



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

July 30, 2020

The Council of Park City, Summit County, Utah, met in open meeting on July 30, 2020, at 3:30 p.m. The meeting was a remote, electronic meeting due to the declared public health emergency.

Council Member Henney moved to close the meeting to discuss property and litigation at 3:30 p.m. Council Member Joyce seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Henney, Joyce, and Worel

EXCUSED: Council Member Gerber

CLOSED SESSION

Council Member Joyce moved to adjourn from Closed Meeting at 4:00 p.m. Council Member Doilney seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Henney, Joyce, and Worel

EXCUSED: Council Member Gerber

WORK SESSION

COVID-19 Update by Summit County Health Department Director Rich Bullough:

Rich Bullough stated the Summit County data looked good right now, noting these results took a lot of effort and compliance to the mask order from residents and visitors. He discussed contact tracing and stated it honed in on areas of risk, but the data reflected most the cases were family-spread. Having this data was good because the County didn't need to apply broad restrictions, but could apply restrictions on a narrow basis. He indicated there were no cases connected to an exercise facility, for which restrictions were eased recently. The County received CARES Act money specifically for contact tracing, so they could be better prepared for COVID surges. He was hiring personnel that would track the cases, and other personnel would be gathering data and testing efforts. Antigen testing could produce results in 15 minutes, and could help reduce the spread from people who were still out in the community while waiting for test results.

Council Member Worel asked what would determine reopening senior centers. Bullough indicated the State had designated at-risk populations in the red category. He thought a vaccine would be ready by winter and at-risk populations would be a priority for receiving that vaccine.

Council Member Joyce asked Bullough to compare the PCR test with the antigen test. Bullough indicated the antigen tests had quicker results, but they had a 20% false negative, which was a concern. If a test was given and the tester had been around the virus, that person would be given a PCR test as a backup and would be asked to quarantine until the results came in.

Bullough noted he was asked if there were problem businesses. Bullough stated Walmart was no longer a problem because they were now requiring masks. Another big chain was not requiring masks and he was working with that manager. He struggled more with mask wearing compliance from the small businesses. He also indicated gatherings were a risk and he was pleased that so many events had been cancelled. He stressed that people who attended events should wear masks if they were in close contact with others.

Bullough reviewed COVID data and stated there were only three hospitalizations in Summit County. There was a recent uptick in travel-related cases. He displayed charts of COVID cases since March and was pleased to see the decline as a result of the mask order. Council Member Joyce asked if Utah overall would see an impact now that big chains required masks. Bullough thought so and noted it was positive that the LDS church came out in support of masks as well as mask support on the national level.

Discuss Public Safety Initiatives:

Police Chief Wade Carpenter, Lt. Lealaitafea, Captain Leatham, and Captain Kirk shared the Police Department's (PCPD) community initiatives in light of the recent anti-policing sentiment. Captain Leatham stated PCPD sought to be proactive with the community. Lt. Lealaitafea reviewed the State required that officers had 40 hours of training per year and indicated most PCPD officers exceeded that minimum training requirement. They had additional training for de-escalation skills, implicit bias and more. Captain Kirk indicated the Department contracted with Lexipol, which gave policy recommendations and standards. The Human Resources Department also reviewed Police policies to verify they were appropriate.

Captain Leatham stated transparency was important and PCPD put their policy online so all could see it. They also put Police incident statistics online. Use of force was a concern and at times it was necessary to use some form of force. Only one officer had shot at an armed robbery suspect in 2002 and missed the suspect. He reviewed other

incidents where use of force was required. He noted PCPD had a Police Complaint Review Committee and in 2019 there was one complaint for excessive force and that was investigated.

Captain Kirk indicated there were two community outreach employees, and they had many projects including a training course that prepared Spanish speakers for the State driver's license test as well as the Citizens' Academy. They also had involvement from other officers in the Department for events such as Shop with a Cop, Camp Safety, and a new program which prepares young adults for a career in law enforcement. He also noted PCPD had a victim advocate since 2013 who worked with victims of violent crimes.

Chief Carpenter discussed the Police associations that PCPD was involved in that helped officers in the Department become leaders. He noted his officers also worked on processes to improve PCPD services. He discussed Utah House Bill 5007, which prohibited neck restraints. This procedure was never taught at the Police Academy as a procedure and now it was illegal. PCPD added to its policy that any officer had the ability to intervene if they witnessed something outside of policy. He displayed a video by PCPD on its community initiatives.

Council Member Henney was pleased these initiatives had been in place for a long time. The improvement program showed the community PCPD's commitment to keep all safe. PCPD was a great example of what community policing was about. He knew there were anecdotal examples of people not being treated as well as others, and he hoped there would be continued efforts for improvement. Chief Carpenter stated they put a lot of effort into reaching out to people of color.

Mayor Beerman opened the meeting for public input. No comments were submitted. Mayor Beerman closed the public input portion of the meeting.

Council Member Worel noted Chief Carpenter mentioned mental health and indicated there was a training program through Comprehensive Psych that was for police officers. Captain Leatham stated mental health was missing for a long time in training and testing, and now when an officer witnessed something horrible, they were more willing to seek help. PCPD had trained officers that could identify when a fellow officer was in crisis. This program was an ongoing training and support tool for officers. The Department sought funding so they could start this program as soon as possible. Council Member Worel felt this was a tool to help officers. It was indicated the program would cost \$30,000 per year and the training would be analyzed for effectiveness after six months. Mayor Beerman stated this had been a very difficult time for PCPD. He hoped to see this training implemented. Dias stated the City thought the program was a

great investment and would help the Police, and noted funding could be found to begin this program.

Discuss Small Wireless Facilities in the City Right-of-Way:

John Robertson, City Engineer, presented this item and indicated the State required all agencies to permit providers the ability to deploy small wireless facilities with a utility pole within a right-of-way under certain conditions. Certain documents were needed before the applications could be accepted. An ordinance would need to be passed with requirements for providers. A master license agreement, design standards, and a permit application would also be required.

Council Member Henney asked if the City had received applications. Robertson stated two providers had applications with the City for multiple locations. Council Member Henney stated 5G needed multiple locations because it travelled only a short distance. He asked Robertson's opinion on how many sites would be needed and how the City would handle this request. Robertson felt all the light poles would be converted to small cell facilities. Council Member Henney asked if the City had the capacity to accommodate the need. Robertson indicated State and Federal legislation required the City to allow the requests if conditions were met. Providers would be allowed to build their own poles. Council Member Doilney stated the proposed requirement was a pole could not exceed 50 feet and he wanted to modify that to no taller than 25 feet. He also thought facilities should be on rooftops where they were not as visible. Robertson stated the Historic District had requirements that light poles be consistent with the surrounding features, but outside that area, there was more latitude. Council Member Doilney also requested the meter be included on the pole so there was not a separate obstacle in the right-of-way.

Council Member Worel discussed the health concerns associated with the small cell facilities. She asked if there were protections the City could put in place to protect the community. Robertson stated the frequency levels were approved by the Federal Communications Commission (FCC). The City required a radio frequency report with the installation to ensure the levels were within the standard. Amy Kochert, Legal Assistant, stated an indemnity was implemented to protect the City and any legal actions would have to be with the providers.

Mayor Beerman asked if applications were for commercial areas. Robertson stated they were for the Historic District. Mayor Beerman asked if small cell facilities could be restricted from school areas in order to give some protections. Robertson stated the City would have to give a valid reason for not allowing them in certain areas. Council Member Henney stated he referred concerned residents to the Health Department.

Mayor Beerman opened the meeting for public comment.

Ed Parigian via Zoom asked if the 5G reach went in a straight line or radius. Robertson stated it was radial and there was only 200-250 feet between each small cell. Parigian asked if the City could collect rent on the facilities. Robertson stated the fee was set, and it could be collected from each provider on an annual basis. Parigian stated there would be a lot of poles and the City could collect a lot of money.

Mayor Beerman closed the public input portion of the meeting and indicated the other comments that were submitted on this item would be read during the public input portion of the regular meeting.

REGULAR MEETING

I) ROLL CALL

Attendee Name	Status
Mayor Andy Beerman Council Member Max Doilney Council Member Tim Henney Council Member Steve Joyce Matt Dias, City Manager Margaret Plane, Special Counsel Michelle Kellogg, City Recorder	Present via technology
Council Member Becca Gerber Council Member Nann Worel	Excused

II) APPOINTMENTS

1. Consideration to Appoint Jane Campbell, Mike Cohen, Kraig Moyes and Ed Parigian to the Recreation Advisory Board for a Term Expiring July, 2023:

Ken Fisher, Recreation Manager, stated he and Council Member Doilney interviewed the candidates and found them very qualified for the board. Council Member Doilney explained the strengths of the candidates and some different proposals for future recreation programs.

Mayor Beerman opened the meeting for public comment.

Ed Parigian via Zoom stated he was grateful to be on the board and looked forward to three more years. He also noted the library field was always busy and preserving that property had been great for the community

Council Member Doilney moved to appoint Jane Campbell, Mike Cohen, Kraig Moyes and Ed Parigian to the Recreation Advisory Board for a term expiring July, 2023. Council Member Joyce seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Henney, and Joyce

EXCUSED: Council Members Gerber and Worel

III) COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Council Questions and Comments:

Council Member Doilney commented that people were outside in spite of COVID and it was nice to see people getting creative as they socially distanced.

Council Member Joyce was happy to see the COVID cases decreasing and to see people wearing masks. Council Member Henney agreed with the previous comments.

Mayor Beerman stated the Town of Hideout announced they were trying to annex the Richardson Flat property up to the Park City limits, in an area that was in the Park City Annexation Declaration Boundary. The challenge was they didn't have permission from Summit County, didn't discuss it with Park City and Wasatch County was against it. They proceeded with the annexation process because of some small legislative changes made during the last legislative session at the State Capitol which were explained as "cleanups" to the annexation law. In reality the changes allowed for broad powers to reach across county boundaries and annex land without regard for regional partners. The State senate wanted the new law repealed and work was being done to that end. Council Member Henney asked how Representative Quinn and Senator Winterton responded. Mayor Beerman stated they were both supporting Park City and wanted to repeal the law. Dias indicated the City was actively working with stakeholders and with the legislators to resolve this, noting that the City, County and residents felt they had been misled. Mayor Beerman indicated the City was calling for a full repeal and noted there should be discussion and full transparency to the process.

Staff Communications Reports:

1. Electric Assisted Mountain Bike Courtesy Tag Program:

Mayor Beerman had a citizen request that a qualification reason be added to the tags, and that the tags be a bright color to be easily seen. Dias stated he would check on the qualification reason.

2. City Manager Intent to Execute Assignment of Professional Services Agreement for Audit Services:

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

Mayor Beerman opened the meeting for anyone who wished to submit comments to the Council on items not included on the agenda.

Ryan Sternagel: "Hi all, I'm writing in to say I'm extremely disappointed to see the small cell wireless facilities rollout on the agenda, given the fact I wrote a very detailed letter several weeks ago, trying to inform you there are many factors pertaining to this situation you aren't aware of, and it was dismissed. In that letter I stated that an attorney specializing in these situations has offered to have an introductory conversation with you, free of charge, so you can be made aware of these factors by someone with the legal expertise to speak to them at a level you'd appreciate. Why would you not at least speak with him, given you've clearly got a highly concerned group of citizens within your community about this issue, before pressing forward? Just because you're not officially allowed to consider the increase in everything from cancer to learning disabilities we know will ensue from these installations, doesn't mean you can't at least educate yourselves on all the pertinent issues and your options, especially when we've done the work and are handing you the resources. Some of these issues include, again for the record: 1) Insurance the licensees are required to carry does not cover pollution nor health effects. This leaves the city open when someone is able to demonstrably prove a health condition started after a tower was installed near to them. 2) Applicants for facilities may be required to prove a significant gap in 4G coverage, which there is none 3) Applicants may also be required to prove the least obtrusive location possible. In that letter I also noted the following number of studies pertaining RF effects on children: 119 on leukemia 69 on pregnancy outcomes 68 on other health effects 62 on brain / CNS tumors 31 on other types of cancer 18 on cancer (unspecified) 18 on lymphoma I will resend the letter with full detail. There are more and more municipalities pushing back on this and/or taking the time to make sure they get it right. Please, follow their lead."

Erica Smith: "As a mother of four and full time Park City resident, I am in favor of faster and better internet, it is our future! I am requesting that you please speak to and meet with Andrew Campanelli who is an expert 5G attorney. I have personally spoken to his office and they are willing to help our Park City community understand all the legal

issues that WILL come up with the 5G roll out in Park City. He is already helping several other cities around the country. What happens after the towers are installed and our community cancer rates go up? What if the towers are put on schools and our children get cancer or suffer many of the other documented and studied health effects? Have you each personally reviewed the health effects of 5G on animals and what it will do to our environment? Have you each read the study done on 5G and plants and how it was shown to make crops more flammable? Do each of you know the fire risk and the fires that have been caused from 5G and the towers? I have spent a lot of time studying all these issues after a 5G site was placed across the street from our home and the dishes were pointed directly into my girls windows. No one notified us they were being installed. Why was it a secret? Why was the location not reviewed and why did no one from park city consider the health effects of pointing dishes and radiation into childrens windows? You have the opportunity right now to do the right thing and study these issues before it is too late. Does the counsel realize parents, grandparents and families will hold each of you personally responsible if people and pets get sick for not stopping this and waiting till the Technology is proven safe for all humans, animals and vegetation. I would encourage each of you to really think about the fact the NO insurance company in the world offers or will ever offer 5G insurance. Why is that? And if there is no 5G insurance who do you think will become liable if someone in our community gets sick from 5G?"

Jennifer Mulholland: "Please immediately consider talking with the attorney that the Summit County Council has obtained to better understand the implications, options, and potential solutions regarding what appears to be a mandatory 5G installation. As a local Parkite and business owner, I am very concerned about 1) The potential health impacts to our children and citizens that other counties and countries are investigating and, 2) The aesthetics of where these towers will be placed. It seems prudent and practical to educate ourselves about all of our options to keep our beloved town healthy, thriving, and naturally beautiful. The installation and placement of the towers matters. I ask that the council and all those in powers of leadership please talk to the recommended attorney that Summit County is speaking with (I believe it is Andrew Campenelli), involve the public more proactively, and slow down so we can ensure our approach is a thoughtful, careful, and considerate one for us all. Thank you."

Zoe Berg, Project Director Americans for Responsible Technology: "Americans for Responsible Technology (ART) is a national science-based environmental health non-profit organization based in New York representing over 150 community organizations across 43 states. We work with municipalities to protect residents' interests when dealing with the telecom industry's deployment of wireless equipment in public rights-of-way. There are effective local measures that the Park City Council can take to protect constituents, particularly in residential areas, from 5G small cell antennas. While the

council cannot limit telecoms from placing equipment that complies with FCC limits on health concerns alone, here are some provisions we'd encourage the council to include in its small cell ordinance and any master agreements being considered: • Requiring the telecom applicant to demonstrate a significant gap in personal wireless coverage at the desired installation site using dropped call data; • Implementing antenna installation setbacks from residences, schools, daycare facilities, and other sensitive areas due to historic preservation rules, aesthetics, and property devaluation risks; • Requiring randomized radiofrequency radiation emissions testing of all wireless sites on an annual basis at the expense of the applicant; • Instituting a compliance bond to ensure that the applicant is complying with all conditions of the city's ordinance and all relevant federal regulations. I will be sending a copy of our organization's carefully crafted sample small cell ordinance to each city council member for review, as well as a partial digest of independent, peer-reviewed scientific research documenting various disease endpoints associated with exposure to radiofrequency microwave radiation. I would be happy to discuss any of these issues with you at a later date and, again, very much appreciate your time and consideration of this urgent matter."

Marcela Mueller: "As a full time Park City resident and homeowner, mother of two and full time worker at a local business, I am requesting that you please listen to Mr. Campanelli who is an attorney to help your staff to better understand all the legal factors at play with the roll out of 5G and the massive increase in electromagnetic fields (EMF) that Will affect children if these towers are placed near by schools. Doctors and pediatricians warn of potential hormone disruption, cancer risk, mental health problems, dizziness, tinnitus, rashes, trouble sleeping, and Moreover, Insurance companies will not insure these Telecom companies why would you allow it in our city?"

Carlyn Kinn: "Hello - I would like to voice concern for the potential health and safety risks associated with the widespread roll-out of 5G technology (particularly for the kids in our town). As I understand it, the city has been offered a free consultation with Andrew Campanelli, an attorney specializing in helping municipalities understand their rights and liabilities in this matter, and would like to urge consideration of learning more before making any decisions about this technology roll-out. Thank you for your time and service!"

Heather Eddy: "As a mother of three young children, I am extremely concerned about the 5G roll out. While I understand the council is denied to consider adverse health effects due to 5G, the council may not be fully aware of the impending detrimental consequences of turning a blind eye to the available power the council does have. I am concerned that there is not full comprehension of all the legalities within the situation and I would urge the council to meet with an attorney who specializes in helping cities clarify the power they do have in unique situations such as this."

Bill Johnson: "This appears to be a good start with Design Guidelines, but I have a few questions/comments: 1. Section 2.4 references the poles shall not exceed 50'. 50' is too high for this community. The current Small Cell poles being installed in SLC are 35' for Residential zones and 45' for Commercial Zones. Park City should consider a maximum height of 25' in Residential and 35' in Commercial. The carriers do not need 50'. 2. Section 6.4 - Figure 6-2 references 250' of spacing for standalone poles. 250' is quite close considering each carrier is going to want to install their own pole. Imagine 4 poles in a 1000' span. 3. Section 5.0 - Figure 5-3 shows a meter housing pedestal. Are there any size specifications referenced for that application?"

Rebecca McHaas: "I echo the sentiments of concerns for the health of all Park City residents, yourselves included, with regards to the 5G rollout. As a resident of over 12 years, I have always watched Parkites put our community first. And health and fitness have always been at the top. Our lifestyle is key to our happiness here. Anything that impacts our health and lifestyle will additionally impact our tourism. Needless to say, 2020 will be a year for the record books in economic terms. What if we were a safe haven from the EMF's that are proven to cause headaches, fatigue, lack of focus and a host of diseases including cancer. Please take a moment and consider the ramifications of this mandatory rollout. There is much more here than meets the eye. Thank you for your time, public service, and consideration."

Mayor Beerman closed the public input portion of the meeting and stated he had not heard from Campanelli and he would welcome referring him to the City's Legal Department and would welcome sample ordinances and other resources.

V) CONSIDERATION OF MINUTES

Consideration to Approve the City Council Meeting Minutes from July 9 and 16, 2020:

Council Member Henney referred to the July 9th minutes, Page Four, Line 33, and specified that all the merchants they spoke to except one were doing better than their new COVID assumption projections and two of the seven merchants were doing better year over year.

Council Member Joyce moved to approve the City Council meeting minutes from July 9 and 16, 2020 as amended. Council Member Doilney seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Henney, and Joyce

EXCUSED: Council Members Gerber and Worel

VI) CONSENT AGENDA

1. Request to Authorize the City Manager to Execute the Second Addendum to the Professional Service Contract, in a Form Approved by the City Attorney, with Cascadia Partners, LLC. in an Amount Not to Exceed \$8,480.00 for Additional Consulting Services:

2. Request to Authorize the City Manager to Execute a Construction Agreement, in a Form Approved by the City Attorney, with Stratton and Bratt Landscapes, LLC, to Install Landscaping on Prospector Avenue and Gold Dust Lane for an Amount Not to Exceed \$230,693.00:

3. Request to Approve a One Year Extension to the Current Contract with Kane, LLC Security, for Transportation and Security Services during Special Events and Peak Time Periods, in an Amount Not to Exceed \$255,501, in a Form Approved by the City Attorney:

Council Member Doilney noted a technical typo in Item One. Plane stated Legal would check that for accuracy.

Council Member Joyce moved to approve the Consent Agenda. Council Member Doilney seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Henney, and Joyce

EXCUSED: Council Members Gerber and Worel

VII) OLD BUSINESS

1. Special Event Update:

Jenny Diersen, Special Events Manager, presented this item and reviewed the Special Events discussion from last month. Staff worked on mitigating risks, but they weren't able to eliminate them. She indicated Miner's Day, Howl-o-Ween on Main, and Autumn Aloft had been cancelled, but some smaller events were being held. She stated the Historic Park City Alliance (HPCA) requested to extend the Shop, Dine and Stroll event to October 25 and add Saturdays on August 1st, September 5th, and October 3rd. They requested a fee waiver in the amount of \$100,000. She gave statistics that supported extending the car-free event. Diersen asked Council to approve the car-free extended calendar and increase the fee reduction limit to \$120,000.

Mayor Beerman asked who requested the later closure of 10:00 p.m. Diersen thought HPCA requested the car-free time of 11:00 a.m. to 10:00 p.m. and the City agreed to that request. In June, there was a request to close the street at 7:00 a.m. to include breakfast on Main Street as well.

Council Member Henney talked about the goal for event attendees and thought Park City was marketing to those living within 600 miles, but Council wanted locals only. Council Member Joyce stated there was a difference between people coming and staying at a hotel or condo, and people attending an event. He didn't mind people coming, but didn't want big events that drew a crowd that was hard to manage and mitigate. Further discussion ensued and it was determined authority to work with the event sponsor to determine the feasibility of an event with mitigations would be delegated to staff.

Council Member Doilney stated the economic summit that was just held featured marketing Park City for its local amenities and not the events. Mayor Beerman felt the City was doing a good job putting health and safety first while also restarting the community by having local events and outdoor activities. He felt the City had it right. The Council agreed to continue the car-free Sundays into October with the additional associated costs of \$40,000.

Mayor Beerman opened the meeting for public input. No comments were submitted. Mayor Beerman closed the public input portion of the meeting.

Council Members Doilney, Henney, and Joyce supported the Saturday, August 1st, Shop, Dine and Stroll Car-Free Main Street activation and extended the Main Street closures for that day. Council Members Gerber and Worel were excused.

2. Renewable Energy Project for City Operations Update:

Luke Cartin, Environmental Sustainability Manager, presented this item. He reviewed the City's net zero goals and the current annual energy costs. Last November, the City entered a 15-year contract with Rocky Mountain Power (RMP) to contract with a solar developer for a power purchase agreement in the amount of \$22,000. He indicated as additional resources were brought on, like another solar farm or wind farm, the City would be allowed to do that. COVID brought financing issues as well as issues regarding the devaluation of utility scale solar grid benefit. He proposed increasing the 15 year contract to a 20- or 25-year contract, making the cost \$26,280 or \$23,880 respectively. He noted Park City and its partners would have to get approval for a new term and asked Council which term was preferable.

Council Member Joyce clarified this payment was on top of the City's normal electric bill. He preferred the 20-year term, but was fine with either option. Council Member Doilney agreed. Council Member Henney asked if there was a benefit to having all parties agreeing to the same term. Cartin stated there was no benefit; some would have a 20-year contract and others a 25-year contract. Cartin stated at the time of filing, a partner would have the ability to transfer this contract to a buyer if so desired. Also, the City could bid this resource into the community-wide resource. Council Member Henney preferred having a 20-year contract to show support with County's preference of having a 20-year contract.

Mayor Beerman opened the meeting for public input. No comments were submitted. Mayor Beerman closed the public input portion of the meeting.

Cartin noted the solar farm would start in earnest when the filing was finished.

VIII) NEW BUSINESS

1. Consideration to Adopt Resolution 17-2020, a Resolution Adopting the Revised Personnel Policies and Procedures Manual, Effective July 30, 2020 for Park City Municipal Corporation:

Jason Checketts and Brooke Watters, Human Resources Department, were present for this item, and stated they were available for questions on the revised policies. The Council members did not have any questions.

Mayor Beerman opened the meeting for public input. No comments were submitted. Mayor Beerman closed the public input portion of the meeting.

Council Member Doilney stated he liked the Peak Time Leave addition to the policy.

Council Member Joyce moved to adopt Resolution 17-2020, a resolution adopting the revised Personnel Policies and Procedures manual, effective July 30, 2020 for Park City Municipal Corporation. Council Member Henney seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Henney, and Joyce

EXCUSED: Council Members Gerber and Worel

2. Consideration to Approve Ordinance 2020-36, an Ordinance Amending the Park City Land Management Code §15-1-11; §15-2.3-2; §15-2.5-2; § 15-2.6-2; §15-2.16-2; §15-2.23-2; §15-4-16; and §15-4-20, to Remove Special Event References from the Land Management Code and to Remove Special Events from the Zoning District

Use Sections; and to Update the Land Management Code §15-15-1; §15-15-2 Definitions and the Municipal Code of Park City - Title 12, Sign Code, §12-7-1; §12-12-1; §12-12-2; §12-12-3; § 12-12-4; §12-12-5; §12-12-6 to Replace the Term Master Festival with Special Event:

Rebecca Ward, Land Use Planner, and Jonathan Weidenhamer, Economic Development Manager, presented this item. Ward stated this was a code cleanup amendment to make the LMC consistent with the Special Event code. She noted the Planning Director would still review special event permits.

Mayor Beerman opened the public hearing. No comments were submitted. Mayor Beerman closed the public hearing.

Council Member Doilney moved to approve Ordinance 2020-36, an ordinance amending the Park City Land Management Code §15-1-11; §15-2.3-2; §15-2.5-2; §15-2.6-2; §15-2.16-2; §15-2.23-2; §15-4-16; and §15-4-20, to remove special event references from the Land Management Code and to remove Special Events from the Zoning District use sections; and to update the Land Management Code §15-15-1; §15-15-2 Definitions and the Municipal Code of Park City - Title 12, Sign Code, §12-7-1; §12-12-1; §12-12-2; §12-12-3; §12-12-4; §12-12-5; §12-12-6 to replace the term Master Festival with Special Event. Council Member Joyce seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Henney, and Joyce

EXCUSED: Council Members Gerber and Worel

3. Consideration to Approve Ordinance 2020-37, an Ordinance Amending Footnote 2 of the Park City Land Management Code Section 15-2.1-2(B)(1) to Establish Additional Nightly Rental Conditional Use Permit Criteria and a Cap of 12 Nightly Rentals in the Western Historic Residential - Low Density Zoning District:

Rebecca Ward, Land Use Planner, presented this item and reviewed the Planning Commission requested a discussion on this item and proposed some amendments for Council consideration. They also recommended Council have a work session on nightly rentals because of the extensive public concern on this issue, especially in the Alice Claim Subdivision area and the Lower Rossie Hill area. She noted some applicants agreed to additional requirements in order to receive a nightly rental license. The additional requirements included on-site parking, having four wheel drive in the winter, providing information on ski access, free transit, and Historic Main Street that was within walking distance, and requiring property management contact information in the rental unit. The Planning Commission also recommended capping the nightly rental units to 12 in the western area.

Council Member Joyce asked what would happen if more than 12 applications were submitted. Ward stated a code amendment would be requested. Council Member Joyce felt the cap issue needed to be developed with defensible reasons. Ward suggested initiating a waiting list. Council Member Doilney stated this was the only area of town that required a Conditional Use Permit (CUP) with nightly rental applications, and agreed with Council Member Joyce. Council Member Joyce felt this could be approved tonight with the direction that Planning Commission discuss the 13th application and if a CUP would expire if it wasn't utilized.

Mayor Beerman asked about the public outreach regarding the nightly rental cap. Ward indicated each property owner in the zone received a notice and they supported the cap.

Council Member Joyce asked about the Alice Claim Subdivision, which was not restricted. Ward indicated the CUP ran with the land and was valid unless the property owner was not in compliance. She asked if the CUP should be tied to an active business license. Council Member Joyce thought that was a good idea. Mayor Beerman noted the chain store model was an example for the Planning Commission to look at. Council Member Doilney suggested notifying neighbors when a permit terminated.

Mayor Beerman opened the public hearing. No comments were submitted. Mayor Beerman closed the public hearing.

Ward stated these were valid concerns. She stated the intention was to cap the CUPs at seven and let them phase out in the neighborhood. In order to be flexible the cap of 12 was recommended until it phased out. Council Member Joyce felt the proposed way would be the most effective way to phase out the nightly rentals. Council Member Henney thought this was a good step in the right direction, especially addressing the concerns of the primary residents. He was concerned the community didn't know this item was being considered because of the lack of public input.

Council Member Joyce moved to approve Ordinance 2020-37, an ordinance amending Footnote 2 of the Park City Land Management Code Section 15-2.1-2(B)(1) to establish additional nightly rental Conditional Use Permit criteria and a cap of 12 nightly rentals in the Western Historic Residential - Low Density Zoning District with the amendment to have the Planning Commission consider what happens when the cap is reached and additional people want to apply for a CUP, and whether CUPs should ever expire for this particular need. Council Member Doilney seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Henney, and Joyce

EXCUSED: Council Members Gerber and Worel

Ward asked if Council wanted to discuss nightly rentals further in a work session. Council Member Joyce wanted to see a staff communications report on what the Planning Commission considered and what they would recommend to do.

4. Consideration to Approve Ordinance 2020-38, an Ordinance Amending the Land Management Code of Park City §15-2.13-2 to Prohibit Nightly Rentals in the Meadows Estates Subdivision Phases #1A and #1B:

Mayor Beerman was excused at 8:05 p.m. and Mayor Pro Tem Joyce opened this item for discussion. Hannah Tyler, Senior Planner, and Jane Campbell, Meadows Estates HOA, requested an amendment to prohibit nightly rentals for this subdivision. Tyler stated the nightly rental regulations were in place before the CCRs were amended to prohibit them. In the future, the City would reserve the right to deny requests if they were not consistent with the General Plan. She noted the City did not enforce CCRs. Campbell thought it was worthwhile to make this amendment.

Council Member Henney supported the neighbors in their request. Council Member Doilney stated the request was in keeping with the community and he was in favor of the amendment. Council Member Joyce indicated it would be in the code so it wouldn't get lost in the CCRs or development agreement. He was concerned there wasn't one place for these restrictions. Tyler stated the zoning map on the City website would indicate if a house was in a nightly rental zone.

Mayor Beerman returned to the meeting at 8:15 p.m. and opened the public hearing.

Clayton Stuard: "I live in the adjacent subdivision known as Fairway Meadows. I support the proposed LMC amendment to prohibit Nightly Rentals in Meadows Estates. I hope that the Fairway Meadows HOA will pursue a similar LMC amendment following the City Council's approval of this proposed LMC amendment."

Mayor Beerman closed the public hearing.

Council Member Joyce asked if the City ever had to enforce CCRs. Tyler indicated the City didn't enforce CCRs, but staff looked to see if a nightly rental had a business license. She noted most of the time nightly rentals were in an area that was allowed.

Council Member Joyce moved to approve Ordinance 2020-38, an ordinance amending the Land Management Code of Park City §15-2.13-2 to prohibit Nightly Rentals in the Meadows Estates Subdivision Phases #1A and #1B. Council Member Henney seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Henney, and Joyce

EXCUSED: Council Members Gerber and Worel

5. Consideration to Approve Resolution 18-2020, a Resolution Amending the Public Art Advisory Board and Public Art Policies:

Jenny Diersen, Public Art Advisory Board Staff Liaison, indicated there was an overwhelming response from people interested in serving on the board. She recommended increasing the membership from seven to eight. The new position would be a three year term. With the larger number of members, it was recommended to increase the quorum to five members. She noted a change in voting rules for purchases and indicated a typo on the board makeup was duplicated and would be removed.

Mayor Beerman opened the public hearing. No comments were submitted. Mayor Beerman closed the public hearing.

Council Member Joyce moved to adopt Resolution 18-2020, a resolution amending the Public Art Advisory Board and Public Art Policies with the amendment to remove the duplicate sentence. Council Member Doilney seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Henney, and Joyce

EXCUSED: Council Members Gerber and Worel

IX) ADJOURNMENT

With no further business, the meeting was adjourned.

Michelle Kellogg, City Recorder



SMALL CELL WIRELESS FACILITIES IN THE CITY RIGHT-OF-WAY

CITY COUNCIL WORK SESSION – JULY 30, 2020

PARK CITY

1884

2018 SENATE BILL 189

SMALL WIRELESS FACILITIES DEPLOYMENT ACT

- Permits a wireless provider to deploy a small wireless facility and an associated utility pole within a right-of-way under certain conditions.
- Permits an authority to establish a permitting process for the deployment of a small wireless facility and any associated utility pole under certain conditions.
- Sets appropriate rates & fees.
- Describes implementation of requirements in relation to agreements & ordinances.
- Allows authority to adopt indemnification, insurance, or bonding requirements.



DOCUMENTS REQUIRED FOR PARK CITY

Draft Ordinance: Small Wireless Facilities in the Public Right of Way

- Establishes requirements for siting, use of facility/right-of-way, process to obtain approval (permit/MLA/insurance etc.), compensation, and enforcement.
- Wireless provider shall comply with all applicable Federal, State, and City laws, rules and regulations, including those of the FCC, National Environmental Protections Act, and the National Historic Preservation Act.
- To be located in “*Chapter 14 Trees/Landscaping; Streets, Sidewalks And Stairs; Streetcuts; Snow Removal; Street Address System; News Racks*” of the Municipal Code.



DOCUMENTS REQUIRED FOR PARK CITY

Draft Master License Agreement (MLA) Defines:

- All providers required to enter into an MLA with the City
- Structure of relationship between providers and the City
- Term of the relationship
- Fees to be paid
- Permit process
- Indemnification structure
- Insurance requirements

Draft Design Standards:

- In place to help define the “where” and “how” Small Cell Wireless Facilities are located.



DOCUMENTS REQUIRED FOR PARK CITY

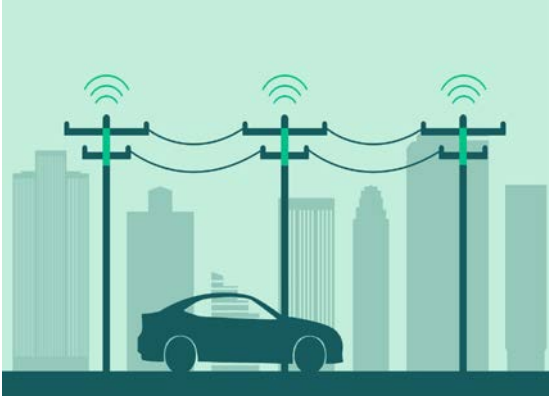
Draft Permit Application:

- Created to ensure that all required information/documents are submitted prior to approval
- Provides opportunity to track all submittals and actual infrastructure constructed



DRAFT DESIGN STANDARDS

Provide standards for attachments to:



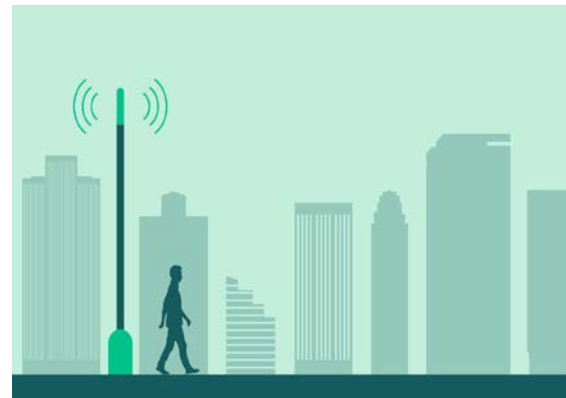
Power Poles



Street Light



Traffic Signal



Standalone



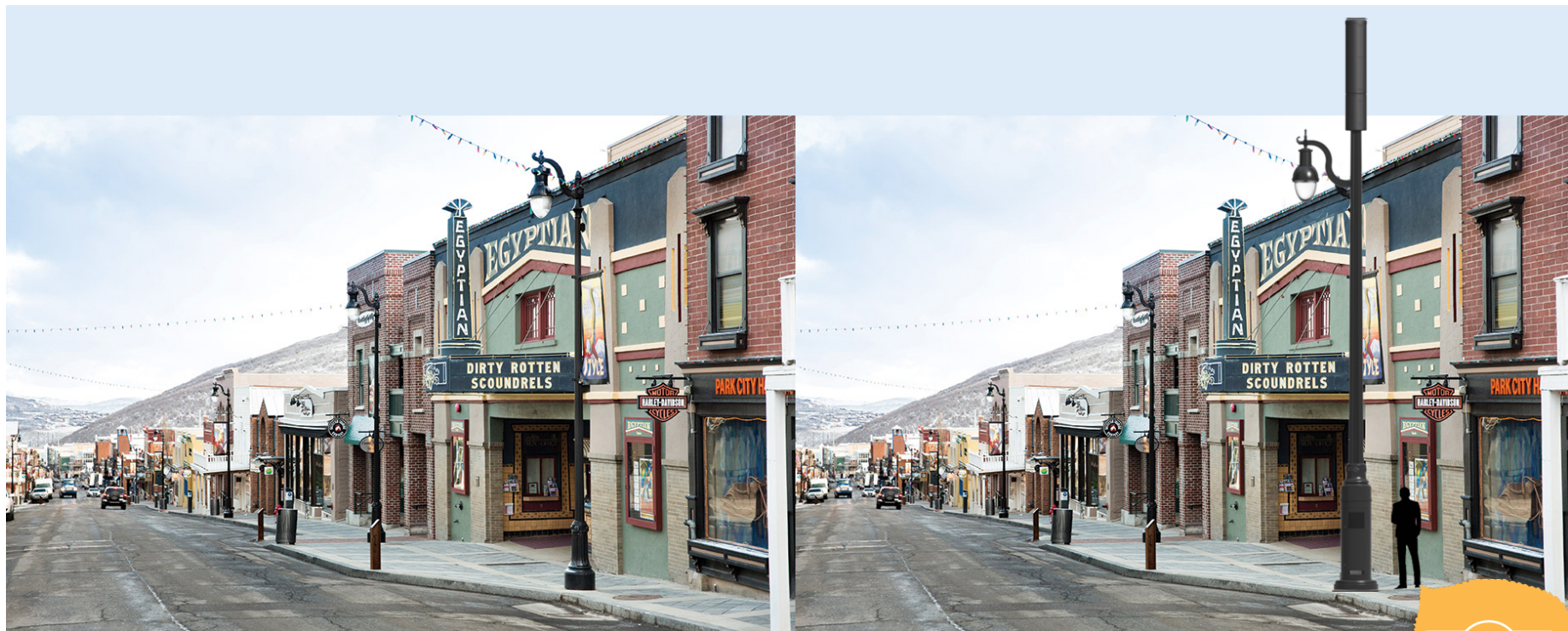
DRAFT DESIGN STANDARDS

Design Standards within the Historic District:

- Requires the applicants submit a Historic District Design Review Pre-Application (HDDR) to the Planning Department.
- Locating in front of buildings listed on the Historic Sites Inventory is not allowed.
- Must be integrated with existing structures and infrastructure*



DRAFT DESIGN STANDARDS



HISTORIC DISTRICT DESIGN EXAMPLES

Toro Blanco Group, LLC

PREVIOUS FRENCH QUARTER SMALL CELL PROPOSAL



Each orange square represents one (1) linear foot.

Please note, the photo simulations within this document are for design purposes only and in no way represent locations of proposed small cells.



HISTORIC DISTRICT DESIGN EXAMPLES

Toro Blanco Group, LLC

CURRENT FRENCH QUARTER SMALL CELL PROPOSAL



BEFORE



AFTER

Each orange square represents one (1) linear foot.
Please note, the photo simulations within this document are for design purposes only and in no way represent locations of proposed small cells.



HISTORIC DISTRICT DESIGN EXAMPLES

POLE SIZE COMPARISONS



Each orange square represents one (1) linear foot.





SPECIAL EVENTS DISCUSSION

SUMMER/FALL 2020

PARK CITY

1884

Context

Summit County Health Dept.

- Role of Health Department
- State Health Standards
- Mitigating Risk
- Outdoor v. Indoor
- Mask Order

Business Community/ Park City Chamber

- Mitigating risk for business and events
- Tourism based economy
- Businesses taking Health Protocols seriously + PPE
- Messaging / Marketing Chamber
- Importance of a healthy community and economy



Special Events Discussion

At the June 25 Council meeting regarding events, Council provided the following direction for events through August 31:

- Not supportive of facilitating or attracting larger gatherings and Special Events;
- The public health and safety impacts of Covid 19 are difficult to adequately mitigate without exceptionally high standards for health, safety and welfare; and
- Requested a follow up Special Events in the fall.

Many events have cancelled. Staff is focused on fall events through October 31 .

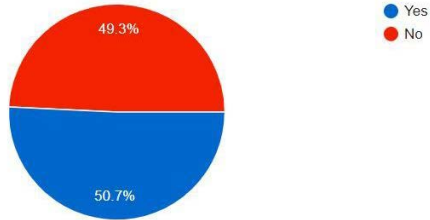
- Miner's Day, Autumn Aloft, Howl-O-Ween On Main;
- Smaller Cultural and Trail/Rec Events;
 - While Council has given staff discretion on these, staff seeks clarity on visitors from out of Summit County;
- Shop, Dine & Stroll – Car Free Main Street:
 - Extend to October 25;
 - Add Saturdays, August 1, September 5, October 3;
 - Increase Fee Waiver to \$120,000.



Performance Indicators/ Data

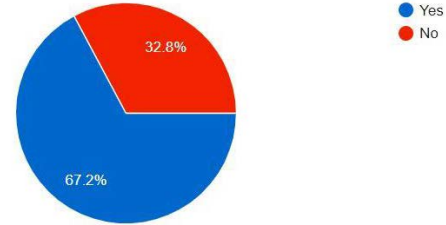
Can you attribute an increase in sales from car-free Sundays?

67 responses



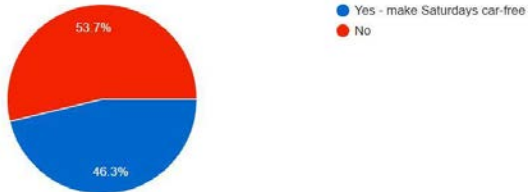
Should car-free Sundays extend past September 6 and go through the fall?

67 responses



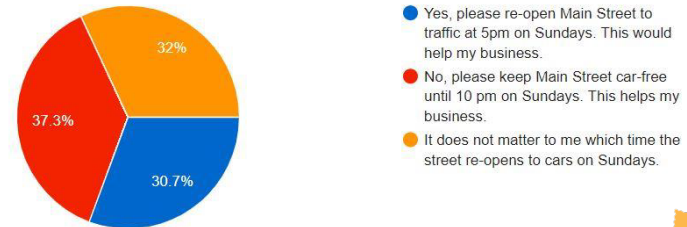
Do you support car-free Saturdays through September 6 (extended through the fall if supported in the previous question)?

67 responses



Would re-opening Main Street on Sundays at 5 pm be beneficial to your business?

75 responses



Special Events Discussion

State Required Standards

- Event Management Template
- Track Attendance
- No Temporary Mass Gathering*
- 6 ft distance must be maintained
- Can exceed 20/50 if organizational oversight
- Establish timeframe for High Risk
- Encourage contactless payment
- Participants symptom checked when feasible
- Dedicated staff to disinfect areas
- Employer Guidelines

Additional Event Mitigation

- Covid Coordinators on site.
- Require masks at events, except for those participating in athletic competition.
- Increased cleaning in high touch / common areas.
- Expand use area or duration of event.
- Apply timed/ticketed entry
- Reduce attendance to increase social distancing



Summer Events 2020

Event Name	Applicant	Status of Event	Date of Event	Number of Days	Level of Event - determined by attendance, and impacts, number of days	Normal Attendance	Location	Normal City Service Waived Costs (City Takes On)	Fees Paid to City
Park Silly Sunday Market	Park Silly Sunday Market	Cancelled	June to Sept	14	Level 5	199,000	Main Street	\$75,000	\$0
Park City Baseball	PC Baseball Club	Event Held	6/17/2020	3	Level 2	1,000	Park City School District Fields & Quinns	\$4,000	\$2,000
Park City Shop Dine and Stroll	Park City Municipal	Event Held	Various Dates	14	Level 4	42,000	Main Street	\$80,000	\$0
4th of July	PCMC	Cancelled	7/4/2020	1	Level 5	30,000	Main Street, City Park, Resort Base	\$59,000	\$8,000
Triple Crown	Triple Crown Sports	Cancelled	7/13 - 23/2020	13	Level 4	7,000	All Fields in Park City and Summit County	\$50,000	\$5,000
Extreme Soccer	PC Soccer Club	Cancelled	7/23 - 25/2020	3	Level 3	10,000	All Fields in Park City and Summit County	\$3,000	\$5,000
Arts Festival	Kimball Art Center	Cancelled	7/31 - 8/2/2020	3	Level 5	53,000	Main Street	\$150,000	\$10,000
Drive in at Propsector	Park City Film Series	Pending Approval	8/8/2020	1	Level 2	125	Prospector	\$250	\$0
Tour of Utah	Medalist Sports	Cancelled	8/7/2020	2	Level 5	15,000	Main Street and other Roads	\$64,000	\$25,000
Ski Town Lacrosse	Utah Lax	Moved to Summit County (Ecker Hill)	8/8 - 9/2020	2	Level 3	2,000	Moved to Summit County (Ecker Hill)	\$6,000	\$2,000
Miner's Day	PC Rotary	Cancelled	9/7/2020	1	Level 5	20,000	Main Street & City Park	\$27,000	\$0
Autumn Aloft	HPCA	Cancelled	9/18 - 20/2020	3	Level 4	8,000	N40 and Main Street	\$4,000	\$4,000
Park City High School Cross Country Invitational	Park City High School	Pending Approval	9/25/2020	1	Level 3	1,000	Quinns Junction / Round Valley	\$1,000	\$0
Park City Wine Festival	Team Player Productions	Pending Approval	10/1 - 10/3/2020	3	Level 3	1,000	Various locations in Park City and Summit County	\$950	\$950
Shot Ski	Sunrise Rotary	Postponed	10/17/2020	1	Level 4	3,000	Main Street	\$2,000	\$2,000
Halloween	HPCA	Cancelled	10/31/2020	1	Level 4	10,000	Main Street	\$23,000	\$0
								\$474,200	\$63,950

* Not all events are included in this spreadsheet. This focuses on 'major' cultural and sporting events summer 2020. There are many other small sporting and cultural events on the City calendar.

Examples of Events

Category of Permitted Special Event	Examples
Level 1	Walk A Mile In Her Shoes, Skate Events, Volleyball Tournament, McPolin Barn YBDIO
Level 2	Mid Week Mtn Bike Race, Park City Trail Series
Level 3	Extreme Soccer, Ski Town Lacrosse, Tour De Suds, Summit Challenge, Park City Farmers Market
Level 4	Triple Crown, Shot Ski, Autumn Aloft, Halloween on Main
Level 5	Fourth of July, Miner's Day, Arts Festival, Tour of Utah, Park Silly Sunday Market

Example of Cancelled Events -cancelled by Applicants
Lucky Ones 2nd Year Anniversary
Cube of Truth
Moose on Loose Kids Trail Run
Running with Ed
Ragnar Relay
Noches De Verano
Park Silly Sunday Market
Your Barn Door Is Open
Wednesday Night Concerts at DV
Latino Arts Festival
Tour of Utah
Deer Valley Concert Series
Deer Valley Music Series

Questions for Council

1. Affirm policy goals for all events, including smaller ones through October 31, specific to attendees from out of Summit County.
2. Affirm direction regarding Main Street Sundays, staff will return on August 4 for formal approvals, but requests Council delegate approval of Saturday, August 1 to approval of City Manager if they are supportive.
 - Additional Saturdays – August 1, September 5 and October 3
 - Extend Sundays to October 25
 - Increase Fee Reduction limit to \$120,000



Renewable Energy Project

for City Operations

GOALS

net-zero

carbon

+

100%

renewable electricity

2022

city operations

2030

community-wide

Electricity

Annual Spend: \$2+ million annually

Water is largest user, transit increasing

Future: increased electrification of fleet and buildings

Timeline

February 23, 2017: Park City and Rocky Mountain Power entered into a Joint Clean Energy Cooperative Statement

November 8, 2017: City Council approved the EPSA

November 21, 2019: City Council approved the Renewable Energy Service Contract with Rocky Mountain Power to contract with a solar developer for a Power Purchase Agreement not to exceed \$22,000 in annual cost for current needs

Additional
benefits

Energy Balancing
Account

Carbon Tax

Additional Resources

Issues

COVID and financing
issues

Devaluing of utility
scale solar grid benefit

Current

*6-party customer group
reviewing options*

20-year term: up to \$26,280
increase

25-year term: up to \$23,880
increase

Next Step



Regulatory filing

*Council will have to take
action to approve Appendix*

An aerial photograph of a town, likely in a mountainous region, with a semi-transparent dark rectangle centered over the middle. The town features a mix of residential and commercial buildings, with a prominent multi-story building in the lower center. The surrounding landscape includes hills and some snow patches.

QUESTIONS

Luke Cartin

Environmental Sustainability Manager

435-615-5204



SPECIAL EVENTS

LAND MANAGEMENT CODE AMENDMENTS

JULY 30, 2020

PARK CITY

1881

SPECIAL EVENTS

MUNICIPAL CODE

The proposed LMC amendments update the LMC to reflect recent amendments to Municipal Code Title 4A, *Special Events*

Ordinance 2018-52 re-classified events into five levels, capped annual events and limited events during peak times, deregulated small resort events, and established a new review process and timeline.



SPECIAL EVENTS

LAND MANAGEMENT CODE

Ordinance 05-57 enacted a *Special Events Overcrowding Administrative Conditional Use Permit* in the LMC

Ordinance 12-37 eliminated this permit. The term *Special Events Overcrowding Administrative Conditional Use Permit* was changed to *Special Events*.

As the LMC reads now, it could be interpreted to require a Special Event permit from both the Economic Development and Planning Department.



SPECIAL EVENTS

LAND MANAGEMENT CODE

Proposed Amendments:

- (1) Remove the term *Special Events* from the LMC
- (2) Remove *Special Events* from the LMC Zoning District Use Sections
- (3) Make technical changes to update the Sign Code and the LMC



SPECIAL EVENTS

MUNICIPAL CODE

The Planning Director reviews all Special Event permit requests.

Title 4A requires that a Special Event:

- Be consistent with the General Plan
- Provide positive economic, cultural, or community value and align with the General Plan goals
- Not avoid more restrictive general zoning regulations

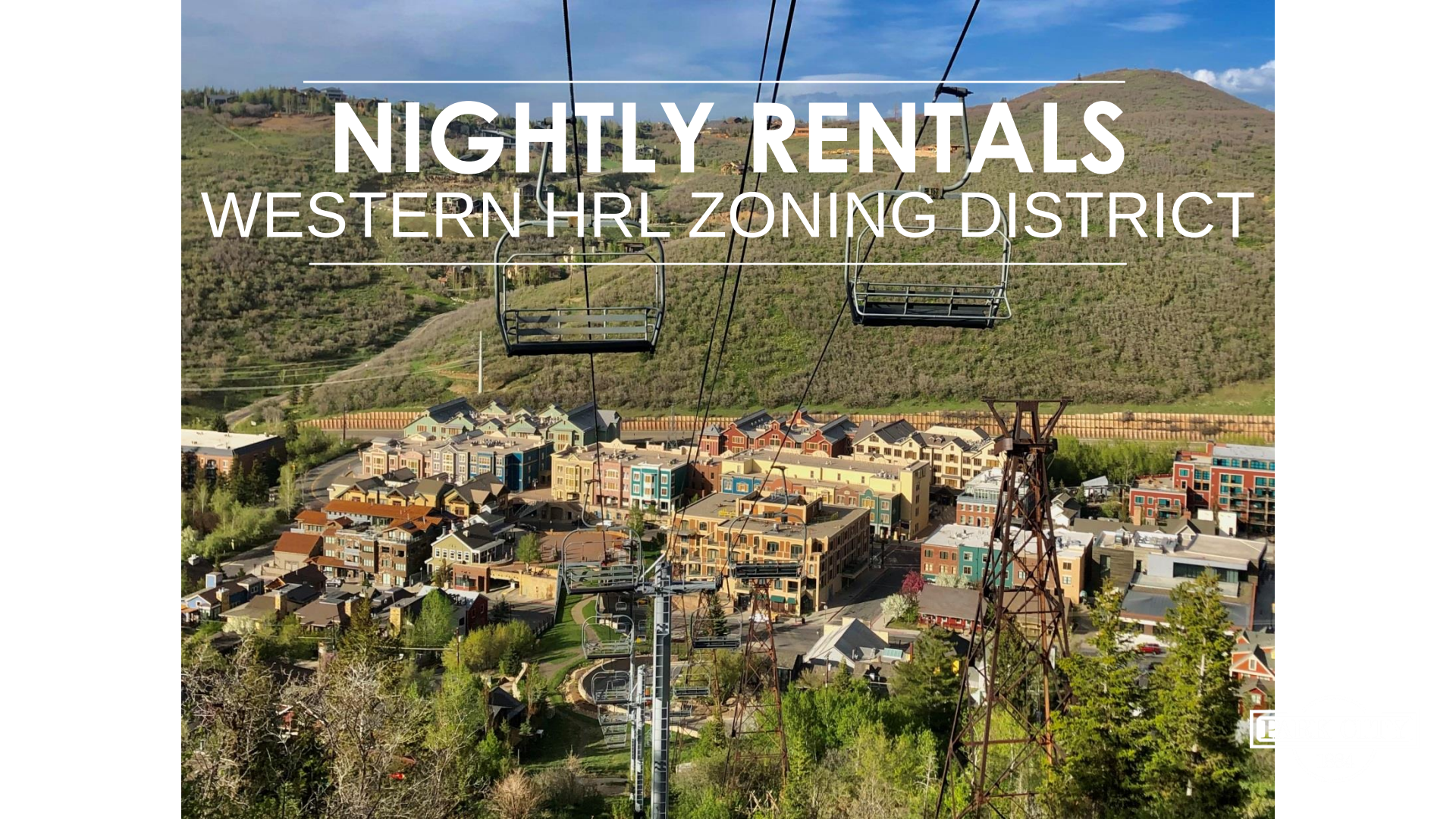


SPECIAL EVENTS

LAND MANAGEMENT CODE

Staff recommends the Council open a public hearing and consider approving Ordinance 2020-36.



An aerial photograph of a ski resort town. In the foreground, a ski lift with several empty chairs is visible, suspended from cables that run diagonally across the frame. Below the lift, a dense cluster of colorful, multi-story buildings with varied rooflines and facades (in shades of yellow, orange, red, and green) forms the town. The buildings are nestled among green trees and grassy areas. In the background, a large, rounded mountain rises under a clear blue sky with a few wispy clouds. The overall scene is bright and sunny.

NIGHTLY RENTALS

WESTERN HRL ZONING DISTRICT



NIGHTLY RENTALS

BACKGROUND

January 8, 2020 – the Commission asked staff to prepare a work session to discuss Nightly Rentals – which require a Conditional Use Permit – in the western HRL Zoning District.

March 11, 2020 – the Commission conducted a work session and asked staff to return with

- (1) additional Conditional Use Permit criteria to mitigate impacts unique to the western HRL Zoning District and
- (2) a potential cap on the number of permitted Nightly Rentals.

On July 8, 2020 – the Commission considered the proposed amendments and unanimously forwarded a positive recommendation to the Council.

NIGHTLY RENTALS

WORK SESSION RECOMMENDATION

The Commission recommends the Council consider conducting a work session on Nightly Rental regulations outlined in the Municipal Code Business Licensing Title to potentially enhance Nightly Rental management standards, noise and occupancy control, review criteria, and enforcement.

NIGHTLY RENTALS

SCOPE OF REVIEW

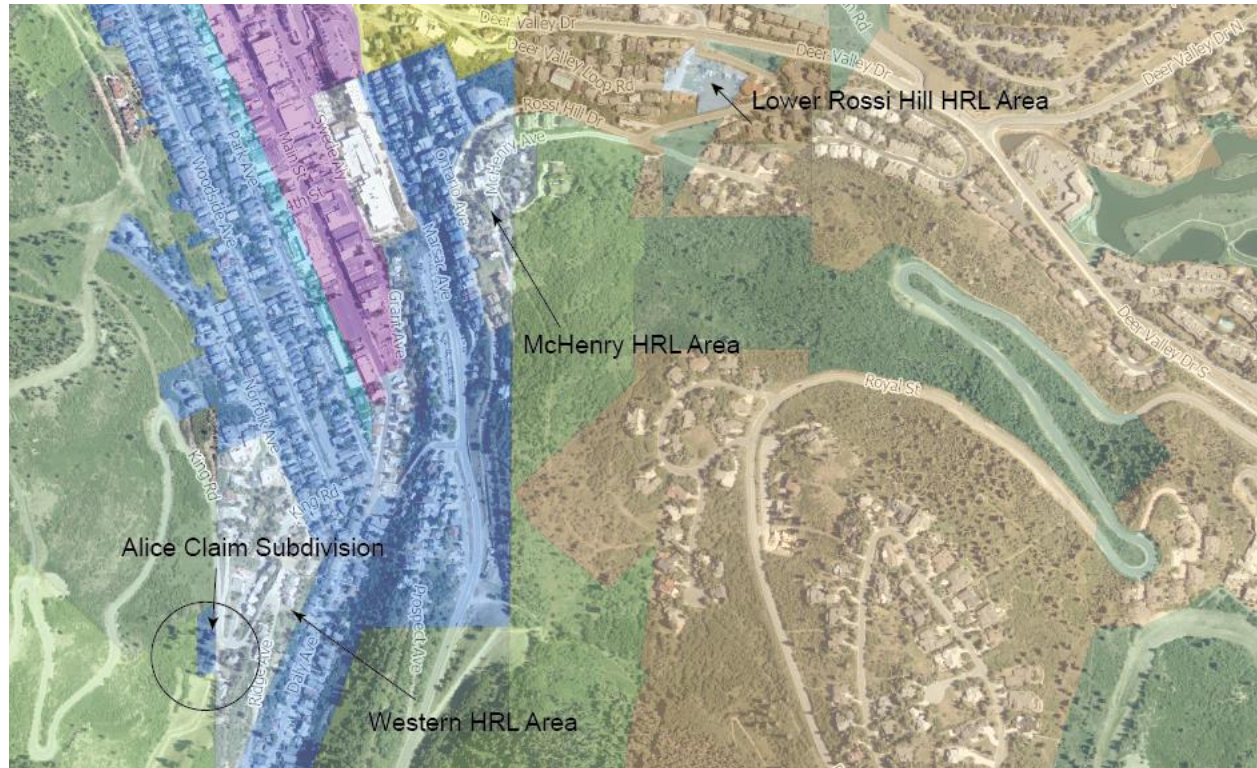
Public notice for the discussion tonight is limited to the western Historic Residential – Low Density (HRL) Zoning District.

Public input includes concerns regarding

- The Alice Claim Subdivision and
- The eastern HRL Zoning District in the Lower Rossi Hill area

Staff will provide a brief background on these two areas and recommends that Nightly Rentals in these areas be scheduled for discussion at a later date so that public notice reflects the scope of the Ordinance.

NIGHTLY RENTALS



NIGHTLY RENTALS

ALICE CLAIM SUBDIVISION

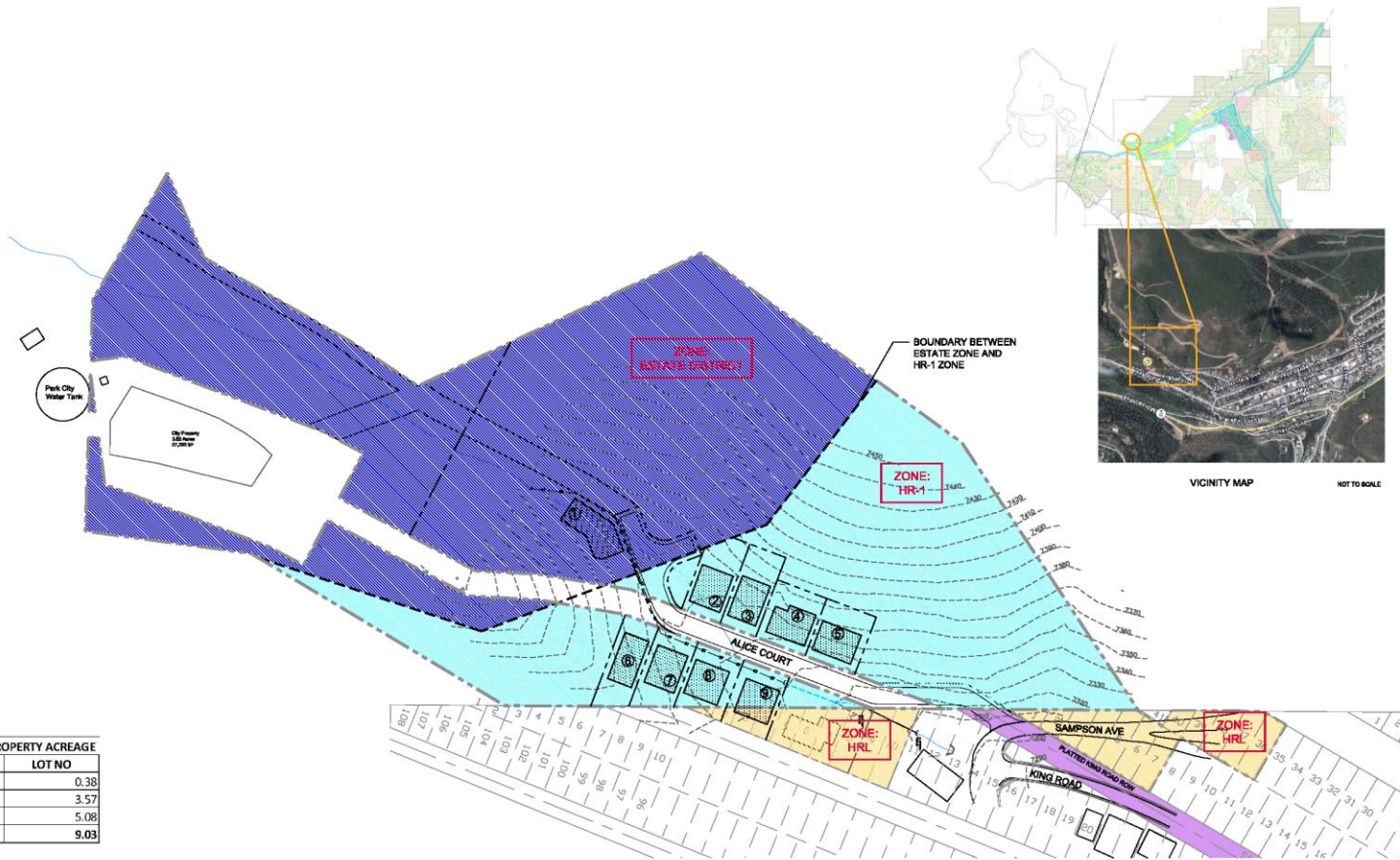
Alice Claim is a 9-Lot subdivision with properties located in the HR-1, Estate, and western HRL Zoning Districts.

Nightly Rentals are:

- Allowed in the HR-1 Zone
- Allowed in the Estate Zone
- Require a Conditional Use Permit in the western HRL Zone



TOTAL PROPERTY ACREAGE	
ZONE	LOT NO
HRL	0.38
HR-1	3.57
ESTATE	5.08
TOTAL	9.03



ALICE CLAIM

VICINITY & ZONING MAP

KING DEVELOPMENT GROUP, LLC
P.O. BOX 244
PARK CITY, UTAH 84060



0 10 20 30 40 50 60 70 80 90 100
SCALE: 1"=400'-0"
DATE: FEBRUARY 19, 2016

DNM DESIGN

NIGHTLY RENTALS

LOWER ROSSI HILL HRL-AREA

In 2017, the area was rezoned from RDM to HRL.

Nightly Rentals are an Allowed Use in the RDM Zone.

Through the rezone, Nightly Rentals were by default prohibited in the Lower Rossi Hill HRL area because Nightly Rentals are only allowed as a Conditional Use in the western HRL Zone.

Exhibit C includes a letter from a property owner in this area to the Mayor. Staff plans to bring this matter before the Commission on August 26.

NIGHTLY RENTALS

WESTERN HRL ZONE

The General Plan recommends Nightly Rentals in this neighborhood because of its proximity to resort access, but also suggests re-evaluating whether Nightly Rentals should be Allowed or Conditional.

Nightly Rentals are currently a Conditional Use – in part due to steep slopes and substandard roads.

NIGHTLY RENTALS

WESTERN HRL ZONE

Since Nightly Rentals became a Conditional Use in the western HRL Zone, the Commission has approved 7 Nightly Rental CUPs.

Two of these 7 Nightly Rentals have an active Business License.

Three have pending Business Licenses.

There is one pending application for a Nightly Rental CUP that will be scheduled for the Commission's review in September.

NIGHTLY RENTALS

2019 CUP APPROVALS

The Commission approved three CUPs in 2019 and several concerns were raised regarding:

- Substandard roads
- Access in winter
- Snow removal and storage
- Noise
- Parking limitations
- Traffic



NIGHTLY RENTALS

2019 CONDITIONS OF APPROVAL

The Applicants agreed to Conditions of Approval beyond those required by the LMC in order to mitigate some of the impacts.

Staff proposes amending Footnote 2 of LMC § 15-2.1-2(B)(1) to codify additional CUP criteria for Nightly Rentals in this area.



NIGHTLY RENTALS

Western HRL Zone

Given the fact that all of the roads in the HRL Western Zone (Norfolk Avenue, King Road, Ridge Avenue, and Sampson Avenue) **do not meet current engineering standards** related to roadway width and in some cases steepness of the road, **we suggest that any residences approved for nightly rental include in the rental agreement that all vehicles brought to the site are parking on site and that they be an all-wheel or 4-wheel drive model during the winter season.**

City Engineer

NIGHTLY RENTALS

The proposed amendments include CUP criteria as follows:

- (a) Limiting parking to on-site
- (b) Providing information to renters about potential access issues during the winter season and requiring all-wheel or four-wheel drive vehicles
- (c) Providing information on nearby ski access, free transit, and Historic Main Street that is within walking distance
- (d) Require that property management contact information be displayed in a prominent location within the Nightly Rental

NIGHTLY RENTALS

The proposed amendments establish a cap of 12 Nightly Rentals in the western HRL Zone.

In 1987, Nightly Rentals were an Allowed Use – there were 19 residences

In 2000, Nightly Rentals became a Conditional use – there were 25 residences

Today, there are 35 residences and there is potential for growth

NIGHTLY RENTALS

Nightly Rentals hover around 46% of the housing stock and has since at least 2014.

Staff recommends capping Nightly Rentals to 12 – approximately 46% of the residences that existed when the LMC was amended in 2000 to require a CUP

This cap is a tool to manage Nightly Rentals in the area as it continues to develop

NIGHTLY RENTALS

RECOMMENDATION

Staff recommends the Council consider approving Ordinance 2020-37 to amend Footnote 2 of Park City Land Management Code Section 15-2.1-2(B)(1) to establish additional Nightly Rental Conditional Use Permit criteria and a Cap of 12 Nightly Rentals in the Western Historic Residential – Low Density Zoning District

An aerial photograph of a mountain town covered in snow. The town is densely packed with buildings, mostly in shades of brown, tan, and green. The surrounding landscape is a vast, snow-covered mountain slope. The sky is a pale, hazy blue.

MEADOWS ESTATES SUBDIVISION NIGHTLY RENTAL LMC AMENDMENT

City Council
July 30, 2020



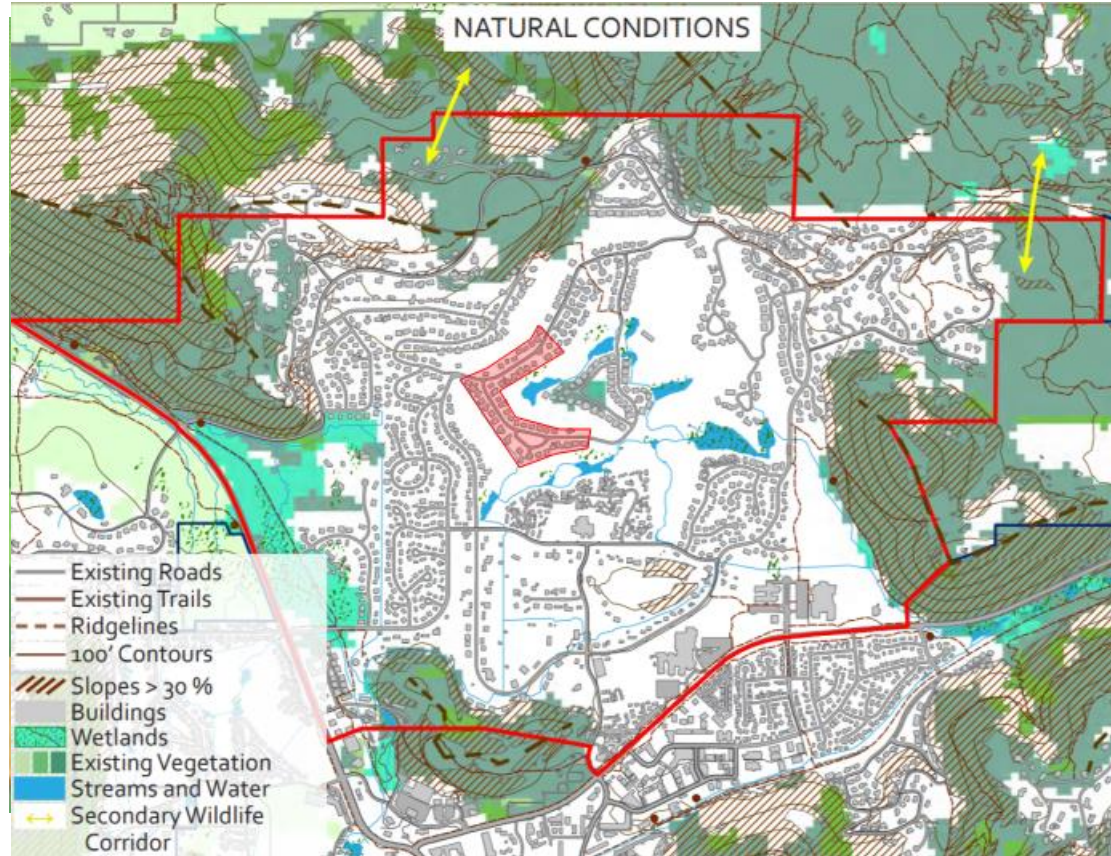
Meadows Estates Subdivision Phases #1A and #1B



Meadows Estates Subdivision Phases #1A and #1B



Meadows Estates Subdivision Phases #1A and #1B



Application and Background

The Meadows Estates HOA is proposing to prohibit Nightly Rentals.

Vote	Position
39	“support rezoning the Meadows Estates HOA to reflect CC&Rs”
11	“do not support rezoning”
1	“abstained”
4	“did not respond”
55	Total

Nightly Rental Regulations were created prior to Meadows Estates CC&R Amendment

The General Plan has detailed strategies and objectives that do support this amendment.



Proposed Amendment to LMC 15-2.13-2

Amend Footnote #3 of the RD Use Table (LMC 15-2.13) to include Meadows Estates Subdivision #1A and #1B.

³ Nightly Rentals do not include the Use of dwellings for Commercial Uses and Nightly Rentals are not permitted in the April Mountain, Mellow Mountain Estates Subdivisions, and Meadows Estates Subdivision Phases #1A and #1B.

Recommendation:

Staff recommends the Planning Commission review the proposed Land Management Code (LMC) amendments, hold a public hearing, and consider forwarding a recommendation for City Council's consideration on July 30, 2020.



An abstract artwork featuring two faces, one on the left and one on the right, rendered in a dark, monochromatic style. The faces are surrounded by large, bold, overlapping shapes in red, blue, yellow, and purple. The overall composition is dynamic and expressive.

POLICY APPROVAL

PUBLIC ART ADVISORY BOARD

Policy Changes & Request

Due to an extraordinary interest in Public Art Advisory Board, based on a positive recommendation from PAAB (5 to 1 vote), staff recommends:

- **Increase board size from 7 to 8 voting members**
- **New position would be a 3 year term, expiring June 2023**
- **Quorum is 5 (instead of 4)**
- **Super Majority vote (projects valued over \$25,000) would require no less than 5 positive votes (instead of 4) to recommend a project.**
- **Purchase under \$25,000 would require 5 members at the site (instead of 4).**

Council should review the redlined policy changes, and approve Resolution 18-2020. There is a duplicate sentence that is not redlined (p.504 Makeup of the Board), staff recommends deleting the duplicate sentence.

If Council is supportive, staff will return to the August 4 meeting for appointments.

