

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
JUNE 24, 2020

COMMISSIONERS IN ATTENDANCE:

Chair John Phillips, Sarah Hall, John Kenworthy, Mark Sletten, Laura Suesser, Doug Thimm, Christin Van Dine

EX OFFICIO: Planning Director Bruce Erickson; Hannah Tyler, Planner; Alexandra Ananth, Planner; Rebecca Ward, Planner; Caitlyn Barhorst, Planner; Mark Harrington, City Attorney

The Planning Commission meeting was conducted virtually via Zoom.
The public was able to submit eComments during the meeting.

ROLL CALL

Chair Phillips called the meeting to order at 5:40 p.m. and noted that all Commissioners were present.

APPROVAL OF MINUTES

June 10, 2020

MOTION: Commissioner Thimm moved to APPROVE the Minutes of June 10, 2020 as written. Commissioner Suesser seconded the motion.

VOTE: The motion passed. Commissioner Sletten abstained since he was absent from the June 10th meeting.

PUBLIC COMMUNICATIONS

No comments were submitted on items not on the agenda.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Planning Director Erickson anticipated that the Planning Commission would continue to have virtual meetings through July.

Commissioner Sletten disclosed that he has occupied commercial space at Park City Mountain Resort for over 20 years. It would not affect his ability to discuss or vote on the proposal. He clarified that this was only a disclosure and not a recusal.

WORK SESSION

5.A. Park City Mountain Resort Base Parking Lots – Work Session – Project Update and Confirmation of Site Walk on July 8, 2020. (Application PL-20-04475)

Planner Alexandra Ananth reported that a site walk will take place around the parcels of the Base Area. Attendees should meet at the Transit Center near the ice rink at 3:00 p.m. on July 8th. The public is invited to attend. Face masks will be required.

Planner Ananth presented a slide with a list of topics, including pedestrian connections, setback reductions areas, height increase areas, plaza areas, transit and loading/unloading zones, proposed road changes, building parcels sites including parking above grade, setbacks to adjacent buildings and discussing the potential for a pedestrian bridge, as well as upgrades to the transit center.

Planner Ananth asked whether the Planning Commission had other items to add to the list. She expected that PEG Development would fly balloons to give a sense of building heights. They would paint or outline the setbacks of the buildings on the ground and mark the garage entrances and egresses.

Planner Ananth reported that the Staff and applicant had not fully agreed to a stipulated scope of review for this project. The Planning Department recommended that the Planning Commission schedule a substantive amendment determination for the July 8th meeting, specifically on the issue of MPD modification. Director Erickson noted that it would be during the regular session and the Planning Commission would be asked to make a decision on the issue of whether an amendment to the MPD is appropriate. A public hearing will be scheduled for public input.

Planner Ananth stated that she was still waiting on information from the applicant, including the amount of square footage located above grade for all the parcels on the property. The applicant provided information on Parcel B, but she needs it for every parcel. Planner Ananth did not think every parcel has above grade parking; however, if there is above grade parking on any parcel that contributes to the building mass, she needs that important for a substantive review. Planner Ananth stated that she was also waiting for information on vertical and horizontal articulation of the buildings. These issues were included in the May 27th Staff report and she expected to receive the requested information from the applicant fairly soon.

Planner Ananth stated that the proposed schedule would not be changed at this time. The site walk and Planning Commission determination would occur on July 8th. Site

planning and architecture would be discussed on July 22nd. Traffic, transit, connectivity, and parking will be the discussion topics on August 26th. Planner Ananth anticipated moving into public hearing process beginning on July 22nd as the Planning Commission begins to substantively review the application. Planner Ananth stated that once they move into the public process, the Staff will begin addressing the public input that has been received to date. She announced that the City now has a project web page that will be updated as the project forward. The web page can be linked from the Planning Department page.

Commissioner Thimm asked if it was possible to have 11x17 paper copies of the site plan, elevation, and massing diagrams for all participants of the site visit. Planner Ananth offered to provide those at the site visit. Planner Ananth stated that at the last meeting that the Planning Commission had requested their own books of the project. She anticipated that the books would come in next week and the Commissioners would have them to review prior to the site visit.

Robert Schmidt, representing the applicant, commented on the stipulations as they stand right now. He believed there was basic agreement between PEG Development and the Staff on three of the four stipulations. The fourth stipulation related to affordable housing. PEG Development thought the best route was to go through a review process with the Housing Authority and bring the result of that process to the Planning Commission.

Mr. Schmidt provided his perception of the status of the negotiations. He felt like the scope of review that was proposed, the zoning, the parking, traffic and transportation were appropriate, and PEG looked forward to those reviews. He reiterated their thinking that the affordable housing should go to the Housing Authority first and then to the Planning Commission.

Mr. Schmidt stated that in terms of process and findings for substantive change, PEG Development finds that nebulous and they are unclear on what it means. However, he believed there was an appropriate path forward. Mr. Schmidt reported that PEG Development has had conversations with City Attorney Mark Harrington and Matt Dias on this matter in terms of the process.

Chair Phillips was comfortable with PEG Development discussing affordable housing with the Housing Authority before discussing it with the Planning Commission. The Housing Authority are the experts and the Planning Commission can provide input on whatever is determined.

Robert McConnell, legal counsel for PEG Development, referred to the four stipulations in terms of the scope of review, and he wanted to make sure there are no problems in transmission. He noted that the Staff sent the applicant proposed bullet points and the applicant sent back those same bullet points with modifications. Planner Ananth stated that had received those and they were presented to the Planning Commission in a slide at the last meeting on June 10th. Mr. McConnell stated that apart from the affordable housing and the Housing Authority, he asked if they were in agreement on the scope of review in terms of how the bullet points were stated.

City Attorney Harrington answered no. He clarified that it was the reason why the Planning Department was reporting that there was not agreement. They intend to go back to the Code as written and the full review of the MPD language, and the applicant will be able to reject to the scope of review on each individual item as they occur. The Planning Commission will decide to whether to proceed with a full re-review or move forward with the amendment. Mr. Harrington stated that those differences would be fully explained in the next Staff report.

Commissioner Kenworthy understood that PEG Development would take on the assignment responsibilities for construction of the resort base, including the requirements to the affordable housing, parking, traffic, and vehicle pedestrian circulation patterns. He asked Mr. Schmidt to clarify whether they were taking on the entire obligation for those issues.

Mr. Schmidt clarified that PEG was taking on the responsibility to construct the improvements at the base area, including improvements for pedestrian, parking, traffic, and transportation as they relate to the base. PEG was also taking on the obligation for 23 beds that come from the previous obligation for affordable housing. They are proposing to fulfill the remainder of the affordable housing requirement for the base area in accordance with the City's current affordable housing guidelines at they relate to the base area. It would be based on employee generation of the base area.

Commissioner Kenworthy clarified that PEG Development would take on the parking responsibilities for both the mountain operation and the development of the base. Mr. Schmidt replied that PEG was proposing to build 1200 day skier stalls to provide for the skier base skiers. Additional stalls will support the new uses being proposed.

Based on Mr. Schmidt's explanation, Commissioner Kenworthy understood that the Development Agreement has those limitations of 1200 stalls, despite the fact that operations was being bifurcated from the development. Mr. Schmidt replied that the Development Agreement do not specify a number. PEG Development made a proposal and provided a basis for that proposal. He believed the number of stalls

would be part of the review process. Mr. Kenworthy asked if PEG Development has had conversations with Vail regarding cooperation and working together on these issues. He also wanted to know if those conversations have occurred with the City. Commissioner Kenworthy clarified that he always pushes public/public and he thought this situation was a great opportunity for public/private. He wanted to make sure the issues were being communicated with all three agencies.

Mr. Schmidt stated that in terms of conversations with Vail, they have discussed the number of stalls proposed. Vail is comfortable with 1200 day skier stalls and believes it is sufficient. He remarked that there is also a level of concurrence on the correct number of stalls for the mountain operations. Regarding conversations with Staff, Mr. Schmidt stated that PEG Development provided their report and calculations, and the Staff had not responded with specific comments. He clarified that PEG had not explored any specific public/partnerships as it relates to parking.

Commissioner Kenworthy asked about transportation and noted that they had discussed the principles in the General Plan at the last meeting. For at least a decade, the goal has been for development at the base to include an overview and help with transportation, and that the entities would work together. At that time, it was assumed that only one entity would be running the base and the operations. Commissioner Kenworthy asked if PEG was bringing Vail to the table as a third party and whether discussions have taken place with the Transportation Department.

Mr. Schmidt replied that there have been numerous meetings over the last year with different people within the City. In a broad sense they have looked at the Master Plan; however, the specific discussions focused on what was contained in their proposal regarding improvements to the system.

Commissioner Kenworthy stated that in his opinion transportation solutions and parking go hand in hand, and he would be taking that into consideration when making his decision on July 8th. Mr. Schmidt clarified that PEG had not received specific feedback, comments, or requests on what they were proposing. He was interested in hearing feedback and anticipated more detailed discussions throughout the process.

Commissioner Suesser asked Mr. Schmidt to address the 600 parking stalls that were included in the Development Agreement that were not included in the proposed plans. City Attorney Harrington noted that parking or other details were not scheduled on the agenda and they should refrain from discussing those this evening. Unless the Commissioners had questions on the update regarding the schedule, he preferred that they hold their questions on substantive matters until they are scheduled to be

discussed. Mr. Harrington stated that the Planning Commission could reprioritize the schedule and move parking and transit up on the proposed schedule.

Chair Phillips opened the public hearing.

All the public comments submitted before and during the meeting were entered into the record.

Anyone viewing the meeting on Zoom who wished to make comment should use the "raise your hand" feature on Zoom and they would be able to speak.

Planner Ananth read the comments she received after the Staff report was published.

Nancy Lazenby asked if the applicant would have markers and balloons installed to show the Commissioners and the public the dimensions and the heights of the proposed new buildings and parking garage.

Planner Ananth clarified that there would be balloons to show height in a very rough manner.

Debra Rentfrow commented on the July 8th site visit and asked if PEG Development would have visual designations for parking garage entry points, pedestrian crossings, commercial unloading, and public transit parking and drop-off. Ms. Rentfrow asked if the developer would be able to indicate access points to the mountain without the use of stairs near or around the plazas.

Planner Ananth replied that the entry points to garages, pedestrian crossings and loading zones should be marked for the July 8th site visit. The plazas have ramps and stairs and can accommodate bikes in the summer.

Rich Wyman raised his hand in Zoom.

Mr. Wyman stated that he started looking at this proposal a week ago. He went to the PEG website and he was shocked at how little information there is on the website. Mr. Wyman thought the community would soon become aware that this project is the next most important project and possibly the last of its kind on something this large, monumental, and impactful. Mr. Wyman stated that the project needs to be the absolute best it can be, but what he was seeing so far is far from that. From looking on the PEG website, the designs show a complete lack of imagination and lack of creativity. It does not look like a world-class ski town. Since they were trying to get the Olympics again, he thought Park City should be looking at creating a project that is

absolutely world-class. Mr. Wyman commented on other projects with different developers and questioned whether PEG was the right developer for this project. He suggested that PEG bring in people with experience on the world stage who have been involved in building a ski resort. Mr. Wyman had serious reservations about PEG Development and their ability to develop what Park City really needs. He has been involved in different development proposals over the years, and he believed this was a chance to do something the whole community could come together and support. Everyone knew these parking lots would eventually be developed, and the citizens want to see the best project for Park City. Mr. Wyman stated that in the Park City Envisioning process the community overwhelmingly asked for bold change now, and for the City to live up to its environmental ideals. That means business as usual is no longer acceptable. Mr. Wyman remarked that the designs must fit with the authentic town and not create a "disneyesque" tourist attraction. He thought the designs were seriously flawed and do not fit within Park City, especially not in Old Town or the base of the Resort. The buildings are massive, bulky, and unattractive. Mr. Wyman commented on the community plazas, and he did not see wide-open welcoming community plazas. He thought it was ironic when a project of this size talks about improving traffic when it will actually generate more traffic problems. The affordable housing should be built onsite to help reduce the traffic. Mr. Wyman strongly felt that all the parking should be underground. Mr. Wyman agreed with Commissioner Kenworthy about the public/partnership and everyone working together for the best outcome.

John Stafsholt raised his hand on zoom.

Mr. Stafsholt stated that the changes PEG wants to make are for their own economic benefit. The question is whether the amendments are small enough to allow the changes, or if the Planning Commission should require a new MPD. Mr. Stafsholt appreciated the community outreach PEG conducted and he attended some of the earlier meetings. He noted that PEG Development had made adjustments based on public input. Mr. Stafsholt believed the significant changes exceed an amended MPD approval, particularly the amount of above-ground parking that will impact Old Town and the surrounding streets. He personally thought the Planning Commission should look at a new MPD for this project.

Chair Phillips closed the public hearing.

Mr. Schmidt asked to respond to some of the public comments. He emphasized that PEG had not completed any architecture on the buildings. What they have shown is simply blocking and massing to give people an idea of scale, size, units, parking, etc. It is a complex project and the architecture will come as they get further into this process,

and as they get through the conditional use process. He wanted it clear that they were not proposing architecture at this time.

Chair Phillips questioned how they should approach facade lengths, architectural, and site plans, or what the Staff will need in order to do a complete review. He asked the Staff for their thoughts on how to proceed through the next topics.

Planner Ananth understood that the applicant was massing out the project only as they referred to it as blocking and massing. She stated that it was adequate to a certain extent because they were fitting the density into the blocking and the massing. Each parcel will come back to the Planning Commission for a CUP, and that is when they should expect final architectural details. However, she understood why the Commissioners might want a little more detail now for some type of assurance. She noted that the 1998 submittal had fairly detailed architecture in the Development Agreement at an early point before it came back for CUPs. She would expect something similar to that by the end of this project being approved.

Chair Phillips agreed. He would like something more than just volumetrics but understanding that the Commissioners did not expect complete plans. Chair Phillips stated that if PEG Development has the ability or the opportunity to provide 3-D views with perspective points. He noted that 3-D helps the Planning Commission visualize massing and other elements when they can see it from different perspectives.

Commissioner Sletten agreed with Chair Phillips. He urged PEG to create a relatively accurate 3-D perspective of what PEG Development envisions for the project. It does not need to be overall, but just the scope of individual elements of the buildings would be extremely helpful for the Commissioners and also for the public who will be watching this project closely.

Mr. Schmidt stated that PEG was already working on something and hope to have it ready to present at the first meeting. Commissioner Thimm noted that July 22nd meeting was set aside for architecture. Everyone understands that they do not want a hodge-podge of buildings; and having some idea about style, form and shape beyond simple block massing would go a long way in helping the Planning Commission understand what is being proposed. Chair Phillips concurred.

Commissioner Hall asked if the July 8th site visit would be the only site visit for this project. Director Erickson replied that the Commissioners could request another site visit to focus on other issues besides the topics presented for the July 8th site visit.

Commissioner Hall stated that after re-reading the Development Agreement and the Code, she thought it was evident that the Planning Commission would need to review the entire Master Plan and Development Agreement. She did not believe it was possible to preemptively bifurcate the process. Commissioner Hall clarified that she was not suggesting that they should necessarily hold PEG accountable for everything related to the ski base operation, but they should at least review the entire Master Plan and Development Agreement.

Commissioner Suesser asked if the applicant had submitted a traffic impact study. Planner Ananth replied that a traffic impact study was submitted, and it was attached to the application. It was also broken out on the City's webpage for this project. Commissioner Suesser asked if the traffic study recommends the one-way designations of the streets. Planner Ananth answered yes. Commissioner Thimm clarified that it was an analysis that takes into account that pathway. Chair Phillips asked Planner Ananth to include a link to the full application in the next Staff report.

Commissioner Thimm stated that he read through the Hale's Engineering TIS, but he could not find anything regarding the parking analysis. He asked if that could be found on the website. Planner Ananth replied that the parking analysis was in the application and the links were included in the May 25th and June 10th reports.

5.B. ADUs Work Session

Planner Hannah Tyler stated that the Planning Commission would be discussing the Accessory Apartment Regulations, including adding Tiny Homes. She noted that the City had commissioned a third-party assessment to assess the current regulations and identify any impediments in the Code that might be prohibitive to the development of accessory apartments. Planner Tyler reported that this work session was scheduled at the request of the City Council and the Planning Commission.

Planner Tyler stated that the Planning Department views accessory apartments as another tool in the toolbox for housing in Park City. This discussion is not specific to affordable housing, but rather the potential for long-term rental options that would contribute to the overall pool of rentals in Park City. Planner Tyler noted that they were seeing a significant decline due to nightly rentals. It takes away middle-income housing because some people cannot afford housing in the free-market, and others do not qualify for housing because their income is too high, or they are not ready to buy a house. Planner Tyler was hopeful that this type of housing could not only provide a place for people to reside within City limits, but also help existing property owners stay in their homes by providing another source of income. Planner Tyler pointed out that not every accessory apartment will fit that model, but the goal is that the majority of

accessory apartment can help them piece together the puzzle as they look at housing on a more global level.

Planner Tyler commented on the current definition of accessory apartments and how it relates to the zoning piece, as well as the criteria and what they plan to do with the criteria after hearing feedback from the Planning Commission. An accessory apartment is a self-contained apartment, which means it has cooking, sleeping, and sanitary facilities. However, the anomaly is that the accessory apartment must be attached to the house or attached to the garage. Planner Tyler clarified that someone could add on to their house or their garage to create the accessory apartment. The accessory apartment cannot be a standalone structure. She pointed out that the distinction of needing to be part of the house or the garage is one of the many prohibitive pieces to accessory apartments in the current regulations.

Planner Tyler stated that accessory apartments are allowed or conditional in almost every zone. The exceptions are open space zones and the transition zones. When the Community Transition Zone was initially created it was not intended for residential uses; however, residential was later added in a limited manner. The first piece addressed the IHC housing obligation. The second piece was during the Gilmore pre-annexation agreement, which became Park City Heights. When that area was annexed into the Park City limits, it was already within the CT zone and was designated CT zoning. Planner Tyler requested direction at the end of her presentation on whether or not the Planning Commission would like to expand accessory apartment to the CT zone where it is currently prohibited. The Staff recognizes there are master plan development and density concerns; however, as long as the accessory apartments do not qualify as UEs or do not contribute to exceeding the UE densities on specific properties or within those developments, the CT zone could be a good candidate for a potential affordable housing designation for accessory apartments. Another option would be to look at those units as non-affordable housing. Planner Tyler stated that the Staff needed to do more research, but they were leaning towards the affordable housing designation. The Planning Commission could have that discussion at a later meeting after the Staff has done the research.

Planner Tyler noted that the nine criteria for accessory apartments was listed in the Staff report. Rather than go through all nine criteria, Planner Tyler highlighted the criteria the Staff believed had issues.

Planner Tyler reiterated that the City allows accessory apartments in almost every zone and anyone is eligible to try to add an accessory unit. However, some people have experienced roadblocks. One issue is parking. Currently, one parking space is required per bedroom. In many instances some properties are extremely tight, and

people cannot physically add an off-site space on their property. Planner Tyler pointed out that a primary dwelling is required to provide two off-street parking spaces. Adding a single bedroom requires an additional parking space, and in many circumstances it is impossible to meet the 9' wide x 18' deep parking space requirement. That alone prohibits an accessory apartment. The Staff was using a third party to assess parking reductions for affordable housing. They were asking the third-party to provide examples of criteria in other towns where the criteria were set to meet a certain threshold for requesting a parking reduction. Planner Tyler believed Park City could pull out some of those basic planning principles and add them to the accessory apartment criteria review. The Staff would come back with different options for the Planning Commission to consider in order to consider a reduction in parking. Planner Tyler understood that it could not be a blanket criteria because there are some areas in town where reduced parking might not be appropriate. The Staff would like to have that discussion to see how it will fit within the framework for accessory apartments.

Planner Tyler stated that the Staff received public feedback on Criteria 4 – Requirements for Review. It is the requirement to provide a floor plan, architectural elevation and a site plan. She has reminded the public that if there was not a planning process, there would still be a building permit process. These items are required to obtain a building permit so the building department can make sure the accessory unit will be safe. They also need to make sure these units meet the International Residential Code. Planner Tyler stated that the Staff was not willing to deviate from this criteria because it makes sure the unit is feasible and they can meet setbacks or exceed density calculations, and that the unit is safe.

Planner Tyler commented on Criteria 5 – Density Limit. The criteria states that no more than 3 homes within 300 feet can have an accessory apartment. Planner Tyler believed the Staff was willing to relook at this criteria. It may need to be stipulated depending on the individual subdivision and how the densities were calculated, but there are areas where it would be appropriate to exceed 3 homes per 300 feet.

Planner Tyler stated that the Staff received public feedback on ownership. Criteria 6 requires the property owner to either live in the main house or the accessory apartment. She noted that some people are second homeowners and do not live on their property full-time. Another situation is that some people need to move because of a job change or other reasons, but they do not sell their house. Planner Tyler remarked that the Staff does not have an issue with removing the ownership piece, but they would want to stipulate that both sides of the unit remain long-term rentals. She pointed out that the concern is not having an owner on site to police the renters. However, she believed it would police itself if they have full-time renters in both dwellings.

Planner Tyler stated that the next criteria related to deed restrictions. She understood that people do not want a deed restriction on their house, but the criteria only requires a notice to future purchasers of a property that the current property owner, when the accessory apartment was issued, agreed to Criteria 1 through 9 and any conditions that were put on the accessory apartment. Planner Tyler remarked that this criteria was an educational piece for the next owner and a way for the City to make sure they were maintaining the status of the accessory apartment. It gives the City more teeth if they need to enforce on any issues.

Planner Tyler stated that the Staff received public input on the nightly rental piece. People do not want to lose the ability to use their house for nightly rental in the future. Planner Tyler remarked that if the goal is to look at housing on a more global level in Park City, nightly rentals goes against the intent of adding accessory units. Planner Tyler noted that some people want to nightly rental their main house and have the property manager live in the accessory apartment. She understood that argument, but from a long-term rental standpoint, she did not think adding a night rental would achieve their goals.

Planner Tyler provided an overview of the feedback from the third-party assessment, noting that some of the feedback differs from the feedback from the public that she outlined. The first was the size requirement. The third-party assessment said the size might be prohibitive because people might want a larger unit. Planner Tyler stated that the City approves accessory apartments as a secondary use to the main house in an effort to bridge the gap between a duplex and a secondary use. Setting a size limit helps the City enforce and manage their use table as they look at densities. Also, certain things do not count in a Master Planned Development and they want to make sure they are limiting what cannot be counted in the future. Planner Tyler was open to looking at this issue, but she wanted the Planning Commission to understand the logic behind it.

Regarding parking, Planner Tyler remarked that the Staff was aligned with the third-party assessment. In some instances, if the additional parking space cannot fit on the property the accessory apartment is automatically denied. The Staff and the third-party think that should be reconsidered.

Planner Tyler stated that the third-party identified conditional approval for certain zones. She noted that some owners do not want to go through the conditional use process. Planner Tyler remarked that the conditional approval properties are in the Historic District and the Staff and Planning Commission understand how complicated the Historic Districts can be. For that reason, it helps the Staff to have the additional layer of review and oversight by the Planning Commission.

Planner Tyler stated that the next third-party assessment relates to density limits and the 3 units within 300 feet. The last two were owner occupancy and nightly rental prohibition. The third party identified nightly rentals as an impediment. She reiterated that the Staff goal is to have long-term rentals.

Chair Phillips asked for clarification of the impediment on size. Planner Tyler replied that the third party assessed that by setting a maximum size, some people may want a larger unit. She clarified that the Staff was trying to make accessory apartments a secondary use of the main house to avoid it becoming a duplex. The Staff prefers to have a measurement threshold to control the use. She was not opposed to relooking at the size.

Commissioner Suesser asked for the definition of a duplex. Planner Tyler read, "A duplex dwelling is a building containing two dwelling units". ♦ The definition of a dwelling unit is, "A building or portion thereof designed for use as the residence or sleeping place of one or more persons, and that includes a kitchen but does not include a hotel, motel, lodge, nursing home, or lockout unit". Commissioner Suesser thought the accessory apartment was getting close to a lockout unit. Planner Tyler replied that the difference is that a lockout unit does not have a kitchen.

Planner Tyler stated that she and Director Erickson would like to look at all the definitions of "accessory" whether it be a guest house or an accessory apartment, because they begin to blend together. She thought it would be good to review those definitions to make sure everyone has the same assumption of what each one means.

Commissioner Hall asked if the size limitation was the main difference between a duplex and the accessory unit. Planner Tyler replied that it was size and also that the accessory unit is intended to be secondary. In a duplex each half is equal. Planner Tyler thought they should update the definition to clearly define the differences between a duplex, an accessory apartment, and a lockout unit.

Director Erickson clarified that a duplex unit is a unit equivalent and counts towards the density in a subdivision. An accessory apartment does not count towards density.

Planner Tyler offered to come back to the Planning Commission with a review of all the types of residential uses that would be allowed on a property and how they are slightly different but similar.

Planner Tyler commented on tiny homes. She noted that tiny homes do not meet any of the Code definitions. The Staff was proposing to create a new name of "accessory

dwelling unit". The goal would be to capture accessory apartments and tiny homes under "accessory dwelling unit". Planner Tyler stated that the Staff interprets tiny home as a small independent accessory structure that has a kitchen, sleeping, and sanitary facilities. Under the definition of an "accessory dwelling unit" they could all be contemplated at once. The Staff believes they can review an accessory apartment much like they would a tiny home and put them through the same review channel.

Planner Tyler thought there were many opportunities with tiny homes but also some concerns. The Staff would like to see tiny homes treated as a secondary use to the house. They want to avoid having people carve out a piece of their property and sell it to someone who wants to build a tiny home. Many of the zones have minimum lots sizes and the intent was to control the density because it impacts streets, sewer, school districts, and other factors that need to be considered when they create the zoning designations. If they can keep tiny homes as an accessory to the main house, it would allow for better control mechanisms. Tiny homes would effectuate the same goals of having long-term rental options. If the Code is updated and the definition is changed, tiny homes could be allowed. Currently, under the Code, tiny homes are not allowed.

Commissioner Suesser thought a main feature of a tiny home is that it is a standalone building. She pointed out that by definition an accessory apartment is attached to a garage or the house. Planner Tyler replied that the first step would be to expand the definition of accessory apartment to include free-standing structures. She stated that changing the name to accessory dwelling unit would not only align with planning in general, but it would help to expand the use to include tiny homes.

Planner Tyler stated that whatever the Planning Commission wants the Staff to pursue regarding changes for accessory apartments, the Staff would return with a thorough analysis of the impacts of each different amendment and provide examples of how it would be implemented in different areas.

Commissioner Sletten thought the combination of tiny homes and accessory apartment units made sense. He agreed they should make it clear that the intention is not to subdivide an existing lot. Commissioner Sletten believed the requirement that either the primary dwelling or the accessory unit be occupied by the owner presents a problem for various reasons. He noted that the guidelines would need to be amended for that requirement as well if they make the change to an accessory dwelling unit. Commissioner Sletten stated that he struggled with parking. The areas the third party studied, such as Portland and San Francisco, are areas that already have excessive numbers of on-street parking by virtue of how the town developed. He pointed out that with snow removal required in Park City, pushing cars on to streets in all areas will create problems. He was not implying that the issues could not be mitigated, but it

needed to be considered and well-thought out. Regarding conditional versus approved uses, Commissioner Sletten commented on how little has been done over the years to address affordable housing issues. Whether they are deed restricted or only affordable by virtue of the size and price, they will still be affordable by Park City standards. Commissioner Sletten thought they should lower every possible barrier, but at the same time maintain proper oversight. He believed that if appropriately administered, it would go a long way towards addressing affordable housing issues over the next five years, in terms of deed restricted and non-deed restricted properties.

Chair Phillips agreed with Commissioner Sletten. He asked whether the Staff anticipated these changes would encourage the goal of creating more units for the working class and the people who help run this community. Chair Phillips stated that personally, his personal goal has been to find ways to encourage the private sector to create more living spaces. Chair Phillips was interested in seeing the analysis as to whether they can make the suggested changes and still keep from opening the flood gates. If making changes only adds a couple of units, the question would be how important it is to have those extra units. Chair Phillips suggested looking more into the deed restriction because it would tie into the City's goals. He asked how they could incentivize someone who is building a new home to carve out 400 square feet and make it a deed-restricted portion of the house. Chair Phillips favored the idea of changing the term to "accessory dwelling unit" to allow for tiny homes.

Commissioner Sletten stated that limiting or eliminating nightly rentals from the new classification would go far in terms of supporting the affordable housing goals.

Commissioner Hall asked if Park City Heights was the only development within the CT zone. Planner Tyler stated that there was also housing at Peace House. Commissioner Hall favored an allowed use for accessory dwelling in the CT zone. She also favored the definition change to "accessory dwelling unit". She thought it would also be helpful to have a matrix to show the difference between a duplex and an accessory dwelling unit to help them understand the substantive implications of the different defined terms. Commissioner Hall was in favor of generally incorporating tiny homes as well to reduce the number of defined terms. She did not think there was much difference distinguishing between a tiny home and an apartment. Commissioner Hall was open to being more flexible on parking and left it to the Staff to provide a more in-depth analysis based on the zones. Commissioner Hall echoed Chair Phillips regarding the implications of making changes since many HOA already prohibit accessory apartments. She would like a rough estimate of how many units were even viable. Commissioner Hall was in favor of changing the ownership definitions to say that the owner does not need to live there, but a primary resident tenant does need to

live there. Commissioner Hall suggested a six-month minimum on nightly rentals to draw local, long term residents.

Commissioner Kenworthy stated that he was a hard “no” on the nightly rentals. He agreed that 30 days was too short, and he recommended a 90-day minimum for the rental. Commissioner Kenworthy believes extra units help in a second home community. He thought Planner Tyler’s overall presentation was very well balanced.

Commissioner Kenworthy asked if this proposed ordinance change would allow park model trailers to be parked in the driveway or in the backyard and plugged into sewers and electrical boxes. Planner Tyler noted that some tiny homes are on wheels, but the Staff was talking about tiny homes that are permanently affixed to the ground. A trailer would not meet the definition. Commissioner Kenworthy thought that distinction was important. Commissioner Kenworthy was comfortable allowing accessory units in the CT zone.

Commissioner Hall concurred with all the comments by Commissioner Kenworthy. She was also in favor of opening the density limit from the 300 feet. If they want to encourage people to have accessory units, they should remove the barrier.

Commissioner Kenworthy understood that Planner Tyler had suggested a unit size of 400 square feet; however, he favored reducing the minimum size to 300 square feet, particularly in the Historic District. Commissioner Kenworthy liked the balance of 300’ per 3 units only because of Commissioner Sletten’s comment about parking. If they only allow 3 units per 300’ there is a chance that parking could be pushed out on the street without too much impact.

Chair Phillips could not think where there were 3 units within 300’ anywhere in Park City. He thought it was language that served no purpose at this point. Planner Tyler was unsure whether there were places that have 3 within 300’ and offered to look into it.

In terms of how the density units relate to the parking, Planner Tyler thought the Planning Commission needed to understand how moving one lever affects everything else. She will come back with a thorough parking analysis.

Commissioner Van Dine agreed with Commissioner Hall. She did not think that 300’ should be a restriction. She suggested a conditional or discretionary review for someone who wants to put one in within that boundary. That would give them the opportunity to look at parking rather than just prohibit another unit. Commissioner Van Dine thought the conditional or discretionary reviews talked about in the third-party assessment would be a major cost barrier for people. She would like to see either pre-

approved models or the ability to move forward if it meets certain criteria.

Commissioner Van Dine thought it would make it easier to review tiny homes and other units that fall outside of a pre-approved use. She commented on off-street parking and thought they should have a way to consider what parking will look like for Old Town and other full density areas. Commissioner Van Dine also agreed with removing owner occupancy requirement. She echoed previous comments about having a long-term resident and extending the minimum rental limit to more than 30 days to discourage short-term rentals.

Commissioner Thimm was in favor of amending the CT zone to allow accessory units. Regarding size, he suggested that a unit could be as small as 280 square feet.

Commissioner Thimm was comfortable defining tiny homes and adding it to the ADU definition. He noted that his company builds a tiny home and donates it to a non-profit every year, and they never have trouble finding someone to take it. Commissioner Thimm remarked that tiny homes could get more use than what they anticipate. In terms of density, he thought 3 units per 300' was arbitrary and probably unfair to a fourth homeowner who would like to take advantage of an accessory unit.

Commissioner Thimm preferred to remove the density limit. He agreed with previous comments regarding the homeowner occupancy requirement for the reasons stated. Commissioner Thimm agreed with the idea of looking at parking on a district by district basis. He was also open to reducing utility connection fees for an accessory apartment unit because those units have a limited number of occupants. Regarding the minimum length of occupancy, Commissioner Thimm thought 30 days was too short and 6 was too long. He would support a 90-day rental period. Commissioner Thimm noted that some zones have a limitation on the square footage of a home. If they want to increase the housing stock in Park City, he suggested exempting an AAU or a tiny house from the square footage requirements as long as it stays within the minimum and maximum square footage requirements for an AAU or a tiny home.

Chair Phillips concurred with Commissioner Thimm on the square footage requirement. One of the challenges is that people try to max out their properties to get the most out of it. He thought it was unlikely that people would utilize any of the square footage to accommodate an accessory dwelling unit and the exemption might make a difference in actually creating accessory units. Chair Phillips thought the exemption should have a maximum per zone to keep people from taking the exemption and converting it back into their living space. Chair Phillips agreed with reducing the square footage to 280 square feet. He has studied small homes and small spaces and it is very doable. He also agreed on the 90-day minimum rental because part of this is to create housing for seasonal workers.

Planner Tyler asked if the Commissioners were asking to increase the minimum time to 90 days, because currently the occupant needs to live there for more than 31 days. Commissioner Thimm clarified that they were suggesting more than 91 days. Chair Phillips stated that the goal is to create resident housing; not vacation housing. A 90-day minimum would help achieve their goal in providing housing.

Commissioner Hall noted that she initially said 6-months, but she could support 90 days. Commissioners Van Dine and Kenworthy concurred.

Commissioner Sletten commented on enforcement issues, noting that a shorter period requires more enforcement.

Commissioner Suesser supported accessory units as an allowed use in the CT zone. She thought it should remain a conditional use in the Historic District. Commissioner Suesser agreed with removing the restriction on density limits to allow more than 3 units within 300'. She would also remove the requirement that the owner must live in the dwelling. Commissioner Suesser commented on the 90-day minimum and noted that someone might want to rent one of these units for a month. If the intent is to remove restrictions to encourage having an accessory apartment unit, she favored the 31-day minimum rental proposed by the Staff. Commissioner Suesser was comfortable with the suggested 280 square feet size. She agreed with prohibiting nightly rental. Commissioner Suesser liked the idea of including tiny homes and accessory apartments in the accessory dwelling unit definition. However, she thought it was important to look through the Code to make sure they capture everything that belongs in the definition. Commissioner Suesser understood that a lockout unit does not have a kitchen, but it has a bedroom and that requires a parking space. She thought they needed to look at lockout units a little more.

Commissioner Hall referred to the City Permits listed in the Exhibit and noted that the cost for an average accessory unit is approximately 8% for City permits. She asked if there was some way to reduce or waive the fees. Planner Tyler stated that there was also a financing piece in the report, and they would be taking that discussion to the City Council. She offered to bring up the idea of waiving permitting fees to the City Council when they have that discussion.

Chair Phillips opened the public hearing.

There were no comments.

Chair Phillips closed the public hearing.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

6.A. 1162 Woodside Avenue – Conditional Use Permit – The Applicant Proposes to Construct a Basement Addition Using the Footprint of the Existing Historic Structure located Within the Building Setback. **(Application PL-20-04523)**

Planner Caitlyn Barhorst reviewed the conditional use permit application for 1162 Woodside Avenue. The Structure is a landmark historic site. Planner Barhorst reported that the Planning Commission reviewed a plat amendment for this property at the last meeting, and the City Council approved that plat amendment on June 18th.

Planner Barhorst stated that the CUP would allow the construction of a basement addition using the existing historic footprint, which is within the 5' setback against 12th Street. Planner Barhorst noted that the house currently has no foundation. The tax card indicates a wood filled foundation. This CUP request is necessary for rehabilitation of the structure.

Planner Barhorst reviewed a setback exhibit. The non-historic addition in the rear would be removed with this project. The applicant intends to construct a new addition in the rear, which will remove some of the existing encroachment within the 12th Street right-of-way. The City Engineer was comfortable with recording an encroachment agreement, which was a condition of approval on the approved plat.

The Staff recommended that the Planning Commission conduct a public hearing and consider approving the proposed conditional use permit.

Chair Phillips understood that the applicant was proposing to remove the existing addition. He asked if the basement would go underneath the existing structure. Planner Barhorst answered yes. She stated that there would be no habitable floor space within the 12th Street within the 12th Street right-of-way. The encroachment is only the corner of the existing house. The setback exception is for the habitable area of approximately 122 square feet of basement footprint beneath the historic structure.

Commissioner Suesser asked about access to the garage. Planner Barhorst stated that the garage will be accessed from 12th Street. Commissioner Suesser asked if there was additional on-site parking besides the garage. Planner Barhorst noted that historic structures are exempt, as well as the addition. However, the applicant was proposing one parking space behind the house that is accessed from 12th street.

Commissioner Hall referred to Finding of Fact #2, which read "The historic structure located x-square feet into the side setback". Planner Barhorst corrected the finding to read 122 square feet.

Planner Barhorst scrolled through additional slides showing the existing first floor plan and noted that the historic structure would be exempt from the setback requirements. Only the basement addition was being requested for the CUP. She presented the proposed first floor plan, and a visual showing the setback area in the basement that would be occupied with this CUP.

Planner Barhorst reported that the house will be lifted and placed back on the new foundation at grade. The applicant was not proposing to change the floor level. The structure will be put down exactly as it is currently.

Chair Phillips referred to the proposed basement floor plan and clarified that there are no egress windows in the area of the requested exception. Planner Barhorst replied that he was correct.

Commissioner Suesser asked Planner Barhorst to clarify the existing encroachment. Planner Barhorst stated that the non-historic addition would be removed, which crosses further into the 12th Street right-of-way. She presented the survey showing that only a corner of the historic structure will sit in the right-of-way. The City Engineer was comfortable with making sure that the encroachment clarifies that the corner of the foundation structure will be included in the encroachment, as well as the corner of the historic house. Measuring the encroachment from a scaled drawing, Planner Barhorst estimated approximately 5 square feet. She clarified that the house would sit exactly as it is now, but on a real foundation.

Chair Phillips was comfortable with the project as proposed. He asked if the structure would be panelized. Planner Barhorst answered no. It would be lifted as one whole unit. She noted that the HPB reviewed this plan earlier in the month and approved the new foundation and removal of the rear wall.

Chair Phillips opened the public hearing.

There were no comments.

Chair Phillips closed the public hearing.

MOTION: Commissioner Thimm moved to APPROVE the 1162 Woodside Avenue conditional use permit for the construction of a basement addition using the footprint of

the existing historic structure located within the building setback with a slight encroachment, based upon the amended Findings of Fact, Conclusions of Law, and Conditions of Approval found in the Staff report. Commissioner Hall seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 1162 Woodside Avenue

Background:

1. On May 8, 2020, the Planning Department received a complete Conditional Use Permit application.
2. The applicant is proposing to construct a basement addition using the footprint of the existing Historic Structure located 122 square feet into the Side Setback.
3. The property is located at 1162 Woodside Avenue.
4. The property is designated as Landmark on the Park City Historic Sites Inventory.

Zoning District:

5. The property is located in the Historic Residential (HR-1) Zoning District.

Lot and Site Requirements

6. The proposed Lot complies with the HR-1 Zoning District Requirements outlined in LMC § 15-2.2:
 - a. Minimum Lot Area is 1,875 square feet. The proposed Lot contains 2,813 square feet.
 - b. Minimum Lot Width is 25 feet. The proposed Lot Width is 37.5 feet.
 - c. The Lot Depth is 75 feet.
 - d. The Maximum Building Footprint is 1,201 square feet. The proposed Footprint is 1,106 square feet.
 - e. The Minimum Front Setback is 10 feet. The existing Historic Structure has a Front Setback of 10'-7".
 - f. The Minimum Rear Setback is 10 feet. The proposed addition has a Rear Setback of 10 feet.
 - g. The Minimum Side Setback is 3 feet. The proposed addition has a Side Setback of 3 feet.
 - h. The Minimum Corner Lot Side Setback is 5 feet. The basement addition is subject to this CUP approval.
 - i. The Maximum Building Height is 27 feet. The proposed addition is 27 feet.
7. Per LMC § 15-2.2-4 Existing Historic Structures: Historic Structures that do not comply with Building Footprint, Building Height, Building Setbacks, Off-Street parking, and driveway location standards are valid Complying Structures.
Conditional Use Permit Criteria
8. The proposal complies with the Requirements outlined in LMC § 15-2.2-4(A).

1. Upon approval of a Conditional Use permit. Pending Planning Commission review and approval of subject application.
2. When the scale of the addition and/or driveway is Compatible with the Historic Structure. Complies. The scale of the addition is Compatible with the Historic Structure as the addition maintains the same-sized building module and roof form of the Historic Structure and respects the Historic proportions. The proposal is necessary for the rehabilitation of the Historic Structure, as the existing Historic Structure will remain in its Historic location on the Site and requires a new foundation. The HDDR application for the design of the rear addition and basement level are currently under review for compliance with the Historic District Design Guidelines.
3. When the addition complies with all other provisions of this Chapter. Complies. The addition complies with all HR-1 Zoning requirements.
4. When the addition complies with the adopted Building and Fire Codes. Complies as conditioned (see Condition of Approval #8). ♦
5. When the addition complies with the Design Guidelines for Historic Districts and Sites. The Historic District Design Review application is currently under review for compliance with the Design Guidelines.
9. The proposal complies with the requirements outlined in LMC § 15-1-10(E).
 1. Size and location of the site. No unmitigated impacts. The size and location of the site is conducive to the proposed development as it complies with the HR-1 Zoning District requirements as well as with the Design Guidelines.
 2. Traffic considerations including capacity of the existing Streets in the Area. No unmitigated impacts. There is no change in Use that would generate additional vehicular trips beyond the current and Historic Single-Family use.
 3. Utility capacity. No unmitigated impacts. The utilities are accessed from 12th Street. All utility requirements will be reviewed during the Building Permit review.
 4. Emergency vehicle access. No unmitigated impacts. The emergency vehicle access is from 12th Street and Woodside Avenue.
 5. Location and amount of off-street parking. No unmitigated impacts. The proposed addition creates two (2) off-street parking spaces.
 6. Internal vehicular and pedestrian circulation system. Not applicable. There are no existing sidewalks along Woodside Avenue or 12th Street.
 7. Fencing, Screening, and landscaping to separate the Use from adjoining Uses. No unmitigated impacts. The Use is not proposed to change. The adjoining Uses are also Single-Family Dwellings; the fencing, screening, and landscaping will comply with the HDDR requirements.
 8. Building mass, bulk, and orientation, and the location of Building on the Site, including orientation to Buildings on adjoining Lots. No unmitigated impacts. The design of the Structure is compatible in building mass, bulk, and

orientation. The location of the existing Historic Structure is not proposed to change.

9. Usable Open Space. No unmitigated impacts. The proposed landscaping complies with the Design Guidelines for Historic Districts and Historic Sites.

10. Signs and lighting. No unmitigated impacts. No signs are proposed. The lighting will comply with LMC 15-5-5(J) as conditioned.

11. Physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing. No unmitigated impacts. The proposal is compatible with the surrounding Structures in mass, scale, style, design, and architectural detailing as the addition is being reviewed for compliance with the Design Guidelines for Historic Districts and Historic Sites.

12. Noise, vibration, odors, steam, or other mechanical factors that might affect people and property off-site. Not applicable. There are no changes in Use that will result in additional noise, vibration, odors, steam, or other mechanical factors. All exterior mechanical equipment will be screened and comply with the underlying Setback requirements.

13. Control of delivery and service vehicles, loading and unloading zones, and Screening of trash pickup areas. Not applicable. There are no changes in Use that will impact the control of delivery and service vehicles, loading and unloading zones, or Screening of trash pickup areas.

14. Expected Ownership and management of the project as primary residences, Condominiums, time interval ownership, nightly rental, or commercial tenancies, how the form of ownership affects taxing entities. Not applicable. A Single-Family Dwelling is an allowed Use in this Zone.

15. Within and adjoining the Site, impacts on Environmentally Sensitive Lands, Slope retention, and appropriateness of the proposed Structure to the topography of the Site. No unmitigated impacts. The property is relatively flat. The proposed improvements will be appropriately re-graded and reviewed thoroughly through the Building Permit. This site is not considered a Steep Slope (30% or greater slope) and will not require Slope retention.

16. Reviewed for consistency with the goals and objectives of the Park City General Plan; however such review for consistency shall not alone be binding. No unmitigated impacts. This proposal has been reviewed for consistency with the Goals and Objectives of the Park City General Plan. The General Plan establishes several goals and objectives specific to Historic Preservation, including, but not limited to:

- ☐ Goal 15: Preserve the integrity, mass, scale, compatibility and historic fabric of the nationally and locally designated historic resources and districts for future generations.

- ☐ Objective 15A: Maintain the integrity of historic resources within Park City as a community asset for future generations, including historic

resources locally designated on the Park City Historic Sites Inventory and its two National Register Historic Districts – the Main Street Historic District and the Mining Boom Era Residences Thematic District.

☐ Objective 15B: Maintain character, context and scale of local historic districts with compatible infill development and additions.

10. Staff finds any CUP criteria are met by the proposed application and will not require any additional conditions for mitigation.

11. Staff published notice on the City's website and the Utah Public Notice website, and posted notice to the property on May 27, 2020. Staff mailed courtesy notice to property owners within 300 feet on May 27, 2020. The Park Record published notice on May 27, 2020.

12. The Development Review Committee and Planning, Engineering, and Legal Departments reviewed this application.

13. Staff did not receive any public input at the time this report was published.

Conclusions of Law – 1162 Woodside Avenue

1. The 1162 Woodside Avenue Conditional Use Permit complies with the Land Management Code requirements pursuant to LMC § 15-1-10(E).

2. The 1162 Woodside Avenue Conditional Use Permit complies with the Land Management Code requirements pursuant to LMC § 15-2.2-3.

3. The 1162 Woodside Avenue Conditional Use Permit complies with the Land Management Code requirements pursuant to LMC § 15-2.2-4(A)

Conditions of Approval – 1162 Woodside Avenue

1. All Standard Project Conditions shall apply.

2. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits.

3. City Engineer review and approval of all appropriate grading, utility installation, public improvements and drainage plans for compliance with City standards, to include driveway and Parking Area layout, is a condition precedent to building permit issuance. An approved shoring plan is required prior to excavation.

4. This approval will expire on June 24, 2021, if a complete building permit submittal has not been received, unless a written request for an extension is received and approved by the Planning Director prior to the date of expiration

5. Modified 13-D fire sprinkler system is required for any new construction/addition.

6. All above grade utility facilities shall be located on the property and properly screened.

7. All lighting shall comply with LMC § 15-5-5(J).

8. All related new construction shall comply with the adopted Building and Fire Codes.

9. All Conditions of Approval from the June 3, 2020 Historic Preservation Board Review for Material Deconstruction Action Letter shall apply.

10. This Conditional Use Permit (CUP) approval is contingent upon approval of the pending Historic District Design Review application. If such application is denied, this CUP approval is void.

11. All Conditions of Approval from the 1162 Woodside Plat Amendment approved by City Council on June 18, 2020 (Ord 2020-28) shall apply.

12. The property is not located within the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore it is not regulated by the City for mine related impacts. However, if the property owner does encounter mine waste or mine waste impacted soils they must handle the material in accordance to State and Federal law.

6.B. Land Management Code Amendments – Amendment to Section 15-1-12(C), Notice, to Require that Notice be Mailed to All Property Owners Within a Condominium Association and Amendment to Sections 15-1-12(C), Notice, and 15-1-18(F), Form of Appeals, to Replace the Requirement that Applicants Submit Stamped, Pre-Addressed Envelopes with a Requirement that Applicants Submit a List of Certain Property Owners in Order to Transition to Post Card Notice Mailed by a Third Party.
(Application PL-20-04527)

Planner Rebecca Ward stated that this item was a Land Management Code Amendment to help transition to a postcard notice process. Planner Ward explained that before each public hearing, the Staff spends a considerable amount of time to put the public on notice of land use applications coming forward. Part of the process is mailing notice to property owners within a certain distance of the applicant's property. The noticing is very time consuming for the applicant and the Staff.

Planner Ward stated that currently, the LMC requires the applicant to provide pre-addressed stamped envelopes of property owners within a certain distance. She noted that Jessica Nelson and Caitlyn Barhorst have been working on a postcard notice process that will save applicants and the Staff a lot of time. Planner Ward noted that the Planning Department was also working on transitioning to an online application process.

Planner Ward showed the postcard the public would receive as notice. The back of the postcard provides information and details on the public hearing and how to obtain more information on projects. She stated that in order to transition to this postcard notice, the City Council approved an amended fee schedule which sets up a payment process for applicants to cover the cost of these postcard mailings.

Planner Ward stated that originally the Staff intended to propose two amendments to the notice process; however, they decided to limit the discussion this evening to change the requirement for applicants to submit pre-addressed stamped envelopes, and instead have the applicant submit an electronic list of the property owners. The Staff would send that electronic list with information about the public hearing to a third party who will send out all of the postcards.

Planner Ward stated that the Staff was proposing to amend two provisions in the LMC. The first is 15-1-12C. The second is for appeals, which currently requires that the applicant submit envelopes; and instead the Planning Department would work off the electronic list that was submitted for the initial application to resend a notice.

The Staff recommended that the Planning Commission open a public hearing and consider forwarding a positive recommendation to the City Council for their consideration on July 9th.

Commissioner Kenworthy suggested adding a QR Code on the postcard and on the property sign. People could use their phone and input the QR Code, and it will go straight to the website. Planner Ward offered to look into it. Commissioner Kenworthy asked if it would require amending what was being proposed this evening. He pointed out that QR Codes are popular and would be convenient and easy for the Staff and the public. Planner Ward did not believe it would require another amendment.

Chair Phillips agreed with a QR Code and thought it would be useful. He thought the proposed amendment was in line with streamlining the process and making it easier. He agreed that the current process is burdensome and time consuming. He liked the postcard notice.

Commissioner Sletten concurred. It was a smart change and he liked it.

Chair Phillips asked about adding the QR Code to the on-site notices to make it more accessible to the public.

Chair Phillips opened the public hearing.

Martina Nelson raised her hand on zoom.

Ms. Nelson thought the postcard notice was a fabulous idea. It will save a lot of time and money for the applicants. She also liked the idea of the QR Code. Ms. Nelson

stated that she is a huge fan of electronic submissions and she was happy to see this amendment.

Chair Phillips closed the public hearing.

Director Erickson stated that Caitlyn Barhorst had completely redesigned the public outdoor sign to post on the property, and it matches the postcard. He noted that Park City was mimicking Summit County's postcard. Director Erickson stated that the outdoor signs are reusable. If they add the QR Code, they will need to find a way to erase the Code or put it on so it can be removed when the sign is reused for another project. There were no issues adding the CR Code to the postcard. Commissioner Kenworthy pointed out that if they change the PDF and put a new file on the website, the same CR Code can be used for different properties. Director Erickson stated that he was not opposed to using the CR Code and the Planning Department would look into it.

Commissioner Hall asked about the ability to do a courtesy mailing for administrative permits. Director Erickson replied that administrative permits are required to be notices, but the distance requirement is different.

Planner Ward clarified that the Staff was only asking the Planning Commission to forward a recommendation on the amendments addressed under Item 1 in the Staff report. Item 2, regarding notice to Homeowner Association, will come back at a later date.

MOTION: Commissioner Thimm moved to forward a POSITIVE recommendation to the City Council regarding the proposed Land Management Code Amendment concerning mailed notice in postcard form for City Council to consider on July 9, 2020. Commissioner Hall seconded the motion.

VOTE: The motion passed unanimously.

The Planning Commission Meeting adjourned at 7:45 p.m.

Approved by Planning Commission: _____