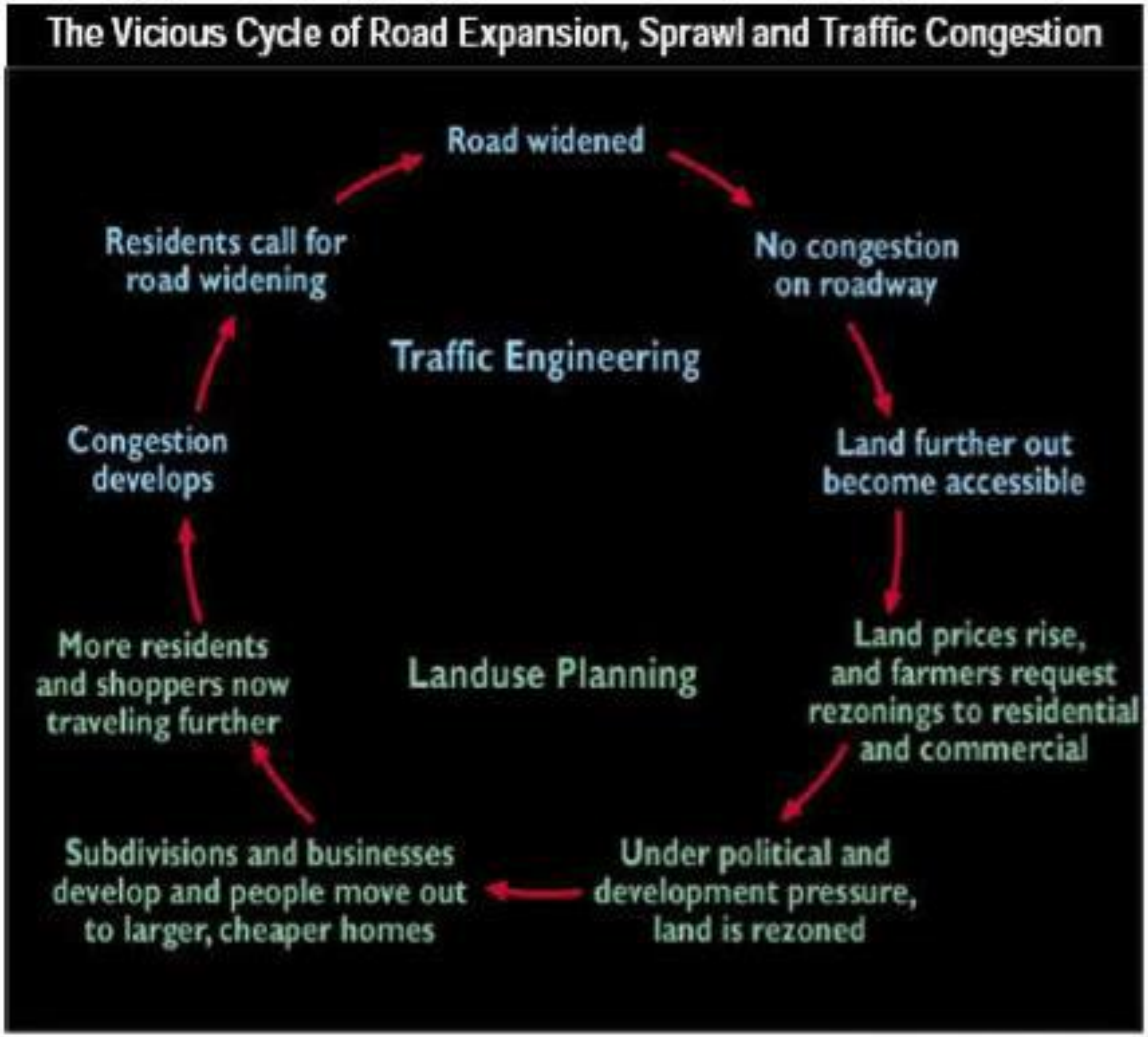
- Intro
- Transportation as a Critical Priority
- Measuring Our Performance
- Year in Review
  - Project Spotlight
- Progress Toward Our Future
- Short-Term Action Plan

Proposed Primary Performance Measures and Targets

Performance Measure	Monitoring Methodology	Target	Target Year	Projected Attainment Year	Reporting Frequency
Citywide VMT	Surveys, traffic counts, transportation modeling	% reduction from established baseline	2040, with shorter-term attainment milestones	TBD based on annual progress toward target	Annual
Mode Split	Surveys, traffic counts, transportation modeling	% non-auto for all trips	2040, with shorter-term attainment milestones	TBD based on annual progress toward target	Annual
Gateway Corridor ADT	ATRs	% reduction from established baseline	2040, with shorter-term attainment milestones	TBD based on annual progress toward target	Annual

Why VMT

- Citywide as to evaluate internal trips
- Evaluate trends indicative of transportation and land use decisions (i.e. infill development and transit oriented development)
- Key input to evaluating and calculating GHG reductions and trends from mobile sources
- Increase in City affordable housing will have corresponding positive impact to VMT (home based work trips)



Graphic: NJ DOT

Propose Citywide Reduce VMT by X% Below X Baseline Year Vs. ……….

- Per capita
  - Correlates to population growth but not a reflective of the tourist nature of our community
  - Second homeownership not captured in permeant population therefore not reflective of “per capita”
  - External trip influence/external growth uncontrollable variable
- Regional VMT
  - Influenced by factors (i.e. land use/development) outside City control
  - Not good indicator of City progress on transportation improvements and land use decisions
  - Too macro
  - Does not assist in evaluating progress on other City critical priorities (difficult to localize GHG reductions or VMT reductions as they related to increases in affordable housing inventory)

Mode Split

- Increase non-auto mode split to X% (20% under consideration)
- Consistent with existing TTMP and 2014 goals and policies
- Progress toward target demonstrates effectiveness of providing priority to transit and active transportation modes vs. planning and designing for the private automobile
- Supports City and County’s programmatic approach to transportation planning


SERVICE ENHANCEMENTS
INFRASTRUCTURE
SYSTEM
TDM AND ACTIVE TRANSPORTATION

Non- Auto Mode Split Comparison

Park City	Lake Tahoe	Boulder	RFTA	Utah Statewide (rural)	Cache MPO	Dixie MPO	WFRC	National (commute only)
TBD	18%	41%	23%	5.6%	10.8%	3.2%	9.8%	8%

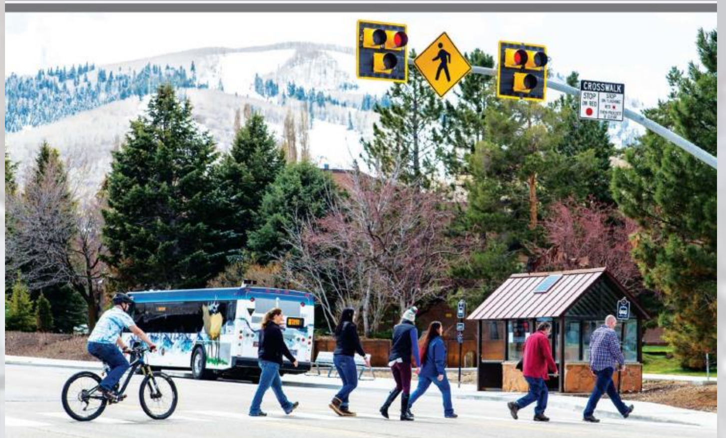
Gateway Corridor ADT

- Serves as regional indicator as opposed regional VMT (external trips/travel into and out of City limits)
- Compliments mode split and citywide VMT
- Evaluate effectiveness of regional transit and intercept strategy
- Monitor trends in visitation, population, economic trends (employment and discretionary travel – skier days, SLC enplanements/travelers, hotel occupancy, etc.)

Monitoring Requirements/Next Steps

- Regression modeling to establish baseline year (TBD)
- Infrastructure – ATRs at new cordon stations on SR 248, SR 224, and Guardsman Pass (?)
- Mode split surveys and monitoring
- Origin and destination surveys
- Technical Assistance for model development and calibration

PARK CITY
1884



TRANSPORTATION REPORT ON PROGRESS

FALL 2017

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PROJECT SPOTLIGHT

INNOVATION
IN MOTION

With 88 pedal assist e-bikes and nine stations, the program saved 9,600 lbs of CO2 within the first two weeks of operation.

12,000

recorded trips within the first two weeks of Program launch.

SUMMIT BIKE SHARE

Introduced in partnership with Summit County, Park City's electric bike share program represents another critical step toward the City's goals of providing improved regional transportation options and contributing to a more sustainable future.

With nine stations and a total of 88 electric pedal assist bicycles, Summit Bike Share is the first fully electric bike share program in the nation. The program provides commuters and visitors alike with increased opportunity to accomplish short errands, connect to Park City Transit, or simply enjoy the City and County's many great trails and destinations.

Just two weeks after the launch of the program, there have already been over 12,000 recorded trips taken using Summit Bike Share, corresponding to a total CO2 reduction of 9,600 lbs. Come Summer 2018, Park City and Summit County will be expanding on the early successes of the program with a Phase II roll-out.

2017 SUNDANCE FILM FESTIVAL ECONOMIC IMPACT

sundance institute

OUR MISSION

Sundance Institute is a nonprofit organization that discovers and supports independent film and theatre artists from the U.S. and around the world, and introduces audiences to their new work.

DYNAMIC INCUBATOR OF ARTISTS

- **Connecting** audiences to artists
- **Igniting** new ideas
- **Discovering** original voices
- **Developing** and helping independent storytellers
- **Building** community

2017 SUNDANCE FILM FESTIVAL

MAKING AN IMPACT

71,600 unique visitors attended its 2017 Sundance Film Festival

- This makes our venues the 9th largest city in Utah during the event

52% of attendees are visitors from out-of-state

- 46 states
- 18 foreign countries

85% of out-of-state attendees plan on returning to Utah within a year

- Unprecedented visitor satisfaction keeps our guests coming back to the state

Source: Y2 Analytics

sundance institute

2017 SUNDANCE FILM FESTIVAL ATTENDEE SPENDING

TABLE 1: AGGREGATE SPENDING

	UTAH	NON-UTAH	COMBINED	
Lodging	$-	$53,916,175	$53,916,175	
Car Rental	$180,608	$4,627,865	$4,808,473	
Other Transportation	$1,576,898	$10,679,908	$12,256,805	
Meals	$7,321,900	$23,852,106	$31,174,005	
Recreation & Entertainment	$10,155,528	$24,262,172	$34,417,700	*Excludes Ticket Sales*
Other Spending	$1,472,175	$6,950,431	$8,422,607	
Total	$20,707,109	$124,288,657	$144,995,766	

Source: Y2 Analytics

sundance institute

2017 SUNDANCE FILM FESTIVAL IMPACT OF STATE GDP

UNPARALLELED ROI ON PUBLIC INVESTMENT

TABLE 4: ECONOMIC IMPACTS

	NON-RESIDENT	SUNDANCE INSTITUTE	COMBINED
Total Spending	$124,288,657	$10,795,980	$135,084,637
Economic Impact (State GDP)	$141,479,109	$10,024,420	$151,503,529
Total Output	$243,760,264	$16,969,019	$260,729,283
Earnings	$73,745,313	$5,324,699	$79,070,012
State and Local Taxes	$13,775,334	$226,558	$14,001,891
Jobs	2,628	150	2,778

sundance institute

Source: Y2 Analytics

INVESTING IN UTAH

$14 million generated in state and local tax revenue

- **$13.8 million** comes just from our out-of-state attendees

2,778 jobs supported by the Festival

- Generating **$79 million** in local wages

50+ Utah vendors hired by Sundance Institute

- Hired annually to assist in producing Sundance Film Festival

sundance institute

GLOBAL COVERAGE

PRESS COVERAGE

- **<u>$90.9 million in publicity value</u>**
- 53,000 stories in print, online, and television
- 950 accredited press from 22 different countries

GLOBAL COVERAGE

DIGITAL PRESENCE

52 PRODUCED VIDEOS

Daily Recaps (9)
•
10 Days of Different (1)
•
Conversations (6)
•
What's Your Warm-up? (1)
•
Celebration of Independent Voices (1)
•
Meet the Artist (34)

35MM AD IMPRESSIONS

90,288 photos collected

SOCIAL…

1 video content series (6 videos)

10 live streams

5 photo albums

42,981,668 TOTAL IMPRESSIONS
(Facebook + Instagram + Twitter)

• • •

16,872,059 TOTAL VIEWS
(Snapchat Live Story)

New this year:
Influencer content
Increased livestreams
Instagram Stories

17 BLOG POSTS

Accredited more than 956 members of the press from 22 countries

38K FILM GUIDES
12.5K CATALOGS

11 emails

655,784 website visitors

sundance institute

PROUD TO CALL UTAH HOME

ESTABLISHED HERE IN 1981

- New Frontier brings together global technology and business leaders
- 50,000+ Utah students and residents participate in programming each year
    - 27,000+ Park City/Summit County residents
- 4 films from 2017 Festival were filmed in Utah!
- Ignite Program (18-24 y.o.)
- Kids Program (youth)

sundance institute

ARTISTIC & CULTURAL IMPACT IN PARK CITY/SUMMIT COUNTY

27,000+ RESIDENTS & STUDENTS PARTICIPATE IN LOCALS-ONLY PROGRAMS

Sundance Film Festival *Filmmakers in the Classroom* Program***** - 2,000+ students and teachers

***Program offered exclusively for Park City High and Treasure Mountain Jr. High Schools**

Sundance Film Festival Student Screenings Program - 500+ students and teachers

Sundance Film Festival *Townie Tuesday*** & Community Outreach Screenings - 1,000+ residents

****2 Screenings presented exclusively for Summit County residents**

Sundance Film Festival Community Tickets - 185 tickets to 21 organizations

Sundance Film Festival Locals-only Ticket Packages/Passes - 18,000+ sold

Sundance Film Festival Ticket Nonprofit Giveaway Packages - 72 packages and individual tickets

Best of Fest Screenings - 1,900+ residents

Summer Film Series - 1,000+ residents

sundance institute

ARTIST LABS

PROMOTING THE ARTS AND MENTORING THE FUTURE

- Dedicated to developing new artists and their work
- Hosted at Sundance Mountain Resort in Utah County
- Held for 16 weeks throughout the year
- Exposes new artists to Utah

sundance institute

THANK YOU!

Sundance Institute serves as a dynamic incubator of film, theatre, and music artists, and connects audiences to their work through its Utah-based public programs including the Sundance Film Festival, Utah Community Outreach Programs, and Artist Labs.

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institute

August 17, 2017

Park City Municipal Corporation - City Council
445 Marsac Avenue
Park City, Utah 84060

Re: PL-17-03586 LMC Amendments - Conventional Chain Businesses ("CCB") in the HRC and HCB Zoning Districts

Members of the City Council,

I am writing to implore you to reconsider Section 4. Process (herein referred to as the "Proposed Process") as set forward on Packet Page 194 of the August 17th, 2017 Agenda Packet. The Proposed Process will have a severe and detrimental impact to Main Street commercial property owners that are not business operators.

We understand the desire of the Planning Department, the City Council and potentially others to pursue a regulatory path to limit the free market for CCB commercial space on Main Street. However, the Proposed Process creates a system that can clearly be foreseen to have a devaluing impact. We invested in 632 Main Street, which is leased to a CCB, in February of this year on the basis of the future economic prospects and cash flow of the asset we acquired.

We will suffer a material devaluation of our property asset by virtue of a flaw in the Proposed Process. The issue is once the CCB cap is reached the owners of buildings that rent to a CCB are put into a position whereby, upon lease termination, there is a literal "race to the Planning Department" in order to rent to another CCB tenant. By (i) putting a cap on CCB supply, (ii) controlling the approval of CCB business licenses, and (iii) not grandfathering existing buildings that are currently leased to a CCBs, the City Council is creating an artificial and volatile race for the next available CCB space.

The concept of property rights is core to American values, so much so that eminent domain and just compensation are spelled out in the Fifth Amendment of the U.S. Constitution. The CCB Amendment as written will likely result in a regulatory taking as it will diminish the value of our commercial asset (undermining the free market principles we relied upon at the time of our investment) by compromising our ability to rent to a CCB in the future as described herein.

We believe there is a simple solution. Main Street commercial space leased to CCBs should retain a CCB designation for one year after lease expiration.

On Packet Page 195[1], the Proposed Process discusses concerns that were raised by both the Planning Commission and members of the Public regarding a timing of "vesting" for CCB new business licenses. Such a concept is business owner focused and ignores the non-operator building owner viewpoint.

A one year tail period for an expiring CCB lease is simple to administer and protects owners, operators and administrators from the market distortion that will result upon each future CCB lease expiration.

By installing a one year tail period, (i) the community succeeds in pursuing a regulatory path towards Keeping Park City "Park City", (ii) the City is reducing its role in restricting the free market relative to the Proposed Process as currently written, and (iii) the Planning Department retains control over the ability to issue CCB business licenses without the arbitrary detrimental impact on existing building owners who currently rent to CCB tenants.

Thank you for your consideration.

Sincerely,

Jeffrey McKibben

Jeffrey McKibben
Managing Member
SQC Commercial, LLC
632 Main Street

[1] On Page 178 of the Agenda Packet a reference is made to USPS Public Notice mailings to property owners. We closed our transaction on February 22, 2017 and have not received any mailings regarding this issue.

GADDIS
INVESTMENTS

August 16, 2017

Bruce Erickson, Planning Director
Jonathan Weidenhamer, Economic Development Manager
Hannah Turpen, Planner
Park City Council Members

I am an owner of Main Street properties and longtime resident, developer, and investor in Park City. I understand there is a movement to restrict chain stores on Park City's Main Street. First, I believe interfering with free market enterprise is wrong and does not work. However, I do agree that Park City's Main Street is unique and we want to keep it that way. We don't want chain stores to have the monopoly, however *some* restrictions and/or requirements may be appropriate.

The hazards:

1) As an owner of other real estate retail properties, I know first-hand that retail is suffering nationwide, which means a certain level of restrictions will cause more unwanted vacancies. Who will fill those vacancies? There are not a lot of independent retailers who would be a good fit and who are desiring this specific market.
2) There are many chain stores currently not located on Main Street which could be a good fit for the current Main Street tenant mix.
3) Rents would decrease but lower rents do not necessarily create better tenants or additions to Main Street.

Some positive points on chains and questions going forward:

1) Often times chain stores have good financial credit, which from an Investor/Landlord perspective allows for additional building improvement dollars being spent. This in turn, allows for BIM (building information modeling) and upgrades to building aesthetics.
2) A mix of local business and national chains can be healthy for business.
3) If the concern is the preservation of the unique historic district, then enforce or strengthen the land management code and Main Street Association covenants to ensure the integrity and authentic experience of Main Street.
4) We need to address the lack of specific types of stores. Can we find a way to do this?
5) We should ask the question about Economic impact or lack thereof.

1400 South Foothill Drive, Suite #34 ◦ Salt Lake City, Utah 84108 ◦ Phone (801) 487-3236 ◦ Fax (801) 487-3269

6) Chains could be required to pay more into the Main Street association for assessments – to help with clean up, maintenance, street beautification projects, signage, public art programs, and events, etc.
7) Chains could be required to help with a sustainable program that benefits the City – i.e.: they could be required to contribute to the city's sustainability needs (help to put solar on city owned buildings or help with water conservation on city property, etc.).
8) Chains could be required to help support a Main Street challenge of some kind that benefits retailers on Main Street. – i.e.: there are community solar programs.
9) We recommend taking each situation on a case by case basis.
10) Let's think outside the box and use chains to our advantage!

Finally, the city should understand that property owners are not always going to choose a chain. I will share a quick personal story: In 2015, we were ready to sign a lease with a chain store on our property at 317 Main Street (one you will recognize as the Eating Establishment). Instead we pursued a local operator who ultimately kept the restaurant the same – a local business. Many of us, as property owners, care about Main Street enough to make decisions case by case, that are best suited for the community.

Before jumping into major restrictions, let's look at all our options and continue the discussion.

Sincerely,

Jim Gaddis, Owner
Gaddis Investments
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801.910.0077

Terese Walton, Managing Director
Gaddis Investments
terese@gaddisinv.com
801.244.6067

From: **Lori Harris** <lori@maryjanesshoes.com>
Date: Wed, Aug 16, 2017 at 7:01 PM
Subject: Fwd: Notice - Council Agenda for Chain Ordinance and Noise Ordinance
To: Michael Barille <michael@historicparkcityutah.com>, HPCA <lisa@historicparkcityutah.com>

Michael/Lisa
I am sorry to say that I will not be able to attend this meeting tomorrow night. But would gladly have someone read my notes below/speak on my behalf is anyone is will ing to do so. Here is what I would have them say:

My name is Lori Harris, I own Mary Jane's on Main Street. I have been an old town resident and Main Street business owner for 15+ years. I live here, work here and frequent the restaurants, galleries and other shops more so than anywhere else in Park City. I came to Park City to start Mary Jane's on Main Street. It is the only location I ever wanted to be. I am not a Mom or a Pop, I am a female entrepreneur who knew that Main Street was the place to start a contemporary women's boutique based on research and a well developed business plan. I moved to Park City and chose to start my business on Main Street due to the uniqueness of the street, the entrepreneurs across many business types, and the vibrancy of the street. I take my business seriously; this is not a hobby. During the recession I took on a full time job just to ensure that I could continue to operate Mary Jane's when banks and credit cards were cutting credit. I am in business here on Main Street because I love it and because I know this is the locale where my business makes sense. I would never do the business I do anywhere else in Park City so the idea of being on Swede Alley or at Redstone doesn't make sense to me.

Main Street is one of the crown jewels of Park City and is marketed as such. I love Main Street because of its uniqueness in offerings. I believe that the chain ordinance will help to maintain the historic nature of the street, provide a unique shopping & dining experience and continue to provide a place for local and tourist communities to gather and enjoy events all year round. I don't believe we should ban chains completely but I do feel that we should limit them in numbers and strike a balance that both locals and tourists will appreciate. I see that a Lululemon type of chain has benefited women in the community and encourages them to come to Main Street for events such as free yoga. They are a true community partner. Those women stay on the street and shop at other places as well as dine. Not all chain stores will be this way. This is a benefit, but if we were to tip the scales too far to these types of businesses (who may not contribute so much to the community) our locals will most likely shift their buying online or to Redstone where parking is easily accessible. Tourists will no longer find the street a unique place to come to and may also change their habits.

I moved here from San Francisco where they had this type of uniqueness in the Marina district and it has now succumbed to the chain store model. Each new chain store invited a like kind chain store (for example, Lululemon begat Lorna Jane and Athleta). As a tourist who loved this area when I lived there, I no longer have any desire to visit there or shop that street. I can find anything on that street online nowadays so why would I bother. There are so many more side effects to the chain store such as higher rents, vacant spaces, lack of vibrancy in the off seasons due to closures, etc.

As a business owner I fully support the limitation of chain stores on Main Street within the historic zone(s) and would like to see it a bit lower than proposed to planning commission last month if possible.

Thank you for your thoughts.

Lori Harris, Owner, Mary Jane's & Long time Local Resident of Old Town

Dear Council Members,

I am writing to express my concerns with the Chain Store Ordinance that is currently under consideration for Main Street. Having spent the better part of 30 years working within the commercial real estate world, as well as many successful resort retail markets, I consider myself well informed on this topic. I have studied numerous markets that have passed similar ordinances, and have found that in most cases the negatives far outweigh the positives, and in many cases these regulations lead to economic decline and physical degradation. This is a very serious topic that requires careful consideration.

I grew up in Aspen in the 70's and 80's. Many of my friends families owned retail businesses. Today, very few remain in business…but those who do would now likely qualify as "Chain Stores" under your definition. Did the "Chain Stores" put them out of business? No, the evolution of retail, the internet, Fedex, the expansion of outdoor product stores to EveryTown USA created a global marketplace. The survivors are the businesses that continued to evolve, to improve, and to grow (into "Chain Stores" by your definition) to the point where they created enough profit for the owners to continue to live the expensive resort lifestyle.

Park City is experiencing many of the same growth issues that hit Aspen in the late 80's/early 90's. But Park City is not Aspen. Thankfully, given our proximity to Salt Lake City and our international airport, we have a robust year-round resident population, and a true, working middle-class. We suffer similar issues as Aspen and other resort markets with lack of affordable housing, seasonal workforce and living wages, but we have so much more potential given our geography and the economic diversity of both our population and our business base. We also have a number of locally born "Chain Stores" including Jan's, Cole Sport, and KÜHL, that we should be celebrating not regulating.

I support the effort to maintain Park City's unique character, but I don't believe this ordinance is going to accomplish this goal. I believe the physical limitations of the market – our small buildings and limited space - have maintained the character and quality experience. There 168 businesses on Main Street, of which 74 are retail businesses. 13 or 18% are "Chain Stores". Of these, 40% are either locally born or locally owned, leaving only 11% as true "Chain Stores". How do these "Chain Stores" impact the "vibrancy and character" of Main Street?

- Lululemon – likely the highest sales psf (and one of the highest in total sales) on Main Street thereby contributing more to the economic vitality than others; fully engaged in the community creating great careers and recreational opportunities for local residents and visitors; attracting more local customers to Main Street than any other business in the district resulting in more economic opportunity and vibrancy by engaging the local customer in addition to the visitor.
- Gorsuch – founded 55 years ago in Vail and still family owned by the Gorsuch Family; the Main Street store is the only store located outside of the state of Colorado. While clearly at the high

end of the market, Gorsuch exudes the mountain lifestyle and has consistent brand quality and identity as Deer Valley. Not an “anywhere USA” retailer – a unique mountain lifestyle offering.
- Northface and Patagonia – two of the most iconic outdoor brands whose product and values are consistent with the Park City lifestyle. Both stores owned by Vail Resorts Retail.
- Roots – I believe they came for the Olympics and never left. Most visitors likely assume they were founded on Main Street. The Olympic Spirit lives on through this store.
- Rocky Mountain Chocolate Factory – this is a franchise owned and operated by Chip and Kathy Pederson. Without this store, we wouldn’t have Dolly’s, one of the few remaining independent book stores that also helped introduce us all to Liza! Our kids would also lose a great opportunity for that first job given the high number of PCHS students that have worked here over the years.

I would argue that all of the above brands contribute positively to the Park City Experience – both for the visitor as well as the local resident. These businesses bring locals to Main Street which creates both economic and physical vitality for the street. These businesses provide meaningful stepping stones towards character development for our youth and career opportunities that extend well beyond Park City.

I agree that we do not want to see the typical “mall retailers” in Park City, but I believe the market forces are already protecting us from these players. Many have stores at the Outlets at Kimball Junction and no ability nor desire to open on Main Street. They recognize that the visitor is looking to buy products that are consistent with the Park City Lifestyle and that their products would underperform in that location. The physical and economic forces are already addressing this concern.

The only constant is change. Today, the retail world is experiencing the most dramatic transformation it has since the mall was created more than 60 years ago – the landscape will be different tomorrow.

- How does one write an ordinance that will stand the test of time, when we have no idea what tomorrow will bring?
- What will the unintended consequences of this ordinance be?

Summit County had good intensions when they drafted the restrictions around the Park City Tech Center. How hard could it be to define land use requirements to limit the types of businesses we desired in the community? Reduce traffic by limiting the number of employees, how they came to work and the number of required parking stalls? It didn’t take long to learn that this ordinance was inconsistent with market demands, thereby stifling the economic and physical vitality of the Center. We cannot afford to have a similar result on Main Street.

For years, the HPCA has worked to maintain the vitality of Main Street from the threat of retail sales dollars migrating to Kimball Junction. This ordinance will only accelerate that opportunity to create more opportunity for retail sales to migrate to Kimball Junction, The Canyons (the next resort shopping district?), and Bonanza/Prospector areas. While meant to protect the many members of HPCA, this ordinance will create significant economic risks for this district.

Thank you for your consideration of my comments. I am sorry that I cannot attend the hearing as I am out of town this week.

Respectfully, Jon-Eric Greene, Greene Property Group, LLC l www.greenepropertygroup.com
2200 Park Avenue, Building C Suite 200 l Park City, Utah 84060, P: [435] 575-5215 l C: [808] 330-2900 l E: jeg@greeneprop.com